

NHSCBA/12/2011/1

NHS Commissioning Board Authority

**SCHEDULE OF MATTERS
RESERVED
TO THE BOARD**

1. ROLE OF THE CHIEF EXECUTIVE

- 1.1 All powers of the Authority that have not been retained as reserved for the Board or otherwise delegated to a committee, sub-committee or other body, shall be exercised on behalf of the Board by the Chief Executive unless otherwise specified in the Standing Financial Instructions or Scheme of Delegation. The Board may at any time withdraw, alter or vary such delegation either generally or in relation to any specific matter.
- 1.2 This reflects the responsibility of the Chief Executive as the Accounting Officer for the Authority. The Chief Executive shall prepare and maintain a detailed Schedule of Delegation identifying the functions he/she shall perform personally and those delegated to directors. Such delegated powers can be undertaken by the Chief Executive when the need arises.
- 1.3 The identification of specified directors under this scheme of delegation does not, unless specifically stated, limit their discretion to allocate a task to subordinates, but the director concerned will always be held accountable for those tasks assigned as responsible officer, regardless of any subsequent delegation.
- 1.4 In the absence of the Chief Executive, powers delegated to him/her may be exercised by the Director of Finance or, in his/her absence, such other director determined by the Chief Executive with the agreement of the Chairman. In the absence of directors their delegated powers will normally revert to the Chief Executive unless an alternative nominated officer is agreed by the Chief Executive and the Chairman.
- 1.5 The Chief Executive has a responsibility to consult with the Board regarding any decision, transaction or other matter which might reasonably be expected to expose the NHS Commissioning Board Authority to significant financial, reputational, business or other risk.

2. MATTERS RESERVED TO THE BOARD

2.1 REGULATION AND CONTROL

- 2.1.1 To approve Standing Orders, Standing Financial Instructions, Matters Reserved for the Board and the Scheme of Delegation for the regulation of its proceedings and business, and any subsequent variations thereto.
- 2.1.2 To receive and review the Register of Interests declared by members of the Board, which may conflict with those of the Authority and determining the extent to which that member may remain involved with the matter under consideration.

2.1.3 To ratify any urgent decisions taken by the Chairman in accordance with Standing Order 3.1.

2.1.4 To agree action on litigation against or on behalf of the Authority in circumstances which would have a significant impact on the commercial interests or reputation of the NHS Commissioning Board Authority.

2.2 APPOINTMENTS

2.2.1 To appoint and dismiss chairs and members of committees of the Board, and approve the Terms of Reference for such committees. The Chair of the Audit Committee will be appointed by the Secretary of State for Health.

2.2.2 To agree the delegation by a Board committee of its powers to a subcommittee.

2.2.3 *Chairman and non-executive members only:* To discipline and dismiss, as appropriate, the Chief Executive.

2.2.4 *Chairman, non-executive members and Chief Executive only:* To appoint and dismiss, as appropriate, executive members of the Board.

2.3 BUSINESS PLANS AND BUDGETS

2.3.1 To review and approve annually:

- a) The Authority's Business Plan
- b) The Authority's Annual Revenue and Capital Budgets

2.3.2 To approve any changes to the Authority's strategic corporate objectives following agreement of the Business Plan.

2.3.3 To approve the Authority's policies and procedures (as reviewed by the Audit Committee) for the management of risk.

2.4 FINANCIAL AND PERFORMANCE MONITORING

2.4.1 To appraise the overall business performance of the Authority by receiving a report from the Chief Executive at each meeting of the Board.

- 2.4.2 To approve on an annual basis the Authority's use of the Resource Limit for the year.
- 2.4.3 To appraise the financial position of the Authority, by receiving a report at each meeting from the Director of Finance.
- 2.4.4 To appraise other aspects of performance monitoring by receiving periodic reports linked to progress in achieving the Authority's objectives as set out in the strategy and annual corporate business plan.
- 2.4.5 To receive other reports, as it sees fit, from members, committees and officers of the Authority.

2.5 AUDIT ARRANGEMENTS

- 2.5.1 To approve audit arrangements, including the appointment and, if necessary, dismissal of the Authority's internal auditors. In the first instance, this will be provided by the Department of Health Internal Audit function, pending longer term arrangements being put in place.
- 2.5.2 To receive reports of the Audit Committee meetings and approve recommendation on investigations carried out into breaches of Standing Orders or Standing Financial Instructions.
- 2.5.3 To receive the Annual Audit Letter received from the external auditor and agree appropriate action on the recommendation of the Audit Committee.
- 2.5.4 To receive an annual report from the Internal Auditor and agree action on recommendations, where appropriate, of the Audit Committee.

2.6 APPROVAL OF ANNUAL REPORTS AND ACCOUNTS

- 2.6.1 To approve and adopt the Authority's Annual Report.
- 2.6.2 To receive and adopt the full and complete set of Annual Statements of Account.
- 2.6.3 To receive and adopt the Annual Report of the Audit Committee.
- 2.6.4 To call an Annual Public Meeting at which the Authority's Annual Report and Annual Accounts will be presented.