



**University Hospitals of
Derby and Burton**
NHS Foundation Trust

Reservation of Powers to the Board and Delegation of Powers

(Scheme of Reservation and Delegation)

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Lead Director: Executive Chief Financial Officer/ Executive Director of Corporate Development

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INTRODUCTION

The NHS Code of Governance¹, requires there to be a formal schedule of matters specifically reserved to the Board of Directors and a schedule of decisions/duties delegated by the Board of Directors

The purpose of this document is to define those powers which are reserved to the Board. It also outlines, those powers which are delegated, the extent of the delegation and to whom they are delegated.

However, regardless of whether or not they are delegated, the Board remains accountable for all of its functions, and will establish mechanisms through which it will information about the exercise of delegated functions, to enable it to maintain an oversight role.

A Role of the Chief Executive

Any powers of the Trust which have not been reserved by the Board or delegated to a committee shall be exercised by the Chief Executive. The Chief Executive shall prepare an Operational Scheme of Delegation proposing which functions they shall perform personally and which functions have been delegated to other Executive Directors, the Executive Leadership Team and/or other specified officers, for approval by the Board.

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 that in their judgment was likely to be a cause for public concern.

All decisions taken on the basis of this scheme of delegation should also have regard to the Trust's **Standing Financial Instructions, Standing Orders and relevant policy and procedures.**

C Absence of Director or Officer to whom Powers have been Delegated

In the absence of a Director or officer to whom powers have been delegated, those powers shall be exercised by that Director or officer's superior, unless alternative arrangements have been approved by Board. If the Chief Executive is absent, powers delegated to them may be exercised by the Deputy Chief Executive after taking advice from the Executive Directors and/or Chair as appropriate.

D 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.

This Scheme of Delegation should be read in conjunction with the Constitution, Standing Orders and Standing Financial Instructions. In addition all staff members should be aware of and comply with the Trust's policies and procedures.

A list of definitions is included as Appendix 1 and a Glossary of Terms at Appendix 2.

¹ [NHS England » Code of governance for NHS provider trusts](#)

SECTION 1 – DECISIONS RESERVED TO THE BOARD

| REF | Reser ved By: | DECISIONS RESERVED TO THE BOARD | |
|---|------------------|---------------------------------|--|
| NHS Act 2006 (as amended by the H&SC Act 2012) | BOARD | General enabling provision | |
| | | 1. | The Board of Directors shall exercise all powers of the Trust as set out in the NHS Act 2006 (as amended by the Health and Social Care Act 2012), subject to any restrictions by its license, or as delegated in accordance with this Scheme. The Board at a full session may determine any matter it wishes in within its statutory powers. |
| | BOARD | Regulations and Control | |
| NHS CODE OF GOVERNANCE Sections A & B | | 1. | Approve Standing Orders (SOs), a schedule of decisions reserved to the Board and Standing Financial Instructions. |
| | | 2. | Suspend Standing Orders. (SO 5.14) |
| | | 3. | Vary or amend the Standing Orders. (SO 5.15) |
| | | 4. | Ratify any emergency decisions taken by the Chair and Chief Executive in public / private session in accordance with SO 6.1 |
| | | 5. | Approve a scheme of delegation of powers from the Board to committees. (SO 6.2 and 6.3) |
| | | 6. | Receive any declaration of Board members' and Council of Governors interests which may conflict with those of the Trust and determine the extent to which that member may remain involved when the matter is under consideration. |
| | | 7. | Receive any declaration of officers' interests which may conflict with those of the Trust. |
| | | 8. | Approve arrangements for dealing with complaints. |
| | | 9. | Adopt the Executive Directors organisation structure and monitor the processes and procedures employed by Executive Directors to require and facilitate the discharge of business by the Trust and agree modification there to. |
| | | 10. | Receive reports from committees including those which the Trust is required by regulation to establish and to take appropriate action thereon. |
| | | 11. | Confirm the recommendations of the Trust's committees where the committees do not have executive powers. |
| | | 12. | Approve arrangements relating to the discharge of the Trust's responsibilities as a corporate trustee for funds held on trust. |
| | | 13. | Establish and remove committees and sub committees of the Board and approve terms of reference and reporting arrangements for those committees and sub-committees. |

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| | | 14. | Approve arrangements relating to the discharge of the Trust's responsibilities as a bailee for patients' property. |
| | | 15. | To consider instances of failure to comply with Standing Orders brought to the Chief Executive's attention in accordance with SO 6.4 |
| | | 16. | To ensure appropriate disciplinary action is taken where Board members or employees have breached statutory requirements of the Trust's Constitution or Standing Orders. |
| | | 17. | Approve amendments to the Trust Constitution prior to submission to the Council of Governors and NHS England. |
| NHS CODE OF GOVERNANCE Section C | BOARD | Appointments/Dismissal | |
| | | 1. | Appoint members of committees of the Board. |
| | | 2. | Appoint the Chief Executive and Executive Directors (subject to section 27 of the Constitution) |
| | | 3. | Confirm appointment of Directors of the Trust as representatives on outside bodies if Board endorsement is required. |
| | | 4. | Appoint the Chief Executive, Directors and non Agenda for Change staff on the basis of proposals presented by the Nomination and Remuneration Committee. |
| | | 5. | Appoint the Senior Independent Non-Executive Director (SID), in consultation with Council of Governors. |
| NHS CODE OF GOVERNANCE Sections A & C | BOARD | Strategy, Business Plans and Budgets | |
| | | 1. | Define the strategic aims and objectives of the Trust. |
| | | 2. | Approve proposals for ensuring quality and developing clinical governance in services provided by the Trust, having regard to any guidance issued by the Secretary of State, NICE, NHS England and the Care Quality Commission. |
| | | 3. | Approve the Trust's policies and procedures for the management of risk. |
| | | 4. | Approve Strategic Outline Cases, Outline Business Cases and Final Business Cases for Capital and or revenue Investment where the value is over £1.5m after assurance review by the Finance and Investment Committee. |
| | | 5. | Approve the Trust's Annual Revenue Budget and capital programme. |
| | | 6. | Approve the Trust's workforce plan. |
| | | 7. | Approve proposals for acquisition, disposal or change of use of land and/or buildings in accordance with the limits within the operational scheme of delegation. |
| | | 8. | Approve PFI proposals. |
| | | 9. | Approve the opening of bank accounts. |

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| | | 10. | Approve individual contracts (other than NHS contracts) of a capital or revenue nature amounting to, or likely to amount to a value that exceeds the limits in section 5/6 of the Operational Scheme of Delegation. |
| | | 11. | Approve individual cases of write off of losses or special payments above the limits in section 12 of the Operational Scheme of Delegation. |
| | | 12. | Approve the use the NHS risk pooling schemes |
| | | 13. | Approve the Care Quality Commission Registration document. |
| NHS CODE OF GOVERNANCE Section D | BOARD | Audit | |
| | | 1. | Review the annual management letter received from the external auditor, taking account of the advice, where appropriate, of the Audit Committee. |
| | | 2. | Receive an annual report from the Internal Auditor and agree action on recommendations, where appropriate, taking account of the advice of the Audit Committee. |
| NHS CODE OF GOVERNANCE Section D | BOARD | Annual Report and Accounts | |
| | | 1. | Approve the Trust's Annual Report and Annual Accounts as prepared by the Executive Directors in accordance with NHS England guidelines for presentation to the Council of Governors, and the Members at the Annual Members Meeting. |
| | | 2. | Acting as in its role as Corporate Trustee in accordance with Annex 6A of the Constitution, approve the Annual Report and Accounts for funds held on trust, prepared in accordance with the Charity Commissions guidelines. |
| NHS CODE OF GOVERNANCE Sections A and C | BOARD | Monitoring | |
| | | 1. | Receive reports in respect of powers delegated to committees. |
| | | 2. | Receive reports to enable continuous appraisal of the affairs of the Trust from Executive Directors, committees and officers of the Trust as the Board sees fit. All monitoring returns required by the Independent Regulator and the Charity Commission shall be reported, at least in summary, to the Board. |
| | | 3. | Receive performance reports against agree internal, local, contractual and national targets and standards |

