

DECISION RIGHTS FRAMEWORK 2018

LANCASHIRE CARE NHS FOUNDATION TRUST CHIEF EXECUTIVE SCHEME OF DELEGATED AUTHORITY September 2018

DOCUMENT STATUS AND REVIEW

Decision rights need to be a dynamic control mechanism and must reflect changing circumstances and need as appropriate. In order to ensure its continued relevance the Executive Director of Governance and Compliance, on behalf of the Chief Executive will review this document at least on an annual basis. Any amendments to the document will not be effective until formally approved by the Trust Board.

WHY DOES THE CHIEF EXECUTIVE NEED A DECISION RIGHTS FRAMEWORK?

This Delegation of Authority and Decision Rights Framework is established to define the limits of authority designated to specified positions; to establish the types and maximum amount of decisions that may be approved by individuals; to ensure that adequate controls are in place for the proper authorisation of contracts; to safeguard the assets of the Trust against loss, fraud, theft and/or improper use; to ensure that adequate controls are in place to safeguard the quality of services provided and the quality of the patient experience; to protect the Trust from unwarranted liability; to ensure consistency of treatment across the Trust, and to produce reliable records of transactions for the purpose of internal and external reporting.

Appendix 1 provides more detail about the interrelationship between this Decision Rights Framework Document and the suite of documents that make up the Trusts Scheme of Delegation. The Delegation of Authority is made up of a schedule of allocated responsibilities and accountabilities for the delivery of the business of the Trust and this schedule of the specific decision rights in connection with the transactions implicit in those responsibilities.

WHO DOES IT APPLY TO?

This Scheme of Delegated Authority and Decision Rights Framework is applicable to all of the Trust's operating networks and business units, and any ventures that are controlled by them, other than where the Trust Board has expressly approved separate and specific arrangements in writing.

SOME RULES FOR EVERYONE TO NOTE

- The LCFT Board of Directors has a Schedule of Matters Reserved to itself and those specifically delegated to Committees of the Board or the Executive. This Delegation is granted in conjunction with that Schedule.
- The Chief Executive shall exercise all powers of the Trust that have not been reserved or otherwise delegated by the Board. The Chief Executive has put in place further delegated authority to assist in the discharge of responsibility.
- Delegation allows for the transaction of current business without further Board approval. This authority DOES NOT include the authority to agree to or enter into new business ventures on behalf of the Trust or to discontinue or cease the operations of a division or business unit or to dispose of a significant portion of the assets of a business unit, all of which require Board approval.
- Delegation of Authority is not a delegation of responsibility. Delegates are required to ensure that all appropriate approvals and reviews have been obtained and documented in accordance with relevant approved Trust Policies or Procedures.
- Delegation is granted to a position (including any person officially acting in that position) not a named individual. However delegation of authority must only be granted to delegates in designated posts who are suitably qualified and experienced persons.
- Delegated Authority is to be used in conjunction with the system of budgetary control in the Trust. Delegated authority to the budget holder for decision rights in the ordinary course of

business and within budget limits is assumed unless anything in this Decision Rights Framework or the SFIs indicates to the contrary.

- A delegated authority may only be granted to employees of the Trust. It cannot be delegated to a consultant or independent contractor except where expressly specified in writing by the Chief Executive.
- Unless any specific delegation of power or authority exists, no person has any individual authority to commit the Trust to obligations including making any representations or agreements with suppliers, customers, employees or other parties or organisations. Inevitably it will be necessary from time to time to seek an interpretation of these Decision Rights as unanticipated facts or circumstances occur that are not specifically addressed or where there is lack of clarity about applicability. In all such circumstances the interpretation being applied should be documented and approved by the Chief Executive prior to any commitment being entered into. All approved interpretations will form an addendum to the Scheme of Delegation and Decision Rights Framework.
- A delegate must not exercise their authority if in doing so they would create an actual, perceived or potential conflict of interest. (Please see Standards of Business Conduct Policy)
- All delegates are bound by the financial authority thresholds as published from time to time.
- Where there is no specific delegation of authority or decision right documented in this framework or any appended interpretation, it must be assumed that no such authority exists and that all rights and authorities revert to the Trust Board.

THE FOLLOWING RULES ARE PARTICULARLY DRAWN TO THE ATTENTION OF ALL EMPLOYEES

- Practices that undermine the intention and objectives of this delegated authority and decision rights are expressly prohibited. These include splitting Contracts or Purchase Orders into smaller parts to circumvent authorisation limits and entering into a contract knowing that it is insufficient for completion of the work required or goods ordered. The maximum amount payable under the contract determines appropriate delegation level. Calculation of the total financial commitment and duration of the contract must include all options (renewals, extensions, volume or quantity increases, contingencies, upgrades, VAT where it cannot be recovered etc.) beyond the initial contract terms that could have been reasonably envisaged at the point of signing.
- The Chief Executive retains exclusive accountability for his/her role and responsibilities including in relation to any delegated authorities granted.
- All employees should be aware that conduct that violates these principles of delegated authority or the specific Decision Rights Framework is always considered outside the scope of their employment and will result in appropriate disciplinary action, including where warranted possible termination of employment.

WHAT HAPPENS IF THE DELEGATE IS ABSENT?

In the absence of the Chief Executive and in circumstances where it is not desirable or possible to wait for his/her return, the Chief Finance Officer may exercise the powers retained to the Chief Executive after taking appropriate advice from the Chair.

In the absence of any other delegate, in circumstances where it is not desirable or possible to wait for his/ her return, an appropriate deputy may exercise the powers taking appropriate advice from the relevant Executive Director.

WHAT IS THE CHIEF EXECUTIVE'S RESPONSIBILITY?

The Chief Executive must ensure that: -

- The financial transactions (Decision Rights) are executed within the scope of these delegated authorities;

- The Trust's management systems of internal control adequately manage and monitor the implementation and operation of the decision rights contained in these delegated authorities;
- These decision rights achieve the objectives of delegated authority and proper financial control, and
- The delegation of authority and the financial and other control limits applicable to the decision rights remain appropriate as the Trusts circumstances change.

WHAT IS THE EXECUTIVE DIRECTORS' RESPONSIBILITY?

It is the responsibility of all Executive Directors to ensure that senior staff within their portfolio of responsibility can evidence compliance with the provisions of this Scheme of Delegation and Decision Rights Framework and with all relevant policies associated with any decision or transaction. Where there is inconsistency between these delegated authorities and decision rights and the general policy framework this should be brought to the attention of the Chief Executive without delay for clarification of delegated responsibility.

KEY DEFINITIONS

Accounting Officer shall be the Officer responsible and accountable for funds entrusted to the Trust. He/she shall be responsible for ensuring the proper stewardship of public funds and assets. For this Trust it shall be the Chief Executive.

Annual Contract Value means the total value of the contract divided by contracts duration (years).

Audit Committee is a formally constituted committee of the Board. Its role is to review and test the adequacy of the Trust's systems of internal control. The activity of the Committee covers the whole of the organisations governance agenda including finance, risk and clinical audit.

Board of Directors means the organisation's governing body and is made up of the Chair, Chief Executive, Non-Executive Directors, and the Executive Directors.

Budget shall mean 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 means the Director or employee with delegated authority to manage finances (income and expenditure) for a specific area of the Trust.

Capital project means a scheme approved by the Trust Board as part of its capital programme and supported by an approved Case for Change.

