

## BSW CCG - Scheme of Reservations and Delegations (SoRD)

This document should be read alongside the CCG's Delegated Financial Limits (App.4 of the CCG's Constitution), which set out in detail the reservations and delegation regarding all financial matters, including procurement / contracting; and the CCG's Standing Financial Instructions.

Ref	Policy Area	Decision	The CCG (Membership)	Governing Body	Accountable Officer	Committee or Sub-Committee	Specified Individual
1	All functions	Exercise all functions and powers, except those reserved to the Membership  [The powers reserved to the Membership are: a. The election of the Chair, the Locality Clinical Lead members, and the Locality Healthcare Professional members of the CCG's Governing Body; b. Calling and attending a general meeting of the Members; c. Submitting a proposal for amendment of the Constitution; d. Approving Constitution changes in accordance with sections 1.4 and 5.1.4. of the Constitution]	(delegated to the GB)	x			
2	Annual report and accounts	Approve the CCG's annual report and annual accounts.	(delegated to the GB)	x		Audit Committee reviews and recommends to the GB	
3	Appointments / Elections	Determine the arrangements for the appointment of the CCG's Executive Directors		x			
4	Appointments / Elections	Appoint the CCG's AO					x, NHSE, on recommendation by the CCG Chair
5	Appointments / Elections	Appoint the CCG's Executive Directors (except the AO)					x, AO
6	Appointments / Elections	Elect the Chair, the Locality Clinical Lead members, and the Locality Healthcare Professional members of the CCG's Governing Body	x (R)				
7	Appointments / Elections	Approve the appointment of non-elected members to Governing Body members.		x			Chair's panel recommends
8	Appointments / Elections	Appoint the Audit Chair as the CCG's Conflicts of Interest Guardian		x			
9	Appointments / Elections	Oversee the appointment or election process for members of the Governing Body and its committees, and assure the Governing Body that due process is followed				x, RemCom	
10	Appointments / Elections	Consider the provision of the internal audit service, the cost of the audit, and any questions of resignation by or dismissal of the Head of Internal Audit				x, Audit Committee	

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11	Appointments / Elections	Approve appointment, re-appointment and removal of auditors, the level of remuneration and terms of engagement		x		Audit Committee reviews and recommends to the GB	
12	Assurance and risk	Oversee risk assessment and secure assurance actions to mitigate identified strategic risks	(delegated to the Governing Body)	x			
13	Assurance and risk	Approve the CCG's system of integrated governance, risk management and internal control		x		Audit Committee reviews and recommends to the GB	
14	Assurance and risk	Approve all risk and control related disclosure statements, together with any accompanying Head of Internal Audit Opinion, external audit opinion or other appropriate independent assurances		x		Audit Committee reviews and recommends to the GB	
15	Assurance and risk	Approve, incl. for publication as applicable, corporate registers for ensuring compliance with relevant regulatory, legal and code of conduct requirements and any related reporting and self-certifications: a) Col register b) Procurement register c) Gifts, hospitality, sponsorship register d) Quarterly Col return to NHSE		x		Audit Committee reviews and recommends to the GB (a, b, c) Audit Chair signs off with AO (d)	
16	Assurance and risk	Approve, incl. for publication as applicable, corporate policies for ensuring compliance with relevant regulatory, legal and code of conduct requirements: a) Counter-fraud, -corruption and -bribery policy, and procedure for detecting fraud; b) Policy for the engagement of external auditors to supply non-audit services; c) Freedom to Speak Up policy; d) Standards of Business Conduct policy;		x		Audit Committee reviews and recommends to the GB	
17	Assurance and risk	Seek reports and assurances from directors and managers as appropriate, concentrating on the over-arching systems of integrated governance, risk				x, Audit Committee	
18	Assurance and risk	Approve the annual internal audit plan and more detailed programme of work				x, Audit Committee	
19	Assurance and risk	Decisions re the appointment, retention, remuneration of the internal audit function		x		Audit Committee makes recommendations	
20	Assurance and risk	Approve the annual audit plan and ensure that it is consistent with the scope of the audit engagement				x, Audit Committee	
21	Assurance and risk	Advise the Governing Body and Accountable Officer on the contents of a policy for the engagement of external auditors to supply non-audit services, and approve such a policy				x, Audit Committee	
22	Assurance and risk	Approve the CCG's counter fraud and security management arrangements.		x		AC reviews and recommends	

