

## Standing Financial Instructions

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## **STANDING FINANCIAL INSTRUCTIONS (“SFIs”)**

### **1. INTRODUCTION**

#### **1.1 General**

- 1.1.1 Salisbury NHS Foundation Trust (“the Trust”) became a Public Benefit Corporation on 1<sup>st</sup> June 2006, following authorisation by “NHS Improvement”, the Independent Regulator of NHS Foundation Trusts pursuant to the National Health Service Act 2006 (the “NHS 2006 Act” or “2006 Act”).
- 1.1.2 These Standing Financial Instructions (SFIs) are issued for the regulation of the conduct of its members and officers in relation to all financial matters with which they are concerned. They shall have effect, as if incorporated in the Standing Orders (SOs) of the Foundation Trust’s Board of Directors (note that SOs are a statutory requirement for Foundation Trusts (FTs) but SFIs are not termed as such, although an equivalent set of rules is required by NHS Improvement, which this document represents).
- 1.1.3 The Single Oversight Framework details how NHS Improvement oversees and supports all NHS Trusts. Additional financial guidance is included in The Audit Code for NHS Foundation Trusts, and the Department of Health Group Accounting Manual (DH GAM), all as updated, replaced or superseded from time to time. Other relevant guidance may also be issued.
- 1.1.4 These SFIs detail the financial responsibilities, policies and procedures adopted by the Trust. They are designed to ensure that the Trust’s financial transactions are carried out in accordance with the law and with Government policy in order to achieve probity, accuracy, economy, efficiency and effectiveness. They should be used in conjunction with the Schedule of Decisions Reserved to the Board and the Scheme of Delegation adopted by the Trust (collectively called the “Scheme of Delegation”).
- 1.1.5 These SFIs identify the financial responsibilities which apply to everyone working for the Foundation Trust. They do not provide detailed procedural advice and should be read in conjunction with the detailed departmental and financial policies and procedures.
- 1.1.6 Should any difficulties arise regarding the interpretation or application of any of the SFIs, then the advice of the Director of Finance must be sought before acting. The user of these SFIs should also be familiar with and comply with the provisions of the Trust’s Standing Orders of the Board of Directors.
- 1.1.7 Failure to comply with Standing Financial Instructions and Standing Orders of the Board of Directors can in certain circumstances be regarded as a disciplinary matter that could result in an employee’s dismissal.
- 1.1.8 Overriding Standing Financial Instructions – if for any reason these Standing Financial Instructions are not complied with, full details of the non-compliance and any justification for non-compliance and the circumstances around the non-compliance shall be reported to the next meeting of the Audit Committee for referring action or ratification. All members of the Trust Board and staff have a duty to disclose any non-compliance with these SFIs to the Director of Finance, as soon as possible.

## **1.2 Responsibilities and delegation**

### **Foundation Trust Board of Directors**

1.2.1 The Trust Board of Directors exercises financial supervision and control by:

- a) Formulating the financial strategy;
- b) Requiring the submission and approval of budgets within specified limits;
- c) Defining and approving essential features in respect of important procedures and financial systems (including the need to obtain value for money);
- d) Defining specific delegated responsibilities placed on members of the Board of Directors and employees as indicated in the "Scheme of Delegation."

1.2.2 The Board of Directors has resolved that certain powers and decisions may only be exercised by the Board in formal session. These are set out in the "Schedule of Decisions Reserved to the Board" document, which is part of the Scheme of Delegation document. All other powers have been delegated to such executive directors in the Scheme of Delegation or, committees of the Board, as the Trust has established. The Board must approve the terms of reference of all committees reporting directly to the Board.

1.2.3 The Board will delegate responsibility for the performance of its functions in accordance with its Constitution, the SOs and the Scheme of Delegation adopted by the Trust. The extent of delegation shall be kept under review by the Board.

### **The Chief Executive and Director of Finance (DOF)**

1.2.4 The Chief Executive and DOF will delegate their detailed responsibilities as permitted by the Constitution and SOs, but they remain accountable for financial control.

1.2.5 Within the SFIs, it is acknowledged that the Chief Executive is ultimately accountable to the Board, and as Accounting Officer, to the Secretary of State for Health, for ensuring that the Board meets its obligation to perform its functions within the available financial resources. The Chief Executive has overall executive responsibility for the Trust's activities; is responsible to the Chairman and the Board for ensuring that its financial obligations and targets are met and has overall responsibility for the Trust's system of internal control.

1.2.6 It is a duty of the Chief Executive to ensure that Members of the Trust Board and, employees and all new appointees are notified of, and put in a position to understand their responsibilities within these SFIs.

### **The Director of Finance**

1.2.7 The DOF is responsible for:

- a) These SFIs and for keeping them appropriate and up to date;
- b) Implementing the Trust's financial policies and for coordinating any corrective action necessary to further these policies;

- c) Maintaining an effective system of internal financial control including ensuring that detailed financial procedures and systems incorporating the principles of separation of duties and internal checks are prepared, documented and maintained to supplement these instructions;
- d) Ensuring that sufficient records are maintained to show and explain the Trust's transactions, in order to disclose, with reasonable accuracy, the financial position of the Trust at any time;
- e) Without prejudice to any other functions of the Trust, and employees of the Trust, the duties of the DOF include:
  - i) Provision of financial advice to other members of the Trust Board and employees;
  - ii) Design, implementation and supervision of systems of internal financial control;
  - iii) Preparation and maintenance of such accounts, certificates, estimates, records and reports as the Trust may require for the purpose of carrying out its statutory duties.

### **Board of Directors and Employees**

- 1.2.8 All members of the Board of Directors and employees, severally and collectively, are responsible for:
- a) The security of the property of the Trust;
  - b) Avoiding loss;
  - c) Exercising economy and efficiency in the use of resources;
  - d) Conforming to the requirements of NHS Improvement, the Terms of Authorisation, the Constitution, Standing Orders, Standing Financial Instructions and the Scheme of Delegation.

### **Contractors and their employees**

- 1.2.9 Any contractor or, employee of a contractor who is empowered by the Trust to commit the Trust to expenditure or, who is authorised to obtain income, shall be covered by these instructions. It is the responsibility of the Chief Executive to ensure that such persons are made aware of this.
- 1.2.10 For any and all directors and employees who carry out a financial function, the form in which financial records are kept and the manner in which directors and employees discharge their duties must be to the satisfaction of the DOF.

### **Emergency Powers**

- 1.2.11 The powers which the Board has retained to itself within these Standing Orders may in emergency be exercised by the Chief Executive and the Chair after having consulted at least two Non-Executive Directors. The exercise of such powers by the Chief Executive and Chair shall be reported to the next formal meeting of the Board in public or private session (as appropriate) for ratification.
- 1.2.12 The process on utilising Emergency Powers, detailing required documentation, is set out in Annex 4.

## **2. AUDIT**

## **2.1 Director of Finance**

2.1.1 The DOF is responsible for:

- a) Ensuring there are arrangements to review, evaluate and report on the effectiveness of internal financial control, including the establishment of an effective internal audit function. An internal audit function is required by NHS Improvement's "NHS Foundation Trust Accounting Officer Memorandum" (August 2015);
- b) Ensuring that the Internal Audit service to the Trust is adequate and meets NHS Improvement's mandatory internal audit standards.
- c) Deciding at what stage to involve the police in cases of misappropriation of assets and any other irregularities (subject to the provisions of SFI 2.4 in relation to fraud and corruption);
- d) Ensuring that an annual internal audit report is prepared (with interim progress reports) for the consideration of the Audit Committee. The report(s) must cover:
  - i) A clear opinion on the effectiveness of internal control in accordance with current assurance framework guidance issued by the DH, including for example compliance with control criteria and standards. This opinion provides assurances to the Accounting Officer, especially when preparing the "Annual Governance Statement" and also provides assurances to the Audit Committee;
  - ii) Any major internal financial control weaknesses discovered;
  - iii) Progress on the implementation of internal audit recommendations;
  - iv) Progress against plan over the previous year.
  - v) A detailed work-plan for the coming year.

