

SCHEME OF RESERVATION AND DELEGATION – STANDING ORDERS

REF	THE BOARD	DECISIONS RESERVED TO THE BOARD
Section 1		Approve Standing Orders (SOs), a scheme of matters reserved to the Board, and Standing Financial Instructions for the regulation of its proceedings and business.
1.2		Draw up a schedule of decisions reserved to the Board and ensure that management arrangements are in place to enable responsibility to be clearly delegated to senior executives (a scheme of delegation).
1.3 i		Make arrangements for the exercise, on behalf of the Trust, of any of its functions by a committee, sub-committee, or by an Officer of the Trust, or by another body, in each case subject to such restrictions and conditions as the Trust thinks fit.
2.7 iii		Define and regularly review the functions it exercises on behalf of the Secretary of State.
3.3		Determine that certain matters shall appear on every agenda for a meeting and shall be addressed prior to any other business being conducted.
3.13		Suspend Standing Orders.
3.14		Vary or amend the Standing Orders.
4.1		Appoint committees and joint committees of the Trust.
4.4		Establish terms of reference and reporting arrangements of all committees and sub-committees that are established by the Board.
4.6		Approve the appointments to each of the committees it has formally constituted
4.8.1		Approve audit arrangements and terms of reference of Audit and Assurance Committee
5.1		Approve a scheme of delegation of powers from the Board to committees.
6.1		From time to time agree and approve Policy statements/procedures which will apply to all or specific groups of staff employed by the Trust. The Board may delegate the approval of specific policies to its committees.
7.1		Require and receive the declaration of Board members' interests that may conflict with those of the Trust and determining the extent to which that member may remain involved with the matter under consideration.

REF	THE BOARD	DECISIONS RESERVED TO THE BOARD
8.3		Receive quarterly reports on the use of the seal.
9.3		Review Standing Orders at least every three years.

SCHEME OF DELEGATION FROM STANDING ORDERS

SO REF	DELEGATED TO	AUTHORITIES/DUTIES DELEGATED
Section A 1.1	CHAIRMAN	Final authority in interpretation of Standing Orders (SOs).
2.4	CHAIR AND DIRECTORS OF THE TRUST	Appointment of Deputy Chairman
2.4 iii	DEPUTY CHAIRMAN	Act as Chairman until a new Chairman is appointed or the existing Chairman resumes their duties, as the case may be
3.1	CHAIRMAN	Call meetings.
3.9	CHAIRMAN	Chair all Board meetings and associated responsibilities.
3.10	CHAIRMAN	Give final ruling in questions of order, relevancy and regularity of meetings.
3.12	CHAIRMAN	Having a second or casting vote
3.13	AUDIT COMMITTEE	Audit Committee to review every decision to suspend Standing Orders (power to suspend Standing Orders is reserved to the Board)
5.1.1	ASSOCIATE MEMBERS	By Chairman in relation to Hospital Managers' Panel Members for functions in relation to patients detained under the Mental Health Act 1983 (as amended by the 2007 Act and the Code of Practice to the MHA as revised in 2015)
5.2	CHAIRMAN & CHIEF EXECUTIVE	The powers which the Board has retained to itself within these Standing Orders may in emergency be exercised by the Chairman and Chief Executive after having consulted at least two Non-Executive Directors.
5.4	CHIEF EXECUTIVE	The Chief Executive shall prepare a Scheme of Delegation identifying his/her proposals that shall be considered and approved by the Board, subject to any amendment agreed during the discussion.
5.6	ALL	Disclosure of non-compliance with Standing Orders to the Chief Executive as soon as possible.
7.2	CHIEF EXECUTIVE	Maintain Register(s) of Interests.
7.4	ALL STAFF	Comply with national guidance contained in HSG 1993/5 "Standards of Business Conduct for NHS Staff", the Code of Conduct and Accountability for NHS Boards 2004 and the Association of British Pharmaceutical Industries (ABPI) Code of Professional conduct relating to hospitality/gifts from pharmaceutical/external

SO REF	DELEGATED TO	AUTHORITIES/DUTIES DELEGATED
		industry
7.4	ALL	Disclose relationship between self and candidate for staff appointment. (Chief Executive to report the disclosure to the Board.)
8.1/8.3	CHIEF EXECUTIVE	Keep seal in safe place and maintain a register of sealing.
8.5	CHIEF EXECUTIVE/ EXECUTIVE DIRECTOR	Approve and sign all documents which will be necessary in legal proceedings.

SCHEME OF DELEGATION DERIVED FROM THE ACCOUNTABLE OFFICER MEMORANDUM

REF	DELEGATED TO	DUTIES DELEGATED
7	CHIEF EXECUTIVE	Accountable through NHS Accountable Officer Memorandum to Parliament for stewardship of Trust resources
9	CHIEF EXECUTIVE AND DIRECTOR OF FINANCE	Ensure the accounts of the Trust are prepared under principles and in a format directed by the Secretary of State. Accounts must disclose a true and fair view of the Trust's income and expenditure, cash flows, gains and losses, and its state of affairs. Sign the accounts on behalf of the Board.
10	CHIEF EXECUTIVE	Sign a statement in the accounts outlining responsibilities as the Accountable Officer.
12	CHIEF EXECUTIVE	Ensure effective management systems that safeguard public funds and assist the Trust Chairman to implement requirements of corporate governance including ensuring managers: <ul style="list-style-type: none"> • "have a clear view of their objectives and the means to assess achievements in relation to those objectives; • be assigned well defined responsibilities for making best use of resources; • have the information, training and access to the expert advice they need to exercise their responsibilities effectively."
12	CHAIRMAN	Implement requirements of corporate governance.
13	CHIEF EXECUTIVE	Achieve value for money from the resources available to the Trust and avoid waste and extravagance in the organisation's activities. Follow through the implementation of any recommendations affecting good practice as set out on reports from such bodies as the National Audit Office (NAO).
15	DIRECTOR OF FINANCE	Operational responsibility for effective and sound financial management and information.
15	CHIEF EXECUTIVE	Primary duty to see that Director of Finance discharges this function.
16	CHIEF EXECUTIVE	Ensuring that expenditure by the Trust complies with Parliamentary requirements.

REF	DELEGATED TO	DUTIES DELEGATED
17	CHIEF EXECUTIVE	Promote observance of Codes of Conduct and Accountability by all staff.
18	CHIEF EXECUTIVE AND DIRECTOR OF FINANCE	Chief Executive, supported by Director of Finance, to ensure appropriate advice is given to the Board on all matters of probity, regularity, prudent and economical administration, efficiency and effectiveness.
19	CHIEF EXECUTIVE	If the Chief Executive considers the Board or Chairman is doing something that would infringe the requirements of propriety or regularity, he/she should set this out in writing to the Chairman and the Board. If the matter is unresolved, he/she should ask the Audit Committee to inquire and provide copies of the documents describing his/her objections.
21	CHIEF EXECUTIVE	If the Board is contemplating a course of action that raises an issue not of formal propriety or regularity but affects the Chief Executive's responsibility for value for money, the Chief Executive should draw the relevant factors to the attention of the Board. If the outcome is that the Chief Executive is overruled it is normally sufficient to ensure that the Chief Executive's advice and the overruling of it are clearly apparent from the papers. Exceptionally, the Chief Executive should inform the NHS Executive so that it can intervene if necessary. In such cases, and in those described in reference 19, the Chief Executive should as a member of the Board vote against the course of action rather than merely abstain from voting.