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23	Assurance and risk	Approve the CCG's risk management arrangements.		x		AC reviews and recommends	
24	Assurance and risk	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).		x			
25	Assurance and risk	Approve proposals for action on litigation against or on behalf of the CCG.		x		Audit Committee makes recommendations	
26	Assurance and risk	Approve the CCG's arrangements for business continuity, and for emergency planning.		x			
27	Commissioning	Approve the CCG's Commissioning Plans and its consultation arrangements.	(delegated to the Governing Body)	x			
28	Commissioning (primary care)	Design local incentive schemes as an alternative to the Quality Outcomes Framework (QOF)				x, PCCC	
29	Commissioning (primary care)	Make decisions on whether to establish new GP practices in the BSW area				x, PCCC	
30	Commissioning (primary care)	Approve practice mergers in the area				x, PCCC	
31	Commissioning (primary care)	Vary or renew existing contracts for primary care provision or award new ones, depending on local circumstances				x, PCCC	
32	Commissioning (ambulance services)	All commissioning functions associated with the commissioning of ambulance services as an integral part of the urgent and emergency care system according to national requirements and standards				x, Ambulance Joint Commissioning Committee	
33	Commissioning (ambulance services)	Negotiate and agree a contract that delivers national performance, clinical and quality standards, incorporating any known challenges and improvement plans into the contract				x, Ambulance Joint Commissioning Committee	
34	Commissioning (ambulance services)	Award and enter into of contracts for the provision of emergency ambulance services				x, Ambulance Joint Commissioning Committee	
35	Commissioning (ambulance services)	All decision-making in respect of variations to the contract in accordance with national policy, service user needs and clinical developments				x, Ambulance Joint Commissioning Committee	
36	Commissioning (ambulance services)	All decision-making in respect of financial adjustments or sanctions resulting from provider breach of the contract				x, Ambulance Joint Commissioning Committee	

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37	Commissioning (ambulance services)	All decision making relating to the termination of the contract, or any part of it, in accordance with the terms of that contract				x, Ambulance Joint Commissioning Committee	
38	Commissioning (ambulance services)	Respond to informal or formal legal challenges brought in connection with the commissioned services				x, Ambulance Joint Commissioning Committee	
39	Locality Commissioning (BaNES, Swindon & Wiltshire)	Approve the localities' strategies for the development and delivery of health and care services, and the localities' commissioning strategies		x		WLCCG, BLCG, SLCG develop and recommend strategies	
40	Locality Commissioning (BaNES, Swindon & Wiltshire)	Approve the localities' financial, business and operational plans including risk sharing / risk management arrangements, as applicable		x		WLCCG, BLCG, SLCG develop and recommend plans	
41	Locality Commissioning (BaNES, Swindon & Wiltshire)	Within the framework set by the CCG's and the locality's strategies, make commissioning decisions and sign off procurement processes and outcomes for services, or recommend commissioning decisions and procurement processes to other decision-making bodies, as appropriate				x, WLCCG, BLCG, SLCG	
42	Locality Commissioning (BaNES, Swindon & Wiltshire)	Approve and ensure implementation of locality policies as may be required to support integrated / collaborative / joint commissioning, following consultation with the CCG's Governing Body, and ensuring alignment and compliance with BSW CCG policies				x, WLCCG, BLCG, SLCG	
43	Locality Commissioning (BaNES, Swindon & Wiltshire)	Within agreed section 75 arrangements with the Council, make commissioning decisions for new and existing services				x, WLCCG, BLCG, SLCG	
44	Locality Commissioning (BaNES, Swindon & Wiltshire)	Manage pooled funds, including: <ul style="list-style-type: none"> <li>• agree to the viring of funds between Pooled Funds;</li> <li>• approve Individual Services under the Better Care Fund, ensuring compliance with the Better Care Fund Plan and the strategic direction of the Better Care Fund;</li> <li>• agree funding of overspends if such funding can be met from the available pooled fund and available resources, or otherwise recommend the funding request to Council and CCG approval processes.</li> </ul>				x, WLCCG, BLCG, SLCG	
45	Committees	Form committees and subcommittees, incl. where permitted joint or 'in common' committee arrangements	x (for committees of the CCG)	x (for committees of the GB)			
46	Committees	Approve committees' ToR	x (for committees of the CCG)	x (for committees of the GB)		x	

