

Title of Meeting:	NY CCG Governing Body	Agenda Item: 8.2									
Date of Meeting:	24 June 2021										
Paper Title:	Operational Scheme of Delegation	<table border="1"> <tr> <th colspan="2">Session (Tick)</th> </tr> <tr> <td>Public</td> <td>X</td> </tr> <tr> <td>Private</td> <td></td> </tr> <tr> <td>Development Session</td> <td></td> </tr> </table>		Session (Tick)		Public	X	Private		Development Session	
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Public	X										
Private											
Development Session											
Responsible Governing Body Member Lead Jane Hawkard Chief Finance Officer		Report Author and Job Title Alec Cowell, Deputy Director of Financial Accounting & Reporting									
Purpose – this paper is for:	<table border="1"> <tr> <th>Decision</th> <th>Discussion</th> <th>Assurance</th> <th>Information</th> </tr> <tr> <td>X</td> <td></td> <td></td> <td></td> </tr> </table>	Decision	Discussion	Assurance	Information	X					
Decision	Discussion	Assurance	Information								
X											
Has the report (or variation of it) been presented to another Committee / Meeting? If yes, state the Committee / Meeting: No											
Executive Summary There are several amendments to the CCG's operational scheme of delegation that are presented to the Governing Body for approval. These changes are to improve the day to day working of the CCG and recognises changes in the wider system in terms of:											
<ul style="list-style-type: none"> i. the creation of a local Area Prescribing Committee, ii. the need to increase delegated limits of the Executive Directors Group in recognition of the larger North Yorkshire CCH budgets through the merger. This will also ensure that decisions are not unnecessarily delayed. iii. the recognition of the management of Personal Health Budgets iv. the recognition that District Valuer revaluations of GP premises requires CCGs to recognise changes in rental values 											
In summary these are:											
Page	Area	Summary of Change									
7	Approval of Continuing Healthcare and Mental Healthcare packages	<ul style="list-style-type: none"> • Amended to include Personal Healthcare Budgets 									
8	Personal Healthcare Budgets	<ul style="list-style-type: none"> • To be removed as now incorporated into the sections noted above 									
8	Approval of medicines commissioning and formulary	<ul style="list-style-type: none"> • Amended to recognise the newly formed 'North Yorkshire & York Area Prescribing Committee' • Amended to recognise the budget limit applies to the annual costs in the year that steady state is achieved (reflecting that movement of patients to new drugs can take many years) 									
10	Approval of GP rent reviews	<ul style="list-style-type: none"> • Amended to bring our CCG more in line with the regional approach to approval. <ul style="list-style-type: none"> ○ If the increase is in line with the district valuer's opinion: <ul style="list-style-type: none"> ▪ Up to £5k pa – NHS England (noted at Primary Care Committee) ▪ Over £5k pa – CFO/Deputy CFO (noted at Primary Care Committee) 									

		<ul style="list-style-type: none"> ○ If the increase is not in line with the district valuer's opinion it will go to Primary Care Committee for approval (noted at Finance, Performance & Commissioning Committee) <p>All decisions will be notified to PCCC</p>
11	Petty Cash	<ul style="list-style-type: none"> • To be removed as the CCG no longer operates a petty cash reimbursement system.
14	Personal Healthcare Budgets – Employed Personal Assistants Inflationary Uplifts	<ul style="list-style-type: none"> • Added the following: <ul style="list-style-type: none"> ○ The CCG has a formal arrangement with North Yorkshire County Council (NYCC) for the over-view of PHBs. Part of this arrangement allows NYCC to apply their inflationary uplift for employed personal assistants only, so that the hourly rate remains consistent across health and social care.
-	Various	<ul style="list-style-type: none"> • Executive Director Group delegations increased from £50k to £100k where appropriate

The full operational scheme of delegation is attached to this paper as an appendix. Wording to be removed is scored through and highlighted in red. Wording to be added is highlighted in yellow.

Recommendations

The Governing Body is being asking to:

- Approve the amendments to the CCG's operational scheme of delegation
- Approve for the Governance Handbook to be updated with the new version of the Operational Scheme of Delegation.

Monitoring

Compliance against the CCG's operational scheme of delegation is undertaken by the finance department, and elements of this are checked by internal audit as part of their annual audit work.