2.1.2 The DOF and designated auditors are entitled without necessarily giving prior notice to require and receive:

- a) Access to all records, documents and correspondence relating to any financial or other relevant transactions, including documents of a confidential nature;
- b) Access during normal working hours to any land, premises or members of the Board or employee of the Trust;
- c) The production of any cash, stores or other property of the Trust under a member of the Board and an employee's control; and
- d) Explanations concerning any matter under investigation.

## **2.2 Role of Internal Audit**

2.2.1 Internal Audit provides an independent and objective opinion to the Chief Executive, the Audit Committee and the Board on the degree to which risk management, control and governance support the achievement of the Trust's agreed objectives.

2.2.2 Internal Audit will review, appraise and report upon:

- a) The extent of compliance with, and the financial effect of, relevant established policies, plans and procedures.
- b) The adequacy and application of financial and other related management controls;

- c) The suitability of financial and other related management data including internal and external reporting and accountability processes;
- d) The efficient and effective use of resources;
- e) The extent to which the Trust's assets and interests are accounted for and safeguarded from loss of any kind, arising from:
  - i) Fraud and other offences (responsibility for investigation of any suspected or alleged fraud is held by the Local Counter Fraud Specialist)
  - ii) Waste, extravagance, inefficient administration;

- iii) Poor value for money or other causes;
  - iv) Any form of risk, especially business and financial risk but not exclusively so.
- f) The adequacy of follow-up actions by the Trust to internal audit reports.
  - g) Any investigations / project work agreed with and under terms of reference laid down by the DOF.
  - h) The Trust's "Assurance Framework Statements" in accordance with guidance from the DH;
  - i) The Trust's compliance with the Care Quality Commission Essential Standards of Quality and Safety.
- 2.2.3 Whenever any matter arises (in the course of work undertaken by internal audit) which involves, or is thought to involve, irregularities concerning cash, stores, or other property or any suspected irregularity in the exercise of any function of a pecuniary nature, the DOF must be notified immediately and, in the case of alleged or suspected fraud, the Local Counter Fraud Service (LCFS) must be notified.
- 2.2.4 The Head of Internal Audit or equivalent title, will normally attend Audit Committee meetings and has a right of access to Audit Committee members, the Chairman and Chief Executive.
- 2.2.5 The reporting system for internal audit shall be agreed between the DOF, the Audit Committee and the Head of Internal Audit. The agreement shall be in writing and shall comply with the guidance on reporting contained in the "Audit Code," the "DH Group Accounting Manual" and the "NHS FT Accounting Officer memorandum."
- 2.3 External Audit**
- 2.3.1 The External Auditor is appointed by the Council of Governors with advice from the Audit Committee.
- 2.3.2 The Audit Committee must ensure a cost-effective service is provided and agree audit work-plans, except statutory requirements.
- 2.3.3 The External Auditor must ensure that this service fulfils the functions and audit access and information requirements, as specified in Schedule 10 of the NHS Act 2006.
- 2.3.4 The Trust shall comply with the Audit Code and shall require the External Auditor to comply with the Audit Code.
- 2.3.5 If there are any problems relating to the service provided by the External Auditor this should be resolved in accordance with the Audit Code.
- 2.3.6 Prior approval must be sought from the Audit Committee (the Council of Governors may also be notified) for each discrete piece of additional external audit work (i.e., work over and above the audit plan, approved at the start of the year) awarded to the external auditors. Competitive tendering is not required and the DOF is required to authorise expenditure.
- 2.3.7 The External Auditor shall be routinely invited to attend and report to meetings of the Audit Committee, and shall be entitled to meet the Audit Committee in the absence of Trust employees, if they so desire.

## **2.4 Fraud, Corruption and Bribery**

- 2.4.1 In line with their responsibilities, the Chief Executive and DOF shall monitor and ensure compliance with the NHS Standard contract Service Condition 24 to put in place and maintain appropriate anti-fraud, bribery and corruption arrangements, having regard to NHS Protects' standards.
- 2.4.2 The DOF is the executive board member responsible for countering fraud, bribery and corruption in the Trust.
- 2.4.3 The Trust shall nominate a professionally accredited Local Counter Fraud Specialist ("LCFS"), to conduct the full range of anti-fraud, bribery and corruption work on behalf of the trust as specified in the NHS Protect anti-crime Standards.
- 2.4.4 The LCFS shall report to the DOF and shall work with staff in NHS Protect, in accordance with the NHS Protect anti-crime Standards, the anti-fraud manual and NHS Protects' Investigation Case File Toolkit.
- 2.4.5 If it is considered that evidence of offences exists and that a prosecution is desirable, the LCFS will consult with the DOF to obtain the necessary authority and agree the appropriate route for pursuing any action e.g. referral to the police or NHS Protect.
- 2.4.6 The Local Counter Fraud Specialist will provide a written report, at least annually, on anti-fraud, bribery and corruption work within the Trust to the Audit Committee.
- 2.4.7 The LCFS will ensure that measures to mitigate identified risks are included in an organisational work plan which ensures that an appropriate level of resource is available to the level of any risks identified. Work will be monitored by the DOF and outcomes fed back to the Audit Committee.
- 2.4.8 In accordance with the Freedom to Speak Up (Raising Concerns Policy), the Trust shall have a whistle-blowing mechanism to report any suspected or actual fraud, bribery or corruption matters and internally publicise this, together with the national fraud and corruption reporting line provided by NHS Protect.
- 2.4.9 The Trust will report annually on how it has met the standards set by NHS Protect in relation to anti-fraud, bribery and corruption work and the DOF shall sign-off the annual self-review and authorise its submission to NHS Protect. The DOF shall sign-off the annual qualitative assessment (in years when this assessment is required) and submit it to the relevant authority.

## **2.5 Security Management**

- 2.5.1 In line with their responsibilities, the Chief Executive will monitor and ensure compliance with the NHS Standard Service Condition 24 to put in place and maintain appropriate security management arrangements, having regards to NHS Protects' standards.
- 2.5.2 The Trust shall nominate a suitable person to carry out the duties of the Local Security Management Specialist ("LSMS") as specified in the NHS Protect anti-crime standards.
- 2.5.3 The Trust shall nominate a Non-Executive Director to be responsible to the Board for NHS security management

2.5.4 The Chief Executive has overall responsibility for controlling and coordinating security. However, key tasks are delegated to the Security Management Director (SMD), who is the Chief Operating Officer and to the appointed LSMS.

### **3. BUSINESS PLANNING, BUDGETS, BUDGETARY CONTROL, AND MONITORING**

#### **3.1 Preparation and Approval of the Trust Business Plan and Budgets**

3.1.1 In accordance with the annual planning cycle, the Chief Executive will compile and submit to the Trust Board of Directors and to the Council of Governors the annual "Trust Business Plan" which takes into account financial targets and forecast limits of available resources. The Trust Business Plan will contain:

- a) A statement of the significant assumptions on which the plan is based;
- b) Details of major changes in patient care activity, delivery of services or resources required to achieve the plan.
- c) The Financial Plan for the year;
- d) Such other contents as may be determined by NHS Improvement (NHSI).

3.1.2 The annual plan must be approved by the Trust Board and submitted to NHSI in accordance with their requirements.

3.1.3 All executive directors, directorate management teams and corporate service managers shall be responsible for contributing to the integrated planning process, which shall incorporate plans for workforce, service delivery and quality, service capacity and activity, and efficiency planning.

3.1.4 The DOF will, on behalf of the Chief Executive, prepare and submit an annual budget for approval by the Trust Board of Directors. Such a budget will:

- a) Be in accordance with the aims and objectives set out in the Trust Business Plan;
- b) Accord with patient care activity and manpower plans;
- c) Be produced following discussion with appropriate budget holders;
- d) Be prepared within the limits of available funds;
- e) Identify potential risks and mitigating actions;
- f) Be based on reasonable and realistic assumptions; and
- g) Enable the Trust to comply with the whole regulatory framework for Foundation Trusts.

