**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 Executive  Chief Executive | Board Secretary & Corporate Governance Lead  Executive 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

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February 2024