

SCHEME OF RESERVATION AND DELEGATION

1 INTRODUCTION

1.1. The arrangements made by the Group as set out in this Scheme of Reservation and Delegation of decisions shall have effect as if incorporated in the Group’s Constitution.

PART 1 – DUTIES OF THE SOMERSET CLINICAL COMMISSIONING GROUP MEMBERSHIP AND RESERVED TO THE SOMERSET CLINICAL COMMISSIONING MEMBERSHIP

Source	Duties
Cons 1.4	Application to the NHS England, via the Governing Body, to amend and /or make variations to the Constitution.
SO 2.3.3 (a)	Participate in the election of Commissioning Locality delegates to the Clinical Executive Committee.
Cons 7.1.1 (c), 7.5.1	Attend the Annual General Meeting at which the annual report is presented to the public.
Cons 7.1.1	Nominate a clinical representative to act as the key contact for communication between the practice and their Commissioning Locality, their Commissioning Locality delegate, and/or directly with the Clinical Executive Committee / Governing Body as appropriate.
Cons 7.1.1 (a-c)	Engage in the work of the Group through their local Commissioning Locality and consider and respond to consultation on significant changes, the annual operating plan.

**PART 2 – DUTIES AND DECISIONS DELEGATED BY THE SOMERSET
CLINICAL COMMISSIONING GROUP MEMBERSHIP AND RESERVED TO THE
GOVERNING BODY**

Source	Duties
	General Enabling Provision
	The Governing Body may determine in full session any matter for which it has statutory or delegated authority.
	Corporate Governance
CoC	All Governing Body members and Clinical Executive Committee members must subscribe to Code of Conduct.
CoC	The Governing Body must ensure that high standards of corporate governance and personal behaviour are maintained in the conduct of the business of the whole organisation.
	Governing Body members share corporate responsibility for all decisions of the Governing Body.
	The Governing Body must act within statutory, financial and other constraints.
CoC	The Governing Body must comply with legislation and guidance issued by the National Commissioning Board on behalf of the Secretary of State, respect agreements entered into by themselves or on their behalf, and establish terms and conditions of service that are fair to the staff and represent good value for taxpayers' money.

- In this section CoC means the Codes of Conduct and Accountability, SO means Standing Orders, DFP means Detailed Financial Policies, PFP means Prime Financial Policies and Cons means Constitution

	Regulation and Control
SO 3.2.46	Adopt, periodically review, vary and amend Standing Orders and Financial Policies.
SO 3.2.40	Suspend Standing Orders.
SO 4.4	Approve or otherwise any urgent decisions taken by the Chair of the Group and the Accountable Officer.

SO 1.1.4 and SO 5.1	Receive reports of failures to comply with the Standing Orders brought to the Accountable Officer's attention and ratify or otherwise those decisions.
	Receipt and approval of the Group's annual report and annual accounts.
SO 6.1.3	Authorise use of the common seal of the Group, and receive reports on sealings.
	Probity
Cons 8.1 – 8.4.13	Require and receive the declaration of Governing Body members' interests which may conflict with those of the Group and, taking account of any waiver which the Secretary of State for Health may have made in any case, determining the extent to which that member may remain involved with the matter under consideration.
SO 1.1.4 CoC	Discipline members of the Governing Body or Clinical Executive Committee or employees who are in breach of statutory requirements, SOs or the Codes of Conduct.
DFP	Approve a procedure for declaration of gifts, hospitality and sponsorship.
CoC	Ensure proper and widely publicised procedures for voicing complaints, concerns about maladministration, breaches of Code of Conduct, and other ethical concerns.
	Management Arrangements
SO 4.2.3	Establish any committees.
SO 4.2.3	Approve terms of reference, membership and reporting arrangements of all committees that are established by the Governing Body (including those it is required to establish by the Secretary of State), and receive reports from those committees. (The Accountable Officer may approve the constitution and terms of reference of sub-committees.)
Cons 6.1 – 6.3.2	Adopt a schedule of decisions reserved to the Governing Body or Clinical Executive Committee.
SO 5.1	Approve the formal delegation of powers to its committees, sub-committees or joint committees.

	Receipt of such reports as the Governing Body sees fit from committees in respect of its exercise of powers delegated, and confirmation of the recommendations of committees which do not have executive powers.
	Confirm the appointment of members of any committee of the Group as representatives on outside bodies.
CoC	Ensure that management arrangements are in place to enable responsibility to be clearly delegated to senior executives for the main programmes of action and for performance against programmes to be monitored and senior executives held to account.
SO 4 Cons 6	Adopt the organisation structures, processes and procedures to facilitate the discharge of business by the Group and to agree modifications thereto.
	Appointments, Staffing and Remuneration
SO 2	Appoint a Deputy-Chair.
CoC	Appoint and dismiss members of committees.
CoC	Appoint, appraise and remunerate officer members and senior executives.
DFP	Approve proposals of the Remuneration Committee regarding the Accountable Officer, Chief Finance Officer and other senior employees.
DFP	Approve proposals presented by the Accountable Officer for setting of remuneration and conditions of service for those employees and officers not covered by the Remuneration Committee.
DFP	Approve management policies including personnel policies incorporating the arrangements for the appointment, removal and remuneration of staff.
	Financial stewardship
CoC	Ensure effective financial stewardship through value for money, financial control and financial planning and strategy.
	Establish performance and quality measures that maintain the effective use of resources and provide value for money.

	Specify requirements in organising and presenting financial and other information succinctly and efficiently to ensure the Governing Body can fully undertake its responsibilities.
DFP	Confirm the appointment (and where necessary dismissal) of external auditors and action.
	Receive the annual management letter received from the External Auditor, taking account of the advice, where appropriate, of the Audit Committee.
DFP	Receive an annual report from the Internal Auditor and agree action on recommendations where appropriate of the Audit Committee.
PFP 17	Approve the level of non-pay budgets on an annual basis.
DFP	Approve proposals on individual contracts (other than NHS contracts) of a capital or revenue nature amounting to, or likely to amount to over £1,000,000 over a 3 year period or the period of the contract if longer.
DFP	Approve proposals in individual cases for the write off of losses or making of special payments above the limits of delegation to the Accountable Officer and Chief Finance Officer (for losses and special payments) previously approved by the Governing Body.
DFP	Ratify proposals for acquisition, disposal or change of use of land and/or buildings.
DFP	Approve the use of PFI.
	Strategy
CoC	On the recommendation of the Clinical Executive Committee, ratify the strategic direction of the organisation within the overall policies and priorities of the Government and the NHS, define its annual and longer term objectives and agree plans to achieve them.
CoC	Oversee the delivery of planned results by monitoring performance against objectives and ensuring corrective action is taken when necessary.
DFP	Approve (with any necessary appropriate modification) the Group's annual operating plan.
DFP	Approve plans in respect of the application of available financial resources to support the agreed annual operating plan.

