



Section F

Scheme of Delegation

This section gives details and levels of delegation
across all areas of business

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NHS Ayrshire & Arran Integrated Services

Item 1: Schedule of Matters Reserved for Board Agreement

1. Background

- 1.1 Under the proposals contained in the NHS Circular HDL (2003) 11 'Working Towards Single System Working', Ayrshire and Arran NHS Board will retain its focus as a board of governance, delivering a corporate approach to collective decision making based on the principles of partnership working and devolution of powers. Local leadership will be supported by delegating financial and management responsibility as far as is possible, consistent with the Board's own responsibility for governance.
- 1.2 The Board has a corporate responsibility for ensuring that arrangements are in place for the conduct of the affairs of NHS Ayrshire & Arran. This includes compliance with applicable guidance and legislation, and ensuring that public money is safeguarded, properly accounted for, and used economically, efficiently and effectively. The Board has a responsibility to ensure that it monitors the adequacy and effectiveness of these arrangements in practice.
- 1.3 The Board is required to ensure that it conducts a review of its systems of internal control, including in particular its arrangements for risk management, at least annually, and to report publicly on its compliance with the principles of corporate governance codes.

2. Matters Reserved for Board Agreement

The following shall be reserved for agreement by the Board:

- 2.1 The Five Year Strategic Plan, Board Annual Plan, the Corporate Plan and commissioning plans.
- 2.2 All Strategic plans and those policies with resource implications of greater than £4,000,000.
- 2.3 Business plans with resource implications greater than £4,000,000.
- 2.4 Approval of the revenue and capital budgets.
- 2.5 The making, alteration and revocation of the Code of Corporate Governance including approval of the Board Standing Orders contained therein.
- 2.6 The establishment of terms of reference and reporting arrangements for all Committees acting on behalf of the Board and the determination of differences between such Committees.
- 2.7 Approval to declare a property surplus with the intention of the disposal of property assets including land.

- 2.8 The acceptance in respect of the Capital Programme Budget where the value exceeds to £5,000,000. Where the contract exceeds £5,000,000, prior approval of the full business case by the Capital Investment Group of the Scottish Government Health and Social Care Directorates must be obtained before the Board can accept the contract.
- 2.9 The acceptance of contracts in respect of the Board's Revenue where the value exceeds £4,000,000.
- 2.10 Approval of transfer of funds between budget heads including transfers from reserves and balances where the value in any one instance exceeds £4,000,000.
- 2.11 Financial and performance reporting arrangements.
- 2.12 To review the Terms of Reference and appointment of the Internal Auditors.
- 2.13 Approval of the Annual Reports and accounts.
- 2.14 The dismissal of Executive Members of the Board and other Senior Members of staff where the filling of posts concerned require the involvement of Non-Executive Members of the Board.
- 2.15 Approval of all appointments of Non-Executive Members to Committees, Steering Groups, Project Boards or if allocated a role by the Chair or Chief Executive.
- 2.16 Approval of the West of Scotland Regional Planning Group (WoSPG) Work Plans as detailed in HDL (2004) 46.
- 2.17 Approval of the Risk Management Strategy
- 2.18 Major service change which has been confirmed through Scottish Government Health and Social Care Directorates as having a major impact on patients, carers and communities following the application of the guidance contained in CEL4 (2010), Informing, Engaging and Consulting People in Developing Health and Community Care Services and the Scottish Health Council Guidance on Identifying Major Health Service Changes.

Item 2: Schedule of Matters Delegated to Board Executive Directors

1. Interpretation

- 1.1 Any reference to a statutory or other provision shall be interpreted as a reference amended from time to time by any subsequent legislation.
- 1.2 The Chief Executive, as Accountable Officer, can exercise delegated authority across all NHS Ayrshire & Arran services and functions. However for the purpose of this section of the Code of Corporate Governance, it will be assumed that the Chief Executive will exercise delegated authority for the services and functions at Board level.

1.3 Powers delegated to a Chief Officer in terms of this scheme may be exercised by such an officer or officers as the Chief Officer may authorise.

2. Chief Executive

2.1 General Provisions

2.1.1 In the context of the Board's principal role to protect and improve the health of Ayrshire and Arran residents, the Chief Executive, as Accountable Officer, shall have delegated authority and responsibility to secure the economical, efficient and effective operation and management of NHS Ayrshire & Arran and to safeguard its assets in accordance with:

- The statutory requirements and responsibilities laid upon the Chief Executive as Accountable Officer for NHS Ayrshire & Arran,
- Direction from the Scottish Government Health and Social Care Directorates,
- Current policies and decisions made by the Board,
- Within the limits of the resources available, subject to the approval of the Board,
- The Code of Corporate Governance.

2.1.2 The Chief Executive is authorised to take such measures as may be required in emergency situations, subject to consulting, where possible, the Chair and the Vice-Chair of the Board, and the relevant Committee Chair. Such measures that might normally be outwith the scope of the authority delegated by the Board or its Committees shall be reported to the Board or appropriate Committee as soon as possible thereafter.

2.1.3 The Chief Executive is authorised to give a direction in special circumstances that any official shall not exercise a delegated function subject to reporting on the terms of the direction to the next meeting of the appropriate Committee.

2.2 Finance

2.2.1 Resources shall be used only for the purpose for which they are allocated, unless otherwise approved by the Chief Executive, after taking account of the advice of the Director of Finance. The Chief Executive, acting together with the Director of Finance, has delegated authority to approve the transfer of funds between budget heads, including transfers from reserves and balances, up to a maximum of £4,000,000 in any one instance. The Chief Executive shall report to the Performance Committee for formal inclusion in the minutes those instances where this authority is exercised and/or the change in use of the funds relates to matters of public interest.

