



Heywood, Middleton  
and Rochdale  
Clinical Commissioning Group

# Scheme of Reservation and Delegation



Healthier **People**, Better **Future**

## **SCHEME OF RESERVATION & DELEGATION**

1. SCHEDULE OF MATTERS RESERVED TO THE CLINICAL COMMISSIONING GROUP AND SCHEME OF DELEGATION
  - 1.1 The arrangements made by the group as set out in this scheme of reservation and delegation of decisions shall have effect as if incorporated in the group's constitution.
  - 1.2 The clinical commissioning group remains accountable for all of its functions, including those that it has delegated.

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GENERAL ENABLING PROVISION	The governing body may determine any matter for which it has been given delegated authority		✓										
REGULATION AND CONTROL	Determine the arrangements by which the members of the CCG approve those decisions that are reserved for the membership.		✓										
REGULATION AND CONTROL	Consideration and approval of applications to NHS England on any matter concerning changes to the CCG's constitution, including terms of reference for the CCG's governing body, its committees, membership of committees, the overarching scheme of reservation and delegated powers, arrangements for taking urgent decisions, standing orders and prime financial policies.		✓										

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REGULATION AND CONTROL	Exercise or delegation of those functions of the clinical commissioning group which have not been retained as reserved by the CCG, delegated to the governing body or other committee or sub-committee or [specified] member or employee		✓										
REGULATION AND CONTROL	<p>Prepare the Clinical Commission Group's overarching scheme of reservation and delegation, which sets out those decisions of the CCG <u>reserved</u> to the membership and those <u>delegated</u> to the</p> <ul style="list-style-type: none"> <li>○ CCG's governing body</li> <li>○ committees and sub-committees of the CCG, or</li> <li>○ its members or employees</li> <li>○ and sets out those decisions of the governing body <u>reserved</u> to the</li> </ul>												

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	<p>governing body and those <u>delegated</u> to the</p> <ul style="list-style-type: none"> <li>○ governing body's committees and sub-committees,</li> <li>○ members of the governing body,</li> <li>○ an individual who is member of the CCG but not the governing body or a specified person for inclusion in the CCG's constitution</li> </ul>			✓									
REGULATION AND CONTROL	Approval of the CCG's overarching scheme of reservation and delegation		✓										
REGULATION AND CONTROL	Prepare the CCG's operational scheme of delegation, which sets out those key operational decisions delegated to individual employees of the clinical commissioning group, not for inclusion in the group's constitution.			✓									

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REGULATION AND CONTROL	Approval of the CCG's operational scheme of delegation that underpins the group's 'overarching scheme of reservation and delegation' as set out in its constitution.					✓							
REGULATION AND CONTROL	Prepare detailed financial policies that underpin the clinical commissioning group's prime financial policies				✓								
REGULATION AND CONTROL	Approve detailed financial policies		✓										
REGULATION AND CONTROL	Approve arrangements for managing exceptional funding requests  However, on an operational basis this may be delegated to the Treatment Advisory Group												✓
REGULATION AND CONTROL	Set out who can execute a document by signature / use of the seal			✓									

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REGULATION AND CONTROL	Approve the appointment (and where necessary dismissal) of External Auditors including arrangements for the separate audit of funds held on trust.		✓										
REGULATION AND CONTROL	Prepare the Annual Audit arrangements for both Internal and External auditors					✓							
REGULATION AND CONTROL	Receive the annual management letter from the External Auditors, taking account of the advice, where appropriate of the Audit Committee			✓									
REGULATION AND CONTROL	Receipt of such reports as the governing body sees fit from its committees in respect of its exercise of powers delegate		✓										
PRACTICE MEMBER REPRESENTATIVES AND	Approve the arrangements for												

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MEMBERS OF THE GOVERNING BODY	<ul style="list-style-type: none"> <li>○ Identifying practice members to represent practices in matters concerning the work of the CCG; and</li> <li>○ Appointing clinical leaders to represent the CCG's membership on the CCG's governing body, for example through election (if desired).</li> <li>○ Appointing Clinical Chair</li> </ul>	✓								✓			
PRACTICE MEMBER REPRESENTATIVES AND MEMBERS OF THE GOVERNING BODY	Approve the appointment of governing body members, the process for recruiting and removing lay members to the governing body (subject to any regulatory requirements) and succession planning.		✓										
PRACTICE MEMBER REPRESENTATIVES AND MEMBERS OF THE GOVERNING BODY	Approve arrangements for identifying the CCG's proposed Accountable Officer		✓										



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STRATEGY AND PLANNING	Agree the vision, values and overall strategic direction of the CCG		✓										
STRATEGY AND PLANNING	Approval of the CCG's operating structure			✓									
STRATEGY AND PLANNING	Approval of the CCG's commissioning plan		✓										
STRATEGY AND PLANNING	Approval of the CCG's corporate budgets that meet the financial duties as set out in section 5.3 of the main body of the constitution		✓										
STRATEGY AND PLANNING	Approval of variations to the approved budget 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.		✓										

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ANNUAL REPORTS AND ACCOUNTS	Approval of the CCG's annual report and annual accounts					✓							
ANNUAL REPORTS AND ACCOUNTS	Approval of the arrangements for discharging the CCG's statutory financial duties			✓									
HUMAN RESOURCES	Approve the terms and conditions, remuneration and travelling or other allowances for governing body members, including pensions and gratuities.		✓										
HUMAN RESOURCES	Approve terms and conditions of employment for all employees of the group including, pensions, remuneration, fees and travelling or other allowances payable to employees and to other persons providing services to the CCG.		✓										