	Approve proposals for ensuring quality and developing clinical governance in services provided by the Group or its constituent practices, having regard to any guidance issued by the Secretary of State.
	Approve (with any necessary appropriate modification) the Group's annual commissioning strategy or plan.
DFP	Approve Outline and Final Business Cases for Capital Investment if this represents a variation from the Plan.
	Risk Management
DFP	Approve and monitor risk management programme, and the Group's policies and procedures for the management of risk
DFP	Decide whether the Group will use the risk pooling schemes administered by the NHS Litigation Authority or self-insure for some or all of the risks (where discretion is allowed). Decisions to self-insure should be reviewed annually.
DFP	Approve proposals for action on litigation against or on behalf of the Group.
DFP	Approve individual compensation payments.
	Corporate Trusteeship and Patient's Property
DFP	Approve arrangements relating to the discharge of the Group's responsibilities as a corporate trustee for funds held on trust.
DFP	Receipt and approval of the annual report and accounts for funds held on trust.
DFP	Approve arrangements relating to the discharge of the Group's responsibilities as a bailee for patients' property.

PART 3 - DUTIES AND DECISIONS DELEGATED BY THE GOVERNING BODY TO, AND RESERVED BY, THE CLINICAL EXECUTIVE COMMITTEE

<p>Cons 6.5.2</p>	<p>The Clinical Executive Committee has delegated powers of responsibility from the Governing Body to:</p> <ul style="list-style-type: none"> • responsible for developing the CCG strategy, clinical and other policies, and operational plans for consideration and approval by the Governing Body • within the strategic and operational planning framework agreed by the Governing Body, the Clinical Executive Committee is the primary decision making body responsible for delivery of these plans. It is held to account for progress against these plans • to oversee and performance manage clinical commissioning teams and to receive updates on key areas of responsibility • to oversee and performance manage all operational, financial, clinical and risk management issues • to oversee and performance manage the quality of commissioned services, quality being defined as clinically effective, personal and safe care • to ensure that the patient’s view has been effectively considered in commissioning decisions made by the group • to receive reports on statutory corporate responsibilities including Information Governance, Emergency Preparedness, Health and Safety and workforce and inform the Governing Body on recommendations or areas of concern

PART III – DUTIES OF INDIVIDUAL MEMBERS, OFFICERS AND COMMITTEES

THE CHAIR AND VOTING NON EXECUTIVE MEMBERS OF THE GOVERNING BODY

Source	Duties
	The Chair and Voting Non Executive Members of the Governing Body
Cons 7.6	The Chair must implement the requirements of corporate governance.
CoC	The Chair and voting non executive Members of the Governing Body are responsible for monitoring the executive management of the organisation and are responsible to the National Commissioning Board for the discharge of those responsibilities.
CoC Cons 7.6	The Chair must provide leadership to the Governing Body.
CoC Cons 7.6	The Chair must enable all Governing Body members to make a full contribution to the Governing Body's affairs and ensure that the Governing Body acts as a team.
CoC SO 3.3.13	The Chair must ensure that key and appropriate issues are discussed by the Governing Body in a timely manner.
CoC	The Chair must ensure the Governing Body has adequate support and is provided efficiently with all the necessary data on which to base informed decisions.
Cons 3.3.23	The Chair is the final authority in interpretation of Standing Orders.
SO 2.3.3 (c)	The Governing Body shall appoint the Chair of the Clinical Executive Committee, upon nomination by that Committee.
SO 2.3.3 (e)	The Chair in consultation with the National Commissioning Board shall determine the arrangements for the appointment of the Accountable Officer.
SO 2.3.3	The Chair in consultation with the Accountable Officer shall determine the arrangements for the appointment of the Executive Management Team including the Chief Finance Officer.
SO 2.3.3 (a)	The Chair in consultation with the Accountable Officer will determine the arrangements for the appointment of Member Practice representative delegates and other non executive members to the Governing Body.

Source	Duties
SO 4.4	The powers which the Governing Body has retained to itself within the Standing Orders and Scheme of Reservation and Delegation may in emergency be exercised by the Chair and Accountable Officer after having consulted the Lay Deputy Chair.
	Remuneration and Audit
CoC SO 2.3.3	The Chair must lead voting non executive members of the Governing Body, through a formally appointed Remuneration Committee of the main Governing Body, on the appointment, appraisal and remuneration of the Accountable Officer and (with the latter) other executive Governing Body members.
CoC	The Chair must ensure the appointment by the Governing Body of members of the Governing Body to an Audit Committee of the main Governing Body.
	Governing Body Meetings
SO 3.2.2, 3.3.2	The Chair is responsible for calling Governing Body meetings.
SO 3.3.2	The Chair may issue guidance to the public on the conduct of the public questions session.
SO 3.3.20	The Chair should Chair all Governing Body meetings and associated responsibilities.
SO 3.3.23	The Chair shall give a final ruling on questions of order, relevancy and regularity of meetings.
SO 3.3.33	The Chair has a second or casting vote.
	Other
DFP	A member shall be nominated to be responsible to the Governing Body for NHS Security Management.

ALL COMMITTEES

Source	Duties
Cons 8	The Chair of a Committee must ensure the making of a declaration on a declared interest.

THE AUDIT COMMITTEE

Source	Duties
DFP	The Audit Committee will advise the Governing Body on internal and external audit services.
DFP	The Audit Committee will review the establishment and maintenance of an effective system of integrated governance, risk management and internal control, across the whole of the organisation's activities (both clinical and non-clinical, provider and commissioner), that supports the achievement of the organisation's objectives.
DFP	The Audit Committee will monitor compliance with Standing Orders and Financial Policies.
DFP	The Audit Committee will review schedules of losses and compensations and making recommendations to the Governing Body.
DFP	The Audit Committee will review the annual financial statements prior to submission to the Governing Body.
SO 3.2.44	The Audit Committee shall review every decision to suspend Standing Orders (power to suspend Standing Orders is reserved to the Governing Body).
DFP	The Audit Committee shall provide independent and objective view on internal control and probity.
DFP	Where Audit Committee considers there is evidence of ultra vires transactions or improper acts the Chair of the Audit Committee shall raise the matter at the Governing Body meeting.
DFP	The Audit Committee shall ensure cost-effective External Audit.
DFP	The Audit Committee shall receive reports where it is decided that competitive tendering is not applicable and should be waived.

