



Trust Board Reservation of Powers and Scheme of Delegation 2025 - 2026

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Initiated by	Date	Author (s)
Executive changes, external review, restructuring of committees	February 2022	Linda Gove, Head of Corporate Governance
Annual Review	March 2022	Ed Davison, Head of Financial Services
Annual Review	March 2022	Audit Committee and Trust Board
Annual Review	March- November 2023	Linda Gove, Head of Corporate Governance, and Ed Davison, Head of Financial Governance and Compliance
Annual Review	February 2024	Alison Whitefoot, Deputy Director of Finance – Financial Services & Accounting, and Ed Davison, Head of Financial Governance and Compliance
Annual Review	February 2025	Stanley Mukwenya, Deputy Director of Corporate Affairs

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Linked Policy Documents	Standing Orders Committee Terms of Reference Standing Financial Instructions Board Governance Assurance Framework
Dissemination requirements	Cascade to Board members and Senior Leaders and forms part of Board level induction pack
Part of Trust's publication scheme	Yes

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1.0 Introduction

- 1.1 NHS Trusts are required by law to adopt Standing Orders, Standing Financial Instructions, Reservation of Powers to the Board and a Scheme of Delegation of Powers which regulate the way in which the proceedings and business of the Trust will be conducted.
- 1.2 This document sets out the powers reserved to the Board (Appendix A) and the Scheme of Delegation, recognising that the Board remains accountable for all of its functions, including those which have been delegated.
- 1.3 All powers of the Trust which have not been retained as reserved by the Board or delegated to a Committee authorised by the Board, shall be exercised on behalf of the Board by the Chief Executive. The Scheme of Delegation identifies functions which the Chief Executive will perform personally and those delegated to other directors or officers. All powers delegated by the Chief Executive can be re-assumed by the Board as required.
- 1.4 The Scheme of Delegation shows only the "top level" of delegation by the Board to Committees and Directors or Officers (Appendix B) and the Detailed Scheme of Delegation, (Appendix C) covers other specific matters referred to in the Standing Financial Instructions and Standing Orders. The Scheme of Delegation is to be used in conjunction with the system of budgetary control and other established procedures within the Trust.
- 1.5 Decisions taken on the basis of this document should also have regard to the relevant Trust policies and procedures. The Chief Executive will establish appropriate management arrangements to ensure that Officers pursue the Trust's policies in a corporate manner.
- 1.6 In the absence of a Director or Officer to whom powers have been delegated, those powers shall be exercised by the person acting on behalf of that Officer in his/her absence and to whom authority has been delegated.

Appendix A

Reservation of Powers to the Board

General Enabling Provision

- I. The Board may determine any matter, for which it has delegated or statutory authority, it wishes in full session within its statutory powers.
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- I. Approval, suspension, variation or amendment of Standing Orders, Standing Financial Instructions, Schedule of Matters Reserved to the Trust Board, and the Scheme of Delegation of Powers from the Board.
 - II. Specification of financial and performance reporting arrangements.
 - III. Requiring and receiving the declaration of Directors' interests which may conflict with those of the Trust and determining the extent to which that Director may remain involved with the matter under consideration.
 - IV. To receive reports from Committees, including those which the Trust is required by the Secretary of State for Health and Social Care or other regulation to establish, and to take appropriate action thereon.
 - V. Ratifications of any urgent decisions taken by the Trust Chair.
 - VI. Approval of arrangements relating to the discharge of the Trust's responsibilities as a corporate trustee for funds held on Trust.
 - VII. Continuous appraisal of the affairs of the Trust by means of the provision to the Board, as the Board may require from Directors, Committees, and Officers of the Trust as set out in policy statements.
 - VIII. Approve and delegate authority from the Board to Committees, Officers and other bodies.
 - IX. Adopt the organisation structures, processes and procedures to facilitate the discharge of business by the Trust and to agree modifications thereto.
 - X. To approve any changes to the Trust's Corporate Governance Framework.
 - XI. To approve the appointment of professional advisors where such approval is required in accordance with Standing Orders.

Appointments

- I. Appointment and agreement of the terms of reference of Board Committees.
- II. Appoint, appraise, discipline and dismiss individuals directly accountable to the Board.
- III. Appoint Vice Chair of the Board.
- IV. Approve proposals of the Nomination, Remuneration and Terms of Service Committee regarding directors and senior employees and proposals of the Chief Executive for staff not covered by the Nomination, Remuneration and Terms of Service Committee.