SECTION 2 – DECISIONS / DUTIES DELEGATED BY THE BOARD TO COMMITTEES

| REF | COMMITTEE | DECISION/DUTIES DELEGATED BY THE BOARD TO COMMITTEES |
|---|---|---|
| <p>NHS CODE OF GOVERNANCE Section D</p> | <p>AUDIT COMMITTEE</p> | <p>The specific duties of the Committee are contained in the terms of reference as approved by the Trust Board. The summary key areas of Committee focus (non exhaustive) are as follows:</p> <p>The Committee shall review the establishment and maintenance of an effective system of governance, risk management, and internal control, across the whole of the Trust’s activities, (both clinical and non-clinical), that support the achievement of the Trust’s objectives.</p> <p>In particular, the Committee will review the adequacy and effectiveness of:</p> <ul style="list-style-type: none"> • financial systems • governance and assurance systems • risk management systems <p>The Committee will advise the Trust Board and Accountable Officer on:</p> <ul style="list-style-type: none"> • the strategic processes for risk, control and governance and the Annual Governance Statement. • accounting policies, the annual report and accounts; including the process for review of the accounts prior to submission for audit, levels of error identified, and management’s letter of representation to the external auditors. • the planned activity and results of both internal and external audit. • adequacy of management response to issues identified by audit activity including external audit’s management letter. • assurances relating to the management of risk, (including tracking the delivery recommendations arising from audit reports), and corporate governance requirement for the organisation. • proposals for tendering for either internal or external audit services, or for purchase of non-audit services from contractors who provide audit services. • anti-fraud policies, whistleblowing/freedom to speak up processes, and arrangements for special investigations. • Receive reports on the use of the Trust Seal (changed from Trust Board subject to Council of Governor approval) |
| <p>NHS CODE OF GOVERNANCE Section C</p> | <p>NOMINATIONS AND REMUNERATION COMMITTEE</p> | <p>The specific duties of the Committee are contained in the terms of reference as approved by the Trust Board. The summary key areas of Committee focus (non exhaustive) are as follows:</p> <ul style="list-style-type: none"> • Lead the process for identifying and nominating a candidate, for approval by the Council of Governors, to fill the position of Chief Executive. • Be responsible for identifying and appointing candidates to fill all other Executive Director positions. |

| REF | COMMITTEE | DECISION/DUTIES DELEGATED BY THE BOARD TO COMMITTEES |
|--|------------------------------------|---|
| | | <ul style="list-style-type: none"> • Lead the process for the removal of the Executive Directors. • Establish appropriate remuneration and terms and conditions of employment for Executive Directors, including pension rights and any compensation payments. • Oversee objective setting and performance appraisal of the Chief Executive and receive any report from the Chief Executive on any issue concerning any of the Executive Directors, particularly performance appraisals, prior to discussing such appraisals with the relevant Director. |
| <p>NHS CODE OF GOVERNANCE Sections A & B</p> | <p>QUALITY ASSURANCE COMMITTEE</p> | <p>The specific duties of the Committee are contained in the terms of reference as approved by the Trust Board. The summary key areas of Committee focus (non exhaustive) are as follows:</p> <p>To receive assurance the Trust is meeting the requirements set out in the Quality Strategy and its associated plans; taking into account the Trust’s role in system-wide transformation and reducing health inequalities. There are 3 key elements:</p> <ul style="list-style-type: none"> • Safety of treatment and care provided to patients - avoidable harm. • Effectiveness of treatment and care provided to patients - measured by both clinical outcomes and patient related outcomes. • Experience patients have of their treatment and the care they received. <p>To provide assurance to the Trust Board that the Trust has appropriate arrangements for measuring and monitoring clinical quality with a focus on ensuring required standards are achieved; for investigating and taking action on sub-standard quality performance, for planning and driving continuous quality improvement and for identifying, sharing and ensuring delivery of best practice; and that these arrangements are robust, effective and support delivery of our strategic objectives.</p> <p>To provide assurance to the Trust Board concerning all aspects of quality, relating to the provision of care and services in support of achieving the best clinical outcomes and experience for patients working as appropriate with partner health and care organisations.</p> <p>To provide assurance to the Trust Board that the structures, systems and processes are in place to support the provision and delivery of high quality, safe, patient care and to promote equality, diversity and inclusion.</p> <p>To provide assurance to the Trust Board that the high and extreme risks and relevant Board Assurance Framework risks are being identified and managed effectively. Where there are concerns that the action being taken is not being effective, in that the score is not reducing in line with the risk appetite for that risk, the Committee shall seek to gain assurance that appropriate additional or alternative action has been considered and is being implemented.</p> |

| REF | COMMITTEE | DECISION/DUTIES DELEGATED BY THE BOARD TO COMMITTEES |
|---------------------------------------|---|--|
| NHS CODE OF GOVERNANCE Sections A & B | FINANCE, INVESTMENT & PERFORMANCE COMMITTEE | <p>The specific duties of the Committee are contained in the terms of reference as approved by the Trust Board. The summary key areas of Committee focus (non exhaustive) are as follows:</p> <p>To provide assurance to the Trust Board that key financial, contractual, and investment issues are properly scrutinised.</p> <p>To ensure robust measures exist to review financial performance and to give oversight to the development of appropriate financial strategy; this will include a review and recommendation on the proposed annual budget to the Trust Board.</p> <p>To ascertain assurance with regard to the Trust delivering the financial plan for the year.</p> <p>To provide assurance to the Trust Board, that the relevant high and extreme risks, and relevant Board Assurance Framework risks are being managed effectively. Where there are concerns that the action being taken is not effective; in that the score is not reducing in-line with the risk appetite for that risk, the Committee shall seek to gain assurance that appropriate additional or alternative action has been considered and is being implemented.</p> <p>To provide assurance to the Trust Board on proposed investment and capital expenditure planning; in particular, noting how such plans support Board operational strategy and/ or risk mitigation.</p> |
| NHS CODE OF GOVERNANCE Sections A & B | PEOPLE AND CULTURE COMMITTEE | <p>The specific duties of the Committee are contained in the terms of reference as approved by the Trust Board. The summary key areas of Committee focus (non exhaustive) are as follows:</p> <p>The Committee's duty is to assure the Board in relation to:</p> <ul style="list-style-type: none"> • The Trust's people strategy, workforce plans and associated transformation programmes are delivering the agreed people, culture, productivity, and financial improvements. • People-related key performance indicators. • Freedom to Speak Up. • Equality, diversity and inclusion. • Health, safety, and staff well-being. • Workforce education and development for all professions. • Those elements of the Board Assurance Framework identified as the responsibility of the committee. |
| NHS CODE OF GOVERNANCE | EXECUTIVE LEADERSHIP | <p>The specific duties of the Executive Leadership Team which will on a monthly basis meet as Trust Delivery Group (TDG) are contained in the terms of reference as approved by the Trust Board. The summary key</p> |

| REF | COMMITTEE | DECISION/DUTIES DELEGATED BY THE BOARD TO COMMITTEES |
|----------------|---------------------------|--|
| Sections A & B | TEAM/TRUST DELIVERY GROUP | <p>areas of the Group's focus (non exhaustive) are as follows to:</p> <ol style="list-style-type: none"> 1. Act as a forum to consider strategic challenges and issues, development of the operational plan and financial plan, significant service change, performance and address cross-care group issues. 2. Operate in accordance with the Scheme of Delegation and Standing Financial Instructions as set out in the Trust's Corporate Governance Framework. 3. Be accountable through the Chief Executive, providing assurance to the Trust Board. <p>ELT/TDG will oversee the day to day management of an effective system of governance, risk management, and internal control across the Trust's activities (both clinical and non-clinical); which also supports the achievement of the Trust's objectives.</p> <p>In particular the ELT/TDG will review, approve, and monitor:</p> <ul style="list-style-type: none"> • Implementation of strategic and operational plans to support delivery of the Trust's objectives • Performance and financial management • Risk management and internal control • Compliance with regulatory frameworks • Policy approval Business case development • Receive assurance and escalation reports from sub groups |

SECTION 3 – DECISIONS RESERVED TO THE COUNCIL OF GOVERNORS

| REF | Reserved By | DECISIONS RESERVED TO THE COUNCIL OF GOVERNORS |
|--|----------------------|--|
| N/A | COUNCIL OF GOVERNORS | General enabling provision under Health and Social Care Act 2012 |
| Constitution clause 25 and Annex 5 section 2, 3 and 17 | COUNCIL OF GOVERNORS | Appointments/Dismissal |
| | | 1. Subject to clause 25 and annex 5, sections 2, 3, 17 of the Constitution, to appoint or remove the Chair and the other Non-Executive Directors. |
| | | 2. To appoint or remove the Trust's external auditor on the recommendation of the Audit Committee (SFI s2.4) |
| | | 3. To approve an appointment (by the Non-Executive Directors) of the Chief Executive. |
| | | 4. To approve the remuneration and other terms and conditions of office, of the Chair and other Non-Executive Directors. |
| N/A | COUNCIL OF GOVERNORS | <p>Other</p> <p>1. To approve:</p> <ul style="list-style-type: none"> <input type="checkbox"/> amendments to the constitution <input type="checkbox"/> the Trust to entering into a significant transaction <p>2. Preparation and review of the Trust's Membership Development Strategy and the role and composition of the Council of Governors.</p> <p>3. To receive audit reports and recommendations as referred to them by the Audit Committee</p> <p>4. To receive the Annual Report and Accounts approved by the Board prior to the presentation at the Annual Members Meeting.</p> |

SECTION 4 – DECISIONS DELEGATED BY THE COUNCIL OF GOVERNORS

| REF | DELEGATED TO | DUTIES DELEGATED |
|---|---|---|
| Constitution section 17, 18 and Annex 5 | Trust Chair | Has responsibility for chairing the Council of Governor meetings in accordance with the provisions set out in the Constitution and Standing Orders. |
| Annex 5, s4.3 | Trust Vice Chair | To preside over meetings of the Council of Governors in the circumstances outlined in Annex 5, section 4.3 of the Constitution and Standing Orders. |
| NHS Code of Governance section E | APPOINTMENTS AND REMUNERATION COMMITTEE | <p>The specific duties of the Committee are contained in the terms of reference as approved by the Council of Governors. The summary key areas of Committee focus (non exhaustive) are as follows:</p> <ul style="list-style-type: none"> To identify and recommend to the Council of Governors for approval, potential candidates for appointment as Non Executive Directors and the Chair. |