CCG Strategic Objectives Supported by this Paper

	CCG Strategic Objectives	X
1	Strategic Commissioning: <ul style="list-style-type: none"> • To take the lead in planning and commissioning care for the population of North Yorkshire by providing a whole system approach and to support the development of general practice. • To make the best use of resources by bringing together other NHS organisations, local authorities and the third sector to work in partnership on improving health and care. • To develop alliances of NHS providers that work together to deliver care through collaboration rather than competition. 	
2	Acute Commissioning: We will ensure access to high quality hospital-based care when needed.	
3	Engagement with Patients and Stakeholders: We will build strong and effective relationships with all our communities and partners.	
4	Financial Sustainability: We will work with partners to transform models of care to deliver affordable, quality and sustainable services.	X
5	Integrated / Community Care: With our partners and people living in North Yorkshire we will enable healthy communities through integrated models of care.	
6	Vulnerable People: <ul style="list-style-type: none"> • We will support everyone to thrive [in the community]. • We will promote the safety and welfare of vulnerable individuals. 	
7	Well-Governed and Adaptable Organisation: In supporting our objectives we will be a well-governed and transparent organisation that promotes a supportive learning environment.	X

CCG Values underpinned in this paper


	CCG Values	X
1	Collaboration	
2	Compassion	
3	Empowerment	
4	Inclusivity	
5	Quality	X
6	Respect	



Any statutory / regulatory / legal / NHS Constitution implications	<p>The Operational Scheme of Delegation has been designed around the CCG's constitution and standing financial instructions.</p> <p>The Governing Body has delegated authority to approve amendments to the Operational Scheme of Delegation and also the Governance Handbook.</p>
Management of Conflicts of Interest	No conflicts of interest have been identified prior to the meeting.
Communication / Public & Patient Engagement	The Operational Scheme of Delegation is contained within the Governance Handbook which is published on the CCG website.
Financial / resource implications	As detailed within the paper.
Outcome of Impact Assessments completed	Not applicable.

Alec Cowell
Deputy Director of Financial Accounting & Reporting

North Yorkshire CCG Operational Scheme of Delegation

- All financial limits in this schedule of matters delegated to officers **are subject to sufficient budget being available.**
- Where it is necessary for expenditure to be approved that is outside of an approved budget either in value or in terms of what the budget was originally intended for, this will need to be escalated to the Chief Finance Officer and will require an appropriate business case in line with the approval process contained in the CCG's Standing Financial Instructions (**Appendix 4 of the Constitution**).
- The Governing Body approval limit is £1.5m and above, however **any issue regardless of value, which results in a change in strategic direction/content will also be referred to the Governing Body for approval.**
- **The CCGs Scheme of Reservation and Delegation (SORD) outlines the process for emergency/urgent decision in exceptional circumstances (for example areas of national concern).**

Issue	Authority Delegated to	Reference Documents/ Other information
Management of Budgets		
Responsibility for keeping expenditure within budget: At individual budget level (pay, non pay and income)	Budget Holder/Budget Manager	Budgetary Control Framework  Final Budget Book Narrative.docx
Responsibility for keeping expenditure within budget: Totality of the service area / department	Budget Holder	
Responsibility for keeping expenditure within budget: Financial reserves and provisions	Chief Finance Officer (CFO)	
Approval of new Budget Holders or of change to existing budget holders	CFO or Deputy CFO	
Any transfer (virement) <i>from</i> non-pay budgets to pay budgets	Deputy Director Financial Services & Reporting	A budget virement form

	Or Deputy Director Management Accounting and Contracting	must be completed in all cases  Blank budget virement form.xlsx
Transfers (budget virement) within pay and non pay budgets	<ul style="list-style-type: none"> • AO/CFO above £50,000 • Executive Director £50,000 • Budget Manager £10,000 • CFO/Deputy CFO Transfers <i>from</i> reserves <p>Transfers between pay and non-pay budgets are by exception and must be agreed by Deputy Director Financial Services & Reporting Or Deputy Director Management Accounting and Contracting</p>	A budget virement form must be completed in all cases  Blank budget virement form.xlsx
Maintenance/operation of bank accounts		
Approval of banking arrangements, including opening and closing of bank accounts and credit facilities.	CFO	
Day to day operation of organisational bank accounts	Senior Financial Services Manager or Financial Services Manager in conjunction with Shared Business Services representative	
Authorisation for cash limit drawdown	Deputy CFO or Deputy Director Financial Services & Reporting or Senior Financial Services Manager	
Authorisation for cheque requests (excluding retrospective continuing healthcare claims)	<ul style="list-style-type: none"> • Deputy CFO £20,000 and above by exception only • Deputy Director Financial Services & Reporting £20,000 by exception only • Budget Holder £1,000 	