2.2.2 The Chief Executive may, acting together with the Director of Finance, and having taken all reasonable action to pursue recovery, approve the writing-off of losses, subject to the limits laid down from time to time by the Scottish Government Health and Social Care Directorates.

2.3 Legal Matters

- 2.3.1 The Chief Executive is authorised to institute, defend or appear in any legal proceedings or any inquiry, including proceedings before any statutory tribunal, board or authority, and following consideration of the advice of the Central Legal Office to appoint or consult with Counsel where it is considered expedient to do so, for the promotion or protection of the Board's interests.
- 2.3.2 In circumstances where a claim against the Board is settled by a decision of a Court, and the decision is not subject to appeal, the Chief Executive shall implement the decision of the relevant Court on behalf of the Board.
- 2.3.3 In circumstances where the advice of the Central Legal Office is to reach an out-of-court settlement, the Chief Executive may, acting together with the Director of Finance, settle claims against the Board; subject to a report thereafter being submitted to the Audit and Risk Committee.
- 2.3.4 The Chief Executive, acting together with the Director of Finance, may make ex-gratia payments, subject to the limits laid down from time to time by the Scottish Government Health and Social Care Directorates. Where ex-gratia payments are above the delegated limits, SGHSCD approval is required.
- 2.3.5 The arrangements for signing of documents in respect of matters covered by the Property Transactions Manual shall be in accordance with the direction of Scottish Ministers. The Chief Executive is currently authorised to sign such documentation on behalf of the Board and Scottish Ministers.
- 2.3.6 The Chief Executive shall have responsibility for the safekeeping of the Board's Seal, and together with the Chair or other nominated Non-Executive Member of the Board, shall have the responsibility for the application of the Seal on behalf of the Board.

2.4 Procurement

- 2.4.1 The Chief Executive shall have responsibility for nominating officers or agents to act on behalf of the Board, for specifying, and issuing documentation associated with invitations to tender, and for receiving and opening of tenders.
- 2.4.2 Where post tender negotiations are required, the Chief Executive shall nominate in writing, officers and/or agents to act on behalf of the Board.
- 2.4.3 The Chief Executive, acting together with the Director of Finance, has authority to approve on behalf of the Board, the acceptance of tenders, submitted in accordance with the Board's Code of Corporate Governance, up to a value of £5,000,000 (including VAT suffered) within the limits of previously approved Revenue and Capital Budgets.
- 2.4.4 The exercise of this authority for tenders in excess of £50,000 must be included in the tender register.

2.4.5 The Chief Executive shall provide the Director of Finance with a listing, including specimen signatures, of those officers or authorised agents to whom he has given delegated authority to sign official orders on behalf of the Board.

2.5 Human Resources

2.5.1 The Chief Executive may appoint staff in accordance with the Board's Scheme of Delegation for the Appointment of Staff as detailed in the Code of Corporate Governance.

2.5.2 The Chief Executive may, after consultation and agreement with the Human Resources Director and the relevant officer, amend staffing establishments in respect of the number and grading of posts.

In so doing, the Director of Finance must have been consulted, and have confirmed that the cost of the amended establishment can be contained within the relevant limit approved by the Board for the current and subsequent financial years.

2.5.3 Any amendment must also be in accordance with the policies and arrangements relating to human resource planning, approved by the Board or Staff Governance Committee.

2.5.4 The Chief Executive may attend and may authorise any member of staff to attend, within and outwith the United Kingdom, conferences, courses or meetings of relevant professional bodies and associations, provided that:

- Attendance is relevant to the duties or professional development of such member of staff, and
- Appropriate allowance has been made within approved budgets, or
- External reimbursement of costs is to be made to the Board.

2.5.5 The Chief Executive may, in accordance with the Board's agreed Disciplinary Procedures, take disciplinary action in respect of members of staff, including dismissal where appropriate.

2.5.6 The Chief Executive shall have responsibility for ensuring that the Board complies with Health and Safety legislation, and for ensuring the effective implementation of the Board Policies.

2.5.7 The Chief Executive may grant paid compassionate leave or unpaid special leave of absence to any employee for up to five working days. The Chief Executive may approve other paid or unpaid leave within the limits defined in the Board's Leave Policy.

2.6 Patients' Property

2.6.1 The Chief Executive has overall responsibility for ensuring that the Board complies with legislation in respect of patient's property. The term 'property' means all assets other than land and building (eg furniture, pictures, jewellery, bank accounts, shares and cash).

3. Director of Finance

3.1 Authority is delegated to the Director of Finance to take the necessary measures as undernoted, in order to assist the Board and the Chief Executive in fulfilling their corporate responsibilities.

3.2 Accountable Officer

3.2.1 The Director of Finance has a general duty to assist the Chief Executive in fulfilling his responsibilities as the Accountable Officer of the Board.

3.3 Financial Statements

3.3.1 The Director of Finance is empowered to take all steps necessary to assist the Board to:

- Act within the law and ensure the regularity of transactions by putting in place systems of internal control to ensure that financial transactions are in accordance with the appropriate authority,
- Maintain proper accounting records,
- Prepare and submit for audit, timeous financial statements, which give a true and fair view of the financial position of the Board and its income and expenditure for the period in question.

3.4 Corporate Governance and Management

3.4.1 The Director of Finance is authorised to put in place proper arrangements to ensure that the financial position of the Board is soundly based by ensuring that the Board, it's Committees and supporting management groupings receive appropriate, accurate and timely information and advice with regard to:

- The development of financial plans, budgets and projections,
- Compliance and statutory financial requirements and achievement of financial targets,
- The impact of planned future policies and known or foreseeable developments on the Board's financial position.