3.1.5 The Trust Business Plan, which will include the annual budget, will be submitted to the Council of Governors in a general meeting.

3.1.6 The DOF shall monitor financial performance against budget, and report to the Finance and Performance Committee and Trust Board of Directors.

3.1.7 All budget holders must provide information as required by the DOF to enable budgets to be compiled.

3.1.8 Planned 'in year' businesses cases will be identified as much as is reasonably possible via the annual planning process. Only approved business cases will be included in the Annual Plan and budget setting. An adjustment to forecast will be made in year for those that are subsequently approved. Table 1 sets out the delegated limits for the approval of business cases:

| 'In year' revenue value | Authorisation to approve                      |
|-------------------------|---|
| <£25k                   | Division Management Team                      |
| £25k to <£250k          | Trust Management Committee<br>Chief Executive |
| £250k to <£750k         | Finance and Performance Committee             |
| >£750k                  | Trust Board                                   |

Table 1

3.1.9 The DOF has a responsibility to ensure that adequate training is delivered on an on-going basis to budget holders to help them manage their budgets successfully.

### 3.2 Budgetary Delegation

3.2.1 The Chief Executive, through the DOF, may delegate the management of a budget to permit the performance of a defined range of activities. This delegation must be in writing and be accompanied by a clear definition of:

- a) The amount of the budget;
- b) The purpose(s) of each budget heading;
- c) Individual and group responsibilities;
- e) Achievement of planned levels of service;
- f) Authority to exercise virements.
- g) The provision of regular reports.

3.2.2 Except where otherwise approved by the Chief Executive, taking account of advice from the DOF, budgets shall only be used for the purpose for which they were provided.

3.2.3 Any budgeted funds not required for their designated purpose(s) revert to the immediate control of the DOF, subject to guidance on budgetary control in the Trust.

3.2.4 Non-recurring budgets shall be agreed by the Chief Executive or the DOF and should not be used to finance recurring expenditure without their authority in writing.

3.2.5 The Chief Executive and delegated budget holders must not exceed the budgetary total or virement limits set by the Board of Directors.

3.2.6 Clinical Directors or Service Leads, who are responsible for 'trading activities' must ensure the integrity and supply of information to other users. Price increases in such departments should be monitored by the DOF to ensure overall efficiency and value for money is maintained.

### 3.3 Budgetary Control and Reporting

3.3.1 The DOF will devise and maintain systems of budgetary control. These will include:

- a) Monthly financial reports to the Finance & Performance Committee and

Trust Board of Directors in a form approved by the Trust Board of Directors containing sufficient information to allow the Finance & Performance and the Trust Board of Directors to ascertain the financial performance of the Trust. This may include the following:

- i) Income and expenditure to date, showing trends and the forecast year-end position;
  - ii) Workforce spend and WTEs;
  - iii) NHS commissioner's contractual performance to date;
  - iv) Movements in working capital (including cash).
  - v) Capital projects spend and projected outturn against plan.
  - vi) Explanations of any material variances from budget.
  - vii) Details of any corrective action where necessary and the Chief Executive's and/or DOF's view of whether such actions are sufficient to correct the situation.
- b) The issue of timely, accurate and comprehensible advice and financial reports to each budget holder, covering the areas for which they are responsible.
  - c) Investigation and reporting of variances from financial, workload and manpower budgets;
  - d) Monitoring of management action to correct variances; and
  - e) Arrangements for the authorisation of budget transfers and virements.

3.3.2 No budget-holder is authorised to overspend their budget. Where overspending is occurring, the budget-holder must account to their Directorate Management Team or line manager for the overspending and identify the means of addressing it. It is accepted that a budget may be exceeded for a short period in the year due to the phasing of expenditure.

3.3.3 Each Budget Holder is responsible for ensuring that no permanent employees are appointed without the approval of the Trust's Vacancy Control Panel, other than medical and nursing staff provided for within the budgeted workforce establishment.

3.3.4 The Chief Executive will delegate to budget holders responsibility for identifying and implementing cost improvement programmes ("CIPs") and income generation initiatives in order to deliver a budget that will enable compliance with NHS Improvement's Single Oversight Framework, finance and use of resources metrics.

### **3.4 Capital Expenditure**

3.4.1 General rules applying to delegation and reporting shall also apply to capital expenditure. Accounting for fixed assets must comply with the NHS Foundation Trust Annual Reporting Manual. The specific instructions relating to capital are contained in section 12 of these SFIs.

### **3.5 Performance Monitoring Forms and Returns**

3.5.1 The DOF on behalf of the Chief Executive, will ensure that the appropriate monitoring forms and returns are submitted to NHSI in accordance with the national annual timetable. The performance figures to the Trust Board of Directors should reflect the same figures, though not necessarily presented in the same format.

#### **4. ANNUAL REPORT AND ACCOUNTS AND QUALITY REPORT**

- 4.1 The DOF, on behalf of the Trust, will:
- a) Prepare annual financial accounts and corresponding financial returns in such form as NHS Improvement and HM Treasury prescribe;
  - b) Ensure these annual accounts and financial returns comply with current guidelines and directions given by NHS Improvement as to their technical accounting content and information/data shown therein, before submission to NHS Improvement.
- 4.2 The Chief Executive will prepare the Annual Report in accordance with the guidance in the DH Group Accounting Manual.
- 4.3 The Director of Nursing will prepare the Annual Quality Report in the format prescribed by NHS Improvement/Care Quality Commission and in accordance with the DH Group Accounting Manual. The Quality Report presents a balanced picture of the Foundation Trust's performance over the financial year and up to the agreed submission date.
- 4.4 The Trust's Annual Report, Annual Accounts and financial returns to NHS Improvement and Annual Quality Report must be audited by the external auditor in accordance with appropriate international auditing standard, where relevant.
- 4.5 The Annual Report, Accounts and Quality Report (including the auditor's report), shall be approved by the Board of Directors after review by the Audit Committee. The Clinical Governance Committee will also review the Quality Report prior to its submission to the Audit Committee.
- 4.6 The Annual Report, Accounts and Quality Report (including the auditor's report) is submitted to NHS Improvement (in accordance with its timetable) by the DOF and put forward to be laid before Parliament in accordance with the prescribed timetable.
- 4.7 The Annual Report and Accounts (including the auditor's report) must be published and presented to a general meeting of the Council of Governors by 30th September each year and made available to the public for public inspection at the Trust's headquarters and made available on the Trust's website. Any summary financial statements published are in addition to, and not instead of, the full annual accounts.
- 4.8 The Chief Executive, Chairman and DOF, as appropriate, will sign the various documentation relating to the Annual Report, Annual Accounts and financial returns to NHS Improvements and Annual Quality Report on behalf of the Trust Board.
- 4.9 Where a subsidiary is owned or partially owned by the Trust in a manner to require consolidation under the requirements of IFRS then the annual accounts of the subsidiary will be completed as a part of undertaking the consolidated accounts for the Trust. Should the Trust be involved with an Associate Company the results will be reported in line with recognised accounting requirements.

## **5. GOVERNMENT BANKING SERVICE BANK ACCOUNTS**

### **5.1 General**

- 5.1.1 The DOF is responsible for managing the Trust's banking arrangements and for advising the Trust on the provision of banking services and operation of accounts.
- 5.1.2 The DOF will review the banking needs of the Trust at regular intervals to ensure they reflect current business patterns and represent value for money.
- 5.1.3 The Trust Board will approve recommendations regarding the opening of any bank account in the name of the Trust.