Issue	Authority Delegated to	Reference Documents/ Other information
Non Pay Expenditure		
Before orders are placed for goods and services the following conditions must be complied with:		Procurement Policy
<p>a) Confirmation that budgetary provision is available and</p> <p>b) Where competitive tendering or competitive quotations are not required (as per the thresholds below), NHS Supply Chain and any published framework contracts can be accessed as an alternative to a formal quotation or tendering exercise.</p> <p>(NB Ensure the framework used has already been subject to a formal tendering exercise)</p> <p>c) For Requisitions that exceed a 12 Month Period The limits below relate to the total commitment being made by the CCG including non-recoverable VAT; e.g. an award for 3 years needs to be considered as a total value of the 3 years and not the annual value.</p>	<p>Budget Holder/Budget Manager</p> <p>Commitment of any expenditure must be in line with delegated limits stated herein:</p>	
<p><u>Healthcare Contracts (as defined by Schedule 3 of the Public Contracts Regulations 2015)</u></p> <p><u>Non Primary Care:</u> Where formal competitive tendering is not required e.g. below £663,540, then quotations must be obtained and documentary evidence kept of the following:</p> <ul style="list-style-type: none"> • under £100,000 a minimum of 2 written quotations; • £100,001 to £663,540 a minimum of 3 written quotations; 	<p>Budget Holder/Budget Manager</p> <p>£100,000 - £663,540 requires Budget holder sign off of the preferred quote</p>	FPCCC (Decision Noted)

Issue	Authority Delegated to	Reference Documents/ Other information
Non Pay Expenditure		
<p><u>Primary Care:</u> Where formal competitive tendering is not required e.g. below £663,540, then quotations must be obtained and documentary evidence kept of the following:</p> <ul style="list-style-type: none"> • under £100,000 a minimum of 2 written quotations; • £100,001 to £663,540 a minimum of 3 written quotations; <p><u>Non Healthcare contracts</u> Where formal competitive tendering is not required e.g. below £189,330, then quotations must be obtained and documentary evidence kept of the following:</p> <ul style="list-style-type: none"> • under £1,000 a minimum of 1 written quote • between £1,000 and £10,000 a minimum of 2 written quotations; • between £10,000 and £189,330 a minimum of 3 written quotations; 	<p>Budget Holder/Budget Manager</p> <p>£100,000 - £663,540 requires Budget holder sign off of the preferred quote</p> <p>Budget Holder/Budget Manager</p> <p>£10,000 - £189,330 requires Budget holder sign off of the preferred quote</p>	<p>PCCC (Decision Noted)</p> <p>N/A EDG (Decision Noted) N/A</p> <p>FPCCC (Decision Noted over £100,000)</p>
<p><u>Competitive tendering or competitive quotations</u></p> <p>For orders in excess of £663,540 (healthcare contracts) or £189,330 (non healthcare contracts) including VAT competitive tendering will apply, the form of which is dependent on the precise goods or services involved. Therefore for all competitive tenders the advice of the Deputy Director Management Accounting and Contracting must be sought.</p> <p>Note: OJEU existing limits are £663,540 including VAT for healthcare services and £189.330 including VAT for non-</p>	<p>Budget Holder/Budget Manager</p> <p>Commitment of any expenditure must be in line with delegated limits stated herein.</p> <p>Agreement of preferred providers must be approved by</p> <ul style="list-style-type: none"> • Governing Body £1.5 million and above • FPCCC up to £1.5 million 	<p>All tenders awarded should be reported to the Audit Committee for information.</p>