3.4.2 The Director of Finance is empowered to take steps to ensure that proper arrangements are in place for:

- Developing, promoting and monitoring compliance with the Code of Corporate Governance,
- Developing and implementing systems of internal control, including systems of financial, operational and compliance controls and risk management,
- Developing and implementing strategies for the prevention and detection of fraud and irregularity,
- Internal Audit.

3.4.3 The Director of Finance is authorised to assist the Chief Executive to ensure that suitable arrangements are in place to secure economy, efficiency and effectiveness in the use of resources and that they are working effectively. These arrangements include procedures:

- For planning, appraisal, authorisation and control, accountability and evaluation of the use of resources;

3.5 Banking

- 3.5.1 The Director of Finance is authorised to oversee the Board's arrangements in respect of accounts held in the name of the Board with the Government Banking Service, the Scottish Government Banking and Treasury Branch and nominated commercial bankers appointed by the Board.
- 3.5.2 The Director of Finance is authorised to establish a separate Project Bank Account for all capital building projects where the budget is over £2 million.
- 3.5.2 The Director of Finance will maintain a panel of authorised signatories.
- 3.5.3 The Director of Finance will be responsible for ensuring that the Government Banking Service, the Scottish Government Banking and Treasury Branch and nominated commercial bankers are advised in writing of amendments to the panel of authorised signatories.

4. Provisions Applicable to other Directors of the Board

4.1 General Provisions

- 4.1.1 Directors have delegated authority and responsibility, with the Chief Executive, for securing the economical, efficient and effective operation and management of their own Directorates or Departments and for safeguarding the assets of the Board.
- 4.1.2 Directors are authorised to take such measures as may be required in emergency situations, subject to consulting, where possible, the Chief Executive, the Chair and the Vice-Chair of the Board or relevant Committee Chair as appropriate. Such measures, that might normally be outwith the scope of the authority delegated by the Board or its Committees to the relevant Executive Director/Chief Officer, shall be reported to the Board or appropriate Committee as soon as possible thereafter.

4.2 Human Resources

- 4.2.1 Directors may appoint staff in accordance with the Board's Scheme of Delegation for the Appointment of Staff.
- 4.2.2 Directors may, after consultation and agreement with the Director of Human Resources or appropriate Head of Operational Human Resources, amend staffing establishments in respect of the number and grading of posts. In so doing, the Director of Finance must have been consulted, and have confirmed that the cost of the amended establishment can be contained within the relevant limit approved by the Board for the current and subsequent financial years. Any amendment must also be in accordance with the policies and arrangements relating to human resource planning, approved by the Board or Staff Governance Committee.

4.2.3 Directors may authorise any member of staff to attend within and outwith the United Kingdom, conferences courses or meetings of relevant professional bodies and associations, provided that:

- Attendance is relevant to the duties or professional development of such member of staff, and
- Appropriate allowance is contained within approved budgets, or
- External reimbursement of costs is to be made to the Board.

4.2.4 Directors have overall responsibility within their Directorates/Departments for ensuring compliance with Health and Safety legislation, and for ensuring the effective implementation of the Board's policies in this regard.

Item 3: Scheme of Further Delegation Arising from Standing Orders

1. Introduction

1.1 The Chief Executive has delegated authority to secure the efficient operation and management of services in accordance with the current policies of the Board, and within the limits of the resources available, subject to the approval of the Board, through Standing Financial Instructions. Any officer listed in the Scheme of Further Delegation is authorised to further delegate their authority in accordance with the Local Scheme of Delegation.

1.4 The Local Scheme of Further Delegation is detailed in the following tables.

1.5 Any changes to this Scheme of Further Delegation must be notified to the Head of Corporate Governance in writing.

2. Scheme of Delegation Arising from Standing Orders

Area of Responsibility/Duties Delegated	Delegated to/ Lead Director	Authorised Deputy	Financial Value £m	Constraints/Reference
2.1 Maintenance of Register of Board Members Interests	Chief Executive	Head of Corporate Governance	N/A	None
2.2 Maintenance of Register of gifts/ hospitality and interest in contracts	Chief Executive	Head of Corporate Governance	N/A	All directors have responsibility to maintain a register for their area of the business.
2.3 Execution of documents on behalf of Scottish Ministers relating to property transactions	Chief Executive			All signatures to be in accordance with the Property Transactions Manual
2.4 Update and changes to Standing Orders	NHS Board			All changes must be approved by NHS Board
2.5 Responsibility for preparation and update of Scheme of Delegation	Chief Executive	Head of Corporate Governance		Board approval required
2.6 Responsibility for preparation and update of Standing Financial Instructions	Director of Finance	Assistant Director of Finance		Board approval required

3. Corporate Governance Arising from Standing Financial Instructions

Area of Responsibility/Duties Delegated	Delegated to/ Lead Director	Authorised Deputy	Financial Value £m	Constraints/Reference
3.1 System for funding decisions and business planning.	Director of Finance			In accordance with Standing Financial Instructions
3.2 Preparation of Financial Plans	Director of Finance	To be specifically nominated in event of extended absence	NHS Board Revenue Resource Limit	Approval required by NHS Board
3.3 Preparation of Capital Plan	Director of Infrastructure and Support Services	To be specifically nominated in event of extended absence	As per Capital Plan	Director of Finance coordinates the financial plans related to the Capital plan/budget. Approval required by NHS Board
3.4 Preparation of Business Cases	Chief Executive and Executive Lead as appropriate		Limit as per Capital Plan	Approval by Corporate Management Team and onward approval in accordance with capital policies and Scottish Government Health and Social Care Directorates guidance
3.5 Supporting Cases up to £500,000	Asset Management Planning Group		Limit as per Capital Plan	Approval by Capital Programme Management Group.

