

BSW ICB Scheme of Reservations and Delegations (SoRD)



Bath and North East Somerset,
Swindon and Wiltshire
Integrated Care Board

This document should be read alongside the ICB's Standing Financial Instructions, and committees' Terms of Reference.

Ref	Policy Area	Decision	ICB Board Matters reserved to the Board are listed separately	Committee or Sub-Committee	Integrated Care Partnership	Place	Specified Individual	Reference
1	Audit (internal, external)	Approve all internal audit services provided under arrangements proposed by the CFO		x, Audit Committee			CFO proposes arrangements	SFI 9.2 AC ToR 3.7a
2	Audit (internal, external)	Review and approve the annual internal audit plan and detailed programme of work		x, Audit Committee			CEO endorses	AC ToR 3.7b SFI 9.2
3	Audit (internal, external)	Approve the annual external audit plan (following agreement with the external auditors, before the audit commences, the nature and scope of the audit as set out in the annual audit plan		x, Audit Committee				AC ToR 3.8c
4	Audit (internal, external)	Assess annually the independence and objectivity of the external auditor		x, Audit Committee				AC ToR 3.8g
5	Audit (internal, external)	Approve a policy for the engagement of external auditors to supply non-audit services, and advise the ICB Board and Chief Executive on the contents of such a policy.		x, Audit Committee				AC ToR 3.8h
6	Audit (internal, external)	Delegate responsibility for ensuring there is appropriate internal audit provision in the ICB.					CEO delegates to CFO	SFIs 9.2
7	Appointments	Approve the appointment of the ordinary members of the ICB Board					x, Chair approves appointment (R) Panel convened by CEO appoints	C2.2.4
8	Appointments	Approve the appointment of all members of committees and sub-committees that exercise the ICB commissioning functions					x, Chair approves appointment (R)	C3.6.6
9	Appointments	Appoint ICP members			x (R)			
10	Board	Undertake appraisals and effectiveness reviews of Board members and implement recommendations arising from these appraisals / reviews.					x, Chair, leads individuals' appraisals; SID leads Chair's appraisal	RemCom ToR 3.2.4
11	Commissioning	In line with the ICB Delegated Financial Limits, receive, consider and approve commissioning and procurement proposals incl. at scale and strategic that are within agreed annual budgets	x (over £5m contract value)	x, Finance and Investment Committee (between £1m and £5m contract value)			ICB Executive Director (up to £125k contract value) ICB Executive Group (between £125k and £1m contract value)	ICB Delegated Financial Limits
12	Commissioning	Consider and approve commissioning and procurement proposals (incl. at scale and strategic) that are not funded / not within annual budget	x (over £5m contract value)	x, Finance and Investment Committee (between £1m and £5m contract value)			ICB Executive Director (up to £125k contract value) ICB Executive Group (between £125k and £1m contract value)	ICB Delegated Financial Limits

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13	Commissioning	Plan, commission, procure and performance manage health and care services which will promote the health and well-being of the population and reduce health inequalities incl. in particular services under the terms of the of the National Health Services Act 2006 Section 75 and Section 65z5 Agreements and the Better Care Fund Plan				x		
14	Commissioning (ambulance services)	All commissioning functions associated with the commissioning of ambulance services as an integral part of the urgent and emergency care system according to national requirements and standards		x, Ambulance Joint Commissioning Committee				AJCC ToR 2.1
15	Commissioning (ambulance services)	Negotiate and agree a contract that delivers national performance, clinical and quality standards, incorporating any known challenges and improvement plans into the contract		x, Ambulance Joint Commissioning Committee				AJCC ToR 2.3
16	Commissioning (ambulance services)	Award and enter into of contracts for the provision of emergency ambulance services		x, Ambulance Joint Commissioning Committee				AJCC ToR 2.4
17	Commissioning (ambulance services)	All decision-making in respect of variations to the contract in accordance with national policy, service user needs and clinical developments		x, Ambulance Joint Commissioning Committee				AJCC ToR 2.6
18	Commissioning (ambulance services)	All decision-making in respect of financial adjustments or sanctions resulting from provider breach of the contract		x, Ambulance Joint Commissioning Committee				AJCC ToR 2.7
19	Commissioning (ambulance services)	All decision making relating to the termination of the contract, or any part of it, in accordance with the terms of that contract		x, Ambulance Joint Commissioning Committee				AJCC ToR 2.12
20	Commissioning (ambulance services)	Respond to informal or formal legal challenges brought in connection with the commissioned services		x, Ambulance Joint Commissioning Committee				AJCC ToR 2.13
21	Commissioning (joint specialised services)	Make joint decisions in relation to the planning and commissioning of Specialised Services, and any associated commissioning or statutory functions, for the South West population. This includes approval of commissioning strategies and plans.		x, South West Joint Working Committee (Specialised Commissioning)				
22	Commissioning (joint specialised services)	Develop and agree the approach to intervention with Specialised Services Providers where there are quality or contractual issues. (By implication, take decisions re the management of providers providing inadequate standards of patient care; and the management of poorly performing services providers)		x, South West Joint Working Committee (Specialised Commissioning)				
23	Commissioning (primary medical services)	Design local incentive schemes as an alternative to the Quality Outcomes Framework (QOF)		x, PCEX				
24	Commissioning (primary medical services)	Make decisions re design and commissioning of enhanced services		x, PCEX				
25	Commissioning (primary medical services)	Make decisions on whether to establish new GP practices in the BSW area		x, PCEX				