healthcare services.		
Issue	Authority Delegated to	Reference Documents/ Other information
Non Pay Expenditure		
Decision to tender for new/existing service (within agreed budget)	<ul style="list-style-type: none"> • CCG Governing Body £1.5 million and above • AO/CFO £300,000 up to £1.5 million • Executive Director £150,000 up to £300,000 • Budget Manager Up to £150,000 	
Approving expenditure greater than a tender price by	<ul style="list-style-type: none"> • EDG £10,000 and above • Executive Director up to £10,000 and within budget • 	
Opening Tenders	<p>Any one of</p> <ul style="list-style-type: none"> • CFO • Deputy CFO • Deputy Director Financial Services & Reporting • Or • Deputy Director Management Accounting and Contracting <p>plus a senior manager</p>	
Waiving of requirement to obtain quotations and tenders	<ul style="list-style-type: none"> • Governing Body £1.5 million and above. • FPCCC £300,000 to £1.5 million • CFO together with one other Executive Director up to £300,000 	The Chief Finance Officer will report such waivers to both FPCCC and the Audit Committee for transparency.

Issue	Authority Delegated to	Reference Documents/ Other information
Non Pay Expenditure		
Contract Approval Approval of contracts including the signing of appropriate contract documentation (within agreed budgets)	<ul style="list-style-type: none"> • CFO £100 million • DCFO £5 million • Executive Director £0.5 million • Budget Manager £50,000 	FPCCC (Decision Noted)
Contract Approval Approval of contract variations and subsequent amendments to contract payments (within agreed budgets)	<ul style="list-style-type: none"> • CFO £100 million • DCFO £5 million • Executive Director £0.5 million • Budget Manager £50,000 	FPCCC (Decision Noted)
Agreement of new GP local enhanced services / GP incentive schemes	<ul style="list-style-type: none"> • CCG Governing Body £1.5 million • PCCC Up to £1.5 m for total scheme (up to £25,000 for an individual practice) • Business Executive & EDG £500,000 for total scheme (£25,000 for an individual practice) 	FPCCC (Decision Noted)
Approval of research contracts including the signing of appropriate contract documentation	<ul style="list-style-type: none"> • EDG £1050,000 • Executive Director £10,000 	FPCCC (Decision Noted)
Payments in line with approved Contract Values (on Oracle)	<ul style="list-style-type: none"> • AO £100 million • CFO £15 million • Executive Director £10.5 million • Budget Manager £50,000 	Payments in advance not required for healthcare, payments made in accordance with the contract
Other contractual payments (e.g. CQUIN, reconciliation adjustments)	Budget Holder or budget holder representative within delegated limits	

Issue	Authority Delegated to	Reference Documents/ Other information
Non Pay Expenditure		
Payments of invoices for non-contractual activity	<ul style="list-style-type: none"> • AO £100 million • CFO £15 million • Executive Director £10.5 million • Budget Manager £10,000 	
Lease cars	Budget Holder in line with operational process	Lease Car Policy
Salary sacrifice schemes	Remuneration Committee	
Approval of Continuing Healthcare, Mental Health care , Personal Healthcare Budgets and other miscellaneous individual care packages	<ul style="list-style-type: none"> • CHC – Band 7 Senior Nurses - <£750 per week • CHC – Head of CHC or Senior Manager CHC (8B/8A) – between £750 & £850 per week <p>All packages of £851 per week and above will be approved by the appropriate panel.</p>	CHC Panel Policy
Payments in respect of Continuing Healthcare, Mental Health care , Personal Healthcare Budgets and other miscellaneous individual care packages	<p>All invoices will be reviewed against budgets in QA PRIOR to approval, and authorised for payment by a member of the finance team as follows:</p> <ul style="list-style-type: none"> • Senior Financial Services Manager - Payments for invoices by individual homes/ packages up to £50,000 • Deputy Director Financial Services & Reporting - Payments for invoices by individual homes/ packages £50,000 to £250,000 • Deputy Chief Finance Officer/CFO - Payments for invoices by individual homes/ packages £250,000 and above. 	

