

South West London Clinical Commissioning Group Scheme of Reservation and Delegation

Document management

Revision history

Version	Date	Summary of changes
0.1 -0.3	Pre 19/08/19	Various comments received by SMT, Chairs and Governance Lay Members on initial drafts
0.4	19/08/19	Comments listed in amendments tracker
0.5	23/08/19	Formal document management page added. Other changes listed in tracker (16-22 Aug)
0.6	30/08/19	Addition of cover sheet, minor tidying up
0.7	06/09/19	Minor tidying up
0.8	30/09/19	Amendments as per tracker (06 – 30 September)
0.9	29/11/19	Amendments following legal review. Amendments as per tracker (30 September – 29 November)
0.10	20/02/20	Amendments as per tracker (29 Nov 19 – 20 Feb 20)

Reviewers

This document must be reviewed by the following people:

Reviewer name	Title/responsibility	Date	Version
Governance Lay Members		August 19 – Feb 20	0.1 – 0.10
SMT		August 19 – Feb 20	0.1 – 0.10
Chairs		August 19 – Feb 20	0.1 – 0.10

Approved by

This document must be approved by the following people:

Name	Signature	Title	Date	Version
David Sloaman		Regional Director for London		
SWL CCG Governing Body			20 May 2020	

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Scheme of Reservation and Delegation

1. Schedule of matters reserved to the CCG and Scheme of Delegation

- 1.1 The arrangements made by the CCG as set out in this Scheme of Reservation and Delegation of decisions shall have effect as if incorporated in the CCG's Constitution.
- 1.2 The Membership remains accountable for all of the CCG's functions, including those that it has delegated.

2. Functions Reserved to the Members

2.1 The following are reserved for the CCG Members:

- Amending the inter-practice agreement;
- Request permission of NHS England to amend the Constitution;
- Request to NHS England for a statutorily permissible change to the Geography of the CCG;
- Request to NHS England for a statutorily permissible change to the name of the CCG;
- Proposing selection and de-selection of locally elected member/s of the Borough Committee;
- Applying to NHS England for permission to merge with another Clinical Commissioning Group where statutorily permissible.

3. Functions delegated to the Governing Body

3.1 All other functions are delegated to the Governing Body.

4. Functions Delegation to the Committees of the Governing Body

4.1 The table that follows provides details of those matters that are reserved to the Membership or have been delegated to committees or officers of the CCG or the Governing Body.

Policy area	Decision	Reserved to the Membership	Reserved or delegated to the Governing Body	Accountable Officer	Chief Finance Officer	Committees or Sub committees
REGULATION AND CONTROL	Determine the arrangements by which the members of the CCG approve those decisions that are reserved for the membership	X				
REGULATION AND CONTROL	Consideration and approval of applications to NHS England on any matter concerning changes to the CCG's Constitution	X				
REGULATION AND CONTROL	Exercise or delegation of those functions of the CCG which have not been retained as reserved to the Membership, delegated to the Governing Body or other committee or sub-committee or any member or employee		X			
REGULATION AND CONTROL	Prepare and approve the CCG's overarching Scheme of Reservation and Delegation excepting those areas reserved to the membership		X			
REGULATION AND CONTROL	Membership have the right to request an annual review of the Scheme of Delegation	X				

REGULATION AND CONTROL	Approve the Standing Financial Instructions		X			
REGULATION AND CONTROL	Approve detailed financial policies					Finance committee
REGULATION AND CONTROL	Approve arrangements for managing exceptional funding requests					Per SFIs
REGULATION AND CONTROL	Set out who can execute a document by signature / use of the seal		X			
PRACTICE MEMBER REPRESENTATIVES AND MEMBERS OF THE GOVERNING BODY	Approve the arrangements for appointing clinical leaders to represent the CCG's membership on the CCG's Governing Body and Borough Committee	X				
PRACTICE MEMBER REPRESENTATIVES AND MEMBERS OF THE GOVERNING BODY	Approve the appointment of Governing Body members, the process for recruiting and removing non-elected members to the Governing Body (subject to any regulatory requirements) and succession planning excluding the locally elected members of the Governing Body which is for the membership		X			
PRACTICE MEMBER REPRESENTATIVES AND MEMBERS OF THE GOVERNING BODY	Approve arrangements for identifying the CCG's proposed Accountable Officer in conjunction with NHS England		X			

