



Title of Paper: <u>Update to Scheme of Delegated Authority (SoDA)</u>		
For Approval	For Discussion	For Noting
A document requiring Board Members majority decision prior to implementation or action.	A document requiring Board Members consideration and debate.	A document that contains information regarding issues of which requiring Board Members should be made aware.

1. Background

The SEHSCT Standing Financial Instructions permit the Chief Executive, as Accounting Officer, to delegate to nominated officers’ approval limits for the payment of invoices and to contractually commit SEHSCT to costs.

DoH Circular HSC(F) 23-2023 and guidance contained in Managing Public Money NI conveys the delegated authority to commit and incur expenditure to the limits stated in Schedule A of Annex 1.

2. Key Issues

The financial limits have been reviewed as part of the annual review of the SODA and to reflect recent changes at Director level and the updated Department of Health circular. EMT considered these changes on 15th August 2023.

The main changes are:

Section	Change
Authorisation to agree settlement values for claims	Responsibility moved from DHRCS to Medical Director - limits unchanged.
Capital expenditure and IT expenditure	Updated in line with changes to Trust delegated limits
Schedule B of Annex 1: Individual directors delegated limits	Additions for new directors, and amendments to reflect roles.

Schedule B of the SoDA sets out those officers to whom authority has been delegated and the limits on that authority. Below this authority, individual Directors are authorised to delegate authority to those who report to them.

3. Resources Implications (inc Organisational, Financial, Human Resources)

None.

4. Impact on Safety, Quality and Experience (SQE)

None.

5. Key Risks and Proposals to Mitigate

None.

Lead Director: Wendy Thompson, Director of Finance & Estates

Date 15 August 2023

Annex 1: Scheme of Delegated Authority (SoDA) at 15 August 2023

SEHSCT Scheme of Delegated Authority (SODA) in accordance with DoH Circular HSC(F)-20-2023 issued 9th May 2023

It is mandatory for South Eastern Health & Social Care Trust to obtain prior Departmental approval for expenditure above those limits outlined below. Failure to obtain the required DoF approvals will result in regularity and propriety issues. Any expenditure which falls outside a Department's delegated authority and which has not been approved by DoF is deemed irregular and could result in qualified accounts and investigation by PAC.

Schedule A Delegated Limits to Commit SEHSCT to Expenditure

Expenditure Type

Details	Delegated Limit £	Authorised Officer(s)	Comments
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Authorisation to Agree Financial Settlement Values for Claims

Compensation payments for Clinical Negligence (to include interim payments if overall settlement is expected to exceed delegated limits) To include agreement of	Up to £25,000	Assistant Director of Risk Management and Governance	No agreement of settlement values permitted until DLS advice has been received. The request to settle a claim above £1,000,000 has to be
	Up to £500,000	Director of Medical Services	
	Up to £800,000	Director of Finance & Estates	
	Up to £1,000,000	Chief Executive	
	Up to £2,000,000	NICS Department of Health	

Periodic Payment Orders (PPOs)	Over £2,000,000	NICS Department of Finance via DoH	signed by the Chief Executive before it is submitted to DoH
Compensation payments following DLS legal advice - (This would include all personal injury and public liability claims)	Up to £20,000	Head of Information Governance	No agreement of settlement values permitted until DLS advice has been received
	Up to £25,000	Director of Medical Services	
	Up to £100,000	Requests to settle a claim above £25,000 and up to £100,000 must be sent to NICS Department of Health with the request to settle a claim value signed by Director of HR & Corporate Services prior to submission.	
	Over £100,000	NICS Department of Finance via DoH	
Compensation payments without legal advice	Up to £10,000	NICS Department of Health	The request to settle a claim up to the value of £10,000 must be submitted to DoH
	Over £10,000	NICS Department of Finance via DoH	
Confidentiality Agreements	Nil**	**Prior DoH and DoF approval required in all cases	
Extra-Statutory and Extra-Regulatory payments	Up to £100,000	NICS Department of Health	The request to settle a claim up to the value of £100,000 must be submitted to DoH
	Over £100,000	NICS Department of Finance via DoH	

Authorisation to Commit SEHSCT to Expenditure

Capital Expenditure (excluding Hospital Schemes)	Up to £500,000	Director of Finance & Estates	Following approval by the lead Director, all capital business cases must be approved by Finance Director and those over £500k will be submitted to EMT for approval. In addition, cases above £2m will be submitted to Finance & Performance Committee & DOH for approval if not affordable within Trusts resources. Capital schemes above £2m will be presented at Trust Board for noting.
	Up to £2,000,000	Executive Management Team	
	Up to £5,000,000	Finance & Performance Committee	
	Up to £5,000,000	NICS Department of Health	
	Over £5,000,000	NICS Department of Finance via DoH	