THE REMUNERATION COMMITTEE

Source	Duties
<p>Cons 6.5.3 (b)</p> <p>DFP</p>	<p>The Remuneration Committee shall advise the Governing Body on and make recommendations on the remuneration and terms of service (including salary, any performance-related elements/bonuses, other benefits including pensions and cars, and contractual terms and termination of employment) of the Accountable Officer, other officer members and senior employees to ensure they are fairly rewarded having proper regard to the Group's circumstances and any national agreements.</p>
<p>DFP</p>	<p>The Remuneration Committee shall make recommendations to the Governing Body on any proposed remuneration for individual Clinical Executive Committee Members for specific work in addition to their COG role, so as to ensure that the individual is fairly rewarded for their individual contribution to Somerset Clinical Commissioning Group while having proper regard to the organisation's circumstances and performance, and to the requirements of fair and open tendering or recruitment policies.</p>
<p>DFP</p>	<p>The Remuneration Committee shall monitor and evaluate the performance of individual senior employees and make recommendations to the Governing Body on the remuneration and terms of service of senior employees to ensure they are fairly rewarded for their individual contribution to the Somerset Clinical Commissioning Group - having proper regard to the Somerset Clinical Commissioning Group's circumstances and performance and to the provisions of any national arrangements for such staff.</p>
<p>DFP</p>	<p>The Remuneration Committee shall advise on and oversee appropriate contractual arrangements for such staff, including proper calculation and scrutiny of termination payments.</p>
<p>DFP</p>	<p>The Remuneration Committee shall report in writing to the Governing Body its advice and its bases about remuneration and terms of service of the Accountable Officer, Chief Finance Officer and other senior employees.</p>

QUALITY AND SAFETY COMMITTEE

Source	Duties
<p>Cons 6.5.2</p> <p>DFP</p>	<p>The Quality and Safety Committee has delegated powers of responsibility from the Governing Body to:</p> <ul style="list-style-type: none"> • promote a culture within Somerset Clinical Commissioning Group that focuses on Patient Safety and Quality Improvement • provide assurance on all NHS Provider services governance arrangements and patient safety performance, through receiving exception reports on quality and safety issues, patient experience and safeguarding concerns and alerts for health services. The Committee will report areas of concerns and quality improvement to the Somerset Clinical Commissioning Group Governing Body • monitor serious incidents, incidents and action plans linked to key areas of responsibility where Somerset Clinical Commissioning Group: <ul style="list-style-type: none"> ○ are Lead Commissioners ○ have statutory responsibility ○ or where responsibility falls directly to Somerset Clinical Commissioning Group for improving the quality of services • to ensure that key themes and lessons learned from serious incidents, safeguarding, domestic homicide reviews and significant event audits are identified and shared across all NHS providers for continuous quality improvement of service provision and to prevent re-occurrence • to monitor mortality data and review findings, including Learning Disability Mortality Reviews (LeDeR) and the implementation of improvement actions • monitor progress in promoting harm free care across all NHS providers to include a focus on organisational actions to reduce pressure ulcer incidence, falls, health care acquired infection and medication incidents • receive assurance from the Clinical Executive Committee that service strategy and redesign have prioritised quality and safety alongside service delivery efficiency

Source	Duties
	<ul style="list-style-type: none"> • review service and pathway redesign proposals and make recommendations about patient safety concerns and outcome of quality impact assessments to the Clinical Executive Committee • receive focussed subject matter reports from the Clinical Executive Committee as required, with evidence that quality and patient safety issues and safeguarding alerts in respect of health services are fully considered, risks identified and reduced or mitigated • have oversight of the CCGs providers integrated quality dashboard and request attendance of providers, as required • provide a forum for representatives from the Finance and Performance, Strategic Clinical Services Transformation, Commissioning and Governance, and Quality, Safety and Engagement directorates to work collaboratively with members of the Committee to provide assurance around patient safety/quality improvement aspects of the Health and Care Strategy • receive reports on the CCGs duty to promote quality improvement in primary care. Assurance for quality and safety in primary care is currently discharged through the Joint Committee for Primary Care • receive reports on patient experience of NHS services from patient surveys, real time feedback, Friends and Family test and complaints and PALS enquiries and Health Watch to identify lessons learned and inform commissioning • ensure engagement with GP Federations and practices, and establish feedback mechanisms so that lessons learnt from complaints and incidents are shared in order to improve and inform services • to receive reports on the quality and safety of services jointly commissioned with Somerset County Council

FINANCE AND PERFORMANCE COMMITTEE

Source	Duties
<p>Cons 6.5.2</p> <p>DFP</p>	<p>The Finance and Performance Committee has delegated powers of responsibility from the Governing Body to:</p> <ul style="list-style-type: none"> • reviewing the financial and service performance of the Clinical Commissioning Group against statutory financial targets, financial control targets and the annual commissioning plan • reviewing the Clinical Commissioning Group’s financial, performance and improving value schemes (QIPP) agenda and provide assurance to the Board in the delivery against annual plans • reviewing performance improvement plans, identifying areas for further improvement or commissioner actions and monitors trajectories towards improvement • monitoring the overall process of financial planning across the system and reviewing through the 5 year financial plan • where finance and performance issues are raised then these will be highlighted to the Clinical Executive Committee, A&E Delivery Board and Elective Care Delivery Board to agree actions and mitigations (via the Clinical Commissioning Group’s Chief Officer) to rectify the issue • ensure that the Committee agenda and papers take into account the risks on the Board Assurance Framework (BAF) and risk registers. The Committee will wish to be assured that matters of risk are being effectively managed.