Case for Change means the document which should be completed when any member of staff has a proposal for a project, business or service change which has not been incorporated into their existing business plan and budget allocation. It will often be written with input from management, Finance, Workforce, Estates and Health Informatics; providing assurance that these resources are available to manage the change. It includes all relevant factors and tells people about the what, when, where, how and why of the proposed change. Please see section 13 and Appendix 2 for further information and guidance.

Trust Chair is the person appointed by the Council of Governors to lead the Board and to ensure that it successfully discharges its overall responsibility for the Trust as a whole. The expression "the Chair of the Trust" shall be deemed to include the Deputy Chair of the Trust if the Chair is absent from the meeting or is otherwise unavailable.

Chief Executive Officer shall mean the accounting officer who is responsible for ensuring the proper stewardship of public funds and assets, ensuring that quality standards are met and has

responsibility for leading the organisation in the delivery of its services and the achievement of its strategic objectives.

Constitution means the formal document setting out the purpose, powers and governance arrangements of the Trust.

Contract means any document that binds the Trust, including undertakings agreements, work orders, binding letters of intent, purchase orders, contracts collective agreements, settlements. This includes the supply of services in the normal course of business, new business for the Trust, leases, professional advice and procurement contracts.

Memorandum of Understanding means a nonbinding agreement between The Trust and one other or more parties outlining the terms and details of an understanding, including each parties' requirements and responsibilities. An MOU is often the first stage in the formation of a formal contract.

Commissioning means the process for determining the need for and for obtaining the supply of healthcare and supporting services by the Trust within available resources.

Committee shall mean a committee established by the Trust Board.

Committee Members shall be persons formally appointed by the Board to sit on or to chair specific committees.

Core Business shall mean carrying out business activities that are in-line with Trusts purpose and existence covering community nursing, health visiting and a range of therapy services including physiotherapy, podiatry and speech & language, wellbeing services and inpatient and community mental health services. Underpinned by support services, infrastructure and using business models and legal forms familiar to LCFT.

Council of Governors (COG) is a formal part of a foundation trust governance framework, made up of independently elected members of the public, staff and representatives from partner organisations. Their role is to hold the Non-Executive Directors to account for the performance of the Board of Directors.

Director shall mean a person appointed as an Executive of Non-Executive Director of the Board in accordance with the Constitution and includes the Chair.

Executive Director means a member of the Board of Directors who holds an executive office of the Trust.

Chief Finance Officer means a member of the Executive team who has responsibility for handling the financial affairs of the company.

Funds Held on Trust shall mean those funds which the Trust holds at its date of incorporation, receives on distribution by statutory instrument, or chooses subsequently to accept. Such funds may or may not be charitable.

Governor's Committee shall mean a committee of the Council of Governors.

Governors Committee Members shall be persons formally appointed by the Council of Governors to sit on or to chair specific governors' committees.

Independent Regulator/ NHS Improvement means the body responsible for authorising, monitoring and regulating NHS Foundation Trusts.

Lease is a financing agreement by which the Trust can obtain the use of certain assets for which it must pay a series of contractual, periodic rentals or instalments. It is a commercial arrangement where although the lessor (financing company) is the legal owner of the asset during the term, the lessee (the Trust) has control over and use of the asset providing the benefits and risks of (economic) ownership.

Material (according to the current Risk Assessment Framework 2015) constitutes 25% of turnover, and those transactions which trigger the reporting requirements but do not require a detailed review are classified as “material” transactions.

New Business shall mean any business activity where no previous contractual obligation or activity has been undertaken.

Novel or contentious business means all contractual activity which are either non-core business; entering into partnership(s) where the Trusts carries the risk or activities not directly aligned to the Trusts strategic priorities.

Programme Management Office (PMO) is the office providing a central resource of support, tools, techniques and guidance in relation to the organisation’s key strategic priorities and transformation programmes.

PMO Coaching Model is required when programmes are assessed as being less substantial and require shared project management practices and governance. Performance is actively monitored and the Programme Management Office will coach network and corporate leads to ensure the appropriate skills and governance are in place.

PMO Enterprise Model is required when substantial programmes or service changes are identified and require dedicated a Programme/Project Manager assigned for the duration of the programme. Enterprise models will have governance processes that include scoping, assessment, direct involvement of Programme Management Office programme managers, performance reporting, impact and benefits analysis.

Significant (according to the current Risk Assessment Framework 2015) constitutes 40% of turnover and those transactions that NHS Improvement consider ‘significant’ Where a Trust has incorporated its own definition of a significant transaction into its constitution, this may differ from the NHS Improvement definition of ‘significant’. The NHS Improvement definition applies for the purposes of determining whether a detailed review is conducted.

Total Net Present Value means the present value of investment future net cash flows minus initial investment.

Trust means the Lancashire Care NHS Foundation Trust.

CONTRACT SIGNATORIES

It is considered best practice for all contracts to supply goods and services have two appropriate signatories and every delegate is expected to ensure that all functions that have an interest in and specific knowledge of the contract have been appropriately consulted.

Principle signatory – the appropriate position in accordance with the authorised limits, within the function responsible for, amongst other things, the subject matter of the contract, the budget and the responsibility for contract performance.

Co-signatory/ Witness – the Co-signatory/ Witness acts as a check and balance and will normally provide insight into functional specialism such as quality, HR, finance, etc. in accordance with the subject matter. Co-signatories must not be in the same line management as the Principle signatory. It would be best practice to utilise a signatory linked to the contract, such as network accountant, IM&T lead.

Exceptions to dual signatory: -

- Retainer of outside legal services Board.
- High value or reputational risk contracts which require Trust board approval.

OTHER DOCUMENTS THAT YOU NEED TO READ WITH THIS FRAMEWORK

- Matters Reserved to the Board;
- Accountability Framework;
- Standing Financial Instructions and Standard Operating Procedures
- LCFT Policies and Procedures
- Agenda for Change
- Scheme of Delegation

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DECISION RIGHTS FRAMEWORK

Accounting and Financial Control

Decision	Decision Maker
1.0 - Approve the writing-off of losses of cash of less than £500	Chief Finance Officer
1.1 - Approve the writing-off of losses of cash of £501 - £10,000	Chief Finance Officer
1.2 - Approve the writing-off of losses of cash of over £10,000	Chief Executive
1.3 - Approve write-off of bad debts up to £5,000	Director of Financial Operations
1.4 - Approve write-off of bad debts up to £10,000	Chief Finance Officer
1.5 - Approve write-off of bad debts over £10,000	Chief Executive
1.6 - Approve ex gratia or payments up to £5,000	Director of Financial Operations
1.7 - Approve ex gratia payments up to £10,000	Chief Finance Officer
1.8 - Approve ex gratia payments over £10,000	Chief Executive
1.9 - Approve compensation payments requiring Treasury notification	Joint Decision - Chief Executive and Trust Chair
1.10 - Approve all departmental finance procedures	Chief Finance Officer
1.11 - Approve the content and format of the Trust Board Performance Monitoring Report.	Trust Board
1.12 - Determine how financial performance will be monitored against financial targets	Trust Board
1.13 - Approve Case for Change for all Novel & Contentious Contracts – all values over a de minimus of £100,000	Trust Board
1.14 - Approve Case for Change for up to 100k	Chief Finance Officer
1.15 - Approve Case for Change £100k up to a £1million for both revenue and a capital project	Chair and Chief Executive on the recommendation of the SLT
1.16 - Approve a Case for Change for more than £1 million in respect of either Capital or Revenue expenditure	Trust Board
1.17 - Approve the Trust's long term financial plan	Trust Board
1.18 - Sign off of Annual Governance Statement and provide assurance to Trust Board of full compliance with relevant policies	Chief Executive
1.19 – Approval of the drawdown of funds	Chief Executive Officer, Chief Finance Officer, Financial Management Director, Financial Services Director, Principal Finance Manager and Technical Financial Accountant