Capital Expenditure Hospital Schemes (new build, extension, refurbishment and equipment)	Up to £500,000	Director of Finance & Estates	Following approval by the lead Director, all capital business cases must be approved by Finance Director and those over £500k will be submitted to EMT for approval. In addition, cases above £2m will be submitted to Finance & Performance Committee & DOH for approval if not affordable within Trusts resources. Capital schemes above £2m will be presented at Trust Board for noting.
	Up to £2,000,000	Executive Management Team	
	Up to £10,000,000	Finance & Performance Committee	
	Up to £10,000,000	NICS Department of Health	
	Over £10,000,000	NICS Department of Finance via DoH	

Engagement of External Management Consultants	All external consultancy business cases, regardless of value, must be submitted to FPAU prior to the commencement of an appointment process for any consultant. Where the expected value of external consultancy is £10k or more the business case requires DoH Ministerial approval.
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Losses (cash loss write off, bookkeeping losses, exchange rate fluctuations, fruitless payments property in store or in use due to a deliberate act.)	Up to £30,000	Director of Finance & Estates
	Fully delegated	NICS Department of Health

Losses – Waived of Abandoned claims	Up to £10,000	Director of Finance & Estates
	Up to £100,000	NICS Department of Health
	Over £100,000	NICS Department of Finance via DoH

Special Payments / Ex Gratia Payments	Up to £5,000	Asst Director of Financial Services	Ex Gratia Payments following a complaint limited to £500
	Up to £10,000	Director of Finance & Estates	
	Up to £100,000	NICS Department of Health	
	Over £100,000	NICS Department of Finance via DoH	

Ex Gratia Payments Directed by Ombudsman	Up to £10,000	Asst Director of Corporate Risk & Governance
	Up to £50,000	NICS Department of Health

	Over £50,000	NICS Department of Finance via DoH
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EU Expenditure (for which the Special EU Programmes Body is responsible)	Per Delegated Limit	Managers or Asst Directors to the value of their Delegated Limit	See Schedule B for delegated limits of Directors
	Per Delegated Limit	Any Other Director up to their Delegated Limit	
	Up to £800,000	Director of Finance & Estates	
	Up to £900,000	Deputy Chief Executive	
	Up to £1,000,000	Chief Executive	
	Up to £5,000,000	Chairman	
	Over £5,000,000	NICS Department of Finance via DoH	

Gifts SEHSCT make to an individual or Organisation	£250 to any 1 individual or entity	Director of Finance & Estates	Collective value is the total made to more than 1 individual or entity
	£5,000 collectively	Director of Finance & Estates	
	More than £250 to any 1 individual or entity	NICS Department of Finance via DoH	
	More than £5,000 collectively	NICS Department of Finance via DoH	

Grants:	Revenue	up to £750,000 per annum	Director of Finance & Estates
		More than £750,000 per annum	NICS Department of Finance via DoH
	Capital	up to £750,000 in total	Director of Finance & Estates

		More than £750,000 in total	NICS Department of Finance via DoH
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Grant Overpayments	Nil	Prior DoH & DoF approval required in all cases	
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I.T. Projects (Total Cost of both Revenue & Capital)	Up to £50,000	Director of Finance & Estates	All revenue Business Cases require approval by Lead Director & Director of Finance. Revenue Business Cases over £100k also require CeX approval. Projects costing £250k+ require approval by the Finance & Performance Committee. Revenue cases greater than £500k must be presented at EMT for noting and cases greater than £2m should be presented at Trust Board for noting.
	Up to £125,000	Executive Management Team	
	Up to £250,000	Finance & Performance Committee	
	Over £250,000	Digital Health Care NI	

Overseas Travel for staff excl Chief Executive	Up to £25,000	Director of People & Organisational Development	Values apply to a single employee or group of employees travelling on SEHSCT business
	Over £25,000	Director of Finance & Estates	

Overseas Travel for Chief Executive	Fully delegated	Chairman
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Salary Overpayments (Foregoing the recoupment of overpayments of pay, pensions and allowances)	Up to £1,000	Asst Director of Financial Services
	Up to £20,000	NICS Department of Health
	Over £20,000	NICS Department of Finance via DoH
Salary Losses - (The write off of losses relating to social security benefits, grants, subsidies arising from miscalculation, misinterpretation or missing information The failure to make adequate charges for use of public property or services or loans The write off of losses relating to pay, allowances, superannuation benefits where losses have arisen due to causes such as non-disclosure by beneficiary/fraud)	Prior DoH & DoF approval required in all cases	