### **5.2 Government Banking Service ("GBS") Bank Accounts**

- 5.2.1 In line with public sector practice, the Trust's principal bankers are those commercial banks working in partnership with the GBS, referred to in 5.2.2(a) below. However, these SFIs will apply to any other accounts opened in the name of the Trust or its subsidiaries from time to time.
- 5.2.2 The DOF is responsible for:
  - a) GBS bank accounts and any non GBS bank accounts held for banking and merchant services.
  - b) Establishing separate bank accounts for the Trust's non-exchequer funds as appropriate;
  - c) Ensuring payments made from bank/GBS/RBS accounts do not exceed the amount credited to the account except where arrangements have been made, or there is a right of set-off with another account held with that bank;
  - d) Reporting to the Board of Directors any arrangements made with the Trust's bankers for accounts to be overdrawn;
  - f) Monitoring compliance with NHS Improvement or DH guidance on the level of cleared funds;
  - g) Ensuring covenants attached to bank borrowings are adhered to.

### **5.3 Banking Procedures**

- 5.3.1 The DOF will prepare detailed instructions on the operation of bank accounts which must include:
  - a) The conditions under which each bank account is to be operated, including the overdraft limit, if applicable;
  - b) Those members of staff with mandated authority to carry out transactions (by signing transfer authorities or cheques or other orders) in accordance with the authorisation framework of these GBS bank accounts.
- 5.3.2 The DOF must advise the Trust's bankers in writing of the conditions under which each account will be operated.

#### **5.4 Tendering and Review (applicable to any non-GBS bank accounts only)**

5.4.1 The DOF will review the commercial banking arrangements of the Trust at regular intervals to ensure they reflect best practice and value for money.

### **6. INCOME, FEES AND CHARGES AND SECURITY OF CASH, CHEQUES AND OTHER NEGOTIABLE INSTRUMENTS**

#### **6.1 Income Systems**

6.1.1 The DOF is responsible for designing, maintaining and ensuring compliance with systems for the proper recording, invoicing, collection and coding of all monies due.

6.1.2 The DOF is also responsible for the prompt banking of all monies received.

#### **6.2 Fees and Charges (including for private use of Trust assets)**

6.2.1 The Trust shall follow the "Payment by Results" ("PbR") financial regime determined by the DH where applicable.

6.2.2. The DOF is responsible for approving and regularly reviewing the level of all fees and charges other than those determined by the Department of Health or by Statute. Responsibility for arranging the level of property rentals, and for reviewing rental and other charges regularly shall rest upon the Director of Finance who shall take into account independent professional advice on matters of valuation. The Director of Finance shall be consulted about the pricing of goods and services offered for sale.

6.2.3 All Employees must inform the DOF promptly of money due arising from transactions which they initiate/deal with, including all contracts, leases, tenancy agreements, private patient undertakings and other transactions.

6.2.4 Contracts must conform to the strategy and business plans of the Trust and shall be approved according to the limits specified at SFI Annex 3.

6.2.5 Any employee wishing to use Trust assets for private use must comply with the Trust's policies, including those on use of the telephone and the loan of equipment.

#### **6.3 Debt Recovery**

6.3.1 The DOF is responsible for the appropriate recovery action on all outstanding debts.

6.3.2 Income and salary overpayments not received, after all attempts at recovery have failed should be written off in accordance with the following approvals limits;

6.3.3 The following VAT exclusive limits shall be applied to debt write offs:

| <b>Monetary Value</b> | <b>Approval</b>      |
|-----------------------|----------------------|
| Up to £10,000         | Financial Controller |
| £10,001 to £100,000   | DOF                  |
| £100,000 plus         | Audit Committee      |

The limits apply to individual items. A schedule of written off debt shall be presented to the Audit Committee at least annually. A schedule of debts written off in excess of £100,000 and approved by the Audit Committee should be presented to the Trust board for information.

## **6.4 Security of Cash, Cheques and other Negotiable Instruments**

6.4.1 The DOF is responsible for:

- a) Approving the form of all receipt books, agreement forms, or other means of officially acknowledging or recording monies received or receivable;
- b) Ordering and securely controlling any such stationery;
- c) The provision of adequate facilities and systems for employees whose duties include collecting and holding cash, including the provision of safes or lockable cash boxes, the procedures for keys, and for coin operated machines;
- d) Prescribing systems and procedures for handling cash and negotiable securities on behalf of the Trust.

6.4.2 All unused cheques and other orders shall be subject to the same security precautions as are applied to cash. The Director of Finance shall be responsible for the arrangements for security and issue of bulk stocks of cheques.

6.4.3 Trust monies shall not, under any circumstances, be used for the encashment of private cheques or loans or IOUs.

6.4.4 All cheques, postal orders, cash etc. shall be banked intact. Disbursements shall not be made from cash received, before banking, except under arrangements approved by the DOF.

6.4.5 The holders of safe keys shall not accept unofficial funds for depositing in their safes, unless such deposits are in special sealed envelopes or locked containers. It shall be made clear to the depositors that the Trust shall not be liable for any loss, and written and signed "declarations of indemnity" must be obtained from the organisation or individuals fully absolving the Trust from responsibility for any loss.

6.4.6 Any loss or shortfall of cash, cheques, or other negotiable instruments, however occasioned, shall be reported immediately in accordance with the agreed procedure for reporting losses. (See Section 14 Disposals and Condemnations, Losses and Special Payments).

## **7. TENDERING & CONTRACTING PROCEDURES**

### **7.1 Duty to comply with Standing Financial Instructions**

The procedure for making all contracts on behalf of the Trust shall comply with these Standing Financial Instructions and Standing Orders

### **7.2 Thresholds Tender Guide/Placing Contracts/Waivers**

The following tables outline the correct procurement process to be followed relative to value and the type of product or service being purchased.

Where goods, services, disposals and/or capital works are to be supplied over a period of time, the values listed must be taken as the value of the contract and include the whole life costs, not the annual value and should not seek to circumvent public sector procurement regulations.

For the purpose of these SFI's the definition of a Contract is a voluntary, deliberate, and legally binding agreement between two or more competent parties. Contracts are usually written but may be spoken or implied, and generally have to do with employment, sale or lease, or tenancy.

A contractual relationship is evidenced by (1) an offer, (2) acceptance of the offer, and a (3) valid (legal and valuable) consideration. Each party to a contract acquires rights and duties relative to the rights and duties of the other parties. However, while all parties may expect a fair benefit from the contract (otherwise courts may set it aside as inequitable) it does not follow that each party will benefit to an equal extent.

**Table 2**

| <b>Contract Value (Excl VAT)</b>                | <b>Quotations/Tenders</b>  | <b>Min number invited to Quote/Tender where available</b> | <b>Form of Contract</b>                            |
|---|--|---|--|
| <£10,000  | Single Quotation may be obtained by end user   | 1   | Purchase Order                                     |
| £10,000 - £24,999                               | Quotation Authorisation required from Procurement prior to obtaining quotes                | 2   | Purchase Order                                     |
| £25,000- £75,000                                | Quotation To be obtained by Procurement with appropriate advertising and market engagement | 3   | Contract and Purchase Order                        |
| £75,001 - Public Contract Regulations threshold | Tender by Procurement  | 4   | Contract as specified in Tender and Purchase Order |
| > Public Contract Regulations threshold         | Tender by Procurement  | 4   | Contract as specified in Tender and Purchase Order |

Where the opportunity has been advertised the Trust may shortlist suppliers, via a transparent supplier selection process, to take forward to the next stage

of the procurement process.

Threshold limits represent the contract's lifetime value (e.g. a 5 year contract of £25,000 per year requires £125,000 method and authorisation).

The cumulative amount spent with the supplier over a rolling 12 month period (e.g. 5 separate spends of £5k each will trigger the appropriate procurement process in line with the values above)

In circumstances after market engagement has been conducted, where the specified number of quotations/tenders cannot be obtained (e.g. where there is a limited number of suppliers), the reasons for receiving a lower number of quotations/tenders must be recorded in the recommendation report and in this event a waiver/ STA will not be required.

### 7.3 Placing Contracts

Authorisation to sign a Contract and recommendation report requirements are detailed in Table 3 below.

Under no circumstances should any member of the Trust sign and authorise a Contract from a supplier unless they are permitted under SFI's to do so as detailed in the Table 3.