<p>Acquisition and Divestment including;</p> <ul style="list-style-type: none"> • significant transactions • extension of existing business into new geographical areas • cessation of existing activity

Decision	Decision Maker
2.1 - Approval of significant (Constitution) transactions over 25%	Council of Governors advised

or high risk to reputation or finance	by the Trust Board
2.2 - Introduction of any new activity or operation with gross annual income or expenditure exceeding £100,000 of turnover or discontinuance of any existing activity where the value is in excess of 10% of turnover.	Trust Board
2.3 - Approve an application by the Trust to enter into a merger, acquisition, separation or dissolution	Council of Governors advised by the Trust Board

Annual Report and Financial Statements

Decision	Decision Maker
3.1 - Determine the functions of the trust with respect to the preparation of the annual accounts	Chief Executive as Accounting Officer of the Trust
3.2 - Approve the Annual Governance Statement	Trust Board on the advice of the Chief Executive
3.3 - Approve and sign the Annual Report and Accounts including the Quality Account	Trust Board on the advice of the Chief Executive

Annual Plan

4.1 - Approve Annual Plan and submission to NHS Improvement	Trust Board
4.2 - Approve and sign Corporate Governance Statement	Trust Board

Audit

Decision	Decision Maker
5.1 - Appoint External Auditors	Council of Governors
5.2 - Determine process for selection of external auditors	Chair of Audit Committee
5.3 - Appoint Internal Auditors	Chief Executive on the advice of the Audit Committee
5.4 - Approve changes to Internal Auditing service	Audit Committee
5.5 - Appoint Local Counter Fraud Specialist	Trust Board
5.6 - Approval of Audit Plan including clinical audit plan	Audit Committee on the recommendation of the Chief Executive
5.7 - Commissioning of Clinical Audits and allocation of clinical audit resource	Medical Director
5.8 - Commissioning of Internal Audits outside of the Audit Plan where no budget exists	Chief Executive
5.9 - Commissioning of Internal Audits outside of the Audit Plan where budget exists	Budget Holder
5.10 - Approve internal audit plan	Audit Committee
5.11 - Approve annual audit opinion on effectiveness of system of internal control	Audit Committee

Assets

Decision	Decision Maker
6.1 - Disposal of assets with a value in excess of £500	Chief Finance Officer
6.2 - Disposal of items with an estimated sale value of less than £500 in accordance with relevant policy	Budget Holder

10.2 - Approve allocation of funding from available reserves	Chief Executive
10.3 - Approve allocation of funding from additional income in year.	Chief Executive
10.4 - Approving expenditure (pay and non-pay) budgets within overall forecast income	Trust Board
10.5 - Allocation of resource to Networks and Directorates	Chief Executive
10.6 - Approving expenditure within Network / Directorate allocation of resource	Network or Corporate Director
10.7 - Approving expenditure outside of Network / Directorate allocation of resource	Chief Executive
10.8 - Use of non-recurring budget allocation for recurring expenditure	Chief Executive <i>in writing</i> ^D
10.9 - Authorisation of Virement of budget - Within cost centre	Budget Holder
10.10 - Authorisation of Virement of budget- Within Network/directorate/ across service lines	Network and Executive Director
10.11 - Authorisation of Virement of budget- Between directorates	Relevant Executive Directors
10.12 - Authorisation of Virement of budget - Other or where agreement cannot be reached	Chief Executive
10.13 - Appointment of employees above funded establishment	Network Head of Operations
10.14 - Approval of payments prior to work being completed	Chief Finance Officer
10.15 – Approval of operational expenditure within budget	Budget Holder
10.16 - Approve annual budget	Trust Board

Branding

Decision	Decision maker
11.1 - Approval of changes to existing brand including name, strapline, mission and vision	Trust Board
11.2 - Developing a new brand or sub brand	Senior Leadership Team
11.3 - Approval of Brand association, e.g. working in partnership	Senior Leadership Team

Capital Expenditure

Decision	Decision Maker
12.1 - Approval of Capital Expenditure Plan and any changes to the plan in year	Trust Board
12.2 - Approval to commit resource to Capital Expenditure Schemes contained within the Capital Expenditure Plan where there is an approved Case for Change	Chief Executive
12.3 - Approval of Capital Expenditure Schemes contained within the Capital Expenditure Plan where there is no approved Case for Change	See 'New Business' section
12.4 - Approval of Capital Expenditure Schemes where there is an approved Case for Change but the scheme is not included in the Approved Capital Expenditure Plan	Trust Board
12.5 - Approval and sign off of seal for any building, engineering, property or capital document	Trust Chair and Chief Executive Office Or Deputy Chair and Chief Executive

Case for Change

Please see the Trusts DTS intranet site for templates

Please see Appendix 3 for the approval process for Business Cases for Change

Decision	Decision maker
13.1 – Case for Change approval in principle	Head of Transformation
13.2 – Case for Change formal approval	To be approved by all of the relevant bodies as outlined in Appendix 3. Final approval by the Trust Board, following approval by the SLT, ICE and Network/Department SMT

Cash/Currency

Decision	Decision Maker
14.1 - Approve setting up of a Petty cash facility	Chief Finance Officer
14.2 - Petty Cash expenditure up to £50	Budget Holder
14.3 - Petty cash expenditure over £50 and up to £100 per item	Chief Finance Officer

Charitable Funds

Decision	Decision Maker
15.1 - Opening LCFT Charitable Bank Accounts	Chief Finance Officer
15.2 - Closing LCFT Charitable Bank Accounts	Chief Finance Officer
15.3 - Approval of guidelines, appropriate arrangements and ensure compliance for all new charitable funds	Chief Finance Officer
15.4 - Approval of all aspects of asset management of charitable funds	Chief Finance Officer

Cost Improvement Plans (CIPs) and Amendments

Please see Case for Change guidance where applicable.

Decision	Decision Maker
16.1 - Approval of overall Annual CIP Plan within forecast income and expenditure projections including refreshing of CIPs approved and carried over from prior years where applicable	Trust Board on the recommendation of the Chief Finance Officer
16.2 - Approval of individual CIP schemes is subject to approval of a relevant Case for Change. Where a Case for Change is required/ approved this will include sign off for a Quality Impact Assessment – all values	Medical Director and Director of Nursing & Quality
16.3 - Approval of Network level CIP Plans subject to Case for Change approval and Quality Impact Assessment (see above)	Trust Board
16.4 - Approval of CIP Plans from financial perspective (See above)	Chief Finance Officer
16.5 - Approval or revalidation of previous years CIP plans (See above)	Trust Board

Contracts

Please see Case for Change guidance where applicable.