Special Severance Payments	Prior DoH & DoF approval required in all cases
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Pay remits	As per Finance Director Letter – Pay remit approval process and guidance
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Authorisation to Commit SEHSCT to Contracts and Procurement Related Expenditure

Leases for Office Accommodation or Storage (excluding offices outside NI)	Prior DoH & DoF approval required in all cases
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Contracts with other Public Sector/HSC Bodies Total Value over duration of Contract (e.g. Trusts, HSCB, NIHE, Supporting People, Other NICS Departments)	Up to £500,000	Asst Director of Contracts & Commissioning
	Up to £1,000,000	Director of Planning, Performance & Informatics
	Up to £3,500,000	Director of Finance & Estates
	Up to £5,000,000	Chief Executive
	Over £5,000,000	Chairman

Independent Sector Acute Providers	Up to £500,000	Asst Director of Contracts & Commissioning
	Up to £1,000,000	Director of Planning, Performance & Informatics
	Up to £3,500,000	Director of Finance & Estates
	Up to £5,000,000	Chief Executive
	Over £5,000,000	Chairman

Independent Sector Residential & Nursing Homes	Up to £500,000	Asst Director of Contracts & Commissioning
	Up to £1,000,000	Director of Planning, Performance & Informatics
	Up to £3,500,000	Director of Finance & Estates
	Up to £5,000,000	Chief Executive
	Over £5,000,000	Chairman

Independent Sector Domiciliary Care	Up to £500,000	Asst Director of Contracts & Commissioning
	Up to £1,000,000	Director of Planning, Performance & Informatics
	Up to £3,500,000	Director of Finance & Estates
	Up to £5,000,000	Chief Executive
	Over £5,000,000	Chairman

Independent Sector - Day care & Community/Voluntary Bodies	Up to £500,000	Asst Director of Contracts & Commissioning
	Up to £1,000,000	Director of Planning, Performance & Informatics
	Up to £3,500,000	Director of Finance & Estates
	Up to £5,000,000	Chief Executive
	Over £5,000,000	Chairman
Contracts with Republic of Ireland	Up to £500,000	Asst Director of Contracts & Commissioning

Health and Social Care Providers	Up to £1,000,000	Director of Planning, Performance & Informatics	
	Up to £3,500,000	Director of Finance & Estates	
	Up to £5,000,000	Chief Executive	
	Over £5,000,000	Chairman	

Contracts in a Foreign Currency other than Euro, Yen or Dollar exceeding £2m	Up to £500,000	Asst Director of Contracts & Commissioning	
	Up to £2,000,000	Director of Planning, Performance & Informatics	
	Over £2,000,000	NICS Department of Finance via DoH	

Direct Award Contracts	Up to £138,760 and RAG Rated Green or Amber	Director of Finance & Estates / Head of Pharmacy (Drugs Purchases Only)	If contract is inclusive of VAT the goods, services & delivery cost must be less than £115,632
	Over £138,760 or RAG rated Red	NICS Department of Health	

Award of Contracts - Formal procurement and tendering processes with CoPE Support	Fully Delegated	Contract Adjudication Group members	
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Revenue Business cases	Up to £100,000	Lead Director & Director of Finance & Estates	Revenue cases greater than £500k must be presented at EMT for noting
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	Over £100,000	As above and Chief Executive	and cases greater than £2m should be presented at Trust Board for noting.
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Authorisation to approve expenditure during periods of Business Continuity Planning

Authorising weekly Supplier Payments file For submission to BSO AP to ensure payment to suppliers	Fully delegated	Director of Finance & Estates <i>If not available, then either of the following post holders:</i> Director Planning, Performance & Informatics Director of People and Organisational Development	Only authorised to ensure payments to suppliers to allow for service continuity during periods of FPL System Outage
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Schedule B The Authorised Signatories Framework for Approval of Payments or Procurement Orders

Post	Approval Limit
Chairman	3,500,000
Chief Executive	1,000,000
Deputy Chief Executive (currently Director of Nursing)	900,000
Director of Finance & Estates	800,000
Director of Primary care and Older People	500,000
Director of Planning, Performance and ICT	500,000
Director of Medical Services	500,000
Director Of Nursing and User Experience	250,000 (but see above)
Director of Unscheduled Care, Medicine & Cancer	250,000
Director of Surgery, Elective Care, Maternity & Paeds	250,000
Director of Childrens Services and Social Work	250,000
Director of Adults and Healthcare in Prison	250,000
Director of People and Organisational Development	250,000