

Title of Meeting:	NY CCG Governing Body	1	Agenda Item: 8.2	
Date of Meeting:	29 October 2020			
Paper Title:	Operational Scheme of Delegation		Session (Tick)	
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			Private	
			Development Session	
Responsible Gove	rning Body Member Lead	Report Autho	r and Job Title	
Jane Hawkard, Chief Finance Officer		Alison Levin, Deputy Director Finance		
Jesus Figurial a, em			Board Secretary	
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Purpose (this paper if for)

Decision	Discussion	Assurance	Information
X			

Has the report (or variation of it) been presented to another Committee / Meeting?

If yes, state the Committee / Meeting: Yes. Detail within this paper has been reviewed at the Finance, Performance, Contracting and Commissioning Committee.

Executive Summary

The Chief Finance Officer is responsible for preparing the group's Operational Scheme of Delegation (OSD), that sets out the lowest level that day to day operational decisions are delegated to or defines delegated limits where appropriate.

The OSD has been updated to reflect the below changes. Please see appendix 1 for further details – changes are highlighted in green.

Head of Medicines Management

This post will have a delegated authority for decisions on medicines that do not exceed £10,000 per decision per year per 100,000 populations. All decisions will be reported to FPCCC and decisions that exceed this value would require referral to FPCCC for a final decision. Overall costs will be required to be managed within the agreed prescribing budget. This replaces the delegation to area prescribing committees which was previously in place in the three former CCG areas and ensures that decisions can be consistent across the North Yorkshire Area.

• GP Rent Reviews

• Primary Care Co-Commissioning

Updated job tiles and added CCG finance team approval limits

On call

Wording included reflecting recent letter, changed from Heads of Service to 'selected Senior Managers at bands 8b and above'.

Recommendations

The Governing Body is being asking to: Approve the Operational Scheme of Delegation and update to the Corporate Governance Handbook.

Monitoring

The Chief Finance Officer is responsible for monitoring the Operational Scheme of Delegation.

Any statutory / regulatory / legal / NHS Constitution implications	The CCG is required to have an Operational Scheme of Delegation published within the Corporate Governance Handbook.
Management of Conflicts of Interest	No conflicts of interest have been identified prior to the meeting.
Communication / Public & Patient Engagement	The Operational Scheme of Delegation is included within the Corporate Governance Handbook which is required to be published on the CCG website.
Financial / resource implications	Financial and resource implications are detailed within the Operational Scheme of Delegation.
Significant Risks to Consider	No significant risks to consider.
Outcome of Impact Assessments completed	No impact assessments required.

NORTH YORKSHIRE CCG Operational Scheme of Delegation

(Version 1.1)

1. INTRODUCTION

This operational scheme of delegation is a supporting document to the North Yorkshire CCG Scheme of Reservation and Delegation and Standing Financial Instructions (SFIs) contained within the CCGs constitution and the Prime Financial Policies contained within the Governance Handbook, and should be read in conjunction with these documents. This document provides guidance for all staff including interim or agency staff of the North Yorkshire CCG and the term 'CCG' used within this document applies to all staff noted above.

This operational scheme of delegation will support the North Yorkshire CCG's Governance Structure.

Decision making with a financial impact must be carried out in accordance with the CCG's Standing Orders, Prime Financial Policies and detailed financial procedures. All financial limits in this schedule of matters delegated to officers are subject to sufficient budget being available.

Where it is necessary for expenditure to be approved that is outside of an approved budget either in value or in terms of what the budget was originally intended for, this will need to be escalated to the Chief Finance Officer and will require an appropriate business case in line with the approval process contained in the CCG's Standing Financial Instructions (Appendix 4 of the Constitution).

The CCG remains ultimately accountable for all of its functions, including those that it has delegated within this document.

2. SCHEME OF RESERVATION AND DELEGATION TO EMPLOYEES

The Standing Orders (SOs) and Prime Financial Policies set out in some detail the financial responsibilities of the Accountable Officer, the Chief Finance Officer and other Executive Directors of the North Yorkshire CCG.

The scheme of reservation and delegation covers only matters delegated by the CCGs Governing Body, through the constitution, and as set out in detail within this document. Further delegation may be approved as required for areas not covered by the constitution by the Governing Body in approving specific management policies.