CLINICAL EXECUTIVE COMMITTEE

Source	Duties
<p>Cons 6.5.2</p> <p>DFP</p>	<p>The Clinical Executive Committee has delegated powers of responsibility from the Governing Body to:</p> <ul style="list-style-type: none"> • responsible for developing the CCG strategy, clinical and other policies, and operational plans for consideration and approval by the Governing Body • within the strategic and operational planning framework agreed by the Governing Body, the Clinical Executive Committee is the primary decision making body responsible for delivery of these plans. It is held to account for progress against these plans • to oversee and performance manage clinical commissioning teams and to receive updates on key areas of responsibility • to oversee and performance manage all operational, financial, clinical and risk management issues • to oversee and performance manage the quality of commissioned services, quality being defined as clinically effective, personal and safe care • to ensure that the patient's view has been effectively considered in commissioning decisions made by the group • to receive reports on statutory corporate responsibilities including Information Governance, Emergency Preparedness, Health and Safety and workforce and inform the Governing Body on recommendations or areas of concern

PRIMARY CARE COMMISSIONING COMMITTEE

Source	Duties
Cons 6.4	<p>The role of the Committee shall be to carry out the functions relating to the commissioning of primary medical services under section 83 of the NHS Act. This includes the following:</p> <ul style="list-style-type: none"> • GMS, PMS and APMS contracts (including the design of PMS and APMS contracts, monitoring of contracts, taking contractual action such as issuing branch/remedial notices, and removing a contract); • Newly designed enhanced services (“Local Enhanced Services” and “Directed Enhanced Services”); • Design of local incentive schemes as an alternative to the Quality Outcomes Framework (QOF); • Decision making on whether to establish new GP practices in an area; • Approving practice mergers; and • Making decisions on ‘discretionary’ payment (e.g. returner/retainer schemes). <p>The committee will also carry out the following activities:</p> <ul style="list-style-type: none"> • Plan, commission and deliver primary medical services for the population of Somerset • Make primary care commissioning decisions; contribute to the development of the primary care strategy, ensuring recommendations are in line with the CCG Governing Body’s Health and Care Strategy, • Oversee the implementation and delivery of the primary care strategy and work plan • To secure the provision of comprehensive and high quality primary medical service in Somerset • To co-ordinate a common approach to the commissioning of primary care services generally • To make decisions on investment on the infrastructure of primary medical services, to ensure adequate and high quality provision as well as value for money for the public. • Undertake reviews of primary medical services in Somerset • To manage the commissioning budget for primary medical services in Somerset • Provide oversight across a number of functions, including but not limited to: Primary Care Workforce; Primary Care Premises; Primary Care Information Management and Technology (IM&T); Primary Care Networks

**SCHEME OF DELEGATION
DUTIES DELEGATED TO THE ACCOUNTABLE OFFICER**

Source	Duties
	Corporate Governance
	The Accountable Officer has overall responsibility for the Group's activities.
	The Accountable Officer should observe, and promote the observance by all staff, of the Codes of Conduct and Accountability.
	The Accountable Officer is accountable to the Governing Body for ensuring that its decisions are implemented, that the organisation works effectively, in accordance with Government policy and public service values and for the maintenance of proper financial stewardship.
	The Accountable Officer should be allowed full scope, within clearly defined delegated powers, for action in fulfilling the decisions of the Governing Body.
	The other duties of the Accountable Officer are laid out in the Accountable Officer Memorandum.
	The Accountable Officer, supported by the Chief Finance Officer, should ensure appropriate advice is given to the Governing Body and Clinical Executive Committee on all matters of probity, regularity, prudent and economical administration, efficiency and effectiveness.
	If the Accountable Officer considers the Governing Body, Chair or Clinical Executive Committee is doing something that might infringe probity or regularity, they should set this out in writing to the Chair and the Governing Body. If the matter remains unresolved, the Accountable Officer should request an inquiry by the Audit Committee and also by the NHS England and Department of Health if necessary.
	The powers which the Governing Body has retained to itself within these Standing Orders and the Schedule of Reservation of Powers may in emergency be exercised by the Chair and Accountable Officer after having consulted at least two voting Members of the Governing Body.
	The Accountable Officer shall maintain Register(s) of Interests.
	The Accountable Officer shall ensure that all existing and newly appointed members, officers and employees understand their responsibilities under Standing Orders and Financial Policies.

Source	Duties
DFP	The Accountable Officer shall prepare a risk management programme for approval by the Governing Body.
	Management Arrangements
	The Accountable Officer shall prepare a Scheme of Delegation identifying his proposals for delegating his powers, which shall be considered and approved by the Governing Body, subject to any amendment agreed during the discussion.
	The Accountable Officer in agreement with the Chair will nominate a Deputy who can act as the designated officer for an agreed period of time if required.
	Financial Stewardship
	The Accountable Officer is accountable, through the NHS Accounting Officer, to Parliament for stewardship of Somerset Clinical Commissioning Group resources.
CoC	The Accountable Officer shall ensure that expenditure by the Somerset Clinical Commissioning Group complies with Parliamentary requirements.
	If the Governing Body or Clinical Executive Committee is contemplating a course of action that raises an issue not of formal propriety or regularity but affects the Accountable Officer's responsibility for value for money, the Accountable Officer should draw the relevant factors to the attention of the Governing Body and Clinical Executive Committee. If the outcome is that the Accountable Officer is overruled, it is normally sufficient to ensure that the advice and the overruling of it are clearly apparent from the papers. Exceptionally, the Accountable Officer should inform The NHS England and the Department of Health. In such cases, the Accountable Officer should as a member of the Governing Body vote against the course of action rather than merely abstain from voting.
DFP	The Accountable Officer is responsible to the Somerset Clinical Commissioning Group for ensuring that it stays within its resource limit.
DFP	The Accountable Officer (with the Chief Finance Officer) is accountable for financial control but will, as far as possible, delegate their detailed responsibilities.
DFP	The Accountable Officer is responsible to ensure financial targets and obligations are met and have overall responsibility for the Governance Statement.