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47	Committees	Delegate the committee's executive powers to the committee's sub-committee				x	
48	Committees	Invite attendees other than members					x, Committee Chair
49	Committees	Agree meeting agendas					x, Committee Chair
50	Constitution	The CCG may grant authority to act on its behalf to: a) any of its members or employees; b) its Governing Body; c) a Committee or Sub-Committee of the CCG, or of the CCG's Governing Body.	x				
51	Constitution	To grant authority to act on its behalf to: a) any Member of the Governing Body; b) a Committee or Sub-Committee of the Governing Body; c) a Member of the CCG who is an individual (but not a Member of the Governing Body); and d) any other individual who may be from outside the organisation and who can provide assistance to the CCG in delivering its functions.		x			
52	Constitution	To exercise, in an emergency, the powers that the CCG and the Governing Body have reserved to themselves within the CCG's Constitution, Standing Orders, SFI and Scheme of Reservations and Delegations					x, Chair with AO or CFO
53	Constitution	Approve, for ratification by NHSE, changes to the Constitution that are thought to have a material impact	x (R)				
54	Constitution	Approve, for ratification by NHSE, changes to the reserved powers of the members	x (R)				
55	Constitution	Approve, for ratification by NHSE, changes to the Constitution where at least half (50%) of all the Governing Body Members formally request that the amendments be put before the membership for approval	x (R)				
56	Constitution	Approve, for ratification by NHSE, minor changes to the Constitution, subject to 1-3 above		x(R)			(AO may propose changes)
57	Constitution	Submit a proposal for amendment of the Constitution	x (R)				
58	Constitution	Suspend the Standing Orders					x, Chair
59	Constitution	Approve amendments to the Scheme of Reservation and Delegation unless a) Changes are proposed to the reserved powers; or b) At least half (50%) of all the Governing Body member practice representatives (including the Chair) formally request that the amendments be put before the membership for approval.		x(R)			(AO may propose changes)

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60	Constitution	Approve a scheme of delegation and deputisation re operational / management decisions			x		
61	Constitution	Authenticate the use of the seal by signature			x		Chair; CFO
62	Constitution	Execute a document on behalf of the CCG by their signature			x		Chair; CFO
63	Finance	Approve the CCG's procurement strategy.		x		Finance Committee recommends	
64	Finance	Manage the budget for commissioning of primary medical care services in BSW.				x, PCCC	
65	Finance	Approve the CCG's Prime Financial Policies (this applies also to updates / amendments of the CCG's Prime Financial Policies)		x (R)		Finance Committee recommends	
66	Finance	Approve financial policies and procedures underpinning the CCG's Prime Financial Policies.				x, Finance Committee	CFO advises and recommends
67	Finance	Approve the CCG's Delegated Financial Limits	x	GB recommends		Finance Committee recommends	
68	Finance	Approve the CCG's operational plans and budgets		x			
69	Finance	Approve expenditure that may be treated as revenue but may be capitalised					x, Chair of the AC
70	Finance	Approve the level of non-pay expenditure on an annual basis		x			
71	Governance	Approve the CCG's arrangements for managing Freedom of Information requests, and ensure the CCG's compliance with the FoI Act.		x		Audit Committee periodically reviews	
72	Governance	Establish, with its Local Authority partners, decision-making and governance structures to facilitate and further collaborative and joint commissioning arrangements.		x			
73	Governance	Ensure good governance, and lead a culture of good governance throughout the CCG	(delegated to the Governing Body)	x			
74	Governance	Review the CCG's governance arrangements, to ensure that the CCG continues to reflect the principles of good governance.	(delegated to the Governing Body)	x			
75	Governance	Approve the arrangements for discharging the group's statutory duties associated with its GP practice commissioning functions, including but not limited to promoting the involvement of each patient, patient choice, reducing inequalities, improvement in the quality of services, obtaining appropriate advice and public engagement and consultation				x, PCCC	
76	Governance	To indemnify any Member practice representative or other officer or individual exercising powers or duties on behalf of the CCG in respect of any civil liability incurred in the exercise of the CCGs' business, provided that the person indemnified shall not have acted recklessly or with gross negligence		x			

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77	Governance	Agree if the CCG will insure through the risk pooling schemes administered by the NHS Resolution or self-insure for some or all of the risks covered by the risk pooling schemes		x			
78	Governance	Approve the CCG's Standards of Business Conduct Policy		x		Audit Committee reviews and recommends	
79	Human Resources	Approve the arrangements for discharging the CCG's statutory duties as an employer, incl. HR and employment policies		x			
80	Human Resources	Determine / approve the remuneration, fees and other allowances payable to employees or other persons providing services to the CCG and the allowances payable under any pension scheme established.		x		RemCom recommends	
81	Human Resources	Approve pay policy and any annual award for all employees of the CCG and to other persons providing services to the CCG including pensions, remuneration, fees, travelling or other allowances payable to employees		x		RemCom recommends	
82	Human Resources	Approve any payments, in addition to salary, for very senior managers (VSM)		x		RemCom recommends	
83	Human Resources	Approve remuneration for individuals for specific work undertaken in addition to their normal CCG role		x		RemCom recommends	
84	Human Resources	Approve levels of remuneration that are sufficient to attract, retain and motivate members of the Governing Body and senior employees whilst remaining cost effective		x		RemCom recommends	
85	Human Resources	Agree the framework for monitoring and evaluating the performance of the CCG's Executive Directors annually, and approve any performance related pay		x		RemCom recommends	
86	Human Resources	Approve any action to address performance and effectiveness of the Governing Body		x		RemCom recommends	
87	IT, IG	Approve Information Technology (IT) and IG policies				x, Finance Committee	
88	Membership matters	Call and attend a general meeting of the Members	x (R)				
89	Membership matters	Determine the arrangements by which the members of the Group approve those decisions that are reserved for the membership.	x (R)				
90	Membership matters	Vote at general meetings of the Members, and in regard of changes to the Constitution, calling meetings of the Membership, and elections of CCG Chair, Locality Clinical Leads, and Healthcare Professional members of the GB	x (R)				
91	Membership matters	Determine the arrangements by which Member Practices select their practice representatives.	x (R)				