Decision	Decision Maker
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17.1 - Approve a contract of employment in a form approved by the Board and which complies with employment legislation and ensure all employees are issued with one. Please see Recruitment and Termination.	Deputy Director of Workforce & Organisational Development
17.2 - Signing contracts with commissioners for the provision of services to patients	Chief Finance Officer with advice from Chief Executive
17.3 - Approval of contract variations/service specifications with Commissioners	Chief Finance Officer with advice from Chief Executive
17.4 - Approving agreements/contracts for supply of services other than with NHS Commissioning bodies	Chief Executive and Chief Finance Officer
17.5 - Approving variations to agreements/contracts for supply of services other than with NHS Commissioning bodies	Chief Finance Officer
17.6 - Approving contracts under seal – all values	Trust Board
17.7 - Signing contracts for non-clinical Trust services where there is an approved Case for Change	Chief Executive Officer or Chief Finance Officer
17.8 - Approving the form of legal contracts	Trust Board
17.9 - Standard Terms of Trading	Trust Board
17.10 – Approval of Memorandum of understanding (MoU) where the MoU is an agreement for network and local level arrangement	Head of Operations for relevant network/Relevant Director
17.11 – Approval of Memorandum of Understanding where the MoU is a Trust wide significant agreement	Trust Board
Authorisation of Contracts for Supply of Goods and Services to the Trust	
Decision	Decision Maker
17.12 - Approval of contracts to the value of £50K within approved budget allocation.	Network Director
17.13 - Approval of contracts to the value of £100K within approved budget allocation.	Executive Director or Financial Services Director or Financial Management Director
17.14 - Approval of contracts to the value of £500k within approved budget allocation.	Chief Finance Officer
17.15 - Approval of contracts £500k to £1million within approved budget allocation.	Chief Executive Officer
17.16 - Approval of contracts £1million to £2 million within approved budget allocation.	Chief Executive Officer and Trust Chair
17.17 - Approval of contracts in excess of a value of £2 million within approved budget allocation.	Trust Board
Performance Management and Monitoring of Contracts for Supply of Goods and Services to the Trust	
Decision	Decision Maker
17.18 - Responsibility for ensuring performance management and monitoring of contracts for the supply of common goods and consumables to the Trust.	Procurement Department
17.19 - Responsibility for ensuring performance management and monitoring of contracts for the supply of goods and consumables specific to a service or network.	Network Head of Operations
17.20 - Responsibility for ensuring performance management and monitoring of contracts for the supply of corporate and support services to the Trust.	Relevant Corporate function
17.21 - Responsibility for ensuring performance management and monitoring of contracts for the supply of services specific to a service or network.	Network Director

17.22 - Responsibility for ensuring performance management and monitoring of contracts for the supply of sub-contracted Health and Care services as part of a commissioned Head contract.	Contracts Department
17.23 - Responsibility for ensuring performance management and monitoring of contracts for the supply of Health and Care services to a service or network.	Network Director

Corporate Governance

Decision	Decision Maker
18.1 - Approval of any Constitutional changes	Council of Governors
18.2 - Changes to the corporate governance structure	Chief Executive
18.3 - Approval of the Annual Report and Accounts including the Annual Governance Statement	Trust Board
18.4 - Approval of the Annual Plan including appropriate declarations/statements	Trust Board
18.5 - Approval of the Quality Account	Trust Board
18.6 - Approval of changes to the membership of the sub-committees of Board	Trust Board
18.7 Approve and keep under regular review a schedule of matters delegated to committees and Terms of Reference and Standing Orders for committees of the Board.	Trust Board
18.8 - Approval of changes to the Council of Governors sub-committee membership	Council of Governors
18.9 - Approve and review a Board Cycle of Business and associated schedule of Standard Board Reports.	Trust Board
18.10 - Approve the governance arrangements for the Board acting as a corporate Trustee.	Trust Board
18.11 - Approve the division of responsibilities between the Chair and Chief Executive.	Trust Board
18.12 - Approve the governance arrangements relating to joint ventures or other associated organisations.	Trust Board
18.13 - Approve and maintain a register of the use of the corporate seal.	Trust Board

Debt Recovery excluding Payroll recovery

Decision	Decision Maker
19.1 - Determination of action for recovery of outstanding debts	Chief Finance Officer

Delegated Authorities, Decision Rights and SFIs

Decision	Decision Maker
20.1 - Approve Scheme of Delegation to the Chief Executive and Matters Reserved to the Board	Trust Board
20.2 - Agree Delegated Authorities and accountabilities to Executive Directors and/or other Officers of the Trust	Chief Executive
20.3 - Approve Standing Financial Instructions and Standard Operating Procedures	Trust Board

Fees and Charges

Decision	Decision Maker
21.1 - Approval of fees and charges	Chief Finance Officer

FOIA Requests

Decision	Decision Maker
22.1 - Decision to comply with FOI requests	Chief Finance Officer (SIRO)

Fraud and Corruption

Decision	Decision Maker
23.1 - Decide on cases of financial misappropriation and other irregularities	Chief Finance Officer and Local Counter Fraud Specialist
23.2 - Take action to ensure that any allegations of fraud or corruption are investigated through the Local Counter Fraud Specialist	Chief Finance Officer and Local Counter Fraud Specialist

Human Resources

Skills Mix

Decision	Decision Maker
24.1 - Permanent or long term changes to clinical skill mix in a unit or department within current budget constraints.	Network Director and Clinical Director
24.2 - Introduction of new nursing / new clinical roles (Please see changes in establishment authority and Budget sections)	Network Director and Clinical Directors
24.3 - Introduction of new corporate role or changes in the skill mix of non-clinical teams (Please see changes in establishment authority and Budget sections)	Director of Workforce and Organisational Development

Funded Establishment

Decision	Decision Maker
24.4 - Approval of a variation to the Funded Establishment of a department as recorded in the approved Annual Budget (Please see Budget and Skill mix sections)	Chief Executive

Recruitment and Termination

Decision	Decision Maker
24.5 - Approval of Contracts of Employment	Director of Workforce and OD
24.6 - Engage or re-grade employees on a permanent or temporary nature to approved standard employment contract terms within the limits of the approved pay budget	Director of Workforce and Organisational Development
24.7 - Engage or re-grade employees on a permanent or temporary nature NOT to approved standard employment contract terms within the limits of the approved pay budget; recommended by Director of Human Resource	Director of Workforce and Organisational Development
24.8 - Appoint Medical Consultants to Established Posts	Chair of Advisory Appointments Committee

24.9 - Appoint Doctors and Dentists to Established Posts	Recruiting Medical Manager (Associate Medical Directors)
24.10 - Appoint a Locum to an Established Post	Recruiting Medical Manager (Associate Medical Directors)/ Deputy Medical Director
24.11 - Approval of plans for the deployment and funding of medical students, junior doctors and trainees	Deputy Medical Director(Director of Medical Education)
24.12 - Determination of medical on-call rotas	Deputy Medical Director
24.13 - Determination of junior doctor on-call rotas	Director of Medical Education
24.15 - Alterations to medical managerial posts	Medical Director
24.16 - Engage bank staff within the limits of the approved budget	Budget Holder
24.17 - Engage staff outside of the funded establishment in year(subject to provisions to bring establishment within budget in the subsequent year)	Budget Holder. Please see section on budget, engagement and skill mix
24.18 - Approve alteration to terms and conditions of staff	Trust Board
24.19 - Changes to individual's working arrangements within the Policy Framework	Budget Holder
24.20 - Approval of removal expenses within budget and Trust Policy	Budget Holder
24.21 - Approval of removal expenses outside of budget and /or Trust policy	Chief Executive
24.22 - Decision to hold medical posts in the Funded Establishment vacant	Medical Director
24.23 - Approve decision to make an employee redundant and associated payments	Director of Workforce and Organisational Development
24.24 - Appoint and, if appropriate, remove the Executive Directors excluding the Chief Executive	A Committee of the Chair, Chief Executive and other NEDs
24.25 - Appoint and, if appropriate, remove the Chief Executive	A committee of the NEDs (Appointment of a Chief Executive will require the approval of the CoG)
24.26 - Appoint a Non-Executive member of the Board to Chair.	Trust Board
24.27 - Approve the appointment of one of the independent Non-Executive Directors to be the senior independent director, in consultation with the Council of Governors.	Trust Board
24.28 - Approve and review the process for the appointment and effectiveness of the Mental Health Act Managers.	Trust Board