Each budget holder will need to consider the arrangements for authorisation of expenditure against delegated budgets and further delegation of management/professional responsibilities.

3. FINANCIAL CONTROL ENVIRONMENT

In accordance with prime financial policies the Governing Body exercises financial supervision and control by:

- (i) Authorising the operational plan;
- (ii) Requiring the submission and approval of budgets within approved resource allocations / overall income;
- (iii) Defining and approving essential features in respect of important procedures and financial systems (including the need to obtain value for money);
- (iv) Defining specific responsibilities placed on members of the Governing Body, committees, members and employees as indicated in the scheme of delegation.

Once the Governing Body has reviewed and approved the Operating Plan and any supporting financial plan / budget the Governing Body delegates' approval through this operational scheme of delegation.

For the avoidance of doubt this delegation (subject to the limits outlined in this document) includes:

- Approval of contracts including the signing of appropriate contract documentation;
- Approval of contract variations and subsequent amendments to contract payments;
- Approval of invoices against approved contracts;
- Approval of business cases for investment and disinvestment decisions;
- Approval of quotes and tenders limits;
- Approval of capital investments and disinvestments;
- Approval of GP practice rent reviews:
- Approval of non-pay non-contracted single orders;
- Approval of QIPP Schemes;
- Approval of payroll claim forms;
- Approval of new drug prescribing;
- Approval of prescribing rebate schemes;
- Approval of sales invoices and credit notes;
- Approval of budget virement limits;
- Approval of disposals, condemnations, bad debt, losses and special payments.

4. FINANCIAL LIMITS / THRESHOLDS

This operational scheme of delegation clarifies the financial limits of the North Yorkshire CCG employees to commit or approve expenditure on behalf of the CCG.

No individual is authorised to approve expenditure which exceeds the total of their delegated budget, or which is not in line with the purpose and strategy of the CCG.

A breach of delegated authority limits is a disciplinary offence for employees of the CCG.

A commitment relates to any agreement which creates a current or future financial liability for the CCG. The most common examples would be a requisition to place a purchase order, a contract or SLA agreement.

Notwithstanding the financial limit any commitment of strategic significance should either be approved or noted by the relevant Governing Body at the discretion of CCG Executive Directors.

The CCG Budget Holder and Budget Manager responsibilities for each budget (Programme, Co-Commissioning & Running Costs) are detailed within the annual budget book and the responsibility of each role is set out below:

A **Budget Holder** is the Chief Officer/Chief Finance Officer/Executive Director with delegated authority to manage finances (Income and Expenditure) for a specific area of the organisation.

A **Budget Manager** is the employee who has been given delegated authority by the Budget Holder to manage finances (Income and Expenditure) on their behalf for a specific area of the CCG. Although a particular budget may have a nominated Budget Manager it is still the Budget Holder who is accountable and responsible for that budget.

A Budget Holder or a Budget Manager's responsibilities are;

- To ensure that any overspending or reduction of income is met within their overall budget allocation or through approved budget virement from another budget holder;
- To ensure that the approved budget is only used for the specific purpose that it was allocated for;
- To manage staffing numbers within the authorised and funded establishment. Any
 proposal to vary the staffing numbers, skill mix or the employment of temporary staff
 must be approved in writing by the Chief Finance Officer and managed within available
 resources.

For the avoidance of doubt, the Executive Director post applies to;

- Director of Strategy & Integration
- Chief Nurse / Director Nursing, Quality and Clinical Governance
- Director for Acute Commissioning
- Director of Corporate Services Governance and Performance

and

Deputy Chief Finance Officer

For the avoidance of doubt, the Budget Manager posts apply to:

- Deputy Directors (8d)
- Assistant Director (8c)
- Heads of Service (8b)
- Senior Service Development Manager (8a)

For the avoidance of doubt, the abbreviations in the following table relate to the following committees/meetings;

- PCCC -Primary Care Commissioning Committee
- Audit Committee
- Remuneration Committee
- FPCCC Finance, Performance, Contracting & Commissioning Committee
- QCGC Quality & Clinical Governance Committee
- TFRE Transformation and Financial Recovery Executive
- EDG Executive Directors Group

5. ANNUAL REVIEW

This operational scheme of delegation will be reviewed on an annual basis thereafter.