**Table 3**

| <b>Contract Value</b>                         | <b>Recommendation Report Requirement</b>   | <b>Authorisation To Place or sign Contract</b> |
|---|--|--|
| <£10,000<br>(Inclusive of zero nominal value) | No   | Head of Procurement                            |
| £10,000 < £25,000                             | Recommendation report required only if contract has not be awarded to the most economically advantageous offer | Head of Procurement                            |
| £25,000 < £100,000                            | Yes  | Head of Procurement                            |
| £100,000 < £250,000                           | Yes  | Director of Procurement                        |
| £250,000 < £750,000                           | Yes  | Director of Finance                            |
| £750,000 < £1,500,000                         | Yes  | Finance Committee                              |
| >£1,500,000                                   | Yes  | Trust Board/Chairman                           |

The Director of Finance, Director of Procurement, Head of Procurement and Chief Pharmacist may sign and place contracts on the Trust's behalf, providing a valid Contract Approval Document is signed by the relevant Executive Director or Chairman on behalf of Trust Board. Where appropriate this should include a supporting recommendation report.

The Chief Executive shall nominate officers with delegated authority to enter into contracts of employment, regarding staff, agency staff or temporary staff service contract

### 7.4 Electronic Tendering

All invitations to tender should be on a formal competitive basis applying the principles set out below using the Trust E-Tendering Portal.

All tendering carried out through e-tendering will be compliant with the Trust policies and procedures as set out in SFIs 7.2 – 7.12 Issue of all tender documentation should be undertaken by the Procurement Department electronically through a secure website with controlled access using secure login, authentication and viewing rules.

All tenders will be received into a secure electronic vault so that they cannot be accessed until an agreed opening time. Where the electronic tendering package is used the details of the persons opening the documents will be recorded in the audit trail together with the date and time of the document opening. All actions and communication by both procurement staff and suppliers are recorded within the system audit reports.

### **7.5 Manual Tendering – General Exception Rules**

No tenders should be conducted manually unless there is a clear valid exception that is signed off by the Director of Procurement. All invitations to tender on a formal competitive basis shall state that no tender will be considered for acceptance unless submitted in either:

- a) A plain, sealed package bearing a pre-printed label supplied by the Trust (or bearing the word 'Tender' followed by the subject to which it relates and the latest date and time for the receipt of such tender);

Or

- b) In a special envelope supplied by the Trust to prospective tenderers and the tender envelopes/packages shall not bear any names or marks indicating the sender.

Every tender for goods, materials or manufactured articles supplied as part of a works contract and services shall embody such of the main contract conditions as may be appropriate in accordance with the contract forms described in Section 7.5.

Where appropriate tenders for building and works, shall embody or be in the terms of the current edition of the appropriate Joint Contracts Tribunal (JCT) or NEC 3 form of contract amended to comply with Concode. When the content of the works is primarily engineering, tenders shall embody or be in the terms of the General Conditions of Contract recommended by the Institutions of Mechanical Engineers and the Association of Consulting Engineers (Form A) or, in the case of civil engineering work, the General Conditions of Contract recommended by the Institution of Civil Engineers.

Every tender for goods, materials, services (including consultancy services) or disposals shall embody the NHS Standard Contract Terms and Conditions as are applicable. Every supplier must have given a written undertaking not to engage in collusive tendering or other restrictive practice.

### **7.6 Receipt, Safe Custody and Record of Formal Tenders submitted manually**

All tenders on the approved form shall be addressed to the appropriate officer according to the appropriate limits specified in SFI 7.2.

The date and time of receipt of each tender shall be endorsed on the unopened tender envelope/package.

The appropriate officer shall designate an officer or officers, not from the

originating department, to receive tenders on his/her behalf and to be responsible for their endorsement and safe custody until the time appointed for their opening, and for the records maintained in accordance with SFI 7.7.

### **7.7 Opening Formal Tenders**

As soon as practicable after the date and time stated as being the latest time for the receipt of tenders they shall be opened either electronically or if manually by two officers designated by the officer as appropriate.

Every tender received shall be stamped with the date of opening and if manually opened they shall be initialed by two of those present at the opening.

A permanent record shall be maintained to show for each set of competitive tender invitations dispatched:

- a) The names of firms/individuals invited;
- b) The names of and the number of firms/individuals from which tenders have been received;
- c) The total price(s) tendered;
- d) Closing date and time;
- e) Date and time of opening; and
- f) The persons present at the opening shall sign the record, where a manual process has been conducted.

Except as in the paragraph below, a record shall be maintained of all price alterations on tenders, i.e. where a price has been altered, and the final price shown shall be recorded. Every price alteration appearing on a tender and the record should be logged and where a manual process has been conducted it should be initialed by two of those present at the opening.

A report shall be made in the record if, on any one tender, price alterations are considered so numerous as to render the procedure set out in the paragraph above unreasonable.

### **7.8 Admissibility and Acceptance of Formal Tenders (Electronically & Manually)**

In considering which tender to accept, if any, the designated officers shall have regard to whether value for money will be obtained by the Trust and whether the number of tenders received provides adequate competition. In cases of doubt they shall consult the Director of Finance, Director of Procurement or nominated officer. All decisions should be recorded in line with the procurement process.

Tenders received after the due time and date may be considered only if the Director of Finance or Director of Procurement or nominated officer decides that there are exceptional circumstances, e.g. where significant financial, technical or delivery advantages would accrue, and is satisfied that there is no reason to doubt the bona fides of the tenders concerned. The Director of Finance, or nominated officer, shall decide whether such tenders are admissible and whether re-tendering is desirable. Re-tendering may be limited to those tenders reasonably in the field of consideration in the original competition. If the tender is accepted the late arrival of the tender should be reported to the Board at its next meeting. All decisions in relation to tenders received after the due time and date should be recorded in the procurement log.

Technically late tenders (i.e. those dispatched in good time but delayed through no fault of the supplier) may at the discretion of the Director of Finance or nominated officer be regarded as having arrived in due time. A record supporting this decision should be recorded in the procurement log.

Materially incomplete tenders (i.e., those from which information necessary for the adjudication of the tender is missing) and amended tenders (i.e., those amended by the supplier upon his own initiative either orally or in writing after the due time for receipt) should be dealt with in the same way as late tenders under SFI 7.8.

Where examination of tenders reveals a need for clarification, the supplier is to be given details of such clarifications and afforded the opportunity of confirming or withdrawing his offer.

Necessary discussions with a supplier of the contents of their tender, in order to elucidate technical points etc., before the award of a contract, will not disqualify the tender.

While decisions as to the admissibility of late, incomplete, or amended tenders are under consideration and while re-tenders are being obtained, the tender documents shall remain strictly confidential and kept in safekeeping by an officer designated by the Director of Finance.

Where only one tender/quotation is received the Director of Procurement/nominated officer (within delegated limits) shall, as far as practicable, ensure that the price to be paid is fair and reasonable.

All tenders shall be evaluated on the basis of MEAT (Most Economically Advantageous Tender) and in conjunction with published Award Criteria and Weightings.

Where the form of contract includes a fluctuation clause all applications for price variations must be submitted in writing by the tenderer and shall be approved by the Chief Executive or nominated officer (within 7.10 below).

All tenders should be treated as confidential and should be retained for inspection.

## **7.9 Extensions to Contract**

In all cases where optional extensions to contract are outlined at the time of tendering, the authority to approve contract extensions is given to the Director of Procurement up to the value of the original contract (including formally agreed variations).

## **7.10 Quotation & Tendering Procedures**

Unless permitted by SOs, competitive quotations/tenders will be sought for all contracts according to the financial limits specified in SFI 7.2 and will involve procurement department in line with Table 2.

Tender documents will be issued by procurement on behalf of the Trust. Procurement will arrange for them to be opened in accordance with the SFIs of the Trust.

No tender shall be considered which bears any mark or name indicating the sender.

Where the total contract value exceeds £25,000 the Trust has a legal obligation to ensure that they advertise through the appropriate portal in line with Public Contracts Regulations and must subsequently ensure the respective award is also published.