Source	Duties
	The Accountable Officer (with the Chief Finance Officer) must ensure the accounts of the Somerset Clinical Commissioning Group are prepared under principles and in a format directed by the Secretary of State for Health. Accounts must disclose a true and fair view of the Somerset Clinical Commissioning Group's income and expenditure and its state of affairs.
	The Accountable Officer (with the Chief Finance Officer) shall sign the accounts on behalf of the Governing Body.
	The Accountable Officer shall sign a statement in the accounts outlining responsibilities as the Accountable Officer.
	The Accountable Officer shall sign a statement in the accounts outlining responsibilities in respect of internal control.
	<p>The Accountable Officer shall ensure effective management systems that safeguard public funds and assist Somerset Clinical Commissioning Group Chair to implement requirements of corporate governance including ensuring managers:</p> <ul style="list-style-type: none"> • have a clear view of their objectives and the means to assess achievements in relation to those objectives • are 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
	The Accountable Officer shall achieve value for money from the resources available to the Somerset Clinical Commissioning Group and avoid waste and extravagance in the organisation's activities.
	The Accountable Officer shall follow through the implementation of any recommendations affecting good practice as set out in reports from such bodies as the Audit Commission and the National Audit Office (NAO).
	The Accountable Officer shall use to best effect the funds available for commissioning healthcare, developing services and promoting health to meet the needs of the local population.
	The Accountable Officer shall ensure that the Chief Finance Officer discharges his functions.
DFP	The Accountable Officer shall ensure that all Governing Body members, officers and employees, present and future, are notified of and understand the Financial Policies.

Source	Duties
DFP	The Accountable Officer must ensure that any contractor or employee of a contractor who is empowered by the Somerset Clinical Commissioning Group to commit the Somerset Clinical Commissioning Group to expenditure or who is authorised to obtain income are made aware of these instructions and their requirement to comply.
DFP	The Accountable Officer and Chief Finance Officer must monitor and ensure compliance with SofS Directions on fraud and corruption including the appointment of the Local Counter Fraud Specialist.
DFP	Monitor and ensure compliance with Directions issued by the Secretary of State for Health on NHS security management including appointment of the Local Security Management Specialist.
	Annual Operating Plan and Budgets
DFP	The Accountable Officer shall compile and submit to the Governing Body an Annual Operating Plan which takes into account financial targets and forecast limits of available resources. The plan will contain: <ul style="list-style-type: none"> • a statement of the significant assumptions on which the plan is based • details of major changes in workload, delivery of services or resources required to achieve the plan
DFP	The Accountable Officer shall delegate budgets to budget holders.
DFP	The Accountable Officer shall identify and implement cost improvements and income generation activities in line with the plan.
DFP	The Accountable Officer shall submit monitoring returns.
	Tendering, Contracting and Commissioning
DFP	The Accountable Officer may waive formal tendering procedures in exceptional circumstances.
DFP	The Accountable Officer shall report waivers of tendering procedures to the Audit Committee.
DFP	The Accountable Officer shall be responsible for the receipt, endorsement and safe custody of tenders received.
DFP	The Accountable Officer shall maintain a register to show each set of competitive tender invitations despatched.

Source	Duties
DFP	Where one tender is received, the Accountable Officer and Chief Finance Officer will assess for value for money and fair price.
DFP	No tender/quotation shall be accepted which will commit expenditure in excess of that which has been allocated by the Somerset Clinical Commissioning Group and which is not in accordance with these Instructions except with the authorisation of the Accountable Officer.
DFP	The Accountable Officer will appoint a manager to maintain a list of approved firms.
DFP	The Accountable Officer and Chief Finance Officer shall ensure that appropriate checks are carried out as to the technical and financial capability of those firms that are invited to tender or quote.
DFP	The Accountable Officer may waive the requirement that quotations be in writing where written quotations are impracticable.
DFP	The Accountable Officer or his nominated officer should evaluate the quotation and select the quote which gives the best value for money.
DFP	The Accountable Officer may authorise the awarding of a contract up to a value of £1,000,000 (one million pounds).
DFP	The Accountable Officer shall nominate an officer who shall oversee and manage each contract on behalf of the Somerset Clinical Commissioning Group.
DFP	The Accountable Officer shall nominate officers with delegated authority to enter into contracts of employment, regarding staff, agency staff or temporary staff service contracts.
DFP	The Accountable Officer shall nominate officers to commission service agreements with providers of healthcare in line with a commissioning plan approved by the Governing Body.
DFP	The Accountable Officer shall be responsible for ensuring that best value for money can be demonstrated for all services provided on an in-house basis.
DFP	The Accountable Officer shall nominate an officer to oversee and manage in-house service contracts on behalf of the Somerset Clinical Commissioning Group.

Source	Duties
DFP	The Accountable Officer must ensure the Somerset Clinical Commissioning Group enters into suitable Service Level Agreements (SLAs) with service providers for the provision of NHS services.
DFP	As the Accountable Officer, the Accountable Officer shall ensure that regular reports are provided to the Governing Body detailing actual and forecast expenditure against each SLA.
DFP	As the Accountable Officer, the Accountable Officer shall ensure secondary services are commissioned in line with the AOP and reach the required standards.
DFP	As the Accountable Officer, the Accountable Officer shall ensure that all agreements for provision of services with non-NHS providers achieve quality and are cost effective.
	As the Accountable Officer, the Accountable Officer shall ensure that all contracts are assigned an officer who will manage those contracts as set out within the Leadership Model of the Somerset Clinical Commissioning Group organisational structure.
	Staffing
DFP	The Accountable Officer may approve a variation to the funded establishment of any department.
DFP	The Accountable Officer may authorise officers to appoint, engage or re-grade staff, including agency staff.
	Capital
DFP	The Accountable Officer has overall responsibility for fixed assets.
DFP	The Accountable Officer shall ensure that there is an adequate appraisal and approval process for determining capital expenditure priorities and the effect that each has on plans.
DFP	The Accountable Officer shall be responsible for the management of capital schemes and for ensuring that they are delivered on time and within cost.
DFP	The Accountable Officer shall ensure that capital investment is not undertaken without availability of resources to finance all revenue consequences.