Remuneration

Decision	Decision Maker
24.26 - Determine the level of fees and terms of office for the Chair and Non-Executive Directors	Council of Governors
24.27 - Determine the remuneration and terms of service for the Chief Executive, Executive Directors, and Other Senior Employees	Nomination and Remuneration Committee
24.28- Approve banding/job grading within Agenda for Change (Please see approve re-grade)	Head of HR Operations
24.29 - Determine/amend remuneration levels outside of	Chief Executive

Agenda for change	
24.30 - Determine/ amend remuneration levels for Consultant, Doctor and Dentist roles	Medical Director
24.31 - Determine/ amend remuneration levels for additional PAs for Medics	Deputy Medical Director

Holidays and Overtime

Decision	Decision Maker
24.32 - Approval of Special Leave within policy framework	Appropriate Line Manager
24.33 - Approve annual leave carried over to the following year <5 days	Appropriate Line Manager
24.34 - Approve annual leave carried over to the following year >5 days	Head of HR Operations
24.35 - Approve payment in lieu of annual leave	Chief Finance Officer
24.36 - Approve overtime and travel expenses	Budget Holder

Consultancy/Contract Personnel

Decision	Decision Maker
24.37 - Decision to bring in consultancy and contract personnel	Budget Holder and relevant Executive Director
24.38 - Decision to terminate contract of consultancy/ contract personnel in line with contract provisions	Budget Holder
24.39 - Agreement of terms and conditions of contract. Please see Contracts section.	Budget Holder

Staff Performance and Disciplinary Decisions

Decision	Decision Maker
24.40 - Decision to initiate a response to concerns about doctors and dentists	Associate Director: Professional Standards, Revalidation and Assurance
24.41 - Determine action in relation to poor performance of a doctor or a dentist	Medical Director with advice from Director of Workforce and OD
24.42 - Determine action in relation to poor performance of a trainee doctor or dentist	Director of Medical Education
24.43 - Approval of disclosure of information relating to a doctor or dentist to regulatory bodies	Medical Director
24.44 - Approval of disclosure of information relating to a doctor or dentist	Medical Director
24.45 - Seek advice from NCAS	Medical Director
24.46 - Recommendation of doctors for revalidation	Medical Director (Responsible Officer)
24.47 - Determination and amendment of Consultant Job Plans	Associate Medical Directors
24.48 - Determination and amendment of Associate Medical Directors Job Plans	Deputy Medical Director
24.49 - Decision to report nursing staff to the Nursing and Midwifery Council and other non-medical professionals to their regulatory body	Director of Nursing
24.50 - Decision to report medical staff and dental staff to relevant professional body	Medical Director
24.51 - Decision to defend an action at Tribunal	Director of Workforce and OD

Employee Relations

Decision	Decision Maker
Final Written Warning or Dismissal	
24.52 - All staff up to and including Head of Service / Department Level – up to Band 8b	Senior Manager – minimum level Band 8b
24.53 - Head of Service / Department and above (Band 8b and above up to Network Director)	Network Head of Operations
24.54 - Network Director / Clinical Director (Band 9 and above) All Medical and Dental staff up to and including Deputy Medical Director	Executive Director
24.55 - Executive Director	Trust Board
24.56 - Chief Executive	Trust Chair For dismissal this would be Committee of the Chair and NEDs)
Appeal against Final Written Warning	
24.57 - All staff up to and including Head of Service / Department Level – up to Band 8b	Network Director, Clinical Director or Executive Director
24.58 - Head of Service / Department and above (Band 8b and above up to Network Director)	Executive Director
24.59 - Network Director / Clinical Director (Band 9 and above) All Medical and Dental staff up to and including Deputy Medical Director	Chief Executive
24.60 - Executive Director	Chief Executive, Chair and 1 Non-Executive Director
24.61 - Chief Executive	Chair & 2 Non-Executive Directors
Appeal for Dismissal in all cases	
24.62 - All staff up to and including Head of Service / Department Level – up to Band 8b	1 Network Director or Clinical Director, 1 Executive Director, 1 Non-Executive and 1 Professional Advisor (as appropriate)
24.63 - Head of Service / Department and above (Band 8b and above up to Network Director)	1 Network Director or Clinical Director, 1 Executive Director, 1 Non-Executive Director (or above as appropriate) and 1 Professional Advisor (as appropriate)
24.64 - Network Director / Clinical Director (Band 9 and above) All Medical and Dental staff up to and including Deputy Medical Director	1 Network Director or Clinical Director, 1 Executive Director, 1 Non-Executive Director (or above as appropriate) and 1 Professional Advisor (as appropriate)
24.65 - Executive Director	Trust Chair and 2 Non-Executive Directors
24.66 - Chief Executive	Chairman, 2 Non-Executive Directors and 1 Independent

	Advisor
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Employee Loans and Payroll Debts

Decision	Decision Maker
24.67 - Approval of pay advances or employee loans and terms of recovery of monies	Chief Finance Officer
24.68 - Employee Overpayments – Decision to not recoup monies	Chief Finance Officer
24.69 – The final determination of pay and allowances	Chief Finance Officer

Severance Agreements and ex Gracia Payments

Decision	Decision Maker
24.69 - Agreement for payments made as part of severance payment	Chief Executive
24.70 - Agreement of compromise agreements in line with contractual entitlement	Chief Executive
24.71 - Agreement of ex-gracia payments	Chief Executive

Income generation Schemes/Contracts including non NHS income

(Please also see section 17)

Decision	Decision Maker
25.1 - Approval of schemes which take the non- NHS income above 49%	Council of Governors on the advice of the Trust Board
25.2 - Approval of new income generation schemes. Please see Case for Change section and adhere to process as applicable.	SLT recommendation to the Trust Chair and Chief Executive Joint Decision - Director of Operations and Chief Finance Officer
25.3 - Approval of charitable fundraising schemes	The Trustees or those acting on behalf of the Trustee

Information Governance

Decision	Decision Maker
26.1 - Authority to release payroll data under relevant statutory Acts	Chief Finance Officer (SIRO)
26.2 - Decisions relating to medical/staff data and records	Senior Information Risk Owner
26.3 - Decisions affecting the confidentiality of patient and SU information including information sharing	Caldicott Guardian (Medical Director)
26.4 - Approve Board procedures of both the Board of Directors and the Council of Governors	Company Secretary

Information Technology

Decision	Decision Maker
27.1 - Agree contracts for computer services for financial applications with another health organisation or any other agency	If full cost is £100k and above, SLT recommendation to the Chair and Chief

	Executive If full cost is below £100k and not Novel, Chief Finance Officer
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Insurance

Decision	Decision Maker
28.1 - Approval of Insurance cover and contracts in accordance with the Risk Management Policy (Please see Contracts for the supply of goods and services section)	Chief Finance Officer
28.2 - Make all claims arising out of policies of insurance	Cross reference to Legal section
28.3 - Decide whether adequate insurance cover is effected in accordance with risk management policy	Trust Board with advice from Chief Executive.
28.4 - Approve the overall levels of insurance for the Trust including Directors and Officers Liability Insurance (D&O) Liability and indemnity cover.	Trust Board

Intellectual Property

Decision	Decision Maker
29.1 - Registering/Trademarking of intellectual property in relation to exploitation	Director of Strategic Developments
29.2 - Registering/Patenting of intellectual property in relation to exploitation	Director of Strategic Developments
29.3 - Registering/Design Rights of intellectual property in relation to exploitation	Director of Strategic Developments
29.4 - Signing of confidentiality disclosures in relation to intellectual property	Director of Strategic Developments
29.5 - Commit staff resources/ funding to develop intellectual property	Trust Board
29.6 - Licensing intellectual property to other organisations	Clinical Director (Network)
29.7 - To commit funds and time to creating a brand, marketing and managing the brand (Intellectual property)	Trust Board
29.8 - Approval to market and/or exploit registered intellectual property generated within LCFT to external organisations	Director of Strategic Developments
29.9 - Decide on disputes of ownership of intellectual property rights	Trust Board with advice from Trust Solicitor
29.10 - To investigate and enforce intellectual property rights against another organisation (Please see Legal Matters – decision to take legal action section)	Chief Executive

Investment Decisions and Treasury Management

Please see Case for Change guidance.