Where the total contract value exceeds the Public Contracts Regulations Thresholds then the Trust is committed to conducting a legally compliant procurement process in line with the Public Contracts Regulations.

Where appropriate, pharmacy orders will be placed against National or Regionally/Divisionally agreed Pharmacy Contracts, which should cover the majority of orders placed by the Pharmacy Department.

The values listed also apply to disposals (SFI 14). All other Financial Limits are detailed at SFI 7.2

Tender lists for building and engineering works will be compiled in conjunction with the Director of Corporate Development from "Construction line" the Trust's approved list of Contractors.

Where there is a wide discrepancy between the estimate and / or approved funding and the final total tendered cost involving an increase in expenditure this is to be reported to the Director of Finance for further instructions.

The number of firms to be invited to tender for a particular contract shall be in accordance with the financial limits specified in SFI 7.2.

Quotation/tenders will be completed accordance with these SFIs.

Adjudication must be made in accordance with SFI 7.8 recommendation report shall be prepared by procurement for approval or to seek authorisation, according to delegated limits.

Acceptance of the tender/quotation must comply with the financial limits set out in SFI 7.2).

All contract documentation must be finalised promptly (ideally prior to the commencement of the contract) after the award of contract.

The waiving of variation of competitive tendering/quotation procedures shall be reported to the Audit Committee regularly.

A flow chart outlining the legally compliant competitive tendering process and contract requirements is outlined at Annex 2.

### **7.11 Quotation & Tendering Procedures Summary - Contracts**

Competitive quotation/tenders will be obtained for all items according to the financial limits specified in SFI 7.2.

No Pre Qualifications stages should be conducted in accordance with Public Contract Regulations. Where goods, services, disposals and/or capital works are to be supplied over a period, the values listed must be taken as the value of the contract, not the annual value and should not seek to circumvent public sector procurement regulations. Signed Contracts will be required for all Single Tender Action waivers over £25,000.

Quotations/ tenders shall be invited for all purchases over a period of time in line with Table 2 in specified in SFI 7.2.

Quotations/ tenders will be issued in accordance with these SFI's and shall incorporate standard NHS Terms and Conditions of Contract.

After tenders/quotations have been opened, procurement will arrange for adjudication of the tenders/quotations. Adjudication must be made in accordance with SFI 7.8.

A Recommendation Report prepared by the Procurement Team should be submitted for approval or to seek authorisation as per Table 2 in SFI 7.3 according to delegated limits.

All waiving of variation of competitive tendering/quotation procedures shall be reported to the Audit Committee on a six monthly basis highlighting all waivers over £10,000 in line with STA's approved by the Director of Finance.

All competitive quotations/tenders should come through the e-tendering portal to ensure compliance and published in line with Public Contracts Regulations.

All Trust quotation/tenders or waivers over £25,000 in value must result in a signed contract between the supplier and the Trust under agreed terms and conditions, clear specifications and KPI's where appropriate. These will be retained through the Trust Procurement Source to Contract System. Any exceptions to this are at the discretion of the Director of Procurement.

#### **7.12 Waiving or Variation of Competitive Tendering/Quotation Procedure**

Signed Contracts will be required for all Single Tender Action waivers over £25,000.

In circumstances after market engagement has been conducted, where the specified number of quotations/tenders cannot be obtained (e.g., where there is a limited number of suppliers), the reasons for receiving a lower number of quotations/tenders must be recorded in the recommendation report and in this event a waiver/ STA will not be required.

Formal competition need not be applied (and therefore a waiver is not required) where:

- a. The estimated expenditure does not, or is not reasonably expected to, exceed the Contract value out in in SFI 7.2 Table 2
- b. The supply is proposed under special arrangements negotiated by the Department of Health, which the Trust is required by the Independent Regulator to comply with
- c. The requirement is covered by an existing contract and the additional expenditure does not either constitute a material difference (eg/ change of scope, or increase in value of 20% of more), or result in a shift in the economic balance of the contract in favour of the contractor
- d. The expenditure relates to agency pay however internal governance and authorisation will apply
- e. National public sector or NHS agreements including NHS Supply Chain are in place and have been approved by the Department of Health
- f. A direct award to a supplier on a national or regional framework is

permissible and recommended according to the rules of the framework. On these occasions a recommendation report will require authorisation in accordance with SFI 7.3 Table 2. The Trust will be required to demonstrate in the report, with supporting evidence, that a direct award offers value for money and is in the best interests of the Trust

- g. The requirement is to attend a seminar, conference, or similar unique event
- h. A consortium arrangement is in place and a lead organisation has been appointed to carry out tendering activity on behalf of the consortium members
- i. A commissioning body is market testing the whole business to ensure value for money and the Trust requires a partner or subcontractor to respond to the invitation to tender. The selection of the partner by the Trust need not be separately competed
- j. The requirement is for the securing of a named individual on a temporary basis to fulfil a role and where substitution of another resource is not acceptable. In this case this does not constitute a procurement but the nominated Officer must still ensure value for money

## **8. CONTRACTS FOR THE PROVISION OF SERVICES**

### **8.1 Service Contracts**

- 8.1.1 The Trust Board shall regularly review and shall at all times maintain and ensure the capacity and capability of the Trust to provide the mandatory goods and services referred to in its Terms of Authorisation and related schedules.
- 8.1.2 The Chief Executive, as the Accounting Officer, is responsible for ensuring the Trust enters into suitable Service Contracts with NHS England/Clinical Commissioning Groups and other commissioners for the provision of services and for considering the extent to which any NHS Standard Contracts issued by the NHS England (NHSE) or NHS Improvement are mandatory for Service Contracts.
- 8.1.3 Where the Trust enters into a relationship with another organisation for the supply or receipt of other services, clinical or non-clinical, the responsible officer should ensure that an appropriate contract is present and signed by both parties.
- 8.1.4 All Service Contracts and other contracts shall be legally binding, shall comply with best costing practice and shall be devised so as to manage contractual risk, in so far as is reasonably achievable in the circumstances of each contract, whilst optimising the Trust's opportunity to generate income for the benefit of the Trust and its service users.
- 8.1.5 In discharging this responsibility, the Chief Executive should take into account:
- (a) Costing and pricing (in accordance with Payment by Results) and the activity / volume of services planned;
  - (b) The standards of service quality expected;
  - (c) The relevant national service framework (if any);
  - (d) Payment terms and conditions;
  - (e) Amendments to contracts and non-contractual arrangements; and
  - (f) Any other matters relating to contracts of a legal or non-financial nature.
- 8.1.6 Prices should match national tariff, where appropriate, but the Trust can negotiate locally agreed prices, where services are not covered by the national tariff. Any local price should be at least equal to the appropriate cost of the service being provided.
- 8.1.7 Any local changes in the counting and coding of patient activity will need to be notified to the DOF prior to implementation
- 8.1.8 The DOF shall produce regular reports detailing actual and forecast income.
- 8.1.9 The DOF shall oversee and approve cash flow forecasts, including figures relating to the collection of all income due under the contracts.
- Annex
- 8.1.10 The authorisation limits for signing service contracts are set out in Annex 3.

### **8.2 Involving Partners and Jointly Managing Risk**

- 8.2.1 A good contract will result from a dialogue of clinicians, users, carers, public health professionals and managers. It will reflect knowledge of local needs

and inequalities. This will require the Chief Executive to ensure that the Trust works with all partner agencies involved in both the delivery and the commissioning of the service required. The contract will apportion responsibility for handling a particular risk to the party or parties in the best position to influence the risk in question and financial arrangements should reflect this. In this way the Trust can jointly manage risk with all interested parties.

### 8.3 Tendering (where SFT is a competing body)

8.3.1 Where SFT participates in a tendering exercise (whether in competition with others or not) for a health related service, approval must be sought according to the delegated authority limits.