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Area of Responsibility/Duties Delegated	Delegated to/ Lead Director	Authorised Deputy	Financial Value £m	Constraints/Reference
3.6 Business Cases between £500,000 and within delegated limit of 5,000,000	Capital Programme Management Group and Corporate Management Team (as required)		Limit as per Capital Plan	Approval by Performance Governance Committee
3.7 Business Cases above delegated limit of £5,000,000 (both OBC and FBC approval)	NHS Board and SGHSCD		Limit as per Capital Plan	Approval by NHS Board and SGHSCD and Capital Investment Group.
3.8 Approval of 5 year Capital and Revenue Plans	Director of Finance			Approval by Performance Governance Committee.
3.9 Land purchase or sale or acquisition	Chief Executive, Director of Finance			Chief Executive can sign paperwork.
3.10 Management of buildings and land	Chief Executive	Director of Infrastructure and Support Services		In accordance with the property transactions handbook.

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Area of Responsibility/Duties Delegated	Delegated to/ Lead Director	Authorised Deputy	Financial Value £m	Constraints/Reference
3.11 Framework Scotland	NHS Board			The initial approval of whether a scheme is suitable for the application of the Framework Scotland methodology to a construction project is a decision which is reserved for Board following review by NHS Ayrshire & Arran Corporate Management Team who will scrutinise the proposal.
3.12 Budget Setting for NHS Board	Director of Finance	Assistant Director of Finance	Limit as set in context of agreed Financial Plan	
3.13 Financial Systems and Operating Procedures	Director of Finance	Assistant Director of Finance	N/A	
3.14 Financial Monitoring System	Director of Finance	Assistant Director of Finance		
3.15 Maintenance/Operation of Bank Accounts	Director of Finance	Assistant Director of Finance	N/A	Subject to appointment of Bankers by Board Subject to review of national arrangements.

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Area of Responsibility/Duties Delegated	Delegated to/ Lead Director	Authorised Deputy	Financial Value £m	Constraints/Reference
3.16 Annual Accounts signatories	Chief Executive and Director of Finance	N/A	N/A	In accordance with Scottish Accounts Manual.
3.17 Audit Certificate	Appointed Auditors	N/A		In accordance with Scottish Accounts Manual.
3.18 Preparation of Governance Statement	Chief Executive	Director of Finance	N/A	In accordance with Scottish Accounts Manual.
3.19 Performance Management Reporting Arrangement	Chief Executive	Director of Transformation and Sustainability		
3.20 Losses and Special Payments	See detailed section in operational arrangements			Per SGHD guidance.

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Area of Responsibility/Duties Delegated	Delegated to/ Lead Director	Authorised Deputy	Financial Value £m	Constraints/Reference
3.21 Clinical Claims/other settlements (legal claims)	Chief Executive	Director of Finance and Medical Director/ Nurse Director	Up to £250,000 for clinical claims and £100,000 for other claims	<p>Scottish Government approval is required for all clinical claims in excess of £250,000.</p> <p>Scottish Government approval is required for all other claims in excess of £100,000.</p> <p>Scottish Government approval is required for all staff settlements regardless of value.</p>
3.22 Preparation of the Board Annual Plan	Chief Executive	Director of Transformation and Sustainability		Supported by financial plan prepared by Director of Finance.
3.23 Preparation of Corporate Objectives	Chief Executive			
3.24 Non Profit Distributing Capital Projects	NHS Board/ Performance Governance Committee			In line with approvals process outlined table 2, see page 18.

4. Healthcare Governance

Area of Responsibility/Duties Delegated	Delegated to/ Lead Director	Authorised Deputy	Financial Value £'m	Constraints/Reference
4.1 Preparation of Healthcare Quality Improvement Plan	Nurse Director	Deputy Nurse Director	N/A	Healthcare Governance Committee.
4.2 Approval of research and development studies including associated clinical trials and indemnity agreements for commercial studies	Medical Director		N/A	Ethics Committee approval required.
4.3 Preparation of Healthcare Governance Internal Scrutiny Plan.	Nurse Director	Deputy Nurse Director		Healthcare Governance Committee.
4.4 Preparation of Patients Complaints Policy	Nurse Director	Deputy Nurse Director	N/A	Healthcare Governance Committee.
4.5 Monitoring arrangements and reporting of complaints	Nurse Director	Deputy Nurse Director	N/A	Healthcare Governance Committee.
4.6 Compliance and adherence to national standards in healthcare acquired infection	Nurse Director	Associate Nurse Director Infection Prevention and Control		Link to Healthcare Governance and Prevention and Infection Control Committee.
4.7 Compliance and adherence to national standards in decontamination	Nurse Director	Associate Nurse Director Infection Prevention and Control		Link to Healthcare Governance and Prevention and Infection Control Committee.

