**NES Board Scheme of Delegation**

RESERVATION OF POWERS AND SCHEME OF DELEGATION

* 1. Matters on which decisions on, and/or approval of, are retained by the Board:
		+ Policy,
		+ Strategy, strategic risk and setting risk appetite, delivery plan and budgets,
		+ Standing Orders,
		+ Standing Financial Instructions,
		+ The establishment, terms and reference and reporting arrangements for all Committees and Sub Committees (including Standing Committees),
		+ Significant items of Capital Expenditure or disposal of assets,
		+ Recommendations from all Committees and Sub-Committees (Where powers are Delegated),
		+ Annual Report and Annual Accounts,
		+ Overall financial and performance reporting arrangements,
		+ Strategic Stakeholder Engagement plan and
		+ Constitution and Terms of Reference for statutory Committees.
	2. Powers delegated by the Board to the Standing Committees and the executives are detailed in the table below:

| **Delegated Issue and Scope of Delegation** | **Individual Responsible**  | **Deputy** |
| --- | --- | --- |
| 1. Chair all Board meetings and associated responsibilities
 | Chair | Vice Chair |
| 1. Standing Committees Board delegated Strategic Key Performance Indicators and Strategic Risks
 | Committee Executive/Director Lead | Committee Executive Lead nominated deputy Director/Associate Director  |
| 1. Risk Management
 | Chief Executive | Executive Director of Finance  |
| 1. Board Assurance Framework and Committee Assurance Frameworks
 | Chief Executive | Executive Director of Finance |
| 1. Demonstrate Best Value for all services
 | Chief Executive | Executive Director of Finance |
| 1. Disciplinary and Grievance arrangements
 | Chief Executive | Director of Workforce  |
| 1. Standards of business conduct for staff
 | Chief Executive | Executive Director of Finance |
| 1. Standards of Board Member Conduct
 | Chair and Chief Executive  | Deputy Chair; Deputy Chief Executives  |
| 1. Register of Interests (including gifts and hospitality)
* Board Members
* Staff
 | Chief ExecutiveChief Executive | Board Secretary & Corporate Governance LeadExecutive Director of Finance |
| 1. Approve and sign all legal documents which will be necessary in legal proceedings related to staff
 | Chief Executive | Executive Director of Workforce |
| 1. Complaints
 | Chief Executive | Director of Planning and Performance |
| 1. Freedom of Information
 | Chief Executive | Director of Planning and Performance |
| 1. Educational Quality Assurance Systems
 | Chief Executive  | Executive Director of Nursing, Midwifery and Allied Health Professionals (NMAHP) and Executive Medical Director  |
| 1. Operation of all detailed financial matters including bank accounts and banking procedures.
 | Executive Director of Finance | Deputy Director of Finance |
| 1. Implementing the Board’s financial policies and co-ordinating corrective action and ensuring detailed financial procedures and systems are prepared and documented
 | Executive Director of Finance  | Deputy Director of Finance |
| 1. Delegation of budgets
 | Chief Executive & Executive Directors | Executive Director of Finance |
| 1. Responsibility for the implementation and monitoring of budget virements
 | Executive Director of Finance  | Deputy Director of Finance |
| 1. Virement between Budgets *(Section 21.6 to 21.9 of SFIs)*
 |  |  |
| 1. Up to or equal to £25,000
 | Budget Holder  | N/A |
| 1. Up to or equal to £100,000
 | Deputy Director of Finance | Head of Finance Business Partnering |
| 1. Up to or equal to £500,000
 | Executive Director of Finance | Deputy Director of Finance |
| 1. Up to or equal to £1,000,000
 | Chief Executive (and report to the Board) | Executive Director of Finance (only if Accountable Officer is absent and report to Board)  |
| 1. Approval of expenditure for which no provision has been made in an approved budget, and which is not covered by funding under the delegated powers of virement, *(Section 6.12 & 9.2 of SFIs)*
 |  |  |
| 1. Up to or equal to £500,000
 | Executive Director of Finance | Deputy Director of Finance |
| 1. up to or equal to £1,000,000
 | Chief Executive (and report to the Board) | Executive Director of Finance (only if Accountable Officer is absent and report to Board) |
| 1. Approval to spend funds within delegated limits: *[Section 21.4 of SFIs]*
 |  |  |
| 1. Up to the level of their designated authority, which shall be no greater than £10,000
 | Designated Directorate Administrator, Coordinator, Officer | Nominated authoriser as per the PECOS matrix  |
| 1. Up to or equal to £25,000
 | Senior Managers and Associate Directors | Nominated authoriser as per the PECOS matrix  |
| 1. Up to or equal to £50,000
 | Associate Directors and Deputy Directors | Senior Managers and Associate Directors  |
| 1. Up to or equal to £250,000
 | Directors and Executive Medical Director  | Associate Directors and Deputy Directors. |
| 1. Up to or equal to £500,000
 | Executive Director of Finance | Deputy Director of Finance |
| 1. Contractual and other commitments over £500,000
 | Chief Executive | Executive Director of Finance |
| 1. Recording and monitoring of payments under the losses and compensation regulations
 | Executive Director of Finance | Deputy Director of Finance |
| 1. Approval of Losses within delegated limits set by Scottish Government *[Section 12.5 of SFIs]:*
 | Chief Executive | Executive Director of Finance |
| 1. Procedures for the procurement, ordering and receipt of goods
 | Executive Director of Finance | Head of Procurement  |
| 1. **Approval to sign contracts on behalf of the Board** *(Section 21.3 of SFIs):* **First signatory**
 |  |  |
| 1. Up to or equal to £10,000 based on individual delegated authority level