8.3.2 Delegated authority limits associated with tendering:

|   | <b>Directorate Management Team</b> | <b>Trust Management Committee</b> | <b>Finance &amp; Performance Committee</b> | <b>Trust Board</b> |
|---|------------------------------------|-----------------------------------|--|--------------------|
| Decision not to bid or Bid sign-off prior to submission |                                    |                                   |  |                    |
| Total value range                                       | <£50k                              | <£5m                              | <£15m                                      | >£15m              |
| Annual value  | £20k pa                            | <£1m pa                           | >£1m<£5m pa                                | >£5m pa            |

8.3.3 No tender must be submitted without sign-off from the relevant authority. For absolute clarity, no Trust employee should sign a tender or contract unless they have authority and the total contract value is within the above financial limits. All tender decisions will be reported to Executive Directors for noting.

## 9. TERMS OF SERVICE AND PAYMENT OF BOARD DIRECTORS AND EMPLOYEES

### 9.1 Remuneration Committee

9.1.1 The Trust Board shall establish a Remuneration Committee, with clearly defined terms of reference specifying which posts fall within its area of responsibility, its composition and its reporting arrangements.

9.1.2 Any Trust Board post and most Senior Manager Posts will be subject to the requirements of the Fit and Proper Persons Test which is administered by Human Resources. Human Resources are responsible for keeping the list of applicable posts up to date.

9.1.3 Appointments to senior management or Director Posts above the salary of the Prime Minister (currently circa £150k) must be referred to NHS Improvement and onward ratification by the Secretary of State.

### 9.2 Staff Appointments, Terminations and changes

9.2.1 An Employee or Director to whom a staff budget or part of a staff budget is delegated may engage employees, or hire agency staff subject to any approval that may be required by the Workforce Control Panel (if applicable) and provided the post is within the limit of their approved budget and affordable staffing limit. They may also regrade employees

after consultation with their Human Resources Manager and job evaluation has taken place in accordance with Trust policy.

- 9.2.2 The Trust's primary mechanism of engagement is for workers to be placed on payroll either through permanent employment or fixed term contracts. Where a requirement for temporary resourcing appears (or a specific short term skills shortage) alternative forms of resourcing may be used including Bank and Agency. The use of bank must be in line with the Trust's procedures for booking temporary staff. Agency bookings should be in line with the Trust procedures, ensuring required sign off is obtained and that NHS and Tax regulation are complied with. Any off payroll engagements must be approved by the DOF prior to contract signature.
- 9.2.3 Each employee shall be issued with a contract of employment by the HR Department which shall comply with current employment legislation. A copy of the signed contract shall be submitted to the Director of Finance at the earliest opportunity.
- 9.2.4 All agency staff engaged should be via an approved framework agency and through the Trust's agreed supplier. Any individuals directly engaged, who sit outside of these 2 categories, should have a suitable contractual agreement in place.
- 9.2.5 Any appointments should follow the Trust Recruitment and Selection Policy found on the intranet.
- 9.2.6 A "Notification of Termination" form and such other documents as the Director of Finance may require, shall be completed and forwarded to the payroll department immediately upon the date of; an employee's resignation, retirement, or termination, being known. Where an employee fails to report for duty in circumstances which suggest they have left without notice, the Payroll Manager shall be informed immediately.
- 9.2.7 Changes forms covering an Employee's Personal Details i.e. Name, Address or Job Details shall be completed and forwarded to the payroll department immediately upon the Manager becoming aware of the change.
- 9.2.8 The Trust Remuneration Committee will approve procedures presented by the Chief Executive for the determination of commencing pay rates, conditions of service etc. for employees on local contracts.
- 9.2.9 As a general principle the Trust will seek to avoid the requirement to make staff redundant. The Trust will therefore always seek to redeploy staff where appropriate.
- 9.2.10 In the event that redundancy cannot be avoided the Trust shall follow the processes as laid out in its Managing Implications of Organisational Change Policy.
- 9.2.11 The Trust must seek approval from NHS Improvement before commissioning Management Consultants above a cap of £50k.

### **9.3 Processing Payroll**

- 9.3.1 The Director of Finance shall be responsible for the final determination of monetary pay, (including the verification that the rate of pay and relevant conditions of service are in accordance with Trust employment contracts), the proper compilation of the payroll and for payments made. No monetary payment may be made to staff other than that paid through the payroll system without the explicit approval of the Director of Finance.

- 9.3.2 All pay sheets, and other pay records including travel expense claim forms supported by vouchers/receipts where appropriate, shall be in a form approved by the Director of Finance (manual or electronic) and shall be certified and submitted in accordance with his/her instructions.
- 9.3.3 The Director of Finance shall determine the dates on which salaries and wages shall be paid.
- 9.3.4 All employees shall be paid by bank credit transfer, unless in exceptional circumstances agreed otherwise by the Director of Finance.
- 9.3.5 Payment shall not be made in advance of the pay dates determined as in 9.3.3 above except where prior approval has been obtained from the Chief Executive, Director of Finance (or duly appointed representative) or the Director of Organisational Development and People. In such cases the payment shall be limited to the estimated net pay due at the time of payment.
- 9.3.6 Where the Trust HR Policies so allow, loans may be made to staff and recovered in accordance with arrangements that the Director of Finance and Director of Organisational Development and People shall determine jointly.
- 9.3.7 The Director of Finance shall ensure adequate internal controls and audit review procedures are in place, and that suitable arrangements are made for the collection of payroll deductions and payment of these to appropriate bodies.
- 9.3.8 Managers and employees are jointly responsible and accountable for ensuring claims for pay and expenses are timely, correct and any under or over payments are highlighted as soon as discovered. The process and procedures related to pay related claims and under/ overpayments is contained in the Trust's Pay policy. This policy sets out that pay claims in excess of normal contractual hours will only be paid within 3 months of the extra shift/ hours. Any claims over 3 months old will need to be approved by the DOF.

## **10. NON-PAY EXPENDITURE**

### **10.1 Delegation of Authority and Service Development Business Cases**

- 10.1.1 The Trust Board will approve the level of non-pay expenditure on an annual basis and the Director of Finance will determine the level of delegation to budget managers.
- 10.1.2 Council of Governors will be consulted on significant transactions.

### **10.2 Requisitioning and Ordering Goods and Services**

- 10.2.1 The Director of Finance will set out:
- a) The list of managers who are authorised to place requisitions for the supply of goods and services; and
  - b) The maximum level of each requisition and the system for authorisation above that level. Authorisation limits are specified at Annex 1.

### 10.3 Choice, Requisitioning, Ordering, Receipt and Payment for Goods and Services

- 10.3.1 The requisitioner, in choosing the item to be supplied (or the service to be performed) shall always obtain the best value for money for the Trust. In so doing, the advice of the Trust Director of Procurement shall be sought. Where this advice is not acceptable to the requisitioner, the DOF shall be consulted.
- 10.3.2 Once the item to be supplied (or service to be performed) has been identified the requisitioner should raise a requisition. Only for agreed goods and services (i.e. agency staff and utilities) should a good or service be obtained without a purchase order.
- 10.3.3 The DOF or if delegated, the Financial Controller, shall be responsible for the prompt payment of accounts and claims. Payment of contract invoices shall be in accordance with contract terms, or otherwise, in accordance with national guidance.
- 10.3.4 The DOF will:
- a) Prepare procedural instructions (where not already provided in the Scheme of Delegation or procedure notes for budget managers) on the obtaining of goods, works and services incorporating these thresholds;
  - b) Be responsible for designing and maintaining a system of verification, recording and payment of all amounts payable. The system shall provide for:
    - i) **Authorisation:**
      - a list of Directors and Employees authorised to authorise invoices and that the expenditure has been authorised by the officer responsible for the contract or budget which is to be charged
    - ii) **Certification:**
      - Goods have been duly received, examined and are in accordance with specification and the prices are correct. Certification of accounts may either be through a goods received note or by personal certification by authorised officers;
      - Work done or services rendered have been satisfactorily carried out in accordance with the order, and, where applicable, the materials used are of the requisite standard and the charges are correct;
      - In the case of contracts based on the measurement of time, materials or expenses, the time charged is in accordance with the time sheets, the rates of labour are in accordance with the appropriate rates, the materials have been checked as regards quantity, quality, and price and the charges for the use of vehicles, plant and machinery have been examined and are reasonable;
      - Where appropriate, the expenditure is in accordance with regulations and all necessary authorisations have been obtained;
      - where an officer certifying accounts relies upon other officers to do preliminary checking he/she shall, wherever possible, ensure that those who check delivery or execution of work act independently of those who have placed orders and negotiated prices and terms and that such checks are

evidenced.