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26	Commissioning (primary medical services)	Approve GP practice mergers in the area		x, PCEEx (with service change for patients) x, Primary Care Operational Group (PCOG)(no service change for patients)				
27	Commissioning (primary medical services)	Approve any discretionary payments (e.g., Returner, retainer)		x, PCEEx				
28	Commissioning (primary medical services)	Approve any s.96 hardship applications		x, PCEEx				
29	Commissioning (primary medical services)	Approve boundary changes Make decisions following appeal of boundary changes		x, PCOG x, PCEEx				
30	Commissioning (primary medical services)	Approve application for branch surgery closure		x, PCEEx				
31	Commissioning (primary medical services)	Approve application to reduce branch surgery opening hours		x, PCOG				
32	Commissioning (primary medical services)	Vary or renew existing contracts for primary care provision or award new ones, depending on local circumstances; - incl. making decisions re procurement of primary care services - incl GMS/PMS/APMS and NHS Standard Contract; and - incl. approval of practice appeal against contract decision; and - incl. termination of GMS/PMS contract		x, PCEEx				
33	Commissioning (dental, primary medical services)	Take decisions in relation to - the management of services providers providing inadequate standards of patient care; - the management of poorly performing services providers		x, PCOG (x, PCEEx [contentious, high-risk, high-profile, escalated from PCOG or DRG])				
34	Commissioning (dental)	Take decisions in relation to: - establishing new Dental Services Providers in the Area; - closure of practices		x, PCEEx				
35	Commissioning (dental)	Vary or renew existing contracts for primary dental provision or award new ones, depending on local circumstances. Terminate contracts due to significant breach/issues - based on financial value.		x, PCEEx				
36	Commissioning (dental)	Take decisions in relation to practice relocations, service changes incl service closures		x, Dental Reference Group (DRG) (x, PCEEx [contentious, high-risk, high-profile, escalated from DRG])				
37	Commissioning (ophthalmology)	Agree action following provider non-compliance with / breach of General Optical Regulations		x, PCEEx (receives respective recommendation from the Collaborative Commissioning Hub)				

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38	Commissioning (ophthalmology)	Quality in Optometry (QIO) - consider recommendations regarding contractual sanctions for contractors who have not - completed the QIO questionnaire - addressed QIO visit actions		x, PCEEx (receives respective recommendation from the Collaborative Commissioning Hub)				
39	Commissioning (pharma)	Make decisions regarding the (review of) patients currently approved to have medicines dispensed by GP Practice,		x, PCEEx (receives respective recommendation from the Collaborative Commissioning Hub)				
40	Commissioning (pharma)	Make decisions regarding the (review of) existing LPS contracts		x, PCEEx (receives respective recommendation from the Collaborative Commissioning Hub)				
41	Commissioning (pharma)	Make decisions regarding clinical waste procurement/s		x, PCEEx (receives respective recommendation from the Collaborative Commissioning Hub)				
42	Commissioning (pharma)	Receive, consider and approve recommendations re pilots under the Pharmacy Integration Fund		x, PCEEx (receives respective recommendation from the Collaborative Commissioning Hub)				
43	Commissioning (pharma)	Make decisions regarding contract/s in place to support community pharmacy reporting on vaccinations (flu)		x, PCEEx (receives respective recommendation from the Collaborative Commissioning Hub)				
44	Commissioning (pharma)	Community Pharmacy Assurance Framework (CPAF) - consider recommendations regarding contractual sanctions for contractors who have not - completed the CPAF questionnaire - addressed CPAF visit actions		x, PCEEx (receives respective recommendation from the Collaborative Commissioning Hub)				
45	Commissioning (pharma)	Consider and agree recommendations regarding providers who are / were non-compliant with or breached the General Pharmaceutical Regulations.		x, PCEEx (receives respective recommendation from the SW PSRC)				
46	Commissioning (pharma, optom, dental)	Sign-off the completed annual ICB primary care commissioning assurance framework, and submission to NHSE		x, PCEEx				
47	Commissioning (Place)	Within the framework set by the ICB's and the locality's strategies, plans and budgets, make commissioning decisions and sign off procurement processes and outcomes for services, or recommend commissioning decisions and procurement processes to other decision-making bodies, as appropriate in view of the ICBs Delegated Financial Limits				x		
48	Commissioning (Place)	Approve and ensure implementation of locality policies as may be required to support integrated / collaborative / joint commissioning, following consultation with the BSW ICB Board and ensuring alignment and compliance with BSW ICB policies				x		
49	Commissioning (Place)	Within Board-approved section 75 arrangements with Local Authorities, make commissioning decisions for new and existing services				x		

