

# **Scheme of Reservation and Delegation**

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## **SCHEME OF RESERVATION AND DELEGATION**

As set out in the Constitution, the Scheme of Reservation and Delegation summarises, based on information contained in the Constitution and in particular the Standing Orders and Prime Financial Policies, which decisions are reserved to CCG membership via the Membership Council and which are delegated to the Governing Body, its committees and sub-committees and key Officers of the CCG.

Constitution, Standing Orders (SO) or Prime Financial Policies (PFP)	Decision / Responsibilities	Reserved to the Membership Council	Reserved or delegated to Governing Body	Delegated to Audit Committee	Delegated to the Finance and Performance Committee	Delegated to Remuneration Committee	Delegated to Quality and Patient Safety Committee	Delegated to Primary Care Commissioning Committee	Delegated to the Commissioners Working Together Joint Committee	Delegated to ICO procurement Committee	Delegated to Management Team	Delegated to Chair	Delegated to Chief Officer	Delegated to Chief Finance Officer	All Members and Employees
<b>Regulation and Control</b>															
Constitution	Determine the arrangements by which the Members of the CCG approve those decisions that are reserved for the membership	✓													
Constitution	Consideration and approval of applications to NHS England on changes to the CCG's Constitution, where these are material or where at least half of the Governing Body (representing a quorum as set out in Standing Orders) request that the amendments be put before the Membership Council for approval.	✓													
Constitution	Consideration and approval of changes to the CCG's Constitution not requiring Membership Council approval (see above).		✓												

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Constitution	Consideration and approval of changes to the Scheme of Reservation & Delegation, where changes are proposed to the reserved powers of the membership and / or where at least half of the Governing Body (representing a quorum as set out in Standing Orders) request that the amendments be put before the Membership Council for approval.	✓													
Constitution	Consideration and approval of changes to the Scheme of Reservation & Delegation not requiring Membership Council approval (see above).		✓												

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Constitution	Approve the arrangements for <ul style="list-style-type: none"> <li>Identifying practice members to represent practices in matters concerning the work of the group; and</li> <li>Appointing clinical leaders to represent the Group's membership on the Group's Board, for example through election</li> </ul>	✓													
Constitution	Establish and approve Terms of Reference for subcommittees in line with Constitution where applicable	✓	✓												
Constitution	Approve the appointment of Governing Body members, the process for recruiting and removing non-elected members to the Board (subject to any regulatory requirements) and succession planning	✓				✓									

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Constitution	Recommendations to CCG Members on changes to the Constitution and Scheme of Reservation and Delegation where these are material or where more than half of the Governing Body (representing a quorum as set out in Standing Orders) request that the amendments be put before the Membership Council for approval.		✓													
PFP 1.4	Annual Review of the Standing Orders, Scheme of Reservation and Delegation and other elements of the Governance Handbook, making recommendations to the Governing Body on required changes.			✓												
PFP 5.1 and PFP 7.5	Overall responsibility for ensuring the CCG complies with certain of its statutory obligations including its financial and accounting obligations												✓			

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Constitution	Exercise or delegation of those functions of the CCG, which have not been retained as reserved by the CCG or delegated to the Governing Body and its Committees and sub-committees or delegated to named other individuals as set out in this document.												✓		
PFP 7.6	Prepare the CCG's operational Scheme of Delegation, which sets out those key operational decisions delegated to individual employees of the CCG not for inclusion in the CCG's Constitution.												✓		
PFP 7.6	Prepare detailed financial policies that underpin the CCG's Prime Financial Policies not for inclusion in the CCG's Constitution.													✓	
PFP 3	Approve the CCG's detailed financial policies.			✓											
Constitution	Approve of the CCG's Annual Report and Annual Accounts, these first having been		✓												

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	reviewed by the Audit Committee															
PFP 3	Approval of the internal and external audit arrangements			✓												
Constitution	Approve and notify to CCG Members any changes to the Conflicts of Interest Protocol contained within the Constitution		✓													
SO	Require and receive declarations of interest		✓													
SO 4.4	Approval of appointments to Governing Body Committees and sub-committees		✓													
SO 3.1(3)	May call a meeting of the Governing Body at any time											✓				
SO 3.3	Management of Petitions to the Governing Body											✓				



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SO 3.5	Chair's Ruling – i.e. interpretation of the Constitution including SOs, scheme of reservation and PFPs											✓			
SO 3.8	Application of emergency powers and urgent meetings of Governing Body, including suspension of SOs.											✓			
SO 3.12	Admission of public and press to Governing Body meetings											✓			
<b>Strategy and Planning</b>															
Constitution 6.6.1	Agree the vision, values and overall strategic direction of the CCG	✓													
Constitution PFP 7.1	Approval of the CCG's Annual Commissioning Plan and supporting Financial Plan, including any consultation arrangements.	✓													