Source	Duties
DFP	The Accountable Officer shall ensure that a business case is produced for each proposal.
DFP	The Accountable Officer shall ensure that the Chief Finance Officer has professionally certified the costs and revenue consequences detailed in the business case.
DFP	The Accountable Officer and Chief Finance Officer will ensure that the arrangements for financial control and financial audit of building and engineering contracts and property transactions comply with the guidance contained within CONCODE and ESTATECODE. The technical audit of these contracts shall be the responsibility of the relevant Officer.
DFP	The Accountable Officer shall issue procedures for management of contracts involving stage payments.
DFP	The Accountable Officer may issue the manager responsible for any capital scheme with authority to commit expenditure, authority to proceed to tender and approval to accept a successful tender.
DFP	The Accountable Officer may issue a scheme of delegation for capital investment management.
DFP	The Accountable Officer shall maintain asset registers (on advice from the Chief Finance Officer).
	Stores and Supplies
DFP	The Accountable Officer will set out a list of managers authorised to place requisitions for the supply of good and services, and the maximum level of each requisition and the system for authorisation above that level.
DFP	The Accountable Officer shall identify persons authorised to requisition and accept goods from NHS Logistics stores.
DFP	The Accountable Officer shall set out procedures on the seeking of professional advice regarding the supply of goods and services.
DFP	The Accountable Officer shall authorise who may use and be issued with official orders.
DFP	The Accountable Officer may delegate overall responsibility for control of stores (subject to Chief Finance Officer responsibility for systems of control). Further delegation for day-to-day responsibility subject to such delegation being recorded. (Good practice to append to the scheme of delegation document.)

Source	Duties
	Other
SO 6.1.1	The Accountable Officer shall keep the seal in a safe place, and maintain a register of sealing.
SO 6.2.1	The Chair, the Accountable Officer or an Officer nominated by him shall approve and sign all documents which will be necessary in legal proceedings.
DFP	The Accountable Officer is responsible for ensuring patients and guardians are informed about patients' money and property procedures on admission.
DFP	The Accountable Officer shall ensure lists of all contractors are maintained up to date and systems are in place to deal with applications, resignations, inspection of premises etc. within contractors' terms of service.
DFP	The Accountable Officer shall ensure that retention of document procedures are in place in accordance with Department of Health guidance.

**SCHEME OF DELEGATION
DUTIES DELEGATED TO THE CHIEF FINANCE OFFICER**

Source	Duties
DFP	The Chief Finance Officer (with the Accountable Officer) is accountable for financial control but will, as far as possible, delegate his detailed responsibilities.
	The Accountable Officer and Chief Finance Officer must ensure the accounts of the Somerset Clinical Commissioning Group are prepared under principles and in a format directed by the Secretary of State for Health. Accounts must disclose a true and fair view of the Somerset Clinical Commissioning Group's income and expenditure and its state of affairs.
	The Accountable Officer and Chief Finance Officer shall sign the accounts on behalf of the Governing Body.
	The Chief Finance Officer has operational responsibility for effective and sound financial management and information.
	The Accountable Officer, supported by Chief Finance Officer, must ensure appropriate advice is given to the Governing Body and Clinical Executive Committee on all matters of probity, regularity, prudent and economical administration, efficiency and effectiveness.
DFP	The Chief Finance Officer must approve of all financial procedures.
DFP	The Chief Finance Officer shall give advice on interpretation or application of the Financial Policies.
DFP	The Chief Finance Officer is responsible for implementing the Somerset Clinical Commissioning Group's financial policies and co-coordinating corrective action.
DFP	The Chief Finance Officer is responsible for maintaining an effective system of financial control including ensuring detailed financial procedures and systems are prepared and documented.
DFP	The Chief Finance Officer is responsible for ensuring that sufficient records are maintained to explain the Somerset Clinical Commissioning Group's transactions and the financial position.
DFP	The Chief Finance Officer is responsible for providing financial advice to members of Governing Body and staff.

Source	Duties
DFP	The Chief Finance Officer is responsible for maintaining such accounts, certificates etc as are required for the Somerset Clinical Commissioning Group to carry out its statutory duties.
DFP	The Chief Finance Officer is responsible for ensuring an adequate internal audit service, for which he is accountable, is provided (and involve the Audit Committee in the selection process when/if an internal audit service provider is changed.)
DFP	The Chief Finance Officer is responsible for ensuring that the Audit Committee and Governing Body receive an annual Internal Audit report.
DFP	The Chief Finance Officer shall decide at what stage to involve police in cases of misappropriation and other irregularities not involving fraud or corruption.
DFP	The Chief Finance Officer has powers to require access to documents and premises of the Somerset Clinical Commissioning Group, and to require the production of any property of the Somerset Clinical Commissioning Group and explanations as to any matter under investigation.
DFP	The Accountable Officer and Chief Finance Officer shall monitor and ensure compliance with SofS Directions on fraud and corruption including the appointment of the Local Counter Fraud Specialist.
DFP	The Chief Finance Officer will provide monthly reports to the Secretary of State for Health, ensure draw down is for approved expenditure and timely and follows best practice in Cash Management.
DFP	The Chief Finance Officer is responsible for ensuring monitoring systems are in place to enable the Somerset Clinical Commissioning Group not to exceed its limits.
DFP	The Chief Finance Officer shall periodically review assumptions, submit a report to the Somerset Clinical Commissioning Group annually showing total allocations received and their proposed distribution.
DFP	The Chief Finance Officer is responsible for regularly updating the Somerset Clinical Commissioning Group on significant changes to the initial allocation and the uses of such funds.
DFP	The Chief Finance Officer shall submit budgets to the Governing Body for approval.

Source	Duties
DFP	The Chief Finance Officer shall monitor performance against budget; submit to the Governing Body financial estimates and forecasts.
DFP	The Chief Finance Officer shall ensure adequate training is delivered on an ongoing basis to budget holders.
DFP	The Chief Finance Officer shall devise and maintain systems of budgetary control.
DFP	The Chief Finance Officer shall prepare the annual accounts and reports.
DFP	The Chief Finance Officer shall manage banking arrangements, including provision of banking services, operation of accounts, preparation of instructions and list of cheque signatories. (The Audit Committee approves arrangements.)
DFP	The Chief Finance Officer is responsible for income systems, including system design, prompt banking, review and approval of fees and charges, debt recovery arrangements, design and control of receipts, provision of adequate facilities and systems for employees whose duties include collecting or holding cash and ensuring appropriate action for the recovery of outstanding debts.
DFP	The Chief Finance Officer shall ensure that any fees paid for legal advice and services are reasonable and within commonly accepted rates for the work undertaken.
DFP	The Chief Finance Officer shall ensure that, where a supplier is chosen that is not on the approved list, the reason shall be recorded in writing to the Accountable Officer or Clinical Executive Committee.
DFP	Where one tender is received the Accountable Officer and Chief Finance Officer will assess for value for money and fair price.
DFP	The Chief Finance Officer may make enquiries as to the financial standing of approved contractors.
DFP	No quotation shall be accepted which will commit expenditure in excess of that which has been allocated except with the authorisation of either the Accountable Officer or Chief Finance Officer.
DFP	The Chief Finance Officer shall approve procedures for procurement of goods and services below £1,000.

