

## Standing Orders, Standing Financial Instructions & Scheme of Delegation – Amendments

### Public Board

**26 May 2022**

<b>Presented for:</b>	Approval
<b>Presented by:</b>	Jo Bray, Company Secretary
<b>Author:</b>	Jo Bray, Company Secretary,
<b>Previous Committees:</b>	Audit Committee 5 May Some changes outlined were included within Committee Annual Reports

<b>Trust Goals</b>	
The best for patient safety, quality and experience	✓
The best place to work	✓
A centre for excellence for research, education and innovation	✓
Seamless integrated care across organisational boundaries	✓
Financial sustainability	✓

<b>Trust Risks (Type &amp; Category)</b>				
Level 1 Risk		Level 2 Risks	(Risk Appetite Scale)	Risk
Workforce Risk			Choose an item	Choose an item.
Operational Risk			Choose an item	Choose an item.
Clinical Risk			Choose an item	Choose an item.
Financial Risk			Choose an item	Choose an item.
External Risk		<b>Legal &amp; Governance</b> We will operate the Trust in compliance with the law and UK Corporate Governance Code, where applicable. <b>Regulatory Risk</b> We will comply with or exceed all regulations, retain its CQC registration and always operate within the law.	Averse	↔ (same)

<b>Key points</b>	
The Board is asked, to approve the amendments to Standing Orders (Terms of Reference of Committees) and Standing Financial Instructions, Scheme of Delegation.	Approval

## 1. Summary and Background

Standing Orders and Standing Financial Instructions along with the Scheme of Delegation are the rule and governance framework that underpin the Board and its Assurance Committee structures. For transparency any updates are presented in the Public Board for approval.

## 2. Proposal

### 2.1 Committee Membership

#### 2.1.1 New Associate Non-Executive Directors

The Board was delighted to welcome both Mark Burton and Mike Baker as Associate Non-Executive Directors. From 11 April they and have become members of the following Committees;

- Mark Burton; Audit Committee (with the longer term succession plan to become Chair) and Workforce Committee
- Mike Baker; Finance & Performance Committee

With this as the first formal opportunity, for the Board to formally amend the Terms of Reference of these Committees, to reflect the update in membership.

#### 2.1.2 F&P/ Workforce Committee Membership

Dr Phil Wood, Chief Medical Officer and Lisa Grant, Chief Nurse have agreed that in light of operational pressures they would welcome regular attendance at F&P Committee moving forward. This will ensure aspects of quality and safety are reflected, in addition to items being escalated to the Quality Assurance Committee. To maximise diary management this will be a cover arrangement between them hence both will not be in attendance at the same time. They will also share attendance at the Workforce Committee. These arrangements will be reviewed in 6-8 months or earlier if required.

### 2.2 Amendments to Terms of Reference

The Committees of the Board are required to produce an Annual Report which is received and reviewed by the Audit Committee with the attendance of the respective Committee Chair. Within this review all are required to review their Terms of Reference, and out of this process the following amendments are presented to the Board for approval;

#### Audit Committee

- Membership – Mark Burton
- Removal of Head of Risk role no longer exists
- Addition of the Innovation District Committee in a number of lines
- To review systems and controls for the prevention of bribery and corruption and receive reports of any non-compliance (addition of the term and corruption)
- A couple of typo's

**Finance & Performance Committee**

- Membership – Mike Baker
- Alternate membership Dr Phil Wood and Lisa Grant

**Quality Assurance Committee**

- No update

**Workforce Committee**

- Membership – Mark Burton
- Change to alternate membership Dr Phil Wood and Lisa Grant
- Membership – Paul Jones to nominate deputy/representative

**DIT Committee**

- No update

**Building Development Committee**

- No update, but noted caution on evaluating the development of the Innovation District Committee, and any overlap

**Innovation District Committee**

- Addition of ‘seek effective partnership to bring forward the development noting the limited appetite and ability of the Trust to invest capital in any such arrangements’

**Management Committees**

R&I and Risk Management Terms of Reference are not cited within Standing Orders of the Board, as this only includes Assurance Committees of the Board.

**Risk Management Committee**

- No update

**Research & Innovation Committee**

- Update to membership to include Deputy Chief Nurse (not Chief Nurse), Associate Medical Director for Research & Innovation, Academic Research Capacity Lead
- External partners to be invited as observers; a representative from the Academic Health Sciences Network, a representative from NIHR Yorkshire and the Humber Local Clinical Research Network, a representative from Leeds City Council or the West Yorkshire Combined Authority. Noting that external partners will not participate in matters confidential to or of a sensitive nature for the Trust.

**2.3 Clarity to Deputy Chief Executive**

On occasions we have been required to ask for a variation to the Deeds that underpin the legal agreement for either the Bexley Wing or Wharfedale PFI schemes.

The inclusion of the additional information below, into Standing Orders/ Scheme Delegation strengthens our governance, with a clear accountability of the role of the Deputy Chief Executive in the absence of the Chief Executive. (NB the proposed additional information is underlined in the text).

Adjusting the 7<sup>th</sup> para of section 22.1 (page 38) as follows;

‘The Scheme of Delegation covers only matters delegated by the Trust to its senior officers and the limits set out in this framework should not be exceeded. These powers may not be further delegated unless in the event of absence in excess of one week provided always

that if the Chief Executive is absent, powers delegated to them may be exercised by the nominated Deputy Chief Executive. In cases not involving the absence of the Chief Executive, where the absence in excess of one week is planned, the member of staff with the authority must provide written authority to one or more named individuals. Separate authority should be given for each episode of absence. For shorter term or unplanned leave, authorisation must be obtained from an equivalent or more senior officer.'

### **3. Financial Implications**

N/A

### **4. Risk**

The changes set out will support and maintain the Boards averse risk tolerance for legal & governance and regulatory risk appetite.

### **5. Communication and Involvement**

Standing Orders are held on Sharepoint and can be accessed by all staff via the intranet.

### **6. Equality Analysis**

There are no equality issues to raise. Standing Orders are applicable to all staff.

### **7. Publication Under Freedom of Information Act**

This paper has been made available under the Freedom of Information Act 2000.

### **8. Recommendation**

The Board is asked to approve to the amendments to Standing Orders (Terms of Reference of Committees) and Standing Financial Instructions, Scheme of Delegation as set out within the report.

**Jo Bray**  
**Company Secretary**  
**18 May 2022**