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Constitution PFP 7.2	Approval of the CCG's commissioning and corporate (running cost) budgets to meet the CCGs financial duties.		✓													
PFP 7.4	Approval of changes to budgets where variation would have a significant impact on the overall approved levels of income and expenditure or the CCG's ability to achieve its agreed strategic aims.		✓													
PFP 7.6	Delegated authority to commit expenditure up to £100,000, subject to decisions being reported back to Governing Body for ratification.										✓					
Constitution	Approval of the arrangements for discharging the CCG's statutory duties associated with its commissioning functions, including but not limited to promoting the involvement of each patient; patient choice; reducing inequalities; improvement in the quality of services;		✓													

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	obtaining appropriate advice and public engagement and consultation; obtain advice from persons who taken together have a broad range of professional expertise and acting effectively, efficiently and economically.															
Constitution	Approval of arrangements for discharging the CCG's statutory duties in relation to promoting innovation, promoting research and the use of research and promoting education and training		✓													
Constitution	Approve arrangements for supporting NHS England in discharging its responsibilities in relation to securing continuous improvement in the quality of general medical services.		✓													
Constitution	Exercise the primary care commissioning functions in accordance with the delegation by NHS England.							✓								

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Constitution	Oversight of the procurement process for an Integrated Care Organisation in Barnsley, providing assurance that appropriate governance is in place, and managing conflicts of interest related to the procurement. Subsequent to the issue of the contract notice it will have delegated authority to take procurement decisions on behalf of the Governing Body, including (a) Approval of the preferred bidder as recommended by the evaluation panel, and (b) Giving authority to award the contract.									✓					
<b>Partnership Working</b>															
Constitution	Nominate representatives from the CCG to be the CCG's representatives on the Barnsley Health and Wellbeing Board		✓												

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Constitution	Promote integration across health and social care services where the CCG considers that this would improve quality of services and reduce inequalities.		✓													
Constitution PFP 22.1	Approve the Memorandum of Understanding and annual plan for the Public Health Core Offer from Barnsley Metropolitan Borough Council.		✓													
Constitution	Approve arrangements for coordinating the commissioning of services with other CCGs, NHS England, and or with the local authority, where appropriate.		✓													
Constitution	Approve arrangements for risk sharing and /or risk pooling with other organisations (for example arrangements for pooled funds with other clinical commissioning groups or pooled budget arrangements under section 75 of the NHS Act 2006).		✓													

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Constitution	Carry out commissioning functions delegated to the Joint Committee of CCGs as documented in the JC CCG Delegation and Terms of Reference.								✓						
<b>CCG as an employer and remuneration issues</b>															
Constitution	Have oversight of the CCG's responsibilities as an employer including adopting a Code of Conduct for staff.		✓												
Remuneration Committee Terms of reference	Make recommendations for Governing Body approval regarding the Terms and Conditions, remuneration and travelling or other allowances for Governing Body Members, including pensions and gratuities.		✓			✓									
Employee remuneration	Make recommendations for Governing Body approval regarding the Terms and Conditions, remuneration and travelling or other		✓			✓									

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	allowances, including pensions and gratuities, for employees covered by national Agenda for Change arrangements and employees outside of or in place of national Agenda for Change arrangements.															
Constitution	Approve Terms and Conditions of employment for all employees of CCG and to other persons providing services to the CCG.		✓													
SOs	Approve human resources policies for employees and for other persons working on behalf of the group.		✓													
PFP 16.1;16.2	Ensure an effective payroll service and that there are comprehensive procedures for effective processing of payroll.													✓		
PFP 16.3	Approval of the CCG's detailed operational Scheme of Delegation.		✓													

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PFP 16.5	Approve arrangements for staff appointments.												✓			
PFP 16.6	Ensure all employees are issued with a contract of employment and that there are arrangements for dealing with variations/ terminations of contract.												✓			
<b>Operational Business and Risk Management</b>																
SOs	Approve CCG operational policies (i.e. excluding those defined as clinical or financial).			✓												
Quality & Patient Safety Committee Terms of Reference	Approve CCG clinical policies and clinical pathways.						✓	✓								



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PFP 4	Approve the CCG's counter fraud arrangements.			✓											
PFP 15.1	Approve the CCG's risk management arrangements.			✓											
PFP 15.2	Preparation and review of Assurance Framework and Risk Register with recommendations for action.		✓												
Constitution	Approve the group's arrangements for business continuity and emergency planning.		✓												
SO 6.1	Execution of a document by use of the seal.		✓								✓	✓	✓		
SO 6.2	Signature of document which is part of legal proceedings on behalf of CCG.										✓	✓	✓		

