

SCHEME OF RESERVATION & DELEGATION

1. SCHEDULE OF MATTERS RESERVED TO THE CLINICAL COMMISSIONING GROUP AND SCHEME OF DELEGATION

- 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.
- 1.2. The clinical commissioning group remains accountable for all of its functions, including those that it has delegated.

For the Financial Scheme of Delegation – please see the Constitution Appendix 4

Policy Area	Decision	Membership	CCG Council	Governing Body	Senior Leadership Team	Audit & Governance Committee	Remuneration Committee	Accountable Officer (Chief Officer)	Chief Finance Officer	Other (as specified)
REGULATION AND CONTROL	Determination of the arrangements by which the members of the group approve those decisions that are reserved for the membership.		✓							
REGULATION AND CONTROL	Consideration and approval of applications to the NHS England on any matter concerning changes to the group's constitution.		✓							
REGULATION AND CONTROL	<p>Approve amendments to the CCG's constitution, ahead of submission to NHS England for review and agreement, where:</p> <ul style="list-style-type: none"> • Changes are deemed to have a material impact; or • Changes are proposed to the reserved powers of the members or the role and appointment of GP members of the senior leadership team; or • At least half (50%) of all the Governing Body Members formally request that the amendments be put before the membership for approval 		✓							

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REGULATION AND CONTROL	<p>Approve minor amendments proposed by the Accountable Officer to (i) the CCG's constitution, ahead for submission to NHS England for review and agreement or to (ii) the CCG's scheme of delegation, where;</p> <ul style="list-style-type: none"> • Changes are required for legal reasons • Changes are <u>not</u> thought to have a material impact; or • Changes are <u>not</u> proposed to the reserved powers of the members or the role and appointment of member practice representatives (including the GP members of the senior leadership team). 			✓						
REGULATION AND CONTROL	<p>Grant authority to act on its behalf to:</p> <ul style="list-style-type: none"> (i) any member of the Governing Body or Senior Leadership Team; (ii) a committee or sub-committee of the Governing Body, or of the CCG; (iii) a member of the CCG who is an individual (but not a member of the Governing Body); and (iv) any other individual who may be from outside the organisation and who can provide assistance to the CCG in delivering its functions. 			✓						

Policy Area	Decision	Membership	CCG Council	Governing Body	Senior Leadership Team	Audit & Governance Committee	Remuneration Committee	Accountable Officer (Chief Officer)	Chief Finance Officer	Other (as specified)
APPOINTMENTS & REMOVALS	Electing the chair of the CCG council		✓							
APPOINTMENTS & REMOVALS	Determine the process to assess the eligibility (including competency) of candidates for GP senior leadership team roles, subject to approval by the CCG Council)							✓		
APPOINTMENTS & REMOVALS	Approve the process for assessing the eligibility (including competency) of candidates for GP senior leadership team roles.		✓							
APPOINTMENTS & REMOVALS	Electing candidates to GP senior leadership team roles (where there is more than one eligible candidate), on the basis of one GP (partner and salaried), one vote arrangement.	✓								
APPOINTMENTS & REMOVALS	Approve the process for appointing the clinical chair.		✓							
APPOINTMENTS & REMOVALS	Selection of: (i) deputy chair of the CCG and of the governing body (lay member) (ii) senior independent director (lay member) – in liaison with the Chair of the CCG Council (iii) deputy clinical chair (GP member of the senior leadership team) (iv) the second GP senior leadership team member of the governing body (if not the same individual as (iii) above)									Clinical Chair
APPOINTMENTS & REMOVALS	Approve the process for the selection and appointment of the non-elected members of the governing body. Recommend the appointment of the accountable officer to NHS England.		✓							

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APPOINTMENTS & REMOVALS	Determine and approve the process for selecting and appointing managerial members of the senior leadership team and the chief clinical information officer.							✓		
APPOINTMENTS & REMOVALS	Removal of GP senior leadership team members and non-employee members of the governing body, via a 75% majority vote of confidence at a meeting of the council of members.		✓							
APPOINTMENTS & REMOVALS	Referral of employee members of the governing body or senior leadership team for management under the CCG's HR policies and procedures, via a 75% majority vote of confidence at a meeting of the council of members.		✓							
APPOINTMENTS & REMOVALS	<p>Following initial appointment, re-appoint individuals to GP senior leadership team role and the lay members, registered nurse and secondary care consultant roles, subject to satisfactory performance appraisal and the individuals continuing to meet the appointment criteria.</p> <p>Time periods for re-appointments are limited to:</p> <ul style="list-style-type: none"> GP senior leadership team members – up to a maximum of 6 years, unless otherwise agreed with the CCG Council lay members, registered nurse and secondary care consultant – up to a maximum of 9 years 									Clinical Chair
STRATEGY AND PLANNING	Agree the vision, values and overall strategic direction of the group (following development of the same by the Senior Leadership Team)		✓							
STRATEGY AND PLANNING	Approval of the group's operating structure: <ul style="list-style-type: none"> (i) staffing and managerial (ii) clinical leadership 							(i)		(ii) Clinical Chair
STRATEGY AND PLANNING	Approval of the CCG's commissioning plans and strategies.				✓					