Source	Duties
DFP	The Chief Finance Officer will maintain a system of control to ensure effective accounting of expenditure against SLAs.
DFP	The Chief Finance Officer must account for Out of Area Treatments and Non Contract Activity in accordance with national guidelines.
DFP	The Chief Finance Officer shall issue instructions in relation to payroll, is responsible for specifying timetables for submission of properly authorised time records and other notifications, shall make the final determination of pay allowances and make payroll payments on agreed dates.
DFP	The Chief Finance Officer shall ensure that the chosen method for payroll processing is supported by appropriate (contracted) terms and conditions, adequate internal controls and audit review procedures and that suitable arrangements are made for the collection of payroll deductions and payment of these to appropriate bodies.
DFP	The Chief Finance Officer is responsible for the prompt payment of properly authorised accounts and claims.
DFP	The Chief Finance Officer shall advise the Governing Body regarding the setting of thresholds above which quotations (competitive or otherwise) or formal tenders must be obtained; and, once approved, the thresholds should be incorporated in Standing Orders/Financial Policies and regularly reviewed.
DFP	The Chief Finance Officer shall prepare procedural instructions (where not already provided in the Scheme of Delegation or procedure notes for budget holders) on the obtaining of goods, works and services incorporating the thresholds.
DFP	The Chief Finance Officer shall be responsible for designing and maintaining a system of verification, recording and payment of all amounts payable.
DFP	The Chief Finance Officer shall ensure that there is a timetable and system for submission to the Chief Finance Officer of accounts for payment; provision shall be made for the early submission of accounts subject to cash discounts or otherwise requiring early payment.
DFP	The Chief Finance Officer shall issue instructions to employees regarding the handling and payment of accounts.

Source	Duties
DFP	The Chief Finance Officer shall be responsible for ensuring that payment for goods and services is only made once the goods and services are received.
DFP	The Chief Finance Officer shall approve proposed pre-payment arrangements.
DFP	The Chief Finance Officer shall approve the form of official orders.
DFP	The Accountable Officer and Chief Finance Officer shall ensure that the arrangements for financial control and financial audit of building and engineering contracts and property transactions comply with the guidance contained within CONCODE and ESTATECODE. The technical audit of these contracts shall be the responsibility of the relevant Officer.
DFP	The Chief Finance Officer shall lay down procedures for payments to local authorities and voluntary organisations made under the powers of section 256 of the NHS Act.
DFP	The Chief Finance Officer shall ensure that Governing Body members are aware of the Financial Framework and ensure compliance
DFP	The Chief Finance Officer shall professionally certify the costs and revenue consequences detailed in the business case for capital investment.
DFP	The Chief Finance Officer shall issue procedures for the regular reporting of expenditure and commitment against authorised capital expenditure.
DFP	The Chief Finance Officer shall issue procedures governing financial management, including variation to contract, of capital investment projects and valuation for accounting purposes.
DFP	The Chief Finance Officer shall demonstrate that the use of private finance represents value for money and genuinely transfers significant risk to the private sector.
DFP	The Chief Finance Officer shall approve procedures for reconciling balances on fixed assets accounts in ledgers against balances on fixed asset registers.
DFP	The Chief Finance Officer shall calculate and pay capital charges in accordance with Department of Health requirements.
DFP	The Chief Finance Officer shall approve fixed asset control procedures.

Source	Duties
DFP	The Chief Finance Officer shall be responsible for systems of control over stores and receipt of goods.
DFP	The Chief Finance Officer shall set out procedures and systems to regulate the stores and shall agree stocktaking arrangements.
DFP	The Chief Finance Officer shall approve alternative arrangements where a complete system of stores control is not justified.
DFP	The Chief Finance Officer shall approve a system for review of slow moving and obsolete items and for condemnation, disposal and replacement of all unserviceable items.
DFP	The Chief Finance Officer shall prepare detailed procedures for disposal of assets including condemnations and ensure that these are notified to managers.
DFP	The Chief Finance Officer shall prepare procedures for recording and accounting for losses, special payments and informing police in cases of suspected arson or theft.
DFP	Where a criminal offence is suspected, the Chief Finance Officer must inform the police if theft or arson is involved. In cases of fraud and corruption the Chief Finance Officer must inform the relevant LCFS and CFSMS Regional Team in line with the Secretary of State's directions.
DFP	The Chief Finance Officer shall notify CFSMS and External Audit of all frauds.
DFP	The Chief Finance Officer shall notify the Governing Body and External Auditor of losses caused by theft, arson, neglect of duty or gross carelessness (unless trivial).
DFP	The Chief Finance Officer shall consider whether any insurance claim can be made.
DFP	The Chief Finance Officer shall maintain the Losses and Special Payments register.
DFP	The Chief Finance Officer shall be responsible for accuracy and security of computerised financial data.

Source	Duties
DFP	The Chief Finance Officer shall satisfy himself that new financial systems and amendments to current financial systems are developed in a controlled manner and thoroughly tested prior to implementation. Where this is undertaken by another organisation assurances of adequacy must be obtained from them prior to implementation.
DFP	The Chief Finance Officer shall ensure that contracts with other bodies for the provision of computer services for financial applications clearly define responsibility of all parties for security, privacy, accuracy, completeness and timeliness of data during processing, transmission and storage, and allow for audit review.
DFP	The Chief Finance Officer shall seek periodic assurances from the provider of computer services for financial applications that adequate controls are in operation.
DFP	In the case of computer systems which are proposed General Applications (i.e. normally those applications which the majority of Somerset Clinical Commissioning Group in the Region wish to sponsor jointly) all responsible officers and employees will send to the Chief Finance Officer, details of the outline design of the system and in the case of packages acquired either from a commercial organisation, from the NHS, or from another public sector organisation, the operational requirement
DFP	Where computer systems have an impact on corporate financial systems the Chief Finance Officer shall satisfy himself that: <ul style="list-style-type: none"> • systems acquisition, development and maintenance are in line with corporate policies • data assembled for processing by financial systems is adequate, accurate, complete and timely, and that a management trail exists • Chief Finance Officer and staff have access to such data • such computer audit reviews are being carried out as are considered necessary
DFP	The Chief Finance Officer shall provide detailed written instructions on the collection, custody, investment, recording, safekeeping, and disposal of patients' property (including instructions on the disposal of the property of deceased patients and of patients transferred to other premises) for all staff whose duty is to administer, in any way, the property of patients.
DFP	The Chief Finance Officer shall ensure that each trust fund which the Somerset Clinical Commissioning Group is responsible for managing is managed appropriately.