5. Staff Governance

Area of Responsibility/Duties Delegated	Delegated to/ Lead Director	Authorised Deputy	Financial Value £'m	Constraints/Reference
5.1 Implementation of Staff Governance Standards	HR Director	Staff Governance Lead		
5.2 Preparation of Human Resources policies and procedures	HR Director	Assistant Director – HR Management		Approval required through Area Partnership Forum.
5.3 Preparation of Contracts of Employment	HR Director	Assistant Director – HR Management		Compliance with current legislation and agreed terms and conditions.
5.4 Executive and Senior Manager pay – implementation of terms and condition/performance pay	HR Director	Staff Governance Lead		Compliance with current legislation and agreed terms and conditions. Requires approval by Remuneration Committee.
5.5 Preparation of Whistleblowing guidance in support of national policy	Nurse Director	Head of Corporate Governance		Compliance with current legislation and National Whistleblowing Standards
5.6 Monitoring arrangements and reporting of whistleblowing concerns	Nurse Director	Head of Corporate Governance		Compliance with current legislation and National Whistleblowing Standards

6. Risk Management

Area of Responsibility/Duties Delegated	Delegated to/ Lead Director	Authorised Deputy	Financial Value £'m	Constraints/Reference
6.1 Preparation of Risk Management Strategy	Medical Director		N/A	NHS HIS Clinical Governance and Risk Management Standards.
6.2 Preparation and Management of Corporate Risk Register	Medical Director	Head of Occupational Health and Safety	N/A	NHS QIS Clinical Governance and Risk Management Standards.
6.3 Provision of a Public Protection Service and delivery of a governance and accountability framework and required policies and procedures	Chief Executive	Nurse Director	N/A	Legislation for both Child Protection and Adult Support and Protection
6.4 Prescribing Policies	Medical Director	Director of Pharmacy	N/A	As per resource constraints of Prescribing Management Board.
6.5 Health and Safety – staff	Chief Executive	HR Director	N/A	Area Partnership Forum.
6.6 Health and Safety - buildings	Chief Executive	HR Director	N/A	
6.7 Fire Safety	Chief Executive	Assistant Director of Estates & Capital Planning as Designated Officer (Fire)	N/A	

7. Access

Area of Responsibility/Duties Delegated	Delegated to/ Lead Director	Authorised Deputy	Financial Value £'m	Constraints/Reference
7.1 Waiting Times	Director of Acute Services			Within overall budgetary limits.
7.2 Public Information on access to services	Chief Executive		N/A	
7.3 Procedure for patients who wish to appeal against clinical decisions on their continuing care	Medical Director	Associate Medical Director	N/A	CEL 6(2008).

8. Patient Focus Public Involvement

Area of Responsibility/Duties Delegated	Delegated to/ Lead Director	Authorised Deputy	Financial Value £'m	Constraints/Reference
8.1 Designated Director for patient public focused public involvement	Nurse Director	Deputy Nurse Director		Healthcare Governance Committee
8.2 Compliance with guidelines on Chaplaincy and Spiritual Care strategy implementation	Nurse Director	Director Allied Health Professionals		

9. Health Protection and Promotion

Area of Responsibility/Duties Delegated	Delegated to/ Lead Director	Authorised Deputy	Financial Value £'m	Constraints/Reference
9.1 Health Promotion and Health Improvement Strategies.	Director of Public Health			
9.2 Public Health information dissemination.	Director of Public Health			
9.3 Preparation of Joint Health Protection Plan.	Director of Public Health			
9.4 Surveillance and assessment of the population's health and well-being.	Director of Public Health			

10. Information Governance

Area of Responsibility/Duties Delegated	Delegated to/ Lead Director	Authorised Deputy	Financial Value £'m	Constraints/Reference
10.1 Responsibility for Information Management Systems & Strategy	Director of Infrastructure and Support Services	Assistant Director of eHealth & Infrastructure	N/A	
10.2 Clinical Responsibility for IM&T Strategy	Medical Director	Clinical Lead for eHealth	N/A	
10.3 Data Protection Act	Medical Director		N/A	
10.4 Caldicott Guardian	Medical Director		N/A	
10.5 Freedom of Information Policy	Medical Director		N/A	

11. Emergency and Continuity Planning

Area of Responsibility/Duties Delegated	Delegated to/ Lead Director	Authorised Deputy	Financial Value £'m	Constraints/Reference
11.1 Preparation and maintenance of a comprehensive Emergency Plan.	Chief Executive	Director of Public Health	N/A	
11.2 Preparation and maintenance of Business Continuity Plans.	Chief Executive	Director of Public Health	N/A	All directors have responsibility for their area of the business.

12. Scheme of Delegation - Operational Activities

Area of Responsibility/Duties Delegated	Delegated to/ Lead Director	Authorised Deputy	Financial Value £'m	Constraints/Reference
12.1 Tenders				
12.2 Issue of tender documents – items supplied under normal circumstances.	Head of Procurement Services	Procurement Manager	All	
12.3 Issue of tender documents – other services.	Relevant Director			Includes IT & Estates.
12.4 Return of tender documents.	Head of Procurement Services	Procurement Manager		Secure arrangements for receiving storing and opening tender documents.
12.5 Recommendation for acceptance.	Head of Procurement Services	Procurement Manager		Any Director not wishing to accept the lowest tender is required to seek permission from the Director of Finance in writing which tender they wish to accept and the reasons why and also the reasons why the lowest tender has not been accepted. In all cases this will be reported to the Board's Audit and Risk Committee at the next available meeting.
12.6 Authorise post tender negotiation.	Chief Executive and Director of Finance			

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Area of Responsibility/Duties Delegated	Delegated to/ Lead Director	Authorised Deputy	Financial Value £'m	Constraints/Reference
12.7 Undertake post tender negotiation.	Head of Procurement Services	Procurement Manager		
12.8 Signing of Documents	Chief Executive	Director of Finance		
12.9 Contract documents signed under deed.	Minimum two Board members			The deed, whether or not signed under the Board's seal, must be entered into an appropriate record.
12.10 Service Level Agreements Patient Services	Director of Transformation and Sustainability			
12.11 All patient services that are required are available.	Chief Executive and Director of Finance			
12.12 Approval of Exceptional Referrals including Non Contracted Activity and Unplanned Activity.	Medical Director	Associate Medical Director and Head of Risk Management		Where other agreements do not exist, must be within the budgets approved by the Board. The Medical Director chairs the Exceptional Referral Panel which meets to approve all cases.
12.13 Waiting list initiative agreements with private providers.	Chief Executive			
12.14 Resource Transfer Agreements.	Chief Executive	Director of Finance		In accordance with appropriate guidance.