6. Date Agreed: Governing Body Approved 29 October 2020

North Yorkshire CCG Operational Scheme of Delegation

- All financial limits in this schedule of matters delegated to officers are subject to sufficient budget being available.
- Where it is necessary for expenditure to be approved that is outside of an approved budget either in value or in terms of what the budget was originally intended for, this will need to be escalated to the Chief Finance Officer and will require an appropriate business case in line with the approval process contained in the CCG's Standing Financial Instructions (Appendix 4 of the Constitution).
- The Governing Body approval limit is £1.5m and above, however any issue regardless of value, which results in a change in strategic direction/content will also be referred to the Governing Body for approval.
- The CCGs Scheme of Reservation and Delegation (SORD) outlines the process for emergency/urgent decision in exceptional circumstances (for example areas of national concern).

Issue	Authority Delegated to	Reference Documents/ Other information
Management of Budgets		
Responsibility for keeping expenditure within budget: At individual budget level (pay, non pay and income)	Budget Holder/Budget Manager	Budgetary Control Framework Final Budget Book Narrative.docx
Responsibility for keeping expendure within budget: Totality of the service area / department	Budget Holder	
Responsibility for keeping expenditure within budget: Financial reserves and provisions	Chief Finance Officer (CFO)	
Approval of new Budget Holders or of change to existing budget holders	CFO or Deputy CFO	
Any transfer (virement) from non-pay budgets to pay budgets	Deputy Director Financial Services & Reporting	A budget virement form

	Or Deputy Director Management Accounting and Contracting	must be completed in all cases Blank budget virement form.xlsx
Transfers (budget virement) within pay and non pay budgets	 AO/CFO above £50,000 Executive Director £50,000 Budget Manager £10,000 CFO/Deputy CFO Transfers from reserves Transfers <u>between</u> pay and non-pay budgets are by exception and must be agreed by Deputy Director Financial Services & Reporting Or Deputy Director Management Accounting and Contracting 	A budget virement form must be completed in all cases Blank budget virement form.xlsx
Maintenance/operation of bank accounts	Contracting	
Assessed of health a surrounce to took the surrounce of	Loro	
Approval of banking arrangements, including opening and closing of bank accounts and credit facilities.	CFO	
Day to day operation of organisational bank accounts	Senior Financial Services Manager or Financial Services Manager in conjunction with Shared Business Services representative	
Authorisation for cash limitdrawdown	Deputy CFO or Deputy Director Financial Services & Reporting or Senior Financial Services Manager	
Authorisation for cheque requests (excluding retrospective continuing healthcare claims)	 Deputy CFO £20,000 and above by exception only Deputy Director Financial Services & Reporting £20,000 by exception only Budget Holder £1,000 	

Issue	Authority Delegated to	Reference Documents/ Other information
Non Pay Expenditure		
Before orders are placed for goods and services the following conditions must be complied with:		Procurement Policy Link to be included once approved.
a) Confirmation that budgetary provision is available and	Budget Holder/Budget Manager	
b) Where competitive tendering or competitive quotations are not required (as per the thresholds below), NHS Supply Chain and any published framework contracts can be accessed as an alternative to a formal quotation or tendering exercise.	Commitment of any expenditure must be in line with delegated limits stated herein:	
(NB Ensure the framework used has already been subject to a formal tendering exercise)		
c) For Requisitions that exceed a 12 Month Period The limits below relate to the total commitment being made by the CCG including non-recoverable VAT; e.g. an award for 3 years needs to be considered as a total value of the 3 years and not the annual value.		
Healthcare Contracts (as defined by Schedule 3 of the Public Contracts Regulations 2015)		
Non Primary Care: Where formal competitive tendering is not required e.g. below £663,540, then quotations must be obtained and documentary evidence kept of the following:	Budget Holder/Budget Manager £100,000 - £663,540 requires Budget holder sign off of the preferred quote	FPCCC (Decision Noted)
 under £100,000 a minimum of 2 written quotations; £100,001 to £663,540 a minimum of 3 written quotations; 		