Decision	Decision Maker
30.1 - Decide Trust priorities for capital investment.	Trust Board
30.2 - Produce Case for Change for Trust investment and submit to Trust Board	Chief Executive
30.3 - Approve Case for Change for Trust Capital Investment in excess of £1 million	Trust Board

30.4 - Approval of Treasury management scheme	Trust Board
30.5 - Create procedures on operation of investment accounts	Chief Finance Officer
30.6 - Approve and review a schedule of required policy statements for the Trust and clearly identify those policies reserved for the Trust Board to approve itself	Trust Board

Leases

Please see Contracts and Case for Change guidance.

Decision	Decision Maker
31.1 - Approval of Lease agreements for Land and buildings	See Contracts and Case for Change sections
31.2 - Approval or alteration of lease agreement for LCFT equipment	Chief Finance Officer
31.3 - Approval of undertaking rent of non LCFT property	Please see- Property and Land Transactions
31.4 - Approval of occupation of premises owned or rented by LCFT by Network services	Please see – Property and Land Transactions
31.5 - To lease Trust Property for new, novel or contentious business.	Please see – Property and Land Transactions
31.6 - To lease Trust Property for other business.	Please see – Property and Land Transactions

Legal Matters

Decision	Decision Maker
32.1 - Commissioning of advice in relation to Information Governance issues	Chief Finance Officer (SIRO)
32.2 - Decision to contract specialist legal advisory services	Budget Holder
32.3 - Request advice from specialist legal advisory services once contracted	Budget Holder
32.4 - Approval of settlements of liability in accordance with national policy and or as directed by the Courts	Trust Solicitor
32.5 - Commissioning of advice from Trust legal advisors/Legal Counsel	Budget Holder
32.6 - Settlement of commercial litigation	Trust Board
32.7 - Establishment of new Trust Instruments	Trust Board
32.8 - Formulation/dissolution of legal entities	Trust Board
32.9 - Approval of contract or licence form agreement. Please see Contracts section.	Trust Board
32.10 - Approval of Contracts/Licence agreement. Please see Contracts section.	Trust Solicitor
32.11 - Legal proceedings documentation signature	Chief Executive
32.12 - Authorised Signatory for Clinical Negligence Claims	Executive Director of Nursing

Loans, Letters of Credit or Guarantees

Decision	Decision Maker
33.1 - Decision to take out a loan.	Trust Board
33.2 - Decision to issue letters of credit or guarantees	Chief Finance Officer

NHS Improvement / Regulator Relations/External Communications

Decision	Decision Maker
34.1 - Approve quarterly submission to NHS Improvement	Trust Board
34.2 - Amend NHS Improvement Mandatory Service Schedule - Operations	Director of Operations
34.3 - Amend NHS Improvement Mandatory Service Schedule – Financial	Chief Finance Officer
34.4 - Approve press releases where there is a risk to reputation	Chief Executive
34.5 - Approve information presented external to the organisation. In respect of the Trusts business operation and strategic intent or to demonstrate transparency.	Relevant Executive Director
34.6 - Approval of responses to stakeholder letters or queries	Network Director or relevant Exec including Chief Exec and Engagement Director
34.7 - Agreement to take part in radio and TV broadcasts	Chief Executive Officer
34.8 - Agreement to publish information online – Corporate/ Trust wide	Head of Communications
34.9 - Agreement to publish information online – Network related (Please see publication scheme section)	Network Director
34.10 - Agree content of Trust newsletters	Chief Executive Officer

Names and Trademarks

Please see Intellectual Property section.

Decision	Decision Maker
35.1 - Approval of association to external trademarks and names	Senior Leadership Team
35.2 - Any change to Trust Name (as a result of merges or acquisitions)	Trust Board
35.3 - Approval of Domain names for electronic resources associated with the Trust	Senior Leadership Team
35.4 - Agree action to be taken if another organisation used Trusts name	Chief Operating Officer
35.5 - Naming of service lines	Network Director
35.6 - Agreement of naming convention for electronic systems	Network Director
35.7 - Approval of naming and trademarks of internal products to be marketed externally	Network Director
35.8 - Approval of internal product trademarks to be marketed externally	Network Director

New, Novel or Contentious Business

Decision	Decision Maker
36.1 - Prioritisation of projects and proposals through the Business Development Transformation Group	Director of Strategic Developments
36.2 - Decision to develop proposal to be submitted to Executive Management Team (Network related)	Network Director
36.3 - Approval of additional resource of a Case for Change assessed by Business Development Transformation Group as to remain within the Network	Network Director
36.4 - Decision on the amount of resource required to further develop a Case for Change	Executive SRO related to project
36.5 - Decision to appoint an Executive Sponsor to a project	Executive Management

agreed by Business Development Transformation	Team
36.6 - Decision to cease program agreed by Executive Management Team	Executive Director of Strategy and Transformation
36.7 - Decision to alter programs agreed by the PMO through change control	Executive Director of Strategy and Transformation
36.8 - Approve any extension of the Trust's activities into new and novel business above a de minimus threshold of £100,000 or in relation to existing business, geographic areas where the value is in excess of £1million	Trust Board
36.9 - Approve any decision to cease to operate or divest in all or any part of the Trusts activity where the value is in excess of 10% of turnover	Trust Board

Outsourcing Activity

Decision	Decision Maker
39.1 - Decision to offer or not offer a service out to tender. Please see Case for Change section and 43. Procurement and Requisitioning of Goods and Services.	Senior Leadership Team.

Policies

Decision	Decision Maker
37.1 - Approve Trust Policies (and associated procedures and Guidance) in relation to Policies reserved for the Board to Determine	Trust Board
37.2 - Approve Trust Policies (and associated procedures and Guidance) in relation to Policies NOT reserved for the Board to Determine	Executive Sub-Committee Chair

Pricing Framework and Standard Terms and Conditions

Decision	Decision Maker
38.1 - To alter the Trust Pricing Framework	Chief Finance Officer

Property and Land Transactions

Please see Case for Change and Contracts sections.

