

Scheme of Reservation and Delegation

This document has been updated from the version approved on 1 July to reflect executive committee responsibilities in relation to emergency preparedness, resilience and response. It will be further updated in advance of April 2023 to reflect ICB intentions for substantial delegation to our seven place and provider collaboratives in light of new NHSE guidance on delegation and following the outcome of partner discussions.

Category	ICB Decision	ICB Decision Route
Regulation and Control	Consideration and approval of applications to NHS England (NHSE) on any matter concerning material changes to the ICB Constitution or as otherwise required	Board
	Exercising any other functions of the ICB which have not been retained as reserved by the ICB Board.	Board
	Approval of the ICB's Scheme of Reservation and Delegation.	Board
	Approve amendments to the Standing Orders (SOs), subject to approval by NHS England given SOs are in the Constitution (see above).	Board
	Reviewing the ICB's governance arrangements to ensure that the ICB continues to reflect the principles of good governance.	Board
	Approve amendments to the terms of reference of committees of the ICB (on recommendation from each committee)	Board
	Approve detailed standing financial instructions and the finance scheme of delegation.	Board
	Approve arrangements for managing exceptional funding requests	Finance, Performance and Investment Committee
	Approve any changes to the provision or delivery of internal and external audit services to the ICB.	Audit and Risk Committee
	Exercise the powers that the ICB has reserved to itself in an emergency or for an urgent decision.	ICB Chief Executive and Chair

Category	ICB Decision	ICB Decision Route
	Set out who can execute a document by signature and seal.	Chief Finance and Performance Officer
Strategic Planning	Agree the vision, values and overall strategic direction of the ICB.	Board
	Approval of the ICB's Operating Plan.	Board
	Approval of the ICB's corporate budgets that meet the financial duties as set out in the Constitution	Board
	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 ICB's ability to achieve its agreed strategic aims	Board
	Approve the annual capital plan	Board
	Monitoring performance of the ICB against its plans including statutory finance and performance targets	Finance, Performance and Investment Committee
	Developing and recommending priorities to the ICB informed by place and provider collaboratives and which are aligned with the ICB's Operating Plan and ICP developed Integrated Health and Care Strategy.	Population Health and Integration Committee
	Providing assurance of strategic risk processes.	Audit and Risk Committee
Approval of the ICB's operating structure	Chief Executive	
Primary Care, Acute, Mental Health	Developing and/or recommending priorities and strategy relating to primary care services (dependent on financial authority).	Primary Care Provider Collaborative Sub-committee
	Monitoring and managing primary care outcomes as set out in the Terms of Reference for the Committee.	Primary Care Provider Collaborative Sub-committee
	Developing and/or recommending priorities and strategy relating to acute services (dependent on financial authority).	Acute Collaborative Sub-committee

Category	ICB Decision	ICB Decision Route
	Monitoring and managing acute outcomes as set out in the Terms of Reference for the Committee.	Acute Collaborative Sub-committee
	Developing and/or recommending priorities and strategy relating to mental health, learning disability and autism services (dependent on financial authority).	Mental health, learning disability and autism Collaborative Sub-committee
	Monitoring and managing mental health, learning disability and autism outcomes as set out in the Terms of Reference for the Committee.	Mental health, learning disability and autism Collaborative Sub-committee
Places (seven places in NEL)	Developing and/or recommending priorities and strategy relating to Place	Respective Place Sub-committee
	Monitoring and managing place outcomes as set out in the Terms of Reference for the Committee.	Respective Place Sub-committee
Annual Report and Accounts	Approval of the ICB's annual report and annual accounts.	Board
	Approval of the arrangements for discharging the ICB's statutory financial duties.	Board
	Approving a timetable for producing the annual report and account.	Audit and Risk Committee
Human Resources	Approve the terms and conditions, remuneration and travelling or other allowances for employees and board/committee members and VSM, including pensions and gratuities.	Workforce and Remuneration Committee or Non-executive Member Remuneration Committee where appropriate
	Approval of the arrangements for discharging the ICB's statutory duties as an employer.	Workforce and Remuneration Committee

Category	ICB Decision	ICB Decision Route
	Approve human resources policies for employees and for other persons working on behalf of the ICB.	Workforce and Remuneration Committee
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 Safety and improvement committee
	Approve arrangements for supporting NHS England in discharging its responsibilities in relation to securing continuous improvement in the quality of general medical services. To include general dental, ophthalmic and community pharmacy services once delegated	Primary Care Collaborative Sub-committee
Operational and Risk Management	Approve an operational scheme of delegation that sets out who has responsibility for operational decisions within the ICB.	Board
	Approve the ICB's arrangements for business continuity and emergency planning, preparedness and resilience.	Executive Committee
	Ensuring that the registers of interest are reviewed regularly and updated as necessary.	Board
	Approving the level of non-pay expenditure.	Board
	Approve arrangements for risk sharing and or risk pooling with other organisations (for example arrangements for pooled funds with other ICBs or pooled budget arrangements under section 75 of the NHS Act 2006).	Finance, Performance and Investment Committee
	Approve the ICB's counter-fraud and security management arrangements	Audit and Risk Committee
	Approval of the ICB's risk management arrangements.	Audit and Risk Committee
	Approval of a comprehensive system of internal control, including budgetary control, that underpins the effective, efficient and economic operation of the ICB.	Audit and Risk Committee
Approve the ICB's banking arrangements.	Chief Finance Officer	

Category	ICB Decision	ICB Decision Route
	Responsibility for overseeing conflicts of interest.	Audit and Risk Committee (supported by Governance Team)
Information Governance	Approve the ICB's arrangements for handling complaints.	Quality Safety and Improvement Committee
	Approval of the arrangements for ensuring appropriate safekeeping and confidentiality of records and for the storage, management and transfer of information and data.	Audit and Risk Committee
	Approval of the ICB's contracts for commissioning and/or corporate support/services (for example finance provision) and securing Board approval if needed in line with scheme of delegation.	Finance, Performance and Investment Committee
	Approval of the ICB's contracts and procurement exercises, securing Board approval if needed in line with the Scheme of Reservation and Delegation.	Finance, Performance and Investment Committee
	Negotiate contracts on behalf of the ICB.	Appropriate Chief Officer
Partnership Working	Approve the arrangements for how decisions may be made on behalf of the ICB by individual members or employees of the ICB who are participating in joint arrangements.	Board
	Approve the arrangements whereby decisions may be delegated to joint committees, including those established under section 75 of the 2006 Act.	Board
Commissioning and Contracting for Clinical Services	Approval of the arrangements for discharging the ICB's statutory duties associated with its functions, including: patient choice, reducing inequalities, improvement in the quality of services, obtaining appropriate advice and public engagement and consultation.	Board
	Approve arrangements for co-ordinating the commissioning of services with other ICBs and or with local authority(ies), where appropriate.	Board
	Approval of the ICB's procurement strategy.	Finance, Performance and Investment Committee
	Approve the Working with People and Communities (Engagement and Participation) Strategy	Board

Category	ICB Decision	ICB Decision Route
Communications and Engagement	Approving arrangements for handling Freedom of Information requests.	Audit and Risk Committee
	Determining arrangements for handling Freedom of Information requests.	Chief Executive