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HUMAN RESOURCES	Approve any other terms and conditions of services for the CCG's employees.			✓									
HUMAN RESOURCES	Approve disciplinary arrangements for employees, including the accountable officer (where he/she is an employee or member of the clinical commissioning group) and for other persons working on behalf of the CCG.		✓										
HUMAN RESOURCES	Approval of the arrangements for discharging the CCG's statutory duties as an employer.			✓									
HUMAN RESOURCES	Approve human resources policies for employees and for other persons working on behalf of the CCG			✓									
QUALITY AND SAFETY	Approve arrangements, including supporting policies, to minimise clinical risk, maximise patient safety and to							✓ (Exec Nurse key role)					

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	secure continuous improvement in quality and patient outcomes												
QUALITY AND SAFETY	Approve arrangements for supporting the NHS England in discharging its responsibilities in relation to securing continuous improvement in the quality of general medical services											✓	
OPERATIONAL AND RISK MANAGEMENT	Prepare and recommend an operational scheme of delegation that sets out who has responsibility for operational decisions within the CCG.			✓									
OPERATIONAL AND RISK MANAGEMENT	Approve the CCG's counter fraud and security management arrangements					✓							
OPERATIONAL AND RISK MANAGEMENT	Approval of the CCG's risk management arrangements.		✓	✓									
OPERATIONAL AND RISK MANAGEMENT	Approve arrangements for risk sharing and or risk pooling with other		✓										

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	organisations (for example arrangements for pooled funds with other clinical commissioning groups or pooled budget arrangements under section 75 of the NHS Act 2006).												
OPERATIONAL AND RISK MANAGEMENT	Approval of a comprehensive system of internal control, including budgetary control, that underpin the effective, efficient and economic operation of the CCG.		✓										
OPERATIONAL AND RISK MANAGEMENT	Approve proposals for action on litigation against or on behalf of the clinical commissioning group		✓										
OPERATIONAL AND RISK MANAGEMENT	Approve the CCG's arrangements for business continuity and emergency planning		✓										
INFORMATION GOVERNANCE	Approve the CCG's arrangements for handling complaints		✓										

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INFORMATION GOVERNANCE	Approval of the arrangements for ensuring appropriate and safekeeping and confidentiality of records and for the storage, management and transfer of information and data.										✓		
	Approval of the CCG's contracts for any commissioning support (including shared services)		✓ (over the value of £500k)	✓ (up to the value of £500k)									
TENDERING AND CONTRACTING	Approval of the group's contracts for corporate support (for example finance provision)		✓ (over the value of £500 k)	✓ (up to the value of £500 k)									
PARTNERSHIP WORKING	Approve decisions that individual members or employees of the group participating in joint arrangements on behalf of the CCG can make. Such delegated decisions must be disclosed		✓										

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	in this scheme of reservation and delegation.												
PARTNERSHIP WORKING	Approve decisions delegated to joint committees established under section 75 of the 2006 Act.												✓
COMMISSIONING AND CONTRACTING FOR CLINICAL SERVICES	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, obtaining appropriate advice and public engagement and consultation		✓										✓ (up to value of £500k for in scope budgets)
COMMISSIONING AND CONTRACTING FOR CLINICAL SERVICES	Approve arrangements for co-ordinating the commissioning of services with other groups and or with the local authority(ies), where appropriate		✓										✓ (up to value of £500k for in scope budgets)

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COMMUNICATION	Approving arrangements for handling Freedom of Information requests		✓										
COMMUNICATION	Determining arrangements for handling Freedom of Information requests			✓									



## **Appendix 1 - Scheme of Delegation**

The following maximum authorisation limits apply for CCG employees and those staff employed within Combined Functions with the Local Authority.

### **Healthcare Commissioning Annual Contracts and Service Level Agreements (SLAs)**

- Chief Finance Officer, if within the opening budget agreed by the Governing Body for the contract and/ or within terms of annual contract/SLA

### **Healthcare Commissioning Variations to Contacts**

- Up to £250,000 per annum –Assistant Director-or Director of Strategic Commissioning or Deputy Chief Finance Officer
- £250,001- £500,000 per annum – Chief Finance Officer
- £500,001 - £1,000,000 per annum – Accountable Officer
- Over £1,000,001 per annum – Governing Body

### **Signing Income Contracts**

- Up to £1,500,000 per annum –Director of Strategic Commissioning and Deputy Chief Finance Officer
- £1,500,001 £5,000,000 per annum – Chief Finance Officer and Accountable Officer
- Over £5,000,001 per annum - Governing Body

### **Purchase of Goods and Services**

- £25,000 on a single invoice – if below Band 8
- Up to £100,000 on a single invoice – Band 8 staff
- £100,001 - £250,000 – Executive Member, Deputy Chief Finance Officer or Assistant Director of Commissioning Public Health and Adult Care or Assistant Director of Commissioning or Director of Integrated Systems Development
- £250,001 - £500,000 – Chief Finance Officer
- £500,001 - £1,000,000 – Chief Finance Officer and Accountable Officer
- Over £1,000,001 – Governing Body

### **Consultancy**

- Up to £100,000 – Chief Finance Officer
- £100,001 - £500,000 – Accountable Officer
- Over £500,001 – Governing Body