Decision	Decision Maker
40.1 - Change of use of land or buildings	Trust Board on the recommendation of the Chief Executive
40.2 - Agreeing contracts relating to the acquisition/disposal of land or buildings	Trust Board on the recommendation of the Chief Executive
40.3 - Agreeing contracts relating to rental of premises as Landlord in accordance with an agreed Case for Change	Chief Finance Officer
40.4 - Agreeing contracts relating to rental of premises as Tenant in accordance with an agreed Case for Change	Chief Finance Officer
40.5 - Agreeing contracts relating to goods and services in connection with land and buildings in accordance with an agreed Case for Change also refer to contracts for the supply of	Chief Finance Officer

goods and services	
40.6 - Approval of letting of premises to non LCFT operating units subject to the terms of an agreed lease in place	Chief Finance Officer and Chief Executive
40.7 - Approval of rents to be paid for LCFT premises	Chief Finance Officer
40.8 - Approval of occupation of premises owned or rented by LCFT by Network services	Estates and Facilities Director

Quality Standards

Decision	Decision Maker
41.1 - Amendments to agreed quality standards where local determination is available including target waiting times	Medical Director and Director of Nursing & Quality and Director of Operations
41.2 - Changes to use of drugs and therapeutics and management of drugs budget	Chief Pharmacist
41.3 - Temporary closure of beds due to operational issues	Senior Leadership Team
41.4 - Permanent closure of beds in line with the approved plan	Senior Leadership Team
41.5 - Permanent or long term closure of beds not approved as part of the Annual Plan / retaining beds due to be closed as part of the plan	Trust Board
41.6 - Changes to service delivery with clinical impact. Please see Skills Mix section	Chief Operating Officer and Director of Nursing & Quality
41.7 - Decision to commission an external review of standards – Medical and dental workforce related	Medical Director
41.8 - Decision to commission an external review of standards – related to nursing and other health professions	Director of Nursing and Quality
41.9 - Major changes to service design (team mergers, changes in working practices, NICE and NSF requirements, replacement of medical staffing by non-medical staffing)	Medical Director and Director of Nursing and Quality

Research and Development

Decision	Decision Maker
42.1 - Approve Research and Clinical Trials	Chief Executive and Medical Director
42.2 - Approve/withdraw approval of a Trust R & D project	Research and Innovation Lead
42.3 - Decide not to participate in project that has Trust R & D approval	Research and Innovation Lead and Medical Director
42.4 - Approve new/disestablish existing academic posts/alteration in capacity for research	Research and Innovation Lead and Medical Director
42.5 - Decisions regarding the establishment and development of library services	Medical Director

Procurement and Requisitioning of Goods and Services

Decision	Decision Maker
43.1 - Approval of the list of managers authorised to agree requisitions for the supply of goods and services and the maximum (£) level of each requisition	Chief Executive
43.2 - Setting the threshold for order where formal tenders are required	Chief Finance Officer
43.3 - Approval of the list of managers authorised to approve	Chief Finance Officer

requisitions or purchase orders on behalf of the Trust	
43.4 - Approval of the list of Network managers authorised to approve requisitions on behalf of the Network/ Service/ Budget code (up to a maximum of £50k)	Network Director
43.5 - Approval of requisitions to the value of £50K within approved budget allocation and with regard to High Value Order procedures	Network Director
43.6 - Approval of requisitions to the value of £100K within approved budget allocation and with regard to High Value Order procedures	Executive Director or Financial Services Director or Financial Management Director
43.7 – Approval of requisitions to the value of £500k within approved budget allocation and with regard to High Value Order procedures	Chief Finance Officer
43.8 - Approval of requisitions £500k to £1million within approved budget allocation and with regard to High Value Order procedures	Chief Executive Officer
43.9 - Approval of requisitions £1million to £2 million within approved budget allocation and with regard to High Value Order procedures	Chief Executive Officer and Chair
43.10 - Approval of requisitions in excess of a value of £2 million within approved budget allocation and with regard to High Value Order procedures	Trust Board
43.11 - Approving waivers to the requirement to obtain quotations or tenders subject to SFIs	Two voting Executive Directors
43.12 - Approval of requisitions/orders for which there is no budget provision	Chief Finance Officer
43.13 - Approval of pre-payments	Chief Finance Officer
43.14 - Set procedures for seeking professional advice regarding supply of goods and services	Chief Executive Officer

Please see Appendix 2 for further details of the signatory and approval within the eProcurement system for requisitions between £1million to £2million and above.

Risk

Decision	Decision Maker
44.1 - Review the Trust risk management strategy	Trust Board
44.2 - Approve decisions relating to the use of risk pooling mechanisms such as the NHSLA or alternative insurance or self-funding mechanisms.	Trust Board
44.3 - Approve the risk appetite statement for the Trust.	Trust Board

Safety Health & Environment
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Decision	Decision Maker
45.1 - Make alterations to service provision based on improving patient safety	Network Director and Clinical Director
45.2 - Commission investigation of allegations related to patient safety	Network Director and Clinical Director
45.3 - Implement recommendations following patient safety incident	Network Director and Clinical Director
45.4 - Make alterations to service provision based on improving	Network Director and Clinical

staff safety	Director
45.5 - Commission investigation of allegations related to staff safety	Network Director and Clinical Director
45.6 - Implement recommendations following staff safety incident	Network Director and Clinical Director
45.7 - Alter service provision based on Health and Safety Legislation	Chief Operating Officer
45.8 - Internal investigation of an adult safeguarding incident	Associate Director of Nursing and Safeguarding
45.9 - Instruct and implement recommendations following adult safeguarding incident	Associate Director of Nursing and Safeguarding
45.10 - Internal investigation of a child safeguarding incident	Associate Director of Nursing and Safeguarding
45.11 - Instruct and implement recommendations following a child safeguarding incident	Associate Director of Nursing and Safeguarding
45.12 - Undertake clinical audit of Infection Prevention and Control Procedures (Please see audit section)	Infection Prevention and Control Lead
45.13 - Declare a major incident and proceed major incident procedure	Director on-call
45.14 - Alter major incident process and policy	Head of Emergency Planning

Strategy and Amendment to Strategy

Decision	Decision Maker
46.1 - Approval of the vision, strategies and clear objectives to deliver organisational purpose	Trust Board
46.2 - Approve and /or amend strategy	Trust Board
46.3 - Approve the organisations values following consultation with the Executive Directors and members of Trust staff.	Trust Board
46.4 - Approve the strategic direction and funding streams for operating subsidiaries or associated legal entities under the direction and control of the Trust.	Trust Board
46.5 Approve the Trust's commercial, resource and supporting strategies.	Trust Board

Standard Terms and Conditions

Decision	Decision Maker
47.1 - Going outside of Agenda for Change terms and conditions (Please see HR section)	Chief Executive
47.2 - Very Senior Manager terms and conditions	Chief Executive

Structure and Organisation including governance arrangements

Operating Structure

Decision	Decision Maker
48.1 - Approval of changes to the main operating divisions of the Trust	Trust Board
48.2 - Approval of changes to the business units within the main operating divisions	Chief Operating Officer
48.3 - Approve Process change in relation to Management Systems or data systems.	Chief Finance Officer and Chief Operating Officer

48.4 - Approve the organisational structure and its proposed funding streams.	Trust Board
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Management Control Structure

Decision	Decision Maker
48.6 - Approval of changes to the management structure of an operating division	Chief Operating Officer
48.7 - Approval of changes to the management structure of a business unit	Network Director and Clinical Director
48.5 - Approval of changes to the Senior Management Structure	Chief Executive
48.4 - Approval of substantial changes to the Executive or Senior Management Structure that may impact on the delivery of the Trusts strategic plans	Trust Board

Taxation

Decision	Decision Maker
49.1 - Decision to contract specialist tax advisory services	Chief Finance Officer
49.2 - Request advice from specialist tax advisory services once contracted	Budget Holder