Version 1.1

Approved: 29 October 2020

Issue	Authority Delegated to	Reference Documents/ Other information
Non Pay Expenditure		
Primary Care: Where formal competitive tendering is not required e.g. below £663,540, then quotations must be obtained and documentary evidence kept of the following: under £100,000 a minimum of 2 written quotations;	Budget Holder/Budget Manager £100,000 - £663,540 requires Budget holder sign off of the preferred quote	PCCC (Decision Noted)
£100,001 to £663,540 a minimum of 3 written quotations;		
Non Healthcare contracts Where formal competitive tendering is not required e.g. below £189,330, then quotations must be obtained and	Budget Holder/Budget Manager	
documentary evidence kept of the following:	£10,000 - £189,330 requires Budget holder sign off of the preferred quote	
 under £1,000 a minimum of 1 written quote between £1,000 and £10,000 a minimum of 2 written quotations; 		N/A EDG (Decision Noted)
 between £10,000 and £189,330 a minimum of 3 written quotations; 		FPCCC (Decision Noted)
Competitive tendering or competitive quotations For orders in excess of £663,540 (healthcare contracts) or £189,330 (non healthcare contracts) including VAT	Budget Holder/Budget Manager Commitment of any expenditure must be in line with delegated limits stated herein.	All tenders awarded should be reported to the Audit Committee for information.
competitive tendering will apply, the form of which is dependent on the precise goods or services involved. Therefore for all competitive tenders the advice of the Deputy Director Management Accounting and Contracting must be sought.	Agreement of preferred providers must be approved by • Governing Body £1.5 million and above • FPCCC up to £1.5 million	
Note: OJEU existing limits are £663,540 including VAT for healthcare services and £189.330 including VAT for non-healthcare services.		

Issue	Authority Delegated to	Reference Documents/ Other information
Non Pay Expenditure		
Decision to tender for new/existing service (within agreed budget)	 CCG Governing Body £1.5 million and above AO/CFO £300,000 up to £1.5 million Executive Director £150,000 up to £300,000 Budget Manager Up to £150,000 	
Approving expenditure greater than a tender price by	 EDG £10,000 and above Executive Director up to £10,000 and within budget 	
Opening Tenders	Any one of	
Waiving of requirement to obtain quotations and tenders	 Governing Body £1.5 million and above. FPCCC £300,000 to £1.5 million CFO together with one other Executive Director up to £300,000 	The Chief Finance Officer will report such waivers to both FPCCC and the Audit Committee for transparency.

Issue	Authority Delegated to	Reference Documents/ Other information
Non Pay Expenditure		
Contract Approval Approval of contracts including the signing of appropriate contract documentation (within agreed budgets)	 CFO £100 million DCFO £5 million Executive Director £0.5 million Budget Manager £50,000 	FPCCC (Decision Noted)
Contract Approval Approval of contract variations and subsequent amendments to contract payments (within agreed budgets)	 CFO £100 million DCFO £5 million Executive Director £0.5 million Budget Manager £50,000 	FPCCC (Decision Noted)
Agreement of new GP local enhanced services / GP incentive schemes	 CCG Governing Body £1.5 million PCCC Up to £1.5 m for total scheme (up to £25,000 for an individual practice) Business Executive £500,000 for total scheme (£25,000 for an individual practice) 	FPCCC (Decision Noted)
Approval of research contracts including the signing of appropriate contract documentation	EDG £50,000Executive Director £10,000	FPCCC (Decision Noted)
Payments in line with approved Contract Values (on Oracle)	 AO £100 million CFO £15 million Executive Director £10.5 million Budget Manager £50,000 	Payments in advance not required for healthcare, payments made in accordance with the contract
Other contractual payments (e.g. CQUIN, reconciliation adjustments)	Budget Holder or budget holder representative within delegated limits	

Issue	Authority Delegated to	Reference Documents/ Other information
Non Pay Expenditure		
Payments of invoices for non-contractual activity	 AO £100 million CFO £15 million Executive Director £10.5 million Budget Manager £10,000 	
Lease Cars	Budget Holder in line with operational process	Lease Car Policy
Salary sacrifice schemes	Remuneration Committee	
Approval of Continuing Healthcare, Mental Health and other individual care packages	 CHC – Band 7 Senior Nurses - <£750 per week CHC – Head of CHC or Senior Manager CHC (8B/8A) – between £750 & £850 per week All packages of £851 per week and above will be approved by the appropriate panel. 	CHC Panel Policy Add link once approved
Payment in respect of Continuing Healthcare, Mental Health and other individual care packages	 All invoices will be reviewed against QA PRIOR to approval, and authorised for payment by a member of the finance team as follows: Senior Financial Services Manager - Payments for invoices by individual homes/ packages up to £50,000 Deputy Director Financial Services & Reporting - Payments for invoices by individual homes/ packages £50,000 to £250,000 Deputy Chief Finance Officer - Payments for invoices by individual homes/ packages £250,000 and above. 	