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Area of Responsibility/Duties Delegated	Delegated to/ Lead Director	Authorised Deputy	Financial Value £'m	Constraints/Reference
12.15 Regional Planning Group Decisions.	Chief Executive			* See note below
12.16 Patients Travel including ex gratia claims	Director of Finance			In line with NHS travel scheme and local policy.
12.17 Delegation of Budgets	Director of Finance			
12.18 Delegation of directorate budgets.	Directors	Designated Officers		With the approval of the Director of Finance.
12.19 Virement of Budget between approved Operational Budgets.	Budget holder's discretion and in agreement of the relevant director and Director of Finance		Budget Holder £30,000 Director £50,000	
12.20 Virement of Budget	Chief Executive/ Corporate Management Team		£4,000,000	The Director of Finance has overall responsibility for authorising virements between budget headings following approval of the financial plan by the Board.
12.21 Operation of Bank Accounts and Funds	Director of Finance	Assistant Director of Finance (Governance and Shared Services)		
12.22 Operation of bank accounts and detailed financial systems.	Director of Finance	Assistant Director of Finance (Governance and Shared Services)		

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Area of Responsibility/Duties Delegated	Delegated to/ Lead Director	Authorised Deputy	Financial Value £'m	Constraints/Reference
12.23 Authorised bank signatories.	Director of Finance	Designated Officers		Additions to the list of authorised signatories require authorisation of the Audit and Risk Committee. The Director of Finance may delete all or part of an authorised signatory list.

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Area of Responsibility/Duties Delegated	Delegated to/ Lead Director	Authorised Deputy	Financial Value £'m	Constraints/Reference
<p>12.24 Payment signatories</p> <p>Managers need to consider carefully the financial limits assigned to individual members of staff. When assigning financial limits it must be noted that the line manager may not delegate his/her authority; a member of staff may not be authorised to sign a level the same or higher than their line manager. Please also follow the following guidelines for financial limits.</p>	Various see across		<p>Chief Executive - £250,000</p> <p>Directors - £100,000</p> <p>Direct Reports to Director - £50,000</p> <p>Senior Managers - £20,000</p> <p>Other staff up to a maximum £5,000 i.e. this should be scaled.</p>	<p>Invoices between £100,000 and £250,000 should be signed by the appropriate Director and countersigned by either the Director of Finance or the Chief Executive. Invoices over £250,000 should be signed by the appropriate Director and countersigned by the Director of Finance and the Chief Executive. Where the organisation has a long term commitment to pay monthly or quarterly amounts (for Private Finance and capital contracts or resource transfer to Local Authorities or Service Level Agreements with other Health Boards) the authorisation control is in entering into the contract and the subsequent payments in line with the contract do not require to be authorised in line with the above limits. The authorising officer is required to confirm that the payment is in line with the contract.</p>
<p>12.25 Response to emergency situation / major incident</p>	Chief Executive		£1,000,000	

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Area of Responsibility/Duties Delegated	Delegated to/ Lead Director	Authorised Deputy	Financial Value £'m	Constraints/Reference
12.26 Setting of Fees and Charges Private patients, overseas visitors, income generation and other patient related services.	Chief Executive and relevant Director			
12.27 Management of non-exchequer funds (endowments)	Director of Finance	Assistant Director of Finance (Governance and Shared Services)		Endowment Trustees and Endowment Committee approval in line with Charter and Operating Procedure.
12.28 Ordering of Supplies/Goods				
12.29 Lease Car Contracts	Assistant Director of Clinical Support Services	Head of Clinical Support Services (South)		Transport Manager signs off lease car value for money as compared to travel.
12.30 Equipment Maintenance Contracts	Budget holder			Subject to containment within delegated budget.
12.31 PFI/PPP arrangements/ operating leases for equipment and vehicles	Chief Executive Director of Finance Budget holder			In all cases option appraisal, VFM and affordability calculation must be completed in accordance with appropriate guidance.
12.32 Equipment Purchase Contracts	Director of Finance			All equipment must be agreed as part of the equipment replacement programme through local CIG. Emergency replacements can be agreed by the Director of Finance.

Code of Corporate Governance - Section F - Scheme of Delegation

Area of Responsibility/Duties Delegated	Delegated to/ Lead Director	Authorised Deputy	Financial Value £'m	Constraints/Reference
12.33 Property Leases	Chief Executive or Director of Finance	Director of Infrastructure and Support Services		All property leases must be considered and approved by local CIG.
12.34 Funding Offers for GP premises developments (reimbursement)	Medical Director			
12.35 GP Improvement Grants	Medical Director		Grants up to £10k to be agreed by Assistant Director of Finance In excess of £5k by PCCMB	Grants must be within budgetary limits.
12.36 Contracts for the supply of service by NHS Ayrshire & Arran to non NHS organisations	Directors and Healthcare Managers		Directors £50,000 General Managers £25,000	
12.37 Computerised financial data	Director of Finance	Assistant Director of Finance (Governance and Shared Services)		
12.38 Insurance	Director of Finance	Assistant Director of Finance (Governance and Shared Services)		CNORIS and all other insurance matters.