Issue	Authority Delegated to	Reference Documents/ Other information
Non Pay Expenditure		
Personal Health Budgets	All PHB packages are assessed and agreed by the appropriate Panel. The Director of Corporate Services Governance and Performance will approve all payment requests.	
Approval of medicines commissioning and formulary position by Area Prescribing Groups including (Harrogate, Scarborough & York and Durham and Tees)	<ul style="list-style-type: none"> • FPCCC above £10,000 per 100,000 population • <u>North Yorkshire and York Area Prescribing Committee</u>.NY CCG Head of Medicines Management up to £10,000 per 100,000 population per decision ensuring consistency across the whole of NY and budget management within the meds management agreed budget. 	FPCCC – All Decisions to be reported to FPCCC including those below 10k threshold per 100,000 population
Income		
Approval of sales invoices	<ul style="list-style-type: none"> • Deputy Director Financial Services & Reporting or • Senior Financial Services Manager or • Financial Services Manager 	
Approval of sales credit notes/Cancellation of Invoices	<ul style="list-style-type: none"> • EDG for collective agreements £10,000 and above • Deputy Director Financial Services & Reporting up to £10,000 	
Setting of Fees & Charges	<ul style="list-style-type: none"> • EDG £10,000 and above • CFO/Deputy CFO up to 10,000 	
Business Cases for Investment/Disinvestment		

Approval of non-primary care business cases for investment & disinvestment decisions	<ul style="list-style-type: none"> • Governing Body £1.5 million and above • FPCCC £1.5 million • EDG £1050,000 – within existing budgets/income allocation/savings generated 	FPCCC (Decision Noted)
Approval of primary care business cases for investment & disinvestment decisions	<ul style="list-style-type: none"> • Governing Body £1.5 million and above • PCCC £1.5 million • EDG £5100,000 – within existing budgets/income allocation/savings generated 	FPCCC for PRIOR notification above £100k
Capital Schemes / Estates		
Responsibility for NHS Estate and associated capital schemes has passed to NHS Property Services	N/A	
Approval of non-primary care capital investments and disinvestments	<ul style="list-style-type: none"> • Governing Body £1.5 million and above • FPCCC £1.5 million • EDG £5100,000 	FPCCC (Decision Noted)
Approval of primary care capital investments and disinvestments	<ul style="list-style-type: none"> • Governing Body £1.5 million and above • PCCC £1.5 million • EDG £1050,000 	FPCCC for PRIOR notification above £100k
Purchase of internal fixtures and fittings - approval of requisitions	By exception to be agreed by DCFO	
Engagement of bank / agency staff		
Booking of Bank or Agency Staff	Budget Hblder in line with organisational establishment/engagement control framework	
Agreements / Licences		
Preparation and signature of all tenancy agreements/licences for all staff subject to CCG Policy on accommodation for staff/operating leases/indemnity agreements/joint venture documents and service level agreements	CFO or AO	
Extensions to existing leases	CFO	

Issue	Authority Delegated to	Reference Documents/ Other information
Letting of premises to outside organisations	CFO	
Approval of corporate rent based on professional assessment	CFO	
<p>Approval of GP rent reviews based on professional assessment:</p> <p>For an increase of up to £5,000 - from the last valuation on the same floor area in line with the District Valuers opinion</p> <p>For an increase of more than £5,000 - from the last valuation on the same floor area or for a greater floor area than previous valuation in line with District Valuers opinion</p> <p>For any increase, from the last valuation, that is NOT in line with District Valuers opinion</p>	<p>NHS England</p> <p>PCCG CFO/Deputy CFO</p> <p>PCCG</p>	<p>PCCC (Decision Noted)</p> <p>PCCC (Decision Noted)</p> <p>FPCC (Decision Noted)</p>
Condemning & Disposal of Assets		
<p>Items obsolete, obsolescent, redundant, irreparable or cannot be repaired cost effectively.</p> <p>IT Equipment</p>	<ul style="list-style-type: none"> • Governing Body £1.5 million and above • FPCCC £1.5 million • CFO £50,000 • Budget Holder £500 <p>CSU IT</p>	<p>To be reported to Audit Committee</p>
Losses, Write-offs & Compensation		
<p>Special Payments including:</p> <ul style="list-style-type: none"> • Compensation payments • Extra Contractual Payments • Ex Gratia Payments • Extra Statutory Extra Regulatory Payments • Special Severance Payments 	<ul style="list-style-type: none"> • Governing Body £1.5 million and above • FPCCC £1.5 million • EDG £50,000 • CFO £10,000 	<p>To be reported to Audit Committee</p>