 | Designated Directorate officers  | Designated Directorate officers  |
| 1. Up to or equal to £25,000
 | Designated Senior Managers and Associate Directors | Designated Senior Managers and Associate Directors |
| 1. Up to or equal to £50,000
 | Associate Directors and Deputy Directors. | Designated Senior Managers and Associate Directors |
| 1. Over £50,000
 | Directors and Executive Medical Director | Associate Directors and Deputy Directors. |
| 1. **Approval to sign contracts on behalf of the Board** *(Section 21.3 of SFIs)*: **Second Signatory**
 |  |   |
| 1. Up to or equal to £150,000 based on individual delegated authority level
 | Procurement Officer  | Procurement Officer  |
| 1. Up to or equal to £250,000
 | Procurement Manager | Procurement Officer  |
| 1. Up to or equal to £500,000
 | Head of Procurement | Procurement Manager |
| 1. Up to or equal to £1,000,000
 | Executive Director of Finance | Deputy Director of Finance plus Director of Commissioning Area |
| 1. Unlimited
 | Chief Executive | Executive Director of Finance |
| 1. **Approval to sign Service Level Agreements on behalf of the Board:** *(Section 21.2 of SFIs)*
 |  |  |
| 1. Up to or equal to £25,000
 | Senior Managers and Assistant Directors | N/A |
| 1. Up to or equal to £50,000
 | Associate Directors and Deputy Directors. | Senior Managers and Assistant Directors |
| 1. Up to or equal to £250,000
 | Directors and Executive Medical Director | Associate Directors and Deputy Directors. |
| 1. Up to or equal to £500,000
 | Executive Director of Finance | Deputy Director of Finance |
| 1. Over £500,000
 | Chief Executive | Executive Director of Finance (only if Accountable Officer is absent and report to the Board) |
| 1. Payment of staff
 | Executive Director of Finance  | Deputy Director of Finance  |
| 1. Procedures for the payment of travel, subsistence, study course and other expenses
 | Executive Director of Finance | Deputy Director of Finance  |
| 1. Procedures for the payment of accounts including Payments on Behalf (PoB) to other Boards
 | Executive Director of Finance  | Deputy Director of Finance  |
| 1. Management of Non-Exchequer funds
 | Executive Director of Finance  | Deputy Director of Finance |
| 1. Management of Capital Schemes
 | Executive Director of Finance | Deputy Director of Finance |
| 1. Liaison with Internal and External Audit services
 | Executive Director of Finance  | Deputy Director of Finance |
| 1. Issuing Tenders
 | Executive Director of Finance  | Head of Procurement |
| 1. Receiving and Opening of Tenders
 | Executive Director of Finance  | Authorised personnel |
| 1. Waiving of Competitive Tendering (in specific, limited circumstances) (*Section 11.8 – 11.9 of SFIs)*
 | Executive Director of Finance | Head of Procurement |
| 1. Up to or equal to £50,000
 | Head of Procurement | Procurement Manager |
| 1. greater than £50,000
 | Executive Director of Finance | Deputy Director of Finance |
| 1. Devise and maintain systems of budgetary control
 | Executive Director of Finance | Deputy Director of Finance |
| 1. Preparing the Annual Accounts and the Annual Report
 | Executive Director of Finance | Deputy Director of Finance |
| 1. Signing the Annual Accounts and Annual Report
 | Chief Executive (CEO)/ Accountable Officer (AO) and Executive Director of Finance (statement of Financial Position) | In the absence of the Accountable Officer the Accounts can be delayed until the AO is available to sign them |
| 1. Banking Arrangements
 | Executive Director of Finance | Deputy Director of Finance |
| 1. Risk Management Processes
 | Executive Director of Finance  | Director of Planning and Performance |
| 1. Management and control of technology systems and facilities including data protection
 | Director of NES Technology  | Deputy Director Technology |
| 1. Investigate any suspected cases of fraud and other irregularity
 | Fraud Liaison Officer (Deputy Director of Finance)  | Head of Governance and Operational Services (Finance) |
| 1. Review, appraise and report in accordance with NHS Internal Audit Manual and best practice
 | Chief Internal Auditor | N/A |
| 1. Information Governance including Cybersecurity
 | Director of NES Technology  | Deputy Director of Technology |
| 1. Caldicott Guardianship
 | Postgraduate Dental Dean and Director of Dentistry  | Director of Social Care |
| 1. Human Resource (HR) Management
 | Director of Workforce | Associate Director of HR |
| 1. Procedures for employment of staff
 | Director of Workforce | Associate Director of HR |
| 1. Leave: annual, compassionate, special leave and leave without pay.
 | Director of Workforce | Associate Director of HR |
| 1. Grievance and disciplinary procedures for staff
 | Director of Workforce | Associate Director of HR |
| 1. Any redundancy situation leading to contractual entitlement to a payment in excess of £95,000 *(Section 9.53 & 9.55 of SFIs)*
 | Remuneration Committee and Chief Executive as Accountable Officer | N/A |
| 1. Chair of Consultant Discretionary Points Panel (non-voting)
 | Director of Workforce | Associate Director of Workforce |
| 1. Health and Safety arrangements
 | Director of Workforce | Associate Director of Workforce  |
| 1. Whistleblowing
 | Chief Executive | Director of Planning and Performance |
| 1. Emergency Climate Change and Sustainability
 | Executive Director of Finance  | Clinical Lead for Climate Emergency and Sustainability  |
| 1. Responsible for security of the Board’s property, avoiding loss, exercising economy and efficiency in using resources and conforming Standing Orders, Financial Instructions and Procedures.
 | All members and employees of NES. | N/A |

NES

DT/LH

February 2024