

## 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 (constituent practices)	Council of Members / Representatives	Governing Body	Clinical Executive / Board	Audit & Governance Committee	Remuneration Committee	Accountable 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"> <li>• Changes are deemed to have a material impact; or</li> <li>• Changes are proposed to the reserved powers of the members or the role and appointment of member practice representatives (including the GP members of the clinical executive); or</li> <li>• At least half (50%) of all the Governing Body Members formally request that the amendments be put before the membership for approval</li> </ul>		✓							

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REGULATION AND CONTROL	<p>Approve minor amendments 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"> <li>• Changes are <u>not</u> thought to have a material impact; or</li> <li>• 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 clinical executive).</li> </ul>			✓						
REGULATION AND CONTROL	Approval of terms of reference for committees of the CCG (*unless this has otherwise been delegated to the governing body or clinical executive, e.g. joint committees with other CCGs, NHS England or the local authority).		✓	*	*					
REGULATION AND CONTROL	Approval of terms of reference of committees of the governing body.			✓						
REGULATION AND CONTROL	Exercise or delegation of those functions of the clinical commissioning group which have not been retained as reserved by the group, delegated to the governing body, committee or sub-committee or specified member or employee							✓		
REGULATION AND CONTROL	Approve the group's standing financial instructions (other the financial scheme of delegation which forms part of the constitution) and detailed financial policies.									Joint Finance & Performance Committee
REGULATION AND CONTROL	Approve arrangements for managing individual funding requests.									Joint Clinical Committee

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PRACTICE MEMBER REPRESENTATIVES AND MEMBERS OF THE CLINICAL EXECUTIVE AND / OR GOVERNING BODY	Approve the arrangements for identifying practice members to represent practices in matters concerning the work of the group;	✓								
PRACTICE MEMBER REPRESENTATIVES AND MEMBERS OF THE CLINICAL EXECUTIVE AND / OR GOVERNING BODY	Electing the chair of the council of members.		✓							
PRACTICE MEMBER REPRESENTATIVES AND MEMBERS OF THE CLINICAL EXECUTIVE AND / OR GOVERNING BODY	Approve the process for assessing the eligibility (including competency) of candidates for clinical executive posts.		✓							
PRACTICE MEMBER REPRESENTATIVES AND MEMBERS OF THE CLINICAL EXECUTIVE AND / OR GOVERNING BODY	Electing clinical leaders to represent the group's membership on the group's clinical executive, via one GP (partner and salaried), one vote arrangement.	✓								

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PRACTICE MEMBER REPRESENTATIVES AND MEMBERS OF THE CLINICAL EXECUTIVE AND / OR GOVERNING BODY	Approve the process for appointing the clinical chair.		✓							
PRACTICE MEMBER REPRESENTATIVES AND MEMBERS OF THE CLINICAL EXECUTIVE AND / OR GOVERNING BODY	Selection of: (i) deputy clinical chair (deputy chair of the clinical executive) (ii) the second GP clinical executive member of the governing body <i>NOTE: in practice both of the roles above are normally held by the same individual, but this is not a requirement.</i>									Clinical Chair
PRACTICE MEMBER REPRESENTATIVES AND MEMBERS OF THE CLINICAL EXECUTIVE AND / OR GOVERNING BODY	Approve the process for the selection and appointment of non-elected governing body members, including the accountable officer. Recommend the appointment of the accountable officer to NHS England.		✓							
PRACTICE MEMBER REPRESENTATIVES AND MEMBERS OF THE CLINICAL EXECUTIVE AND / OR GOVERNING BODY	Removal of elected clinical executive members and non-employee members of the governing body, via a 75% majority vote of confidence at a meeting of the council of members.		✓							

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PRACTICE MEMBER REPRESENTATIVES AND MEMBERS OF THE CLINICAL EXECUTIVE AND / OR GOVERNING BODY	Referral of employee members of the governing body 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.		✓							
PRACTICE MEMBER REPRESENTATIVES AND MEMBERS OF THE CLINICAL EXECUTIVE AND / OR GOVERNING BODY	<p>Following initial appointment, re-appoint individuals to GP clinical executive members 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"> <li>GP clinical executive members – up to a maximum of 6 years, unless otherwise agreed with the council of members</li> <li>lay members, registered nurse and secondary care consultant – up to a maximum of 9 years</li> </ul>									Clinical Chair
STRATEGY AND PLANNING	Agree the vision, values and overall strategic direction of the group.		✓							
STRATEGY AND PLANNING	Approval of the group's operating structure: <ul style="list-style-type: none"> <li>(i) staffing and managerial</li> <li>(ii) clinical leadership</li> </ul>				(ii)			(i)		
STRATEGY AND PLANNING	Approval of the group's commissioning plans and strategies.				✓					

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STRATEGY AND PLANNING	Approval of the group's corporate budgets (the financial plan that underpins the commissioning plan) that meet the financial duties as set out in section 5.3 of the main body of the constitution.			✓						
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 primary medical care services (as per the terms of the delegation agreement with NHS England).									Primary Care Commissioning Committee
STRATEGY AND PLANNING	Make decisions on the review, planning and procurement of services as specified in the terms of reference of the Joint Clinical Committee.									Joint Clinical Committee
STRATEGY AND PLANNING	Make decisions in 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, clinical executive 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, clinical executive 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.									Senior Management Team
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.									Joint Quality 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.									Joint Quality Committee

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OPERATIONAL AND RISK MANAGEMENT	Approve the group's risk management framework.					✓				
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).			✓						Joint 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 group (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
COMPLAINTS	Approve the group's arrangements for handling complaints.			✓						



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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 agreements for partnership working, including the memorandum of understanding between the three Bradford District and Craven CCGs.			✓						
PARTNERSHIP WORKING	Approve in-year changes to the Bradford District and Craven Financial Risk Share Agreement, which is a supporting schedule to the Bradford District and Craven CCGs Memorandum of Understanding.							✓ And CFO	✓ And AO	And Clinical Chair
PARTNERSHIP WORKING	Approve arrangements for joint commissioning of services with other CCGs, NHS England and or with the local authority.			✓ O R	✓ OR					
COMMISSIONING AND CONTRACTING FOR CLINICAL SERVICES	Approve arrangements for discharging the group's statutory duties associated with its 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.			✓						