Issue	Authority Delegated to	Reference Documents/ Other information
Losses and cash due to theft, fraud, corruption, overpayment, compensation. And others except for CHC retrospective claims	<ul style="list-style-type: none"> • CCG Governing Body £150,000 and above • AO/CFO £150,000 	To be reported to Audit Committee
Retrospective Continuing Healthcare Claims	<ul style="list-style-type: none"> • AO £250,000 and above • CFO £250,000 • Director responsible for CHC up to £50,000 	
Bad debts write-off (NHS & Non-NHS)	<ul style="list-style-type: none"> • Governing Body £1.5 million and above • FPFCC £1.5 million • CFO £50,000 	To be reported to Audit Committee
Petty Cash Disbursements		
a) Expenditure up to £10 per item	Budget Holder/Authorised budget holder representative in line with delegated limits	Petty Cash Procedure Note
Other		
Approve new drug prescribing	FPFCC	
Maintenance & Update of CCG Financial Procedures	CFO	

Other:

1. Special Rehabilitation of Brain Injury (SRBI)

The day to day contractual management, including sourcing placements for new patients, reviewing existing patients, and discharge arrangements, are delegated to NHS Vale of York CCG. Monthly information is to be provided by this CCG for financial reporting purposes.

2. Primary Care Co-Commissioning

The approval of journals and budgeted expenditure for the primary care co-commissioning budget is delegated to NHS England. This is to recognise the knowledge of NHS England's staff with regards to primary care and to ensure actions can be taken in a timely manner. Delegation is as follows;

Post	Journal	Expenditure Payments	
Deputy Chief Finance Officer or Deputy Director Financial Services & Reporting or Deputy Director Management Accounting and Contracting	£5,000,000	£20,000	£900,000
Senior Finance Manager (Primary Care, Yorkshire)	£5,000,000	£20,000	£500,000
Finance Manager (Primary Care, Yorkshire)	£5,000,000	£20,000	£500,000
Senior Finance Officer (Primary Care, Yorkshire)	£1,000,000	£20,000	£100,000
Assistant Finance Officer (Primary Care, Yorkshire)	nil	£nil	£100,000

Please note that the above limits do not recognise the usual hierarchy approach. This is due to the way that the team operates and provides cross cover for each other.

3. Appointment & Termination of Staff

Delegation for appointing and terminating staff is granted to the Chief Officer. The Chief Officer has delegated the operational responsibility of this to each of the Executive Directors for the budgeted staff posts under their responsibility.

Any posts not in the current structure needs approval of EDG.

4. Freedom of Information

Delegation for approving Freedom of Information requests is granted to the Chief Officer. The Chief Officer has delegated the operational responsibility of this to the Director of Corporate Services Governance and Performance

If the Director of Corporate Services Governance and Performance is absent from the office the responsibility is passed to the Head of Corporate Services.

5. Human Resources Policies

Ultimate responsibility for approving human resources policies lies with the Governing Body who, through the scheme of delegation, has granted approval to the Executive Director Group.

6. GP System of Choice (GPSoC)

Delegation for approving GPSoC orders for primary care is granted to the Director of Strategy & Integration; commitments must not exceed the annual allocation from NHS England.

7. Information Technology (IT) / GP Information Technology (GPIT)

Delegation for approving Corporate IT orders is granted to;

- Deputy Chief Finance Officer

Delegation for approving Primary Care IT orders is granted to;

- Director of Strategy & Integration

Commitments must not exceed the annual capital allocation from NHS England and update reports are to be presented to FPCCC.

8. GP Health & Social Care Network (HSCN)

Delegation for approving HSCN connections and BT N3 cease orders is granted the Senior Service Development Manager Digital (8a); commitments must not exceed the annual allocation from NHS England.

9. On Call Arrangements

The CCG has a formal on-call system in place to provide cover out-of-hours so that the CCG can respond to local/regional emergency situations. The on-call rota incorporates both Executive Director and selected Senior Managers at bands 8b and above. Through this scheme of delegation, anyone who undertakes on-call duties, whether an Executive Director or a Senior Manager, has been granted approval to act in the best interest of the CCG's population. Any cost commitments made by staff on call should be immediately notified to the CFO and AO.

10. Personal Healthcare Budgets (PHBs) – Employed Personal Assistants Inflationary Uplifts

The CCG has a formal arrangement with North Yorkshire County Council (NYCC) for the over-view of PHBs. Part of this arrangement allows NYCC to apply their inflationary uplift for employed personal assistants only, so that the hourly rate remains consistent across health and social care.