SECTION 5 – DELEGATIONS DERIVED FROM THE ACCOUNTABLE OFFICER MEMORANDUM²

| REF | DELEGATED TO | DUTIES DELEGATED |
|-----------|---|--|
| Section 7 | Chief Executive | Accountable through NHS Accounting Officer to Parliament for stewardship of Trust resources. |
| Section 9 | Chief Executive and Chief Finance Officer | Ensure the accounts of the Trust are prepared under the principles and in a format directed by the Independent Regulator. |
| | | Accounts must show a true and fair view of the Trust's income and expenditure and its state of affairs and be prepared on a going concern basis. |
| | | Ensure that the Trust operates within the Prudential Borrowing Code laid down by the Independent Regulator. |
| | | Sign the accounts on behalf of the Board. |
| | Chief Executive | Sign a statement in the accounts outlining responsibilities as the Accountable Officer. |

² [NHS Foundation Trust Accounting Officer Memorandum.pdf \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

| | | |
|---------------|---|---|
| Section 10 | Chief Executive | Ensure effective management systems that safeguard public funds and assist the Trust Chair to implement the requirements of corporate governance including ensuring that managers: <ol style="list-style-type: none"> 1. Have a clear view of their objectives and the means to assess achievements in relation to those objectives. 2. Be assigned well defined responsibilities for making the best use of resources; and 3. Have the information, training and access to the expert advice they need to exercise their responsibilities effectively. |
| Section 10 | Chair | Implement requirements of corporate governance. |
| Sections 7, 8 | Chief Executive | Achieve value for money from the resources available to the Trust and avoid waste and extravagance in the Trust's activities. Follow through the implementation of any recommendations affecting good practice as set out in reports from such bodies as the National Audit Office (NAO). |
| Section 15 | Chief Finance Officer | Operational responsibility for effective and sound financial management and information. |
| Section 15 | Chief Executive | Primary duty to see that Director of Finance discharges this function. |
| Section 16 | Chief Executive | Ensuring that expenditure by the Trust complies with Parliamentary requirements. |
| Section 17 | Chief Executive | Promote observance of Codes of Conduct and Accountability by all staff |
| Section 12 | Chief Executive and Chief Finance Officer | Chief Executive, supported by Director of Finance, to ensure appropriate advice is given to the Board on all matters of probity, regularity, prudent and economical administration, efficiency and effectiveness. |
| Section 13 | Chief Executive | If the Chief Executive considers the Board or Chair is doing something which might infringe probity or regularity, they should set this out in writing to the Chair and the Board. If the matter is unresolved, they should ask the Audit Committee to enquire and if necessary inform the Independent Regulator. |
| Section 13 | Chief Executive | If the Board is contemplating a course of action which raises an issue not of formal propriety or regularity but affects the Chief Executive's responsibility for value for money, the Chief Executive should draw the relevant factors to the attention of the Board. If the outcome is that the Chief Executive is overruled it is normally sufficient to ensure that the advice and the overruling of it are clearly apparent from the papers. Exceptionally, the Chief Executive should inform the Independent Regulator. In such cases, and in those described in the Accountable Officer Memorandum, the Chief Executive should as a member of the Board vote against the course of action rather than merely abstaining from voting. |

SECTION 6 – DELEGATIONS FROM STANDING ORDERS

| REF | DELEGATED TO | AUTHORITIES/DUTIES DELEGATED |
|---------|--|---|
| SO 1 | CHAIR | Final authority in interpretation of SOs as advised by the Chief Executive or Trust Secretary. |
| SO 5.2 | CHAIR | Calling meetings of the Trust Board. |
| SO 5.5 | CHAIR | Chairing all Trust Board meetings and associated responsibilities. |
| SO 7.2 | TRUST SECRETARY | Maintain the Register(s) of interests. |
| SO 9 | TRUST SECRETARY | Keeping Trust Seal in a safe place, maintaining a register of sealings and reporting use to the Trust Board. The Trust Secretary is also a signatory for sealings. |
| SO 10.1 | Chief Executive or Executive Directors | Approving and signing all documents which will be necessary in legal proceedings. |
| SO 10.2 | Chief Executive or Executive Directors or Trust Representative | <p>Signing on behalf of the Trust any agreement or document not required to be executed as a deed.</p> <p>The Trust Representative will have the authority to sign any agreement or document not required to be executed as a deed in relation to the Private Finance Initiative (PFI) Project Agreement.</p> |
| SO 11.1 | Chief Executive | Ensuring all Directors and employees, present and future, are notified of and understand the requirements of the Trust's Standing Orders. |

SECTION 7 – DELEGATION FROM STANDING FINANCIAL INSTRUCTIONS

| SFI REF | DELEGATED TO | AUTHORITIES/DUTIES DELEGATED |
|---------|---|--|
| 1.3.6 | CE | Ensuring all Directors and employees, present and future, are notified of and understand the requirements of the Trust's Standing Financial Instructions. |
| 1.3.9 | CFO | Implementing the Trust's financial policies and coordinating corrective action and ensuring detailed financial procedures and systems are prepared and documented. |
| 1.3.10 | All Directors & Employees | Responsible for the 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 Reservation of Powers to the Board and Detailed Scheme of Delegation. |
| 1.3.9 | CFO | Form and adequacy of financial records of all departments. |
| 2.1.1 | AUDIT COMMITTEE | Providing an independent and objective view on internal control and probity. |
| 2.3 | AUDIT COMMITTEE | Reviewing, appraising and reporting in accordance with the NHS Internal Audit Manual and best practice. |
| 2.4 | AUDIT COMMITTEE | Ensuring cost effective audit. |
| 2.6 | CFO | Investigating any suspected cases of fraud or other irregularity, in conjunction with the Counter Fraud Officer. |
| 2.7 | CE | Responsible for controlling and coordinating security. |
| 3.1.2 | CFO | Submitting budgets, monitoring performance against budget, submitting financial estimates and forecasts to the Board. |
| | FINANCE, INVESTMENT & PERFORMANCE COMMITTEE | The key purpose of the Finance, Investment and Performance Committee is to provide assurance to the Trust Board that key financial, contractual and investment issues are properly scrutinised. |
| 3.2.1 | CE | Delegating budgets to budget holders and submitting monitoring returns to the Independent Regulator. |
| 3.3 | CFO | Devising and maintaining systems of budgetary control. |
| 4 | CFO | Production of annual accounts and reports. |
| 5 | CFO | Banking arrangements. |
| 6 | CFO | Income systems. |
| 6.5.5 | CFO | Maximum cash that can be accepted in respect of a single or related linked transaction is £10,000 |

| SFI REF | DELEGATED TO | AUTHORITIES/DUTIES DELEGATED |
|----------------|---------------------------------------|---|
| 7.1 | CFO | Negotiating contracts for the provision of patient services. |
| 7.1 | CFO | Authorise officers with power to negotiate contracts with commissioners of healthcare and other authorities. |
| 7.6 | CFO | Regular reports of actual and forecast contract income and expenditure. |
| 8 | CE | Tendering and Contract Procedure. |
| 8.13 | CE | Ensuring best value for money is demonstrated for all services provided under contract or in-house. |
| 9 | NOMINATION AND REMUNERATION COMMITTEE | Making recommendations to the Board concerning remuneration and terms of service of Directors. |
| 9.3 | CE | Executive Appointments within establishment. |
| 9.4 | CPO and CFO | Payroll. |
| SFI 9.5 | Trust Board | Authorise officers to enter into contracts of employment, re-grading staff, agency staff or consultancy service contracts. |
| 10.1 | CE | Delegate non-pay expenditure budgetary responsibilities for specific budgets to budget managers. |
| 10.2.2 | CFO | Payment of accounts in line with Trust payment terms |
| 11 | CFO | Advising the Board on borrowing and investment needs and preparing procedural instructions in relation to these areas. |
| 12 | CE/CFO | Capital investment programme. |
| 12.1 | CE/CFO | Monitoring the capital programme. |
| 12.3 | CE | Maintenance of asset registers. |
| 12.4.1 | CE | Overall responsibility for fixed assets. |
| 12.4.4 | EXECUTIVE DIRECTORS AND EMPLOYEES | Responsibility for security of Trust assets including notifying discrepancies to CFO, and reporting losses in accordance with Trust procedures. |
| 13.2 | CFO | Responsibility for systems of control over stores and receipt of goods. |
| 13.8 | CE | Identifying persons authorised to requisition and accept goods from Supplies/Trust stores. |
| SFI 14 | CFO | Determining any items to be disposed of by sale or negotiation. |
| 14.1.1 | CFO | Procedure for asset disposal and condemnations. |

| SFI REF | DELEGATED TO | AUTHORITIES/DUTIES DELEGATED |
|----------------|---------------------|---|
| 14.2 | CFO | Preparing procedures for recording and accounting for losses and special payments, all frauds and informing the police in cases of suspected arson or theft, and where appropriate involving the Local Counter Fraud Office (LCFS). |
| 15 | CDIO | Responsibility for accuracy and security of computerised financial data. |
| 16 | CE | Responsibility for ensuring patients and guardians are informed about patients' money and property procedures on admission. |
| 18 | CE | Retention of document procedures. |
| 19 | CE | Risk management programme. |
| 19.2 | Trust Board | Insurance arrangements. See Standing Financial Instructions Section 19. |
| 19.3 | CFO | Risk Pooling arrangements. |
| 19.4 | CFO | Management of liabilities for taxation. |

SECTION 8 – OPERATIONAL SCHEME OF DELEGATION

Matters which have been delegated by the Board are set out below together with the levels to which they have been delegated.