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Constitution	Duty to comply with the Constitution and be aware of the responsibilities in it.															✓
SO 5.1	Duty to disclose non-compliance with SOs to Chief Officer.															✓
Constitution SO 8.1	Duty to declare interests.															✓
Constitution SO 8.2	Ensure the CCG maintains up to date Register(s) of Interests, delegating responsibility to Head of Governance and Assurance to ensure Register(s) is_(are) regularly reviewed.												✓			
PFP 1.3	Any person (contractor or their employees) empowered by the CCG to commit expenditure or authorised to obtain income is covered by the PFPs and the Chief Officer should ensure such persons are made aware of this.												✓			

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PFP 2.2	Overall responsibility of CCG's systems of internal control and preparation of Annual Governance Statement.												✓			
PFP 2.3b) and c)	Ensuring that the CCG has in place a system for proper checking and reporting of all breaches of financial policies; and a proper procedure for regular checking of the adequacy and effectiveness of the control environment.													✓		
PFP 3.3	Ensuring professional and technically competent internal audit service; that the Audit Committee approves changes to the provision of internal audit and that minutes of audit committee are formally recorded and submitted to the Governing Body.													✓		
PFP 4.3;4.5	Ensure appropriate security management arrangements.												✓			

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PFP 5.3	Provide financial reports in the form required by the Governing body, ensure money drawn down from NHS England is only as required and that an adequate system of monitoring financial performance is in place.													✓	
PFP 6.1	Periodically review the basis and assumptions for allocations ensuring these are reasonable and realistic; prior to the start of the financial year submit a report to the Governing Body showing allocations received and their proposed distribution; and regularly update the Governing Body on significant changes in year.													✓	
PFP 7.7	Ensure adequate training is delivered to budget holders and managers.													✓	
PFP 8.1	Ensure the CCG prepares annual accounts and an annual report which are audited and published.											✓	✓		

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PFP 9.1;9.2	Ensure the accuracy and security of CCG computerised financial data.													✓	
PFP 10.1	Ensure the CCG has an accounting system that creates management and financial accounts.													✓	
PFP 11.1	Manage the CCG's banking arrangements.													✓	
PFP 11.2	Approve the CCG's banking arrangements.			✓											
PFP 12.1	Ensure a sound system of recording, collection, and management of income and cash.													✓	
PFP 13 .2	Prepare a detailed financial policy on tendering including authorisation limits for quotations and tendering.													✓	

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PFP 13.3	Approve detailed financial policy on tendering including authorisation limits for quotations and tendering.			✓												
PFP 13.5	Nominate an individual who shall oversee and manage each contract on behalf of the CCG.												✓			
PFP 14.2	Ensure arrangements for regular reports to Governing Body on contract expenditure.												✓			
PFP 14.3	Maintain a system of financial monitoring to ensure effective accounting of expenditure under contracts.													✓		
PFP 15.3	Nomination of a senior officer to be the SIRO.												✓			
PFP 15.4	Decide if the CCG will insure through risk pooling arrangements administered via NHS LA.		✓													

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PFP 15.5; 15.6	If the decision is to use the NHS LA ensure arrangements are appropriate and complementary to the risk management programme; or if the Governing Body decides not to use these arrangements, ensure that it is informed of the nature and extent of the risks that are self- insured.													✓	
PFP 17.1	Approve the level of non-pay expenditure on an annual basis		✓												
PFP 17.2	Set out procedures for seeking professional advice regarding the supply of goods and services.											✓			
PFP 17.3	Advise on the setting of thresholds for quotations and tenders; be responsible for prompt payment of all properly authorized accounts and for designing and maintaining a												✓		

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	system of verification, recording and payment.															
PFP 18.1	Put in place arrangements to manage capital investment, maintain an asset register and policies to ensure safe storage of fixed assets.												✓			
PFP 18.2	Prepare detailed procedures for the disposal of assets													✓		
PFP 19.1	Information Governance: Ensure appropriate arrangements for the retention of records; and arrangements for effective responses to Freedom of Information requests												✓			
PFP 20	Re. any property held on trust and any Charitable Funds ensure appropriate management arrangements in place													✓		
PFP 21	Ensure all staff are made aware of the CCG's policy on acceptance of gifts and other benefits in kind												✓			



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PFP 22.1	Approval of the CCG's contracts for any commissioning support and the Public Health Core Offer		✓													
PFP 22.2	Nominating senior officers to manage both the contract for commissioning support and the Public Health Core Offer												✓			