Strategy and Plans

- I. Define the strategic aims and objectives of the Trust.
- II. Approve the Trust's policies and procedures for the management of risk.
- III. Approve annually the Trust's proposed organisational development proposals.
- IV. Approve the actions and implementation of the Fit for the Future programme as recommended by the Fit for the Future Steering Group, notwithstanding the individual Committee delegations.
- V. Responsible for the development of a consistent culture where people feel safe and supported

Financial and Performance Reporting

- I. Approval of the Trust's Annual Report, including the Annual Accounts and Annual Governance Statement, prior to submission to the Department of Health.
- II. Approve the Trust's forward plan and budget in respect of each financial year, setting out the application of available financial resources.
- III. Approval of the Trust's Quality Account, prior to submission to the Department of Health.
- IV. Receipt and approval of the Annual Report(s) for funds held on trust.
- V. Agreement of action on litigation against or on behalf of the Trust.
- VI. Approval of loans taken out with repayment periods in excess of one year.
- VII. Approval of the acquisition, disposal or change of use of land and/or buildings as specified in the table of financial limits as delegated within the Scheme of Delegation.

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- VIII. To approve such business plans, budgeted and capital programmes submitted by the Chief Executive on at least an annual basis, including the approval of Cost Improvement Programmes.

Policy Determination

- I. Approve management policies, including personnel policies, incorporating the arrangements for the appointment, removal and remuneration of staff.
- II. To approve significant Trust policies as required.

Audit

- I. Approve the appointment (and where necessary dismissal) of External Auditors appointed by The Trust.
- II. Receive the annual management letter from the external auditor and agreement of proposed action, taking account of the advice, where appropriate, of the Audit Committee.

Appendix B

Powers Delegated in Standing Orders

Delegated Authority	Delegated to	SO
1. Final authority in the interpretation of Standing Orders	Trust Chair	2.2
2. If difficulties arise regarding the interpretation or application of any of the Standing Orders	Deputy Director of Corporate Affairs	2.3
3. Any variation to financial limits in Standing Orders, Schedule of Decisions Reserved for the Trust Board and the Scheme of Delegated Authorities	Board	6.2
4. Non-Compliance with Standing Orders	Audit Committee	7.1
5. Standing Orders shall be reviewed annually	Audit Committee	8.1
6. Appointment of the Chief Executive	Trust Chair and Non-Executive Directors, overseen by NHSE/I.	11.2
7. Appointment of Executive Directors	Trust Chair, Non-Executive Directors and Chief Executive	11.3
8. Appointment of Vice-Chair	Board	13.1
9. When the Chair is unable to perform their duties	Vice-Chair	13.3
10. Appoint Associate Non-Executive Directors	Board	14.1

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11.	Responsibility for the operation of the Board and chair all Board meetings.	Trust Chair	17.1
12.	Responsibility for the overall performance of the executive functions of the Trust in line with the requirements of the Accountable Officer Memorandum for Trust Chief Executives.	Chief Executive	17.3
13.	Responsible for the provision of financial advice to the Trust, the supervision of financial control and accounting systems and the discharge of obligations under relevant Financial Directions.	Director of Finance	17.4
14.	To call a meeting of the Board at any time.	Trust Chair	18.3
15.	A notice of the meeting, specifying the business proposed to be transacted, shall be posted before each meeting of the Trust Board. This notice shall be signed.	Trust Chair, or by an Officer of the Trust authorised by the Chair to sign on their behalf	21.2
16.	Responsible for deciding whether a vote is required and what form this will take	Trust Chair	28.1
17.	A second or casting vote	Trust Chair	28.2
18.	A properly received petition shall be included as an item for the agenda of the next Trust Board meeting	Trust Chair	29.1
19.	Standing Orders may in emergency be exercised	Chief Executive and the Chair acting jointly	34.3
20.	Preparation of a Scheme of Delegation	Chief Executive	34.6

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21.	Appoint Committees of the Trust	Board	35.1
22.	Declaration of Interests	All Staff and Board	46.1
23.	Register of Interests to be established and maintained	Deputy Director of Corporate Affairs	46.11
24.	Take reasonable steps to make arrangements for the Register of Interests to be made available to the public and open to inspection if required	Trust Chair and Chief Executive	46.13
25.	Determine that a matter dealt with by the Board or Committee, or brought before it, is confidential.	Chair	51.1
26.	The Common Seal of the Trust shall be kept in a secure place	Chief Executive or a nominated Officer	54.1
27.	Register of Sealing to be established and maintained	Chief Executive or a nominated Officer	55.1
28.	By resolution of the Board, to sign on behalf of the Trust any agreement or other document not required to be executed as a deed	Chief Executive or nominated directors	56.2