Delegation to lower levels of authority may only be made with the approval of the Chief Finance.

This delegation of authority will be enacted through the allocation of Budgets and Budget Responsibilities and Authorised Signatories Lists.

Where decisions that may have far reaching effect have been taken at the delegated level they should nevertheless be reported to the Chief Executive. All decisions relating to finance matters should also have regard to the Trust's Standing Financial Instructions and Standing Orders.

For the purposes of this Scheme of Delegation UK is defined as England, Wales, Scotland, Northern Ireland, Isle of Man, Channel Islands

All monetary limits include Value Added Tax (VAT).

Where more than one officer is listed, the use of the word “and” means that both individuals must authorise the action, whereas, if “or” is used, authorisation is required by only one of the individuals.

SECTION 8 – OPERATIONAL SCHEME OF DELEGATION

| DELEGATED MATTER | DELEGATED TO | REFERENCE DOCUMENTS |
|---|---|---------------------------|
| <p>1. Management of Budgets</p> <p>All revenue budgets will be allocated to a cost centre and all cost centres will have a named individual specified as budget holder</p> <p>Responsibility for keeping expenditure within budget.</p> <p>a) At individual budget level (Pay/Non-pay/Income) b) At Service/Department level c) For the totality of services covered by Chief Operating Officer or Functional Executive Director d) For any other areas</p> | <p>Budget Holder Manager or Department Head Directors, Divisional Directors and Deputy Directors where applicable Board Director or CE</p> | <p>SFIs section 3</p> |
| <p>1.1 Budget Virement</p> <p>a) Virement within Cost Centres and Directorates from within approved revenue budgets – Recurrent and Non Recurrent.</p> <p>Up to £9,999 From £10,000 to £19,999 From £20,000 to £49,999</p> <p>From £50,000 to £99,999</p> <p>From £100,000 to £499,999</p> <p>Over £500,000 to £999,999</p> <p>Over £1,000,000</p> | <p>[All parties agreement required if transferring outside the scope of a single parties delegated authority] Budget Managers General Managers Divisional Directors</p> <p>Directors and Executive Directors (Not CFO or CE)</p> <p>CFO</p> <p>CE</p> <p>Trust Board</p> | <p>SFIs section 3.2.6</p> |

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| <p>b) Virement between Divisions from within approved revenue budgets – Recurrent and Non Recurrent. Limits as above (1.1 a)</p> | <p>As above with agreement of both Divisions.</p> | <p>SFIs section 3.2.6</p> |
| <p>2. Maintenance and operation of bank accounts and facilities</p> | <p>CFO</p> | <p>SFIs Section 5</p> |
| <p>3.Requisitioning - Non-Pay expenditure / payment for goods and services.</p> <p>3.1 Revenue goods and services</p> <p>Authorisation & Approval of Purchase Requisitions and Supplier Invoices as follows:</p> <p>Up to £9,999</p> <p>These limits are aligned with the Authorised Signatories forms for each cost centre.</p> <p>From £10,000 to £19,999</p> <p>From £20,000 to £49,999</p> <p>From £50,000 to £99,999</p> <p>From £100,000 to £149,999</p> <p>From £150,000 to £249,999</p> | <p>[Always subject to sections 5 and 6, Quotations, tendering and contract procedures]</p> <p>Budget Managers (lower limits may be set for Budget managers by General Managers & Corporate equivalents as required. Where lower limits are set, sign off above the lower limit to £19,999 will fall to General Managers and Corporate Equivalents.</p> <p>Authorised Signatory Forms may be used to delegate to specified officers below these levels.</p> <p>General Managers & Corporate Equivalent</p> <p>Divisional Directors and Corporate Directors</p> <p>Directors (Directly reporting to Exec Directors)</p> <p>Any Executive Director</p> <p>CFO or the CEO in the event of an emergency and the CFO is unavailable</p> | <p>SFIs Section 10</p> |

From **£250,000** to **£499,999**

From **£500,000** to **£1,499,999**

Over **£1,500,000**

Note:

Where the total expenditure of the requisition is to be ordered against a contract which has otherwise been formally approved in accordance with SFI's (and the requisition is therefore in effect a "technical" device to allow progression to order stage e.g. as within the electronic procurement system), then in addition to the above, requisition approval up to the limit of the formally approved contract may be delegated to Associate Directors or Operation Managers.

3.2 Capital works Requisition

Authorisation & Approval of Purchase Requisitions and Supplier Invoices as follows:

Up to **£49,999**

From **£50,000** to **£499,999**

From **£500,000** to **£999,999**

From **£1,000,000** to **£1,999,999**

Over **£2,000,000**

Finance Performance Group

Trust Delivery Group

Trust Board

Scheme Manager

Head of Capital Projects

Director of Operational Finance or The Trust Representative or Deputy Trust Representative for PFI related items or the Director of Estates and Facilities Management or for the retained estate

Director of Operational Finance and the Trust Representative or Deputy Trust Representative for PFI related items or the Director of Estates and Facilities Management or for the retained estate

All the above limits are subject to the scheme budget having been approved in line with section 4d, and the expenditure being within the approved value.

Trust Representative/Deputy Trust Representative with delegated authority from the CFO or CEO when the costs are associated with the PFI.
For Retained Estate - CFO or CEO

| DELEGATED MATTER | DELEGATED TO | REFERENCE DOCUMENTS |
|---|--|---------------------|
| <p>3.3 Business Case Approval (Any genuine requirements for additional resource must follow the service development process for approval, please refer to the Trust intranet for guidance)</p> <p>Where the annual cost is:</p> <p>Up to £50,000</p> <p>Up to £99,999</p> <p>From £100,000 to £ 499,999</p> <p>From £500,000 to £1,499,999</p> <p>Over £1,500,000</p> | <p>Divisional Director (subject to business case being cost neutral or cost saving and not impacting other divisions. Division must stay within the agreed divisional budget)</p> <p>Directors and Executive Directors</p> <p>Finance Performance Group</p> <p>Trust Delivery Group</p> <p>Trust Board*</p> <p>* Will be reviewed by Finance Performance</p> | |

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| | <p>Group and Trust Delivery Group who will approve that it can be submitted to the Board for approval. Prior to going to Board, such cases would be taken to Finance and Investment Committee for them to review and obtain assurance that the business case is in line with the Trust's strategic objectives.</p> <p>All business cases approved will be subject to outcomes/performance reviews by Finance Performance Group post implementation.</p> | |
| <p>4. Capital Schemes</p> <p>a) Selection of architects, quantity surveyors, consultant engineers and other professional advisors via tender evaluation form</p> | | <p>SFIs Section 12</p> |
| <p>Where the fee estimate is up to £25,000</p> <p>Where the fee estimate exceeds £25,000</p> <p>b) Financial monitoring and reporting on all capital scheme expenditure</p> <p>c) Disposal of land and buildings Up to £149,999</p> | <p>Head of Capital Projects and reported to relevant committee (Medical Devices Group, IT Group or Estates Prioritisation and Steering Group)</p> <p>The Trust Representative or Deputy Trust Representative for PFI related items or the Director of Estates and Facilities Management or Deputy Director of Estates and Facilities Management for the retained estate with approval from the relevant committee (Medical Devices Group, IT Group or Estates Prioritisation and Steering Group)</p> <p>CFO</p> <p>Estates Prioritisation and Steering Group and Reported to the Board</p> | |

From **£150,000**

d) Authorisation limits for capital expenditure projects

Up to **£149,999**

From **£150,000** to **£499,999**

From **£499,999** to **£1,499,999**

From **£1,500,000**

Trust Board

The Trust Representative or Deputy Trust Representative for PFI related items or the Director of Estates and Facilities Management or Deputy Director of Estates and Facilities Management for the retained estate with approval of the any 2 of CFO CE/ Exec Director

The Trust Representative or Deputy Trust Representative for PFI related items or the Director of Estates and Facilities Management or Deputy Director of Estates and Facilities Management for the retained estate with approval from the relevant committee (Medical Devices Group, Digital Group or Estates and Combined Project Committee or Finance Performance Group* (*with capex committee chair approval)

The Trust Representative or Deputy Trust Representative for PFI related items or the Director of Estates and Facilities Management or Deputy Director of Estates and Facilities Management for the retained estate with approval of the Trust Delivery Group**

The Trust Representative or Deputy Trust Representative for PFI related items or the Director of Estates and Facilities Management or Deputy Director of Estates and Facilities Management for the retained estate with approval of the Trust Board**

**All schemes should be approved at Capex committee and presented to SCOG. Prior to going to TDG and onto Board if value requires, Cases having been to Capex committee and

SCOG should progress through FPG for approval and would be taken Finance Investment and Performance Committee for review and assurance the business case is in line with the Trust's strategic objectives.

