

Board Meeting in Public

Tuesday, 26 March 2024

Title of Report	Scheme of Delegation		Agenda No.	4.1
Nature of Report (tick one)	<input checked="" type="checkbox"/> Official		<input type="checkbox"/> Official Sensitive	
Author(s)	Duncan Boud, Assistant Director - Financial Control & Operations Tapiwa Songore, Corporate Governance Manager			
Lead Executive	Carl Vincent, Chief Financial Officer			
Non-Executive Director Sponsor (if applicable)	n/a			
Presented for (tick all that applies)	<input checked="" type="checkbox"/> Approval		<input type="checkbox"/> Information	
	<input checked="" type="checkbox"/> Assurance		<input checked="" type="checkbox"/> Update	
Purpose of the report and key issues				
<p>Purpose: The Scheme of Delegation is a key governance document and is formally reviewed and updated annually. The document has been updated to include the delegations to the four Board Committees and the changes in delegations from Department of Health and Social Care (DHSC) to NHSBT effective from 24 July 2023, which impacted contingent labour, professional services and consultancy. DHSC indicated in November 2023 that further changes in the delegations from His Majesty's Treasury to DHSC, and consequently from DHSC to its Arm's Length Bodies (ALBs), were expected, but these have yet to be received.</p> <p>Key Issues: s1-9 has been updated to include a summary of the delegations to the Clinical Governance Committee. The full delegations to Board Committees are outlined in Appendix 1. The majority of changes to s10 are adding additional detail, to endeavour to make the approval requirements clearer. The key change is the merger of the previous 'Projects' and 'Commercial Control' categories, into a combined 'Projects, Programmes and Commercial Expenditure' category, to address the current lack of clarity around the approvals required. As part of addressing this, it is proposed to align the Chief Executive's approval to the £10m previously applicable to the Commercial Control category, rather than the £3m applicable to the Projects category. It is also proposed that the Investment Committee is able to approve Project and Programme expenditure between £0.5m and £3m. The proposed changes have been circulated to the Executive Team, and some feedback has been received, but there has been limited time to discuss.</p>				
Previously Considered by				
At its 14 March 2024 meeting, the Audit, Risk and Governance Committee (ARGC) recommended the updated Scheme of Delegation for approval, subject to the following amendments:				
4.1 Delegation to Committees. Needs to include all four Board Committees, and the structure of the second sentence needs improving, or needs to be split into two separate sentences.				

6.2.3 Register of Contracts. Needs to define the nominated officer for maintaining a register of non-procurement contracts.

10 Summary of Financial Delegated Limits. Clinical Negligence row. Needs to define how the Board is informed of cases below £20m.

Appendix 1. Needs to remove 'Financial Performance' from ARGC, as this is monitored by the Board. Additionally, the CGC column should not only refer to CQC, but also MHRA and HTA.

Due to the time available between the ARGC meeting and the Board paper deadline, these changes have yet to be reflected in the document.

Recommendation	The Board is asked to approve the updated Scheme of Delegation, subject to the incorporation of the amendments requested by ARGC on 14 March 2024, and any additional amendments the Board may request.
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Risk(s) identified (Link to Board Assurance Framework Risks)

Fin-04 Risk of loss of reputation for sound financial control

Strategic Objective(s) this paper relates to: [Click on all that applies]

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| <input type="checkbox"/> Collaborate with partners | <input type="checkbox"/> Invest in people and culture | <input type="checkbox"/> Drive innovation |
| <input type="checkbox"/> Modernise our operations | <input type="checkbox"/> Grow and diversify our donor base | |

Appendices:	Scheme of Delegation s1-9 March 2024 (tracked change version) Scheme of Delegation s10 March 2024 v1.3 (tracked change version) Appendix 1 Delegations to Committees
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