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STRATEGY AND PLANNING	Agree the vision, values and overall strategic direction of the CCG		X			
STRATEGY AND PLANNING	Approval of the CCG's operating structure			X		
STRATEGY AND PLANNING	Approval of the CCG's commissioning plan		X			
STRATEGY AND PLANNING	Approval of the CCG's corporate budgets that meet the financial duties		X			
ANNUAL REPORTS AND ACCOUNTS	Approval of the CCG's annual report and annual accounts		X			
ANNUAL REPORTS AND ACCOUNTS	Approval of the arrangements for discharging the CCG's statutory financial duties					Finance Committee
HUMAN RESOURCES	Approve on the recommendation of the remuneration committee terms and conditions of employment for all individuals directly appointed by the CCG as workers, employees or office holders, including, pensions, remuneration, fees and travelling or other allowances payable to employees and to other persons providing services (this excludes commissioned services but may include, for example, contractors) to the CCG. Lay Members on the recommendation of the AO and CFO		X			
HUMAN RESOURCES	Approve all policies and procedures that support the effective running of the organisation		X			

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 performance and oversight 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 performance and oversight committee
OPERATIONAL AND RISK MANAGEMENT	Approve the CCG's counter fraud and security management arrangements		X			
OPERATIONAL AND RISK MANAGEMENT	Approval of the CCG's risk management arrangements		X			
OPERATIONAL AND RISK MANAGEMENT	Approve arrangements for risk sharing and or risk pooling with other organisations (for example, arrangements for pooled funds with other CCGs or pooled budget arrangements under section 75 of the NHS Act 2006)		X			
OPERATIONAL AND RISK MANAGEMENT	Approval of a comprehensive system of internal control, including budgetary control, that underpin the effective, efficient and economic operation of the CCG		X			
OPERATIONAL AND RISK MANAGEMENT	Approve proposals for action on litigation against or on behalf of the CCG		X			
OPERATIONAL AND RISK MANAGEMENT	Approve the CCG's arrangements for business continuity and emergency planning		X			

INFORMATION GOVERNANCE	Approve the CCG's arrangements for handling complaints		X			
INFORMATION GOVERNANCE	Approval of the arrangements for ensuring appropriate and safekeeping and confidentiality of records and for the storage, management and transfer of information and data					Quality Performance and Oversight
TENDERING AND CONTRACTING	Approval of the CCG's contracts for corporate support (for example finance provision)					Finance committee
PARTNERSHIP WORKING	Approve decisions considered by joint committees established under section 75 of the 2006 Act.		X			Recommended by Borough Committee/ Approved by CCG GB
COMMISSIONING AND CONTRACTING FOR CLINICAL SERVICES	Manage delegated budgets at a Borough level according to national programme and primary care allocations as set out in CCG resource allocations 2019/20 – 2023/24 in accordance with CCG Standing Financial Instructions and statutory requirements and in accordance with the CCG's Accountability Agreement.					Borough Committee
COMMISSIONING AND CONTRACTING FOR CLINICAL SERVICES	Approval of the arrangements for discharging the CCG'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. If not delegated to borough level committee.		X			

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<p>COMMISSIONING AND CONTRACTING FOR CLINICAL SERVICES</p>	<p>Approve arrangements for co-ordinating the commissioning of services with other CCGs, NHS England, or with the Local Authority(ies), where appropriate.</p>		<p>X</p>			<p>Recommended by Borough Committee/ Approved by CCG GB</p>
<p>COMMUNICATIONS</p>	<p>Approving arrangements for handling Freedom of Information requests. Determining arrangements for handling Freedom of Information requests.</p>		<p>X</p>			