| DELEGATED MATTER | DELEGATED TO | REFERENCE DOCUMENTS |
|---|--|-----------------------|
| <p>5. Quotations, tendering and contract procedures (Capital Projects)</p> <p>a) Obtaining 2 minimum competitive verbal quotations for goods/services/advisers up to £9,999</p> <p>b) Obtaining 2 written quotations for goods/services from £10,000 to £24,999</p> <p>c) Obtaining at least 3 written competitive tenders for goods and services in excess of £25,000</p> <p>d) Issuing formal tenders for goods/services in excess of the current UK limits</p> <p>e) Procurement of Works</p> <p>f) Approval of all contracts for goods/services via tender evaluation form / Trust Board report (with CAPEX approval)</p> | <p>Head of Procurement or Head of Capital Projects or IT Projects Manager</p> <p>Head of Procurement or Head of Capital Projects or IT Projects Manager</p> <p>Head of Procurement or Head of Capital Projects or Associate Director of IMT</p> <p>The Trust Representative or Deputy Trust Representative for PFI related items or the Director of Estates and Facilities Management or Deputy Director of Estates and Facilities Management for the retained estate or Head of Procurement or Head of Capital Projects or Associate Director of IMT</p> <p>The Trust Representative or Deputy Trust Representative for PFI related items or the Director of Estates and Facilities Management or Deputy Director of Estates and Facilities Management for the retained estate or Head of Procurement or Capital Projects Manager</p> | <p>SFIs Section 8</p> |

Up to **£10,000 (non works schemes)**

The Trust Representative or Deputy Trust Representative for PFI related items or the Director of Estates and Facilities Management or Deputy Director of Estates and Facilities Management for the retained estate or Head of Procurement

From **£10,000 to £249,999**

Non works schemes

MDG - Head of Procurement **and** Divisional Director/Chair of MDG **and** Director of Operational or Strategic Finance/Deputy Director of Finance.

Digital – Head of Procurement **and** Deputy Director of Digital

Works schemes The Trust Representative or Deputy Trust Representative for PFI related items or the Director of Estates and Facilities Management or Deputy Director of Estates and Facilities Management for the retained estate

From **£250,000 to £999,999**

Non works schemes

MDG - Head of Procurement **and** Divisional Director/Chair of MDG **and** CFO

Digital – Head of Procurement **and** Deputy Director of Digital **and** CFO/CDIO

Works Schemes Director of Operational/Strategic Finance or The Trust Representative or Deputy Trust Representative for PFI related items or the Director of Estates and Facilities Management or Deputy Director of Estates and Facilities Management for the retained estate

| <p>From £1,000,000</p> <p>g) Waiving of quotations and tenders subject to SFIs</p> <p>Less than £9,999</p> <p>From £10,000 to £999,999</p> <p>More than £1,000,000</p> <p>h) Opening Tenders</p> | <p>CFO or CEO</p> <p>CFO</p> <p>CFO and reported to the Audit Committee</p> <p>Trust Board</p> <p>Officer designated by CE in accordance with Procurement Procedures</p> | |
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| DELEGATED MATTER | DELEGATED TO | REFERENCE DOCUMENTS |
| <p>i) Signing of detailed contract documents for Capital Projects on behalf of the Trust, provided due process followed (Excluding PFI)</p> <p>Non Works Schemes</p> <p>Up to £499,999</p> <p>Over £500,000</p> <p>Works Schemes</p> <p>Up to £999,999</p> <p>Over £1,000,000</p> <p>j) Contract Variation</p> | <p>Head of Procurement or IT Projects Manager</p> <p>Any 2 of CE / CFO/ Exec Director /Director of Estates and Facilities Management/ /Director of Operational or Strategic Finance and Sealed in accordance with SOs</p> <p>Head of Capital Projects or Director of Estates and Facilities Management</p> <p>Any 2 of CE / CFO/ Exec Director /Director of Estates and Facilities Management/ /Director of Operational or Strategic Finance and Sealed in accordance with SOs</p> | |

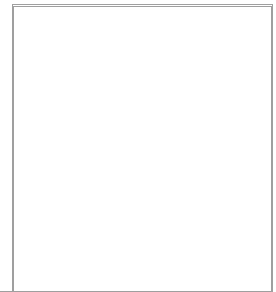
Up to 5% within Approved Sum

From 5% to 10%

Over 10% or outside Approved Sum

Director of Estates and Facilities
Management or Head of Capital Projects
or Head of Procurement or Capital
Projects or IT Projects Manager
1 of CE / CFO

Return to Standard Approval Process



| DELEGATED MATTER | DELEGATED TO | REFERENCE DOCUMENTS |
|---|---|---------------------|
| 6.1 Procurement. TRUST LOCAL PROCESS (non framework) | | SFI's Section 8 |
| 6.1a Procurement Process | | |
| Up to £9,999 | Best practice to obtain 2 informal quotations | |
| £10,000 to £49,999 | Minimum 2 quotations via e-Sourcing Portal | |
| £50,000 - Current Procurement Threshold | Minimum 2 tenders via e-Sourcing Portal | |
| Above Current Procurement Threshold | Advertise and follow formal tendering process as detailed in Public Contracts Regulations | |
| 6.1b Approval to Award Contract (following 1a) | | |
| up £9,999 | Head of Procurement | |
| £10,000 - £249,999 | Head of Procurement, Divisional Director and Director of Finance (or Deputy) | |
| £250,000 - £499,999 | Finance Performance Group | |
| £500,000 - £1,499,999 | Trust Delivery Group | |
| £1,500,000 + | Trust Delivery Group and Trust Board if recommended | |

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| 6.1c Approval to Waive Standing Financial Instructions (as 1a) and Award | | |
| up £9,999 | Head of Procurement | |
| £10,000 - £249,999 | Head of Procurement and Director of Finance (or Deputy) | |
| £250,000 - £499,999 | Finance Performance Group | |
| £500,000 - £1,499,999 | Trust Delivery Group | |
| £1,500,000 + | Trust Delivery Group and Trust Board if recommended | |
| | Any approval above £10,000 will be reported to Audit Committee | |
| 6.1d Signing of Awarded Contracts (following 1a & 1b OR 1c) | | |
| up to £499,999 | Head of Procurement | |
| £500,000 + | Chief Executive or any Executive Director | |
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| 6.1e Long contract terms - over 5 years regardless of value | Any contract over 5 years in length, should be subject to review by the CFO or their nominee, who will determine (regardless of value) whether an additional level of scrutiny is required (i.e. potentially moving the decision up to the next level of decision making) | |
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| 6.2 PROCUREMENT AGAINST A NATIONALLY CONTRACTED FRAMEWORK (excluding items ordered via NHS Supply Chain Catalogue) | | |
| 6.2a Procurement Process (Framework) | | |
| Any value | Best practice obtain competition, follow specific framework requirements for mini competition or direct award | |
| 6.2b Approval to Award (framework) | | |
| up £249,999 | Head of Procurement | |
| £250,000 - £499,999 | Finance Performance Group | |
| £500,000 - £1,499,999 | Trust Delivery Group | |
| £1,500,000 + | Trust Delivery Group and Trust Board if recommended | |
| 6.2c Signing of Awarded Contracts (following 2a and 2b) | | |
| up to £499,999 | Head of Procurement | |
| £500,000 + | Chief Executive or any Executive Director | |

| DELEGATED MATTER | DELEGATED TO | REFERENCE DOCUMENTS |
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| <p>7. Setting and annual review of fees and charges</p> <p>a) Private patient, overseas visitors, income generation and other patient related services</p> <p>b) Negotiation and agreement of NHS income (including MPET and R & D)</p> | <p>CFO</p> <p>CFO and CPO or Medical Director or COO as appropriate</p> | <p>SFI's section 6.2</p> |
| <p>8. Engagement of Consultants/advisors (Excluding Construction Related Projects)</p> <p>a) Non medical consultancy staff. Where aggregate commitment on any one project in any one year (or total commitment) is</p> <p>Up to £49,999 Over £50,000</p> <p>b) Annual report on use of and projected use of non-medical consultants</p> <p>c) Engagement of Trust solicitors in accordance with the Trust legal framework</p> | <p>Trust Delivery Group member</p> <p>Trust Delivery Group member, Trust Board to be informed</p> <p>CFO, presented to Finance and Investment Committee</p> <p>Any 2 members of Trust Delivery Group plus a NED - decision to be reported to Trust Board</p> | |
| <p>9. Engagement of Temporary Staffing</p> <p>a) Booking of Bank or Agency staff on framework (e.g. Medical locums, AHP's nursing, clerical)</p> | <p>General Manager/Divisional Director (All temporary staff must be booked via the Flexible Staffing Office)</p> | |