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50	Commissioning (Place)	Manage pooled funds, including: <ul style="list-style-type: none"> • agree to the viring of funds between Pooled Funds; • approve Individual Services under the Better Care Fund, ensuring compliance with the Better Care Fund Plan and the strategic direction of the Better Care Fund; • agree funding of overspends if such funding can be met from the available pooled fund and available resources, or otherwise recommend the funding request to Council and CCG approval processes. 				x		
51	Compliance	Ensure the production of statutory / mandated regular compliance reports, scrutinise such reports, agree findings / actions / recommendations, and sign-off on submission to regulators and publication of reports as required. Report this to the Board.		x, ICB Board Committees				
52	Finance	Delegate the budgetary control responsibilities to budget holders through a formal documented process					CFO	SFIs 4.1.2
53	Finance	Losses and special payments - Approve a transaction exceeding the delegated authority, or if transactions will set a precedent, are novel, contentious or could cause repercussions elsewhere in the public sector		Audit Committee receives report on all losses and special payments (including special severance payments)			HM Treasury	SFIs 10.1.1 RemCom ToR ## AC ToRs 3.20
54	Finance	Approve the ICB's property governance and management framework					BSW ICB Executive Group	SFIs 12.1
55	Finance	Approve the ICB's debt management strategy and associated policies and procedures		x, Finance and Investment Committee				SFI 5.3
56	Finance	Agree to make capital grants available	x (value over £5m)	x, Finance and Investment Committee (value over £125k and £5m)			CFO, up to £125k	SFI 12.2 BSW ICB Delegated Financial Limits
57	Finance	Approve investment in, or disinvestment from, people and organisational development programmes		x, People Committee up to value of £125k, any other values recommend to FIC or Board per BSW ICB Delegated Financial Limits				PC ToRs 3.1d
58	Governance framework	Determine ICP procedures and ToRs			x			
59	Information Governance	Sign off responses to FOI requests					Executive Director - complex FOIs incl. those handled by the Collaborative Commissioning Hub IG Manager - all other FOIs	
60	Information Governance	Sign off responses to complaints and Parliamentary enquiries					Executive Director - complex responses handled by the Collaborative Commissioning Hub	

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61	People	Agree the BSW Academy's annual programme of work		x, People Committee				PC ToR 3.1f
62	Policy	Approve the ICB's debt management strategy and associated policies and procedures		x, Finance Committee			CFO leads development	FC ToR ## SFI 5.3.1
63	Policy	Sheet strategies & policies approvers details bodies / individuals with authority to approve BSW ICB policies						
64	Quality	Scrutinise arrangements in place for effective quality planning, control and improvement. Highlight areas of unsatisfactory redress to the Board, and recommend implementation of remedial action by the ICB Chief Nurse Officer.		x, Quality Committee				QC ToR 3.2b
65	Quality	Approve recommendations regarding clinical protocols, service reviews and pathway redesign		x, Quality Committee				
66	Quality	Oversee and scrutinise the ICB's response to all relevant (as applicable to quality) directives, regulations, national standard, policies, reports, reviews and best practice as issued by the Department of Health and Social Care, NHS England and other regulatory bodies / external agencies. Approve courses of action to ensure compliance, unless these would have a material impact on the ICB and in which case such action must be recommended to the Board for decision.		x, Quality Committee				QC ToR 3.2i
67	Quality	Agree ICB quality improvement programmes, based on a holistic view of the interrelations of quality, finance, workforce and performance		x, Quality Committee				QC ToR 3.2f
68	Remuneration	Determine all aspects of remuneration and conditions of service of the Chief Executive, Executive Directors and other Very Senior Managers of the ICB		x, Rem Com				Rem Com ToR 3.2.1
69	Remuneration	Determine the remuneration, terms and conditions, and matters of succession planning of ICB Board members.		x, Rem Com				Rem Com ToR 3.2.3
70	Remuneration	Determine the ICB pay policy (including the adoption of pay frameworks such as Agenda for Change) for all ICB staff		x, Rem Com				Rem Com ToR 3.2.4i
71	Remuneration	Determine the arrangements for termination payments and any special payments for staff		x, Rem Com				Rem Com ToR 3.2.4iii