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92	Membership matters	Appoint the lead healthcare professional who represents the member practice in the dealings with the CCG (the Practice Representative)	x (R)				
93	Partnership working – Local Authority	To enter into arrangements with one or more relevant Local Authority in respect of: a) Delegating specified commissioning functions to the Local Authority; b) Exercising specified commissioning functions jointly with the Local Authority; c) Exercising any specified health-related functions on behalf of the Local Authority.		x			
94	Partnership working – Local Authority	For the purposes of collaborative commissioning arrangements with a Local Authority, agree formal and legal arrangements to make payments to, or receive payments from, a Local Authority, or pool funds for the purpose of joint commissioning		x			
95	Partnership working – Local Authority	For the purposes of collaborative commissioning arrangements with a Local Authority, make the services of its employees or any other resources available to the Local Authority; and receive the services of the employees or the resources from the Local Authority.		x			
96	Partnership working - NHSE	The CCG delegates its powers and duties re joint commissioning arrangements with NHSE to the Governing Body	x				
97	Partnership working - NHSE	To make arrangements with NHSE to exercise any of the CCG's and NHSE's specified commissioning functions jointly.		x			
98	Partnership working - NHSE	Establish a Joint Committee to exercise the commissioning functions where joint commissioning arrangements [pursuant to C5.13.3] are entered into.		x			
99	Partnership working - NHSE	To agree with NHSE the terms and conditions of the arrangements to exercise any specified commissioning functions jointly.		x			
100	Partnership working - NHSE	To agree with NHSE a framework setting out the arrangements for joint working.		x			
101	Partnership working - NHSE	To approve only such arrangements that are safe and in the interests of patients registered with member practices		x			
102	Partnership working – NHSE	To withdraw from a joint commissioning arrangement (with NHSE).		x			
103	Partnership working – other CCGs	To make arrangements with one or more other CCGs in respect of: a) delegating any of the CCG's commissioning functions to another CCG; b) exercising any of the Commissioning Functions of another CCG; or c) exercising jointly the Commissioning Functions of the CCG and another CCG.	(delegates all its powers and duties re joint commissioning arrangements - other CCGs to the GB)	x			



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104	Partnership working – other CCGs	For the purposes of the above a) make payments to, or receive payments from, another CCG; or b) make the services of its employees or any other resources available to another CCG; or c) receive the services of the employees or the resources available to another CCG		x			
105	Partnership working – other CCGs	Establish a joint committee when the CCG makes arrangements which involve all the CCGs exercising any of their commissioning functions jointly, to exercise those functions.					
106	Partnership working – other CCGs	For the purposes of joint commissioning arrangements with other CCGs, to establish and maintain a pooled fund made up of contributions by all of the CCGs working together jointly		x			
107	Partnership working – other CCGs	To agree with other CCGs agreement setting out the arrangements for joint working.		x			
108	Partnership working – other CCGs	To withdraw, at six months' notice, from a joint commissioning arrangement (with other CCGs / another CCG).		x			
109	Partnership working – partner organisations	To enter into strategic or other transformation discussions with its partner organisations, on behalf of the CCG		x			
110	Performance	Oversee and monitor performance		x		WLCG, BLCG, SLCG, QPAC, Finance Committee advise and recommend	
111	Quality	Oversee and monitor quality improvement		x		QPAC advises and recommends	
112	Quality	Approve recommendations regarding clinical protocols, service reviews and pathway redesign as may be made by the Clinical Advisory and Effectiveness Group (CAEG)				x, QPAC	
113	Quality	Approve recommendations as may be made by the Clinical Advisory and Effectiveness Group (CAEG) regarding the CCG's response to NHS policy / regulation / guidance that has a direct impact on quality, effectiveness and patient safety		x		x, QPAC	
114	Quality	Approve CCG clinical policies including commissioning exceptionality policies, as recommended by the Clinical Advisory and Effectiveness Group (CAEG).		x		x, QPAC	
115	Strategy and Planning	Approve the vision, values and overall strategic direction of the CCG.	(delegated to the Governing Body)	x			
116	Strategy and Planning	Approve the CCG's primary care strategy		x		PCCC develops and delivers	

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117	Strategy and Planning	Approve the CCG's Estates Strategy		x		Finance Committee (BSW Strat Estates Group) recommends; PCCC input	
118	Strategy and Planning	Approve the CCG's operating model.		x			