Issue	Authority Delegated to	Reference Documents/ Other information
Non Pay Expenditure		
Personal Health Budgets	All PHB packages are assessed and agreed by the appropriate Panel. The Director of Corporate Services Governance and Performance will approve all payment requests.	
Approval of medicines commissioning and formulary position by Area Prescribing Groups including (Harrogate, Scarborough&York and Durrham and Tees)	 FPCCC above £10,000 per 100,000 population NY CCG Head of Medicines Management up to £10,000 per 100,000 population per decision ensuring consistency across the whole of NY and budget management within the meds management agreed budget. 	FPCCC – All Decisions to be reported to FPCC including those below 10k threshold per 100,000 population
Income		
Approval of sales invoices	 Deputy Director Financial Services & Reporting or Senior Financial Services Manager or Financial Services Manager 	
Approval of sales credit notes/Cancellation of Invoices	 EDG for collective agreements £10,000 and above Deputy Director Financial Services & Reporting up to £10,000 	
Setting of Fees & Charges	EDG £10,000 and aboveCFO/Deputy CFO up to 10,000	
Business Cases for Investment/Disinvestment		
Approval of non-primary care business cases for investment & disinvestment decisions	 Governing Body £1.5 million and above FPCCC £1.5 million EDG £50,000 – within existing budgets/income allocation/savings generated 	FPCCC (Decision Noted)

Approval of primary care business cases for investment & disinvestment decisions	 Governing Body £1.5 million and above PCCC £1.5 million EDG £50,000 – within existing budgets/income allocation/savings generated 	FPCCC for PRIOR notification
Issue	Authority Delegated to	Reference Documents/ Other information
Capital Schemes / Estates		
Responsibility for NHS Estate and associated capital schemes has passed to NHS Property Services	N/A	
Approval of non-primary care capital investments and disinvestments	 Governing Body £1.5 million and above FPCCC £1.5 million EDG £50,000 	FPCCC (Decision Noted)
Approval of primary care capital investments and disinvestments	 Governing Body £1.5 million and above PCCC £1.5 million EDG £50,000 	FPCCC for PRIOR notification
Purchase of internal fixtures and fittings - approval of requisitions	By exception to be agreed by DCFO	
Engagement of bank / agency staff		
Booking of Bank or Agency Staff	Budget Holder in line with organisational establishment/engagement control framework	
Agreements / Licences		
Preparation and signature of all tenancy agreements/ licences for all staff subject to CCG Policy on accommodation for staff/operating leases/indemnity agreements/joint venture documents and service level agreements	CFO or AO	
Extensions to existing leases	CFO	

Issue	Authority Delegated to	Reference Documents/ Other information
Letting of premises to outside organisations	CFO	
Approval of corporate rent based on professional assessment	CFO	
Approval of GP rent reviews based on professional assessment:		
For an increase of less than 5% or £5,000 - from the last valuation on the same floor area	NHS England	PCCC (Decision Noted)
For an increase of more than 5% or £5,000 - from the last valuation on the same floor area or for a greater floor area than previous valuation.	PCCC	FPCC (Decision Noted)
Condemning & Disposal of Assets	L	
Items obsolete, obsolescent, redundant, irreparable or cannot be repaired cost effectively.	 Governing Body £1.5 million and above FPCCC £1.5 million CFO £50,000 Budget Holder £500 	To be reported to Audit Committee
IT Equipment	CSUIT	
Losses, Write-offs & Compensation		
 Special Payments including: Compensation payments Extra Contractual Payments Ex Gratia Payments Extra Statutory Extra Regulatory Payments Special Severance Payments 	 Governing Body £1.5 million and above FPCCC £1.5 million EDG £50,000 CFO £10,000 	To be reported to Audit Committee
Losses and cash due to theft, fraud, corruption, overpayment, compensation. And others except for CHC retrospective claims	 CCG Governing Body £150,000 and above AO/CFO £150,000 	To be reported to Audit Committee