Source	Duties
DFP	The Chief Finance Officer shall ensure all staff are made aware of the Somerset Clinical Commissioning Group policy on the acceptance of gifts and other benefits in kind by staff.
DFP	The Chief Finance Officer shall ensure only contractors included on the Somerset Clinical Commissioning Group lists receive payments, maintain a system of control to ensure prompt and accurate payments and validation of same.
DFP	Where the Governing Body decides to use the risk pooling schemes administered by the NHS Litigation Authority the Chief Finance Officer shall ensure that the arrangements entered into are appropriate and complementary to the risk management programme. The Chief Finance Officer shall ensure that documented procedures cover these arrangements.
DFP	Where the Governing Body decides not to use the risk pooling schemes administered by the NHS Litigation Authority for any one or other of the risks covered by the schemes, the Chief Finance Officer shall ensure that the Governing Body is informed of the nature and extent of the risks that are self insured as a result of this decision. The Chief Finance Officer will draw up formal documented procedures for the management of any claims arising from third parties and payments in respect of losses that will not be reimbursed.
DFP	All the risk pooling schemes require Scheme members to make some contribution to the settlement of claims (the 'deductible'). The Chief Finance Officer should ensure documented procedures also cover the management of claims and payments below the deductible in each case.

**SCHEME OF DELEGATION
DUTIES DELEGATED TO OTHER SENIOR OFFICERS AND MANAGERS**

Source	Duties
	Managers are expected to act in accordance with the Code of Conduct for NHS Managers.
DFP	Budget Holders shall ensure that no overspend or reduction of income that cannot be met from virement is incurred without prior consent of the Governing Body.
DFP	Budget Holders shall ensure that approved budget is not used for any other than specified purpose subject to rules of virement.
DFP	Governing Body Members, Clinical Executive Committee Members and all senior staff are responsible for security of Somerset Clinical Commissioning Group assets including notifying discrepancies to the Chief Finance Officer, and reporting losses in accordance with Somerset Clinical Commissioning Group procedure.
DFP	The appropriate Officer shall make a written case to support the need for a pre-payment.
DFP	Budget holders shall ensure that all items due under a prepayment contract are received (and immediately inform the Chief Finance Officer if problems are encountered).
DFP	The designated Pharmaceutical Officer is responsible for controls of pharmaceutical stocks.
DFP	Officers nominated by the Chief Finance Officer are responsible for security arrangements and custody of keys.
DFP	Officers nominated by the Chief Finance Officer shall operate system for slow moving and obsolete stock, and report to Chief Finance Officer evidence of significant overstocking.
DFP	The Chief Operating Officer shall publish and maintain a Freedom of Information Scheme.
DFP	Relevant officers send proposals for general computer systems to the Chief Finance Officer.

Source	Duties
DFP	<p>The Accountable Officer and Budget Holders must not exceed the budgetary total or virement limits set by the Governing Body as follows:</p> <p>Up to £1,000 - Budget holder and Management Accountant Up to £750,000 – Applicable Director and Deputy Chief Finance Officer and Performance Up to £1,000,000 - Chief Finance Officer and Performance Up to £1,500,000 - Accountable Officer Over £1,500,000 - Governing Body</p>
DFP	<p>The Chief Internal Auditor shall review and appraise financial policies, plans and procedures, financial controls, management data and report in accordance with NHS Internal Audit Manual and best practice.</p>
DFP	<p>The Chief Internal Auditor shall independently verify the Assurance Framework statements in accordance with guidance from the Department of Health.</p>
DFP	<p>Nominated Managers shall submit time records in line with the timetable issued by the Chief Finance Officer.</p>
DFP	<p>Nominated Managers shall complete time records and other notifications in the form required by the Chief Finance Officer.</p>
DFP	<p>Nominated Managers shall submit termination forms in prescribed form and on time.</p>
DFP	<p>The Senior Officer responsible for Human Resources shall ensure that all employees are issued with a Contract of Employment in a form approved by the Governing Body and which complies with employment legislation.</p>
DFP	<p>The Senior Officer responsible for Human Resources shall deal with variations to, or termination of, contracts of employment.</p>
DFP	<p>Managers and officers shall ensure that they comply fully with the guidance and limits specified by the Chief Finance Officer.</p>
DFP	<p>Departmental managers shall inform staff of their responsibilities and duties for the administration of the property of patients.</p>
DFP	<p>Budget Holders shall ensure that no permanent employees are appointed without the approval of the Accountable Officer other than those provided for within available resources and manpower establishment.</p>

Source	Duties
DFP	Requisitioners, in choosing the item to be supplied (or the service to be performed), shall always obtain the best value for money for the Somerset Clinical Commissioning Group. In so doing, the advice of the Somerset Clinical Commissioning Group's adviser on supply shall be sought.

**SCHEME OF DELEGATION
DUTIES DELEGATED TO ALL STAFF**

Source	Duties
SO 5.1	All staff must disclose any non-compliance with Standing Orders to the Accountable Officer as soon as possible.
SO 5.1	All staff have a duty to disclose any non-compliance with the Financial Policies to the Accountable Officer and Chief Finance Officer as soon as possible.
Cons 8	All staff must disclose a relationship between themselves and a candidate for staff appointment. (The Accountable Officer will report the disclosure to the Governing Body/Clinical Executive Committee).
	All staff must comply with national guidance contained in HSG 1993/5 "Standards of Business Conduct for NHS Staff" and the statutory guidance for Managing Conflicts of Interest (2014).
DFP	All staff have a duty to inform the Chief Finance Officer of money due from transactions which they initiate/deal with.
DFP	All staff must immediately report the discovery or suspicion of loss of any kind to either head of department or nominated officer. The head of department / nominated officer should then inform the Accountable Officer and Chief Finance Officer.
DFP	All staff are responsible for security of the Somerset Clinical Commissioning Group's property, avoiding loss, exercising economy and efficiency in using resources and conforming to Standing Orders, Financial Policies and financial procedures.