



RESERVATION OF POWERS TO THE TRUST BOARD

Reviewed at Audit Committee 24 February 2021

POWERS RESERVED FOR THE TRUST BOARD

1. Code of Accountability

- 1.1 The Code of Conduct and Accountability which has been adopted by the Trust requires the Board Members to determine those matters on which decisions are reserved to it and to ensure that management arrangements are in place to enable the clear delegation of its other responsibilities.

2. General Enabling Provision

- 2.1 The Trust Board may determine any matter it wishes at a full meeting within its Standing Orders and statutory powers.

3. Regulation and Control

- 3.1 The Trust Board remains accountable for all of its functions, including those which have been delegated, and would therefore expect to receive information about the exercise of delegated functions to enable it to maintain a monitoring role.
- 3.2 All powers of the Trust which have not been retained as reserved by the Trust Board or delegated to a Board Committee shall be exercised on behalf of the Board by the Chief Executive. The Scheme of Delegation identifies any functions which the Chief Executive shall perform personally and those delegated to other directors or officers. All powers delegated by the Chief Executive can be re-assumed by their self should the need arise.
- 3.3 The Scheme of Delegation shows only the "top level" of delegation within the Trust. The Scheme is to be used in conjunction with the system of budgetary control and other established procedures within the Trust.
- 3.4 Approval, suspension, variation or amendment of Standing Orders, Standing Financial Instructions, Schedule of Matters Reserved to the Trust Board, and the Scheme of Delegation of Powers from the Board to officers.

- 3.5 Specification of financial and performance reporting arrangements.
- 3.6 Requiring and receiving the declaration of Directors' interests which may conflict with those of the Trust and determining the extent to which that Director may remain involved with the matter under consideration.
- 3.7 To receive reports from committees, including those which the Trust is required by the Secretary of State or other regulation to establish, and to take appropriate action thereon.
- 3.8 Ratifications of any urgent decisions taken by the Chair.
- 3.9 Approval of arrangements relating to the discharge of the Trust's responsibilities as a corporate trustee for funds held on Trust.

4. Appointments

- 4.1. Appointment and agreement of the terms of reference of Board Committees.
- 4.2 Through the Remuneration Committee appoint, appraise, discipline and dismiss individuals directly accountable to the Board.
- 4.3 Appoint vice chair of the Board.

5. Policy Determination

- 5.1 Approval of all policies is delegated to the Trust's management executive.
- 5.2 Approval of strategy, business plans and budgets.
- 5.3 Approval of the Trust's Annual Plan prior to submission to NHSI.

6. Direct Operational Decisions

- 6.1 Approval of the acquisition, disposal or change of use of land and/or buildings as specified in the table of financial limits as delegated within the Scheme of Delegation.
- 6.2 Approval of transactions with a value in excess of that currently specified in the table of financial limits as delegated within the Scheme of Delegation.
- 6.3 Agreement of action on litigation against or on behalf of the Trust with the exception, of clinical negligence payments, is delegated to the Director of Finance & Commissioning.
- 6.4 Approval of loans taken out with repayment periods in excess of one year.

7. Financial and Performance Reporting Arrangements

- 7.1 Continuous appraisal of the affairs of the Trust by means of the receipt of reports as it sees fit from Directors, committees and officers of the Trust.
- 7.2 Approval of the Trust's Annual Report, including the Annual Accounts and Annual Governance Statement, prior to submission to Department of Health.
- 7.3 Approval of the Trust's Quality Account, prior to submission to Department of Health.
- 7.4 Receipt and approval of the Annual Report(s) for funds held on trust.

8. Governance Arrangements

- 8.1 Assurance Framework: Provide evidence that the Trust is doing "its responsible best" to manage itself to meet its objectives and protect patients, staff, and the public and other stakeholders against risks of all kinds.

9. Scheme of Delegation to Officers

9.1 Delegated matters in respect of decisions which may have a far reaching effect must be reported to the Chief Executive. The delegation shown within the Scheme of Delegation is the lowest level to which authority is delegated. Delegation to lower levels is only permitted with written approval of the Chief Executive who will, before authorising such delegations, consult with other Senior Officers as appropriate. Each Director is responsible for the delegation within their Directorate. They should produce a scheme of delegation for matters within their Directorate. All items concerning finance must be carried out in accordance with Standing Financial Instructions and Standing Orders of the Trust Board.

APPROVED BY TRUST BOARD: 11 March 2020