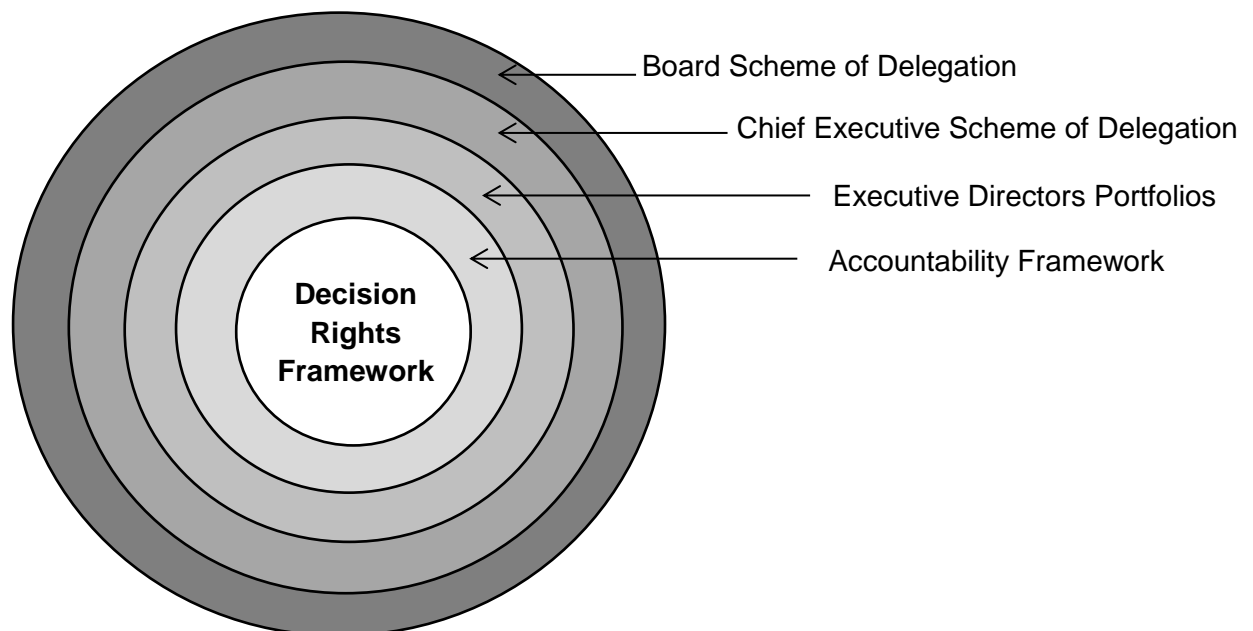
Trust Performance

Decision	Decision Maker
50.1 - Approval of information released externally relating to appropriate standards, external benchmarks and awards against which the Trust can assess its performance in relation to operational services	Senior Leadership Team

APPENDIX 1

Understanding the difference between the Scheme of Delegation, Accountability Framework and Decisions Rights Framework

The term **Scheme of Delegation** is an overarching term used to describe a suite of documents. The Trust Board is the legal Authority of the Trust and the only body (with some specific exceptions derived by law) that is empowered to carry out the functions of the Trust. Clearly the Trust Board cannot deliver the totality of the activity necessary so it delegates its responsibility through a series of documented authorities that make up the set of rules by which authority to act is cascaded down from the legal authority (the Trust Board) to the operational management of the organisation. There are subsets of the Scheme of Delegation at each management level in the Trust; for example, Board Scheme of Delegation, Chief Executive Scheme of Delegation, Executive Director Scheme of Delegation, Network/Clinical Director Scheme of Delegation, Network Business Unit Scheme of Delegation etc. This describes the 'WHAT' and the 'WHO' of the 'Responsibilities' allocated to named officers of the Trust. This cascade is generally within a line management hierarchy.



The flip side of delegated authority is accountability. The discharge of the responsibility or the 'HOW' and 'WHEN' the responsibility translates to activity is the basis of the **Accountability Framework**. The term accountability representing the dual function of;

- a) being held to account to deliver in terms of performance, and
- b) being accountable for providing assurance in relation to the effectiveness of the discharge of the delegated activity to the Responsible Officer.

Accountabilities are not necessarily cascaded within a line management hierarchy and usually entail cross functional responsibilities. So for example; the responsibility for delivery of secure services is the COO, the accountability is the Network/Clinical Directors within that line management hierarchy. Responsibility for the Quality Strategy sits with the Medical Director but the accountability for delivery and assurance is the Network/Clinical Director of each network, similarly the responsibility for compliance with Health and Safety sits with the Trust Board but through the policy framework the accountability for delivery of a safe environment and working practices is for all managers of the Trust.

In discharging the responsibilities through the Accountability Framework it will be necessary to undertake specific transactions, this will cover a range of issues such as engagement of staff and general procurement activity that will apply to all areas, through to decisions relating to new business and novel and contentious issues.

Decision Rights relate to authority to commit the Trust to a contract or an activity or a liability in some form or to change a contract, activity or liability. Decision Rights are specific in nature and can occur within the line management hierarchy and across portfolios. Decision Rights can be absolute or conditional. For example a Network Director may have an absolute decision right to deliver a service for which a Case for Change has been approved as part of the approved Network Plan and for which the resources are contained within the approved annual budget. However he/she may have a conditional decision right to make changes to the skill mix of a unit even if this is within current activity base and can be contained within the approved overall budget because, the change would require confirmation from the Medical Director/Director of Nursing that this would not impact quality of service delivery. It may also need additional confirmation from HR that the changes are in line with policy and it could require a virement of budget.

Decision Rights need to be as clear and comprehensive as possible. It is acknowledged that there is always going to be a need for interpretation of the 'rules' from time to time. However, where the Decision Rights Framework is silent on a specific issue it must be assumed that no authority has been delegated and the decision reverts to the last clear delegated authority or in the absence of clarity, to the Trust Board. For this reason Decision Rights need to be specific and not general statements.

APPENDIX 2

Approval of requisitions £1million to £2million and above on the eProcurement system

The eProcurement system only allows for one approved authoriser and in line with the Decision Rights Framework (43.9 & 43.10), orders over £1m require sign off of both the Chief Executive and the Chair, and orders over £2m require full Trust Board sign off. To allow for these High Value Orders to be processed through the electronic system, orders over £1m and orders over £2m will be signed off by the Trust Chair, on the eProcurement system, following physical approval and signatory by the appropriate persons. This does not replace the sign off requirements detailed with the DRF but allows for the orders to be processed electronically. The controls in place to ensure authorisation exists, will as a minimum include the need to attach documented evidence of sign off to the eProcurement system before the Trust Chair signs these off.

For orders above £1m and below £2m this may include signatures of the CEO and Chair on forms such as a Statement of Need, or a paper print of the requisition, or indeed a copy of email(s) with clear explicit reference to the requisition. It will also be acceptable to evidence the authorisation of the CEO by way of the CEO referring forward an electronic requisition to the Head of Procurement for processing.

For orders above £2m, the documented evidence will normally be a copy of the Trust Board minutes (or extract of) showing clear Board approval of the expenditure in question.

In some instances, the facility for the Head of Procurement to approve Very High Value Orders for processing, may be used when required to process orders below £1m, for instance if the CEO, or CFO are off site and unable to access the eProcurement system to authorise an urgent requisition. In such instances the Head of Procurement will only approve such requisitions again where clear documented evidence of authorisation by the CEO or CFO is provided, usually by email, or in extreme circumstances where verbally instructed by the CEO/CFO and with documented evidence to be provided following.