Issue	Authority Delegated to	Reference Documents/ Other information
Retrospective Continuing Healthcare Claims	AO £250,000 and above	
	• CFO £250,000	
	Director responsible for CHC up to £50,000	
Write off of bad debts (NHS & Non NHS)	 Governing Body £1.5 million and above FPCCC £1.5 million CFO £50,000 	To be reported to Audit Committee
Petty Cash Disbursements		
a) Expenditure up to £10 per item	Budget Holder/Authorised budget holder representative in line with delegated limits	Petty Cash Procedure Note
Other		
Approve new drug prescribing	FPCCC	
Maintenance & Update of CCG Financial Procedures	CFO	

Other:

1. Special Rehabilitation of Brain Injury (SRBI)

The day to day contractual management, including sourcing placements for new patients, reviewing existing patients, and discharge arrangements, are delegated to NHS Vale of York CCG. Monthly information is to be provided by this CCG for financial reporting purposes.

2. Primary Care Co-Commissioning

The approval of journals and budgeted expenditure for the primary care co-commissioning budget is delegated to NHS England. This is to recognise the knowledge of NHS England's staff with regards to primary care and to ensure actions can be taken in a timely manner. Delegation is as follows;

Post	Journal	Expenditure	e Payments
Deputy Chief Finance Officer or Deputy Director Financial Services & Reporting or Deputy Director Management Accounting and Contracting	£5,000,000	£20,000	£900,000
Senior Finance Manager (Primary Care, Yorkshire)	£5,000,000	£20,000	£500,000
Finance Manager (Primary Care, Yorkshire)	£5,000,000	£20,000	£500,000
Senior Finance Officer (Primary Care, Yorkshire)	£1,000,000	£20,000	£100,000
Assistant Finance Officer (Primary Care, Yorkshire)	nil	£nil	£100,000

Please note that the above limits do not recognise the usual hierarchy approach. This is due to the way that the team operates and provides cross cover for each other.

3. Appointment & Termination of Staff

Delegation for appointing and terminating staff is granted to the Chief Officer. The Chief Officer has delegated the operational responsibility of this to each of the Executive Directors for the budgeted staff posts under their responsibility.

Any posts not in the current structure needs approval of EDG.

4. Freedom of Information

Delegation for approving Freedom of Information requests is granted to the Chief Officer. The Chief Officer has delegated the operational responsibility of this to the Director of Corporate Services Governance and Performance

If the Director of Corporate Services Governance and Performance is absent from the office the responsibility is passed to the Head of Corporate Services.

5. Human Resources Policies

Ultimate responsibility for approving human resources policies lies with the Governing Body who, through the scheme of delegation, has granted approval to the Executive Director Group.

6. GP System of Choice (GPSoC)

Delegation for approving GPSoC orders for primary care is granted to the Director of Strategy & Integration; commitments must not exceed the annual allocation from NHS England.

7. Information Technology (IT) / GP Information Technology (GPIT)

Delegation for approving Corporate IT orders is granted to;

Deputy Chief Finance Officer

Delegation for approving Primary Care IT orders is granted to;

Director of Strategy & Integration

Commitments must not exceed the annual capital allocation from NHS England and update reports are to be presented to FPCCC.

8. GP Health & Social Care Network (HSCN)

Delegation for approving HSCN connections and BT N3 cease orders is granted the Senior Service Development Manager Digital (8a); commitments must not exceed the annual allocation from NHS England.

9. On Call Arrangements

The CCG has a formal on-call system in place to provide cover out-of-hours so that the CCG can respond to local/regional emergency situations. The on-call rota incorporates both Executive Director and selected Senior Managers at bands 8b and above. Through this scheme of delegation, anyone who undertakes on-call duties, whether an Executive Director or a Senior Manager, has been granted approval to act in the best interest of the CCG's population. Any cost commitments made by staff on call should be immediately notified to the CFO and AO.