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| <p>b) Booking of Agency staff (off framework)</p> <p>c) Change in approved number of nursing shifts to be filled by temporary staff</p> | <p>Chief Executive or Executive Director On Call (All temporary staff must be booked via the Flexible Staffing Office)</p> <p>Change in nursing roster demand templates – Director of Nursing</p> | |
| <p>10. Property agreements, leases and licences</p> <p>a) Preparation and signature of all tenancy agreements or licences for all staff subject to Trust policy on accommodation for staff</p> <p>b) Entering into and termination of property leases or licences</p> <p style="padding-left: 40px;">Annual rent up to £24,999 Annual rent over £25,000</p> <p>c) Extension to existing leases</p> <p>d) Approval of rent for all properties after professional assessment</p> | <p>CPO or CFO</p> <p>Any 1 of CE or CFO or Nominated Deputies Any 2 of CE or CFO or Nominated Deputies</p> <p>CFO and CE or Nominated Deputies</p> <p>CFO and CE or Nominated Deputies</p> | |

| DELEGATED MATTER | DELEGATED TO | REFERENCE DOCUMENTS |
|---|---|--------------------------|
| <p>11. Condemning and disposal Items obsolete, obsolescent, redundant, irreparable or that cannot be repaired cost effectively</p> <p>a) General Donation of all obsolete capital and revenue items for charitable or other non NHS purposes</p> <p>b) Revenue items originally costing</p> <p style="padding-left: 40px;">Up to £999</p> <p style="padding-left: 40px;">From £1,000 to £9,999</p> <p style="padding-left: 40px;">From £10,000 to £24,999</p> <p style="padding-left: 40px;">From £25,000 to £49,999</p> <p style="padding-left: 40px;">Over £50,000</p> <p>c) Items bearing a capital asset number with a book value</p> <p style="padding-left: 40px;">Up to £9,999</p> <p style="padding-left: 40px;">From £10,000 to £49,999</p> <p style="padding-left: 40px;">Over £50,000</p> | <p>With approval to scrap from either Estates or Capital Projects or Medical Engineering or IT or pharmacy or Supplies as appropriate</p> <p>CE</p> <p>General/Budget Manager</p> <p>Divisional Director</p> <p>Director of Operational Finance and Director of Strategic Finance</p> <p>CFO</p> <p>Trust Board - minuted decision</p> <p>CFO</p> <p>CE and CFO</p> <p>Trust Board - minuted decision</p> | <p>SFIs Section 14.1</p> |
| <p>12. Losses, write-offs and compensation</p> <p>a) Cash and other losses due to theft, fraud, overpayments and other causes</p> <p style="padding-left: 40px;">Up to £999</p> <p style="padding-left: 40px;">£1,000 to £1,999</p> | <p>Director of Operational Finance and Director of Strategic Finance</p> <p>CFO reported to the Audit Committee</p> | <p>SFIs Section 14.2</p> |

| <p>From £2,000 to £4,999 Over £5,000</p> <p>b) Fruitless payments (including abandoned Capital Schemes)</p> <p>Up to £49,999</p> | <p>Audit Committee Trust Board - minuted decision</p> <p>Audit Committee</p> | |
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| DELEGATED MATTER | DELEGATED TO | REFERENCE DOCUMENTS |
| <p>Over £50,000</p> <p>c) Bad Debts, claims abandoned and write off of private patient, overseas visitor and other debts</p> <p>Individual debts up to £2,499</p> <p>Individual debts from £2,500 to £4,999 Individual debts from £5,000 to £49,999</p> <p>Individual debts over £50,000</p> <p>Ex Gratia Payments (Excluding Staff)</p> <p>d) Damage to buildings, fittings, furniture and equipment and loss of equipment and property in stores and in use due to culpable causes (e.g. fraud, theft, arson) or other.</p> <p>Individual debts up to £2,499</p> <p>From £2,500 to £4,999 From £5,000 to £49,999 Over £50,000</p> <p>e) To patients for loss of or damage to personal effects</p> | <p>Trust Board</p> <p>Director of Operational Finance and Director of Strategic Finance CFO Audit Committee, reported to the Board</p> <p>Trust Board - minuted decision</p> <p>Director of Operational Finance and Director of Strategic Finance</p> <p>CFO Audit Committee Trust Board</p> | |

| <p>Up to £999</p> <p>From £1,000 to £2,499</p> <p>From £2,500 to £9,999</p> <p>Over £10,000</p> <p>f) For clinical negligence (negotiated settlements)</p> <p>g) For personal injury claims involving negligence where legal advice has been obtained and guidance applied.</p> <p>h) Other, except cases of maladministration, where there was no financial loss by claimant</p> <p>i) Cancellation of NHS debtors</p> | <p>Director of Operational Finance and Director of Strategic Finance</p> <p>CFO</p> <p>CE</p> <p>Trust Board - minuted decision</p> <p>See legal framework</p> <p>See legal framework</p> <p>CE and CFO - Reported to the Audit Committee</p> | |
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| DELEGATED MATTER | DELEGATED TO | REFERENCE DOCUMENTS |
| <p>Up to £99,999</p> <p>Up to £249,999</p> <p>From £250,000</p> | <p>Director of Operational Finance and Director of Strategic Finance</p> <p>CFO</p> <p>Audit Committee</p> | |
| <p>13. Reporting of incidents to the Police <i>IR1 form also required</i></p> <p>a) In the event of an emergency</p> <p>b) Where a criminal offence is suspected</p> <p> Criminal offence of a violent nature</p> <p> Involving financial loss</p> <p> IT security incidents</p> <p> Other</p> | <p>Any member of staff, then complete IR1 and inform relevant Director</p> <p>Trust Delivery Group member</p> <p>Trust Delivery Group member</p> <p>CFO</p> <p>CFO</p> <p>Trust Delivery Group member</p> | |

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| c) Where a fraud is involved | CFO | |
| 14. Reporting Security incidents | All members of staff | |
| 15. Petty cash disbursements Expenditure up to £49 per claim Expenditure above £50 | In accordance with financial procedures petty cash holder or cashier's office Cashiers offices approved by CFO or Operational Director of Finance or Deputy Director of Finance – Financial Services | SFIs Section 10.5 |
| 16. Implementation of Internal and External Audit recommendations Financial issues Other issues | CFO and reported to Audit Committee Appropriate Trust Delivery Group member and reported to Audit Committee | SFIs Section 2 |
| DELEGATED MATTER | DELEGATED TO | REFERENCE DOCUMENTS |
| 17. Maintenance and updating of Trust Financial Procedures | CFO | SFIs Section 1.3.9 |
| 18. Investment of funds a) Exchequer Funds | CFO in accordance with Treasury Management Policy | SFIs Section 11.2 |
| 19. Human Resources and pay (excluding staff covered by remuneration committee) a) Authority to fill funded post on the establishment with permanent staff b) Retention and recruitment premium c) Approval to buy out annual leave d) Approval to withhold Agenda For Change (AfC) increments | General Manager unless vacancy control in place Divisional Director or Deputy Director in consultation with CPO CPO in consultation with CFO Appraiser in consultation with CPO | SFIs Section 9 |

| <p>e) Approval to withhold increments from Consultant Medical staff</p> <p>f) Approval to pay more than 10 Programmed Activities to consultants (PA's)</p> <p>g) All requests for upgrading and regrading</p> <p>h) Establishments Additions to the agreed establishment with specifically identified recurrent finance</p> <p>Authority to appoint staff to posts not on the formal establishment, but for which non recurrent funding has been identified</p> <p>Additional staff to the agreed establishment without specifically allocated finance – over recruitment.</p> | <p>COO in consultation with Medical Director</p> <p>Divisional Director and Job Plans/Team Job Plans signed off by Divisional Medical Director</p> <p>CPO on advice from re-grading panel and in accordance with the Trust's procedure.</p> <p>General Manager taking advice from Finance Business Partner and HR Business Partner</p> <p>Divisional Director taking advice from Finance Business Partner and HR Business Partner</p> <p>COO/CFO</p> | |
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| DELEGATED MATTER | DELEGATED TO | REFERENCE DOCUMENTS |
| <p>i) Pay</p> <p>Authority to complete standing data forms effecting pay, new starters, variations and leavers</p> <p>Authority to authorise overtime, additional hours or changes in hours(including authorisation of temporary staff timesheets)</p> <p>Authority to authorise travel and subsistence</p> | <p>Line Manager or Budget Holder (Specified on Authorised Signatories form for each Department)</p> <p>Line Manager or Budget Holder (Specified on Authorised Signatories form for each Department)</p> <p>Line Manager or Budget Holder (Specified on Authorised Signatories form for each Department)</p> | |

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| <p>Authority to authorise air travel (see section 5.4 of the Trust Expenses Policy).</p> <p>Lease car approval</p> <p>Paid time off for Trade Union duties</p> <p>Protection of earnings</p> <p>j) Leave Approval of annual leave</p> <p>Annual leave - approval of carry forward, up to a maximum of 5 days</p> | <p>CFO or CPO</p> <p>CPO</p> <p>Line Manager or Budget Holder</p> <p>Divisional Manager or Budget Holder, taking advice from Finance Business Partner and HR Business Partner</p> <p>Line Manager</p> <p>Divisional Director</p> | <p>Whitley Council/Trust</p> |
| DELEGATED MATTER | DELEGATED TO | REFERENCE DOCUMENTS |
| <p>Approval of leave and carry forward of leave for:</p> <p>ME members CE Buy out of annual leave up to 5 days</p> <p>Buy out of annual leave over 5 days</p> <p>Compassionate leave up to 6 days</p> <p>Compassionate leave over 6 days</p> <p>Other leave arrangements Paternity leave</p> | <p>CE Chair Divisional Director and CPO</p> <p>Divisional Director and CPO</p> <p>General Manager</p> <p>Trust Delivery Group member</p> <p>Line Manager in accordance with HR policy</p> | <p>Conditions of Service/Annual Leave Policy</p> |