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STRATEGY AND PLANNING	Approval of the CCG's corporate budgets (the financial plan that underpins the commissioning plan) that meet the CCG's financial duties.			✓						
STRATEGY AND PLANNING	Approval of consultation arrangements for the group's financial and commissioning plans.							✓		
STRATEGY AND PLANNING	Approval of variations to the approved budget where variation would have a significant impact on the overall approved levels of income and expenditure or the group's ability to achieve its agreed strategic aims.			✓						
STRATEGY AND PLANNING	Make decisions on the review, planning and procurement of services (except those where authority has been delegated to another group)				✓					
STRATEGY AND PLANNING	Make decisions on the review, planning and procurement of primary medical care services (as per the terms of the delegation agreement with NHS England). [Note: PCCC decisions are binding on both NHS England and the CCG i.e. they cannot be over-turned by either party]									Primary Care Commissioning Committee
STRATEGY AND PLANNING	Make decisions on the review, planning and procurement of services as specified in the work plan for the Joint Committee of West Yorkshire & Harrogate CCGs.									Joint Committee of West Yorkshire & Harrogate CCGs
ANNUAL REPORTS AND ACCOUNTS	Receive the group's annual report and annual accounts.		✓							
ANNUAL REPORTS AND ACCOUNTS	Approve the group's annual report and annual accounts.					✓				
ANNUAL REPORTS AND ACCOUNTS	Approve the timetable for the preparation and approval of the group's annual report and annual accounts					✓				

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ANNUAL REPORTS AND ACCOUNTS	Approve the appointment of the group's external auditor, as advised by the audit & governance committee acting as the group's 'auditor panel'.			✓						
ANNUAL REPORTS AND ACCOUNTS	Approval of the arrangements for discharging the group's statutory financial duties.			✓						
HUMAN RESOURCES	Make recommendations to the governing body on the terms and conditions of employment / service, including remuneration, fees and allowances, pensions, gratuities and redundancy payments, for all employees, senior leadership team and governing body members (excluding the lay members) and any other persons providing services to the group, including pensions and gratuities.						✓			
HUMAN RESOURCES	Approve the terms and conditions of employment / service, including remuneration, fees and allowances, pensions, gratuities and redundancy payments, for all employees, senior leadership team and governing body members (excluding the lay members) and any other persons providing services to the group, including pensions and gratuities.			✓						
HUMAN RESOURCES	Approve (following consultation with the BDCFT staff partnership forum) human resources policies for employees and for other persons working on behalf of the group.				✓					
HEALTH & SAFETY	Approve arrangements for ensuring the CCG discharges its legal responsibilities health, safety and security.					✓				
QUALITY AND SAFETY	Approve arrangements, including supporting policies, to minimise clinical risk, maximise patient safety and to secure continuous improvement in quality and patient outcomes.									Quality & Safety Committee
QUALITY AND SAFETY	Approve arrangements for supporting NHS England in discharging its responsibilities in relation to securing continuous improvement in the quality of general medical services.									Quality & Safety Committee

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OPERATIONAL AND RISK MANAGEMENT	Approve the group's risk management framework.					✓				
OPERATIONAL AND RISK MANAGEMENT	Approval of the group's business continuity plan.				✓					
OPERATIONAL AND RISK MANAGEMENT	Approve the internal audit, external audit and counter-fraud plans and any changes to the provision or delivery of related services (other than the appointment or removal of the external auditor where authority is reserved to the governing body).					✓				
OPERATIONAL AND RISK MANAGEMENT	Approve arrangements for risk sharing and / or risk pooling with other organisations (for example arrangements for pooled funds with other clinical commissioning groups or pooled budget arrangements under section 75 of the NHS Act 2006).			✓ OR	✓ OR					Finance & Performance Committee
OPERATIONAL AND RISK MANAGEMENT	Approve proposals for action on litigation against or on behalf of the clinical commissioning group.			✓						
OPERATIONAL AND RISK MANAGEMENT	Approve the group's arrangements for business continuity and emergency planning.			✓						
OPERATIONAL AND RISK MANAGEMENT	Definition and taking of 'urgent decisions' on behalf of the governing body (see Standing Orders).							✓ OR	✓ OR	Clinical Chair OR
OPERATIONAL AND RISK MANAGEMENT	Use of the CCG seal or execution of a document by signature (see Standing Orders).							✓ OR	✓ OR	Clinical Chair OR

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OPERATIONAL AND RISK MANAGEMENT	Assessment of and decision-taking relating to individual funding requests									IFR Panel OR (as specified in IFR procedures the Clinical Lead for IFR
COMPLAINTS	Approve the group's arrangements for handling complaints.			✓						
INFORMATION GOVERNANCE	Approve arrangements for ensuring appropriate safekeeping and confidentiality of data and for the storage, management and transfer of information and data.					✓				
INFORMATION GOVERNANCE	Approve arrangements for ensuring compliance with the Freedom of Information Act 2000.					✓				
TENDERING AND CONTRACTING	Approve tenders and contracts.									As per thresholds set out in the Financial Scheme of Delegation.
PARTNERSHIP WORKING	Approve frameworks for partnership working (e.g West Yorkshire & Harrogate Health & Care Partnership MOU).			✓						
PARTNERSHIP WORKING	Approve arrangements for joint commissioning of services with other CCGs, NHS England and or with the local authority.			✓ Or	✓ Or					
PARTNERSHIP WORKING	Authority to enter in to strategic or other transformation discussions with partner organisations.				✓					