Code of Corporate Governance - Section F - Scheme of Delegation

Area of Responsibility/Duties Delegated	Delegated to/ Lead Director	Authorised Deputy	Financial Value £'m	Constraints/Reference
12.39 Car Lease Scheme	Director of Infrastructure and Support Services	Assistant Director of Clinical Support Services		

*The Chief Executive will have authority (which may be delegated on a case by case basis) to commit the Board to the decisions of a Regional Planning Group acting in accordance with HDL (2004)46 and its own agreed constitution and procedures. In exercising this authority, the Chief Executive will, wherever possible:

- Bring to the Board, in advance of a Regional Planning Group decision, any issue which, had it been a purely local issue, would be of such financial magnitude or service impact, that it would have been a decision reserved for the Board. This is to ensure that on matters of strategic importance, the views of the full Board can be represented, via the Chief Executive, to the Regional Planning Group.
- Communicate to the next available Board any Regional Planning decision which cannot be covered by approved budgets or reserves.

13. Scheme of Delegation - Losses and Special Payments

Area of Responsibility/Duties Delegated	Delegated to/ Lead Director	Authorised Deputy	Financial Value £'m	Constraints/Reference
13.1 Losses and Special Payments – Medical or Clinical Negligence, Employer's / Public Liability, Commercial Cases	Chief Executive, Director of Finance		Clinical - £50,000 Medical Director, or Nurse Director £100,000 – two Directors >£100,000 – Chief Executive Employer's / Public Liability - £50,000 Human Resources or Nurse Director £100,000 – two Directors >£100,000 – Chief Executive Commercial - £25,000 Director of Finance, or Assistant Director of Finance	Any payments of legal (compensation) claims made by patients/staff of personal or other injury should only be authorised by the Chief Executive within these delegated limits on the recommendation of the Central Legal Office. Such payments must be reported to the next available Board meeting after the payment is authorised.

Code of Corporate Governance - Section F - Scheme of Delegation

<p>13.2 Losses and Special Payments – General</p>	<p>SGHSCD (notified to Audit and Risk Committee)</p>		<p>Clinical >£250,000 Non Clinical >£100,000 Other >£25,000</p>	<p>Losses and special payments above these delegated limits must be referred to the Board's Audit and Risk Committee and also seek approval from the SGHSCD.</p>
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Item 4: Health and Social Care Integration: Integration Joint Boards

Along with the respective Council, NHS Ayrshire & Arran has established three Integration Joint Boards (IJBs) in Ayrshire and Arran covering the Local Authority boundaries of East, North and South Ayrshire.

On 30 March 2015 the NHS Board approved a local Scheme of Delegation which details what NHS Ayrshire & Arran has delegated to the IJBs in addition to the duties and responsibilities on IJBs.

Under statutory provision, the IJBs have the following remit:

- a to prepare and implement a Strategic Plan in relation to the provision of health and social care services;
- b to oversee the delivery of services delegated by the parties in pursuance of the Strategic Plan; and
- c to allocate and manage the delegated budget in accordance with the Strategic Plan.

This remit focuses on the statutory responsibilities of IJBs which cover the planning of Integrated Services and directing the Parties (the NHS Board and Council) to deliver services in accordance with the Strategic Plan.

As the national Model Integration Scheme makes clear, in addition to legislative requirements:

“Scottish Ministers expect the Parties will make the Integration Joint Board (or its membership) operationally responsible for delivery in addition to the planning responsibilities placed upon the Integration Joint Board by the Act to ensure planning and delivery are fully integrated.”

This Scheme of Delegation from the NHS Board to the IJBs provides a clear basis for IJBs to fulfil their role as integrated service delivery vehicles.

The Scheme of Delegation makes provision for delegation of management functions to each Chief Officer (known locally as the Director of Health and Social Care) and for scrutiny of overall governance arrangements to the IJB. The list of NHS services covered by these delegated arrangements are detailed in Annex 3.

The NHS Board has an overall duty to put in place devolved systems of decision making. This duty carries a responsibility to ensure that local services are provided as efficiently and effectively as possible within the resources available. As far as IJBs are concerned, duties to manage and deliver services to a defined standard on behalf of the NHS Board are devolved to each Director of the Health and Social Care who have the necessary autonomy and accountability within the Scheme of Delegation.

The NHS Board is also the ultimate governance body for NHS Ayrshire & Arran. Along with the delegation of management and service functions to the relevant Director, it devolves associated overall governance functions to the IJBs. It is acknowledged that the IJB has legislative governance responsibilities in accordance with its remit and it is the

responsibility of the IJB to design appropriate governance arrangements to fulfil these responsibilities.

In designing governance arrangements to meet the IJB's statutory responsibilities, the NHS Board request that these also allow the IJB to fulfil the overall delegated governance functions. This delegation is contingent on the NHS Board being satisfied that such arrangements are sufficient to allow the NHS Board to place reliance on them. As part of this process, the NHS Board will ensure compliance with its Code of Corporate Governance as appropriate. This also ensures that such arrangements as the IJB puts in place are compliant with the provisions made in the Integration Scheme. In addition, in accordance with the NHS Board's integrated governance arrangements, the NHS Board member who is Chair or Vice Chair of the IJB will also be invited to attend the NHS Board's Integrated Governance Committee.