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| Carers leave up to Leave without pay | Divisional Director Divisional Director | |
| Paid and unpaid "leave of absence" for medical staff | Divisional Director with recommendation from the Divisional Medical Director | |
| Time off in lieu | Line Manager | |
| Paid and unpaid maternity leave | Automatic approval within guidance | |
| k) Sick Leave | | |
| Extension of sick leave on half pay for up to 3 months | Divisional Director with advice from CPO | |
| Return to work part time on full pay to assist recovery | Divisional Director with advice from CPO | |
| l) Study Leave | | |
| DELEGATED MATTER | DELEGATED TO | REFERENCE DOCUMENTS |
| Staff study leave outside the UK | CPO in addition to any other approval required | |
| Medical staff study leave within the UK | Divisional Director with recommendation from the Divisional Medical Director | |
| Medical staff study leave outside the UK | Medical Director with recommendation from the Divisional Medical Director | |
| All other study leave within the UK | General Manager | |
| m) Leave for public and other duties (Special leave) outside of policy | CPO | Special Leave Policy |
| n) Authorisation of payment for removal expenses, relocation expenses, excess rent and house purchases, incurred by officers taking up new appointments. Provided agreement was reached at interview | Divisional Director | Relocation expenses Policy |

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| <p>o) Grievance Procedure Grievance cases must be dealt with strictly in accordance with the Grievance Procedure and the advice of a Divisional Human Resources Manager must be sought when grievance reaches the level of Associate Director.</p> | <p>Divisional Director</p> | <p>Trust Grievance Procedure</p> |
| <p>p) Authorised Car and Mobile Phone Users</p> | | |
| <p>Approval of new posts to be designated as car user posts</p> | <p>Divisional Director</p> | |
| <p>Approval for new posts to be designated with mobile telephone users and Other devices (E.g. I Pad, Blackberry etc) status</p> | <p>Divisional Director and Finance Business Partner</p> | |
| <p>q) Renewal of fixed term employment contract</p> | <p>Divisional Director with recommendation from the Divisional Medical Director and CPO</p> | |
| <p>r) Staff retirement policy</p> | <p>CPO</p> | |

| DELEGATED MATTER | DELEGATED TO | REFERENCE DOCUMENTS |
|---|--|--------------------------------|
| <p>s) Redundancy, including costs where the decision impacts on</p> <p>One member of staff</p> <p>Up to 20 Members of Staff</p> <p>Over 20 Members of staff</p> <p>t) Ill health retirement</p> <p>Decision to support retirement on the grounds of ill health</p> <p>u) Dismissal</p> <p>v) Ex gratia payments to employees</p> <p>Up to £30,000</p> <p>From £30,001 to £50,000</p> <p>From £50,001 to £75,000</p> <p>Over £75,001</p> | <p>Executive Management Team</p> <p>Trust Delivery Group</p> <p>Trust Board</p> <p>Divisional Director consulting with Occupational Health and CPO</p> <p>Dismissing Officers in accordance with HR policy</p> <p>CE or CPO- to NHSI & Department of Health</p> <p>CE or CPO & CFO – to NHSI & Department of Health</p> <p>CE - to NHSE & Department of Health</p> <p>Trust Board - to NHSE & Department of Health</p> | <p>Disciplinary Procedures</p> |
| <p>20. Authorisation of New Drugs within approved drugs budget</p> <p>Estimated yearly cost up to £24,999</p> <p>Estimated yearly cost over £25,000</p> | <p>Divisional Medical Director and Divisional Director</p> <p>Drugs and Therapeutics Committee</p> | |
| <p>21. Authorisation of sponsorship deals (other than Research & Development)</p> <p>Involving medical staff</p> <p>All other staff</p> | <p>Trust Delivery Group</p> <p>Trust Delivery Group</p> | |
| DELEGATED MATTER | DELEGATED TO | REFERENCE DOCUMENTS |
| <p>22. Authorisation of research projects and clinical trials</p> <p>Research</p> | <p>Clinical Director of R & D or Assistant</p> | |

| | | |
|---|---|----------------------------|
| Financial arrangements | <p>Deputy Director of R & D in their absence</p> <ul style="list-style-type: none"> • Up to £100,000* in any one year the application can be approved by the Associate Director of Finance • From £100,000 to £249,999* in any one year as above by the Director of Operational Finance • From £250,000 to £499,999* in any one year as above the Finance Director approves • Above £500,000* in any one year to Trust Delivery Group <p>* Amount of grant funding that will be used to cover UHDB costs only not including co-investigator, external Clinical Trial Unit and site costs.</p> | |
| <p>23. Authorisation of invoices for medical training posts agreed nationally to be held by one provider and charged to each Trust on a monthly basis</p> <p>Medical Director Office</p> <p>Financial arrangements</p> | <p>MDO will endorse the arrangement still exists when entering the new financial year where the lead employer model is in place for medical training roles.</p> <p>Director of Operational Finance will authorise the monthly invoices once the Financial Management teams have confirmed the staff and the associate values are correct.</p> | |
| 24. Responsibility for Insurance Policies – Clinical - Commercial | Medical Director Trust Secretary | SFIs Section 19 |
| DELEGATED MATTER | DELEGATED TO | REFERENCE DOCUMENTS |
| 25. Responsibility for Risk Management | CNO | SFIs Section 19 |
| 26. Patients and Relatives Complaints | | |

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|--|--|--------------------------|
| Overall responsibility for ensuring that all complaints are dealt with effectively Responsibility for ensuring complaints relating to a Division are investigated thoroughly Medico-Legal complaints, co ordination and management | COO Divisional Director CNO | |
| 27. Relationships with the Press Condition Checks Non emergency general enquiries Within hours Outside hours Emergency enquiries Within hours Outside hours | CNO Associate Director of Communications Executive Director On Call Associate Director of Communications Executive Director On Call | |
| 28. Infectious diseases and notifiable outbreaks | CNO | Infection Control Policy |
| 29. Extended Role Activities Approval for staff to undertake duties or procedures which can properly be described as beyond the normal scope of their clinical practice | Quality and Performance Committee | |
| 30. Patient Services Variation of operating and clinic sessions within existing numbers Outpatients Theatres Other | Divisional Director and Divisional Medical Director Divisional Director and Divisional Medical Director Divisional Director and Divisional Medical Director | COO COO |

| | | |
|---|--|--|
| All proposed changes in bed allocation and use | | |
| Temporary change | COO | |
| Permanent change | COO | |
| Contract monitoring and reporting | CFO supported by COO | |
| Approval of Consultant job plans | Divisional Directors. | |
| 31. Facilities for staff not employed by the Trust to gain practical experience | | |
| Professional Recognition, Honorary Contracts and Insurance of Medical Staff | CPO | |
| Work experience students or similar arrangements | General Manager with advice from HR Mgr | |
| 32. Review of Fire Precautions | CE and Nominated Officer Fire (NOF) | |
| 33. Review of all statutory compliance legislation and Health and Safety and Risk requirements including Control of Substances Hazardous to Health | CNO & Director of Estates supported by CPO | |
| 34. Review of compliance with Medicines Inspectorate Regulations | Chief Pharmacist | |
| 35. Review of compliance with environmental regulations, e.g. clean air and waste disposal | Director of Estates | |
| 36. Review of Trust's compliance with the Data Protection Act, Freedom of Information and related laws | CDIO | |
| 37. Enter into agreements and monitor proposals for Patient Treatment Service Level Agreements between the Trust and Other NHS bodies | CFO and COO | |
| Private Health Bodies | CFO and COO | |
| 38. Review of the Trust's compliance with the Access to Records Act | CDIO | |
| 39. Review of the Trust's compliance with the Code of Practice for handling confidential information in the healthcare environment and compliance with Caldicott | Medical Director | |
| a) Role of the Caldicott Guardian | Medical Director | |

| DELEGATED MATTER | DELEGATED TO | REFERENCE DOCUMENTS |
|---|---|---------------------|
| 40. Use of the Trust seal in accordance with Standing Orders | Document signed by Director of Finance, or nominated officer, and authorised and countersigned by either the Chief Executive or the Trust Secretary | SOs Section 9 |
| 41. The keeping of a Register of Sealings | Trust Secretary | SOs Section 9 |
| 42. Management and control of computer systems and computer facilities and related Security issues | CDIO | |
| 43. Responsibility for Corporate Governance | CE | |
| 44. Responsibility for Clinical Governance | CNO & Medical Director | |
| 45 Enter into Joint Venture Agreements. Where whole life cost is: Up to £1,000,000 From £1,000,001 to £3,000,000 Over £3,000,001 | CFO Trust Delivery Group Trust Board – NHSE – REID Regulations* * Will be reviewed by Finance Performance Group and Trust Delivery Group who will approve that it can be submitted to the Board for approval. Prior to going to Board, such cases would be taken to Finance Investment and Performance Committee for them to review and obtain assurance that the business case is in line with the Trust’s strategic objectives. All cases approved will be subject to outcomes/performance reviews by Finance Performance Group post implementation | |
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| <p>46. Private Finance Initiative</p> <p>a) Validation of performance data supplied by the service provider</p> <p>b) Audit of service performance</p> <p>c) Ensuring that correct service penalties are applied where applicable</p> <p>d) Ensuring the correct level of indexation is applied on annual basis</p> <p>e) Contract variations Approval of variations with an annual revenue cost</p> <p>Up to £499,999</p> <p>From £500,000 - £1,499,999</p> <p>Above £1,500,000</p> | <p>Trust Representative or Deputy Trust Representative</p> <p>Trust Representative or Deputy Trust Representative</p> <p>Trust Representative or Deputy Trust Representative</p> <p>Trust Representative or Deputy Trust Representative</p> <p>Trust Representative/Deputy Trust Representative with the approval of CFO & CE</p> <p>Trust Representative/Deputy Trust Representative with the approval of Trust Delivery Group</p> <p>Trust Representative/Deputy Trust Representative with the approval of Trust Board*</p> | |
| <p>f) Approval of design variation requests</p> <p>g) To undertake value for money assessment of all proposed service variations</p> <p>h) To ensure that Derby Health Care undertake market testing and / or benchmarking of soft FM services at specified dates within the concession period</p> | <p>The Trust Representative or Deputy Trust Representative for PFI related items or the Director of Estates and Facilities Management or Deputy Director of Estates and Facilities Management for the retained estate with the approval of EPSG</p> <p>The Trust Representative or Deputy Trust Representative for PFI related items or the Director of Estates and Facilities Management or Deputy Director of Estates and Facilities Management for the retained estate Director of Estates & Director of Operational Finance</p> <p>The Trust Representative or Deputy Trust Representative for PFI related items or the Director of Estates and Facilities Management or Deputy Director of Estates and Facilities Management for</p> | |

| | | |
|---|---|--|
| | <p>the retained estate</p> <p>* Will be reviewed by Finance Performance Group and Trust Delivery Group who will approve that it can be submitted to the Board for approval. Prior to going to Board, such cases would be taken to Finance Investment and Performance Committee for them to review and obtain assurance that the business case is in line with the Trust's strategic objectives.</p> <p>All cases approved will be subject to outcomes/performance reviews by Finance Performance Group post implementation.</p> | |
| <p>47.MES (major infrastructure – on balance sheet)</p> <p>a) Validation of performance data supplied by the service provider</p> <p>b) Audit of service performance</p> <p>c) Ensuring that correct service penalties are applied where applicable</p> <p>d) Ensuring the correct level of indexation is applied on annual basis</p> <p>e) Contract variations</p> <p style="padding-left: 20px;">Approval of variations with an annual revenue cost</p> <p>Up to £249,999</p> <p>From £250,000 to £499,999</p> <p>From £500,000 - £1,499,999</p> <p>Above £1,500,000</p> <p>f) Approval of design variation requests</p> | <p>Head of Service</p> <p>Head of Service</p> <p>CFO</p> <p>CFO</p> <p>Director of Operational Finance and Director of Strategic Finance</p> <p>CFO & CE</p> <p>Trust Delivery Group</p> <p>for approval. Prior to going to Board, such cases would be taken to Finance and Investment Committee for them to review and obtain assurance that the business case is in line with the Trust's strategic objectives.</p> <p>All cases approved will be subject to outcomes/performance reviews by Finance Performance Group post implementation.</p> <p>Head of Service & Finance Business Partner</p> | |

| g) To undertake value for money assessment of all proposed service variations | Head of Service & Finance Business Partner | |
|--|---|----------------------------|
| DELEGATED MATTER | DELEGATED TO | REFERENCE DOCUMENTS |
| <p>48. Investment in the Trust's subsidiary company Up to £499,999 From £500,000 - £1,499,999 Above £1,500,000</p> <p>All other sections of this scheme of delegation are deemed to apply to the Trust's wholly owned subsidiary company.</p> | <p>CFO Trust Delivery Group Trust Board*</p> <p>* Will be reviewed by Finance Performance Group and Trust Delivery Group who will approve that it can be submitted to the Board for approval. Prior to going to Board, such cases would be taken to Finance and Investment Committee for them to review and obtain assurance that the business case is in line with the Trust's strategic objectives. All cases approved will be subject to outcomes/performance reviews by Finance Performance Group post implementation.</p> | |
| 49. Accepting Charges | | |

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|---|---|--|
| <p>Receipting of Income</p> | <p>All employees must inform the Chief Finance Officer promptly of money due arising from transactions which they initiate/deal with, including all contracts, leases, tenancy agreements, private patient undertakings and other transactions. All invoices must be raised by the Finance Department, unless specifically agreed otherwise by the CFO.</p> | |
| <p>50. Release of Property of Deceased Patients</p> <p>Up to £4,999</p> <p>From £5,000</p> | <p>The Trust may release if the following conditions are met:</p> <p>Forms of indemnity are required</p> <p>A letter of probate or a letter of administration is required</p> | |

Appendix One

DEFINITIONS

“Authorisation” means an authorisation, including its terms and any variation thereof, given by NHS Improvement;

"Board" means the Board of the Trust;

"Budget" means a resource, expressed in financial terms, proposed by the Board for the purpose of carrying out, for a specific period, any or all of the functions of the Trust;

"Budget Holder" or "Budget Manager" means the director or employee with delegated authority to manage budgets (Income and Expenditure) for a specific area of the organisation;

“CAPEX” means the Capital Expenditure Committees of the Board.

“Chair” means the person appointed by the Council of Governors to Chair the Board of Directors to ensure that it successfully discharges its responsibility as a Trust;

"Chief Executive" means the chief officer of the Trust;

“Committee” means a committee of the Board;

“Constitution” means the Constitution of the Board;

“Council of Governors” means the council of governors of the Trust;

“Executive Director” means a Director of the Trust who may also be an officer;

“Finance, Investment and Performance Committee” means the Committee appointed by the Board to review the financial performance of the Trust;

“Foundation Trust” means University Hospitals of Derby and Burton NHS Foundation Trust;

“Forecast” means an estimated outcome, usually expressed in financial terms, for the purpose of planning or refining plans for the carrying out of the functions of the Trust over some specified period;

"Legal Adviser" means the properly qualified person appointed by the Trust to provide legal advice;

“Nominated Officer” means an officer charged with the responsibility for discharging specific tasks within the SOs and SFIs of the Trust;

“Non-Executive Director” means a Director of the Trust who is not an officer of

the Trust and is not to be treated as an officer by virtue of the Membership and Procedure Regulations;

“**Officer**” means employee of the Trust or any other person holding a paid appointment or office within the Trust;

“**Operational Manager**” means an employee of the Trust to whom management for a number of budgets has been delegated. Operational Managers will normally delegate further to individual budget holders. This delegation will be identified on the authorised signatories form for each Cost Centre.

“**Other Auditors**” auditors other than the auditor appointed pursuant to paragraph 23 of schedule 1 of the 2003 Act and whose functions are set out at schedule 5 of the Act;

“**Outside Bodies**” are organisations, both NHS and non NHS, other than the Trust.

“**SFIs**” means the Standing Financial Instructions of the Trust;

“**Senior Independent Director**” means the Non-Executive Director appointed to carry out the duties of the Senior Independent Director

“**SOs**” means the Standing Orders of the Trust;

“**Targets**” means a specific measurable outcome, possibly financial, set by agreement of relevant parties for the purpose of focusing the allocation of resources in a desired direction;

“**Trust**” means the University Hospitals of Derby and Burton NHS Foundation Trust;

“**Trust Representative/ Deputy Trust Representative**” means the nominated person to act as a single point of contact for all Private Finance Initiatives Agreements (PFI) arrangements. They are responsible for enforcing the contractual obligations of the PFI, for monitoring all failures to comply with Service Level Specification and for levying penalties.

“**Variance**” means the difference, expressed either in absolute terms or as a ratio, between an actual for forecast outcome and a previous forecast or budgeted outcome;

“**Virement**” means the agreed transfer of money from one budget heading (income or expenditure) to another, within a financial year; and where the purpose for which the budget was allocated has materially changed.

Appendix Two

GLOSSARY OF TERMS

| Term | Definition |
|-------------|---|
| AC | Audit Committee |
| CAPEX | The Capital Expenditure Committees of the Board |
| CE | Chief Executive |
| COO | Executive Chief Operating Officer |
| CFO | Executive Chief Financial Officer |
| CNO | Executive Chief Nurse |
| | |
| CPO | Executive Chief People Officer |
| GM | General Manager and Deputy Divisional Directors or Corporate Equivalent |
| DD | Divisional Directors |
| CDIO | Executive Chief Digital Information Officer |
| FBP | Finance Business Partner |
| FIPC | Finance, Investment and Performance Committee |
| Directors | All posts reporting to an Executive Directors |
| HSC | Health Service Circular |
| D of E | Director of Estates |
| HRBP | Human Resources Business Partner |
| LCFS | Local Counter Fraud Specialist |
| LTSA | Long Term Service Agreements |
| MES | Managed Equipment Service |
| NAO | National Audit Office |
| NED | Non-Executive Director |
| NICE | National Institute for Clinical Excellence |
| NOF | Nominated Officer Fire |
| PFI | Private Finance Initiative |
| SFIs | Standing Financial Instructions |
| SID | Senior Independent Non-Executive Director |
| SO | Standing Orders |
| TDG | Trust Delivery Group |