In undertaking their delegated functions, the Director of Health and Social Care and IJB are required to have regard to a number of obligations placed on the NHS Board through statute and Scottish Government direction as follows:

A	Healthcare Governance
	The NHS Board Chief Executive's responsibility for clinical governance, quality, patient safety and engagement is delegated to each Director of Health and Social Care. Each Director and their IJB are required to establish appropriate arrangements to fulfil those responsibilities and scrutinise their discharge. These arrangements link to NHS Board wide support and reporting arrangements including the systems for reporting of serious clinical incidents as required by the NHS Board's Medical and Nurse Directors. Each IJB is required to provide assurance to the NHS Board's Healthcare Governance Committee on effective operations of their healthcare governance arrangements and each Director of Health and Social Care will be required to attend the NHS Board's Healthcare Governance Committee as required.
B	Corporate Governance
	The NHS Board Chief Executive's responsibility for corporate governance is delegated to each Director of Health and Social Care. Each Director and their IJB are required to have appropriate arrangements to fulfil those responsibilities and scrutinise their discharge. These arrangements must ensure financial management within allocation and delegation of budgets and probity in accordance with the NHS Board's Standing Financial Instructions and Standing Orders and compliance with the regulations on recording losses and regulation on making ex-gratia payments. They must also comply with regulations addressing other aspects of corporate governance including the Data Protection Regulations, the Freedom of Information (Scotland) Act and wider Information Governance requirements. They must also ensure best value in all Health and Social Care Partnership operations. The IJB is required to provide assurance to the NHS Board's Audit and Risk Committee on the effective operation of their corporate governance arrangements and each Director of Health and Social Care will attend the NHS Board's Audit and Risk Committee as required.

C	Staff Governance
	<p>The NHS Board Chief Executive's responsibility for staff governance is delegated to each Director of Health and Social Care. Each Director and their IJB are required to establish appropriate arrangements to fulfil those responsibilities and scrutinise their discharge. The NHS Board remains the employer for all NHS staff within Health and Social Care Partnerships and therefore the IJB must scrutinise compliance with staff governance and related requirements including partnership working. Whilst the NHS Board's Area Partnership Forum retains its role in relation to all NHS staff, the IJB are expected to have appropriate arrangements for partnership working within the NHS Board's overall framework. The Health and Social Care Partnership have implemented the NHS Board's HR policies including arrangements for the appointment, removal, remuneration, grievances, disciplinary action, training and development of staff within the approved budget. The IJB are required to provide assurance to the NHS Board's Staff Governance Committee on the effective operation of their staff governance arrangements and each Director of Health and Social Care attends the NHS Board's Staff Governance Committee as required.</p>

An Ayrshire and Arran Integrated Health and Care Governance Framework has been developed to ensure:

- (a) the Directors of Health and Social Care and IJBs are supported to develop integrated governance arrangements;
- (b) these arrangements are subject to scrutiny by the NHS Board to ensure reliance can be placed upon them;
- (c) there is adequate communication between the IJB's arrangements and the NHS Board's governance committees; and
- (d) (a), (b) and (c) above allow the NHS Board's governance committees to take a system wide view of governance and provide assurance on the effectiveness of these arrangements to the NHS Board.

Authority Delegated to Board Committees

Audit and Risk Committee:

- Recommendation to the NHS Board of all Audit Plans, including those submitted by Audit Scotland.
- Monitoring of financial risk management to the Audit and Risk Committee.
- Recommendation to the NHS Board of changes to Standing Financial Instructions.
- Approval of changes to bank account signatories
- Overall audit arrangements.

Staff Governance Committee/Remuneration Committee:

- Decisions relating to Executive and Senior Managers' pay, in line with extant Scottish Government guidance and direction.

Approval of Medical Practitioners for the purposes of the Mental Health (Care and Treatment) (Scotland) Act 2003 is delegated to the Director of Public Health.

Scheme of Delegation arising from Extraordinary Events

Where an urgent decision is required that cannot, without loss to the organisation, wait until the next Board but is outwith the normal delegated limits, the Chief Executive will consult with the Board Chair. The Board Chair, having regard to the materiality of the issue will recommend one of the following courses of action:

- call a Special Board meeting or,
- telephone consultation with the required number of Board members or,
- Board Chair's action on the matter.

Where a decision is reached either through Board chair's action or telephone consultation with a limited number of Board members the matter will be presented to the next available Board for ratification.

Integrated NHS Ayrshire & Arran Services

- Accident and Emergency
- General Medicine
- Geriatric Medicine
- Rehabilitation Medicine
- Respiratory Medicine
- Palliative Care
- All Community Hospitals (Arran, Lady Margaret, Biggart, Girvan, East Ayrshire Community Hospital, Continuing Care wards at Woodland View and Ayrshire Central Hospital)
- All Mental Health Inpatients Services (including Addictions), Psychiatric Medical Services, Eating Disorders, Forensic, Crisis Resolution and Home Treatment Team, Liaison (Adult, Elderly Learning Disabilities and Alcohol, Advanced Nurse Practitioner Services)
- Community Nursing (District Nursing)
- Community Mental Health, Addictions and Learning Disabilities (Community Mental Health Teams, Primary Care Mental Health Teams, Elderly, Community Learning Disability Teams, Addictions Community Teams)
- Allied Health Professionals
- Public Dental Services
- Primary Care (General Medical Services; General Dental Services, General Ophthalmic Services, Community Pharmacy)
- NHS Ayrshire & Arran Urgent Care Service (AUCS)
- Older People
- Palliative Care provided outwith a hospital
- Learning Disabilities Assessment and Treatment Services
- Psychology Services
- Community Continence Team
- Kidney Dialysis Service provided outwith a hospital
- Services provided by health professional which aim to promote public health
- Community Children's Services (School Nursing, Health Visiting, Looked after Children's Service) [non medical]
- Community Infant Feeding Service
- Child and Adolescent Mental Health Services
- Child Health Administration Team
- Area Wide Evening Service (Nursing)
- Prison Service and Police Custody services
- Family Nurse Partnership
- Immunisation Service
- Telehealth and Unite