- In the case of contract for building and engineering works which require payment to be made on account during process of the works the DOF shall make payment on receipt of a certificate from the appropriate technical consultant or authorised officer. Without prejudice to the responsibility of any consultant, or authorised officer appointed to a particular building or engineering contract, a contractors account shall be subjected to such financial examination by the DOF and such general examination by the authorised officer as may be considered necessary, before the person responsible to the Trust for the contract issues the final certificate;

iii) **Payments and Creditors:**

- a timetable and system for submission to the DOF of accounts for payment; provision shall be made for the early submission of accounts subject to cash discounts or otherwise requiring early payment.

iv) **Financial Procedures:**

- Instructions to employees regarding the handling and payment of accounts within the Finance Department;
- c) Be responsible for ensuring that payment for goods and services is only made once the goods and services are received (except as below).

10.3.5 Prepayments are only permitted where the financial advantages outweigh the disadvantages in such instances:

- a) The appropriate Director must provide, in the form of a written report, a case setting out all relevant circumstances of the purchase. The report must set out the effects on the Trust if the supplier is at some time during the course of the prepayment agreement unable to meet his/her commitments;
- b) The supplier is of sufficient financial status or able to offer a suitable financial instrument to protect against the risk of insolvency;
- c) There are adequate administrative procedures to ensure that where payments in advance are made the goods or services are received or refunds obtained;
- d) The DOF must approve the proposed arrangements before those arrangements are contracted; and
- e) The Budget Manager is responsible for ensuring that all items due under a prepayment contract are received and must immediately inform the appropriate Director if problems are encountered.

10.3.6 Managers must ensure that they comply fully with the guidance and limits specified by the DOF and that:

- a) All contracts (other than for simple purchase permitted within the Scheme of Delegation or delegated budget), leases, tenancy agreements and other commitments which may result in a liability are notified to the DOF in advance of any commitment being made;
- b) No requisition/order is placed for any item or items for which there is no budget provision unless authorised by the DOF on behalf of the Chief Executive;

- c) Changes to the list of Directors and Employees authorised to certify invoices are in accordance with the scheme approved by the Board;
- d) Purchases from petty cash are restricted in value and by type of purchase in accordance with instructions issued by the DOF;
- e) Petty cash records are maintained in a form as determined by the DOF;
- f) Contracts above specified thresholds are advertised and awarded in accordance with EU and GATT rules on public procurement; and
- g) In certain circumstances, where regular transactions are made for items such as travel, course and accommodation bookings and one off purchases, a Trust purchasing card can be an alternative means of procurement. All purchase card holders are required to follow the Trust purchasing card procedure and will be required to sign a declaration agreeing to the terms of the procedure.

#### **10.4 Value Added Tax**

10.4.1 Payment and recovery of VAT is the responsibility of the DOF who will ensure that procedures and systems are in place to enable regulations governing VAT in the NHS to be complied with.

10.4.2 Where managers are unsure of the VAT status of any particular transaction advice will be provided from the Finance Department.

## **11. EXTERNAL BORROWING, PUBLIC DIVIDEND CAPITAL AND CASH INVESTMENTS**

### **11.1 External Borrowing**

- 11.1.1 The Trust may borrow money for the purposes of, or in connection with, its strategic objectives and its operational functions.
- 11.1.2 The total amount of the Trust's borrowing must be affordable within NHS Improvement's Single Oversight Framework for Trusts.
- 11.1.3 Any application for a loan or overdraft facility must be approved by the Trust Board and will only be made by the DOF or a person with specific delegated powers from the DOF. Use of such loans or overdraft facilities must be approved by the DOF.
- 11.1.4 All short term borrowings should be kept to the minimum period of time possible, consistent with the overall cash position. Any short term borrowing requirement in excess of one month must be authorised by the DOF.
- 11.1.5 All long-term borrowing must be consistent with the plans outlined in the current Trust Business Plan approved by the Board.

### **11.2 Public Dividend Capital ("PDC")**

- 11.2.1 Any application for an increase in public dividend capital on behalf of the Trust shall only be made by the Director of Finance or their nominated representative and will be notified to the Trust Board or the Finance and Performance Committee on the Board's behalf.
- 11.2.2 The Trust will comply with the guidance on dividend payments contained in the DH Group Accounting Manual.

### **11.3 Investments**

- 11.3.1 The Trust may invest money for the purposes of its strategic objectives and operational functions.
- 11.3.2 Investment of cash on a short or long term basis shall be in accordance with the Trust's Treasury Management Policy as approved from time to time by the Finance and Performance Committee. The Director of Finance shall compile and regularly review the Trust's Treasury Management Policy and advise the Finance and Performance Committee of any necessary changes.
- 11.3.3 Investments may be made in forming and / or acquiring an interest in bodies corporate where authorised by the Trust Board.
- 11.3.4 Temporary cash surpluses must be held only in investments permitted by NHS Improvement and meeting the criteria approved by the Treasury Management Policy. The Treasury Management Policy will be refreshed and approved by the Finance and Performance Committee on an annual basis.
- 11.3.5 The DOF is responsible for advising the Board on investments and shall periodically report the performance of all investments held, to the Finance and Performance Committee.
- 11.3.6 The DOF will prepare detailed procedural instructions on the operation of

investment accounts and on the records to be maintained.

- 11.3.7 The DOF (or a senior finance manager with specific delegated powers from the DOF) will authorise all investment transactions and ensure compliance with the Treasury Management Policy at all times, with no investment made which would be outside the laid-down parameters for investment risk management in the policy. All investments are subject to periodic review and monitoring by the Finance and Performance Committee.

## 12. CAPITAL INVESTMENT, PRIVATE FINANCING, FIXED ASSET REGISTERS AND SECURITY OF ASSETS

### 12.1 Capital Investment

- 12.1.1 The Trust will establish a Strategic Capital Committee (SCC) chaired by the Director of Finance to oversee its allocation of capital investment. The DOF will ensure that there is an adequate appraisal and approval process in place for determining capital expenditure priorities and the effect of each proposal upon the Trust's Business Planning process.
- 12.1.2 The SCC will oversee the development and monitoring of an annual capital plan, including any changes to the plan as necessary in year. The Trust Board will approve the annual capital plan.
- 12.1.3 The DOF shall establish systems to ensure that approved capital schemes are progressed effectively and that budgets, phasing and cash flows are properly monitored.
- 12.1.4 The financial performance of the Capital Programme shall be reported to the Trust Board on a monthly basis with fuller details of the larger schemes on a quarterly basis.

### 12.2 Approval of Capital Business Cases

- 12.2.1 Approval of Capital Business Cases will be as follows:

**Table 4**

| Capital Plan  | <i>Approval to proceed, or changes to previously approved Capital.</i> | Forum  |
|---|--|--|
| N/A   | <£20k  | Buildings & Infrastructure Group, Medical Devices Management Committee, IT Capital Group |
| N/A   | <£100k   | CapCG (SCC informed via minutes)   |
| N/A   | £100k to <£350k  | Strategic Capital Committee<br>Director of Finance                                       |
| N/A   | £350k to <£500k  | TMC<br>Chief Executive   |
| N/A   | £500k to <£750k  | Finance and Performance Committee  |
| Full capital plan approved by Trust Board as part of Trust's Business Planning Process. | £750k+<br>Any proposed major scheme within FT compliance arrangements  | Trust Board  |

|   |   |                           |
|---|---|---------------------------|
| Any proposed major scheme within FT compliance arrangements | Any proposed major scheme within FT compliance arrangements | NHS England & Improvement |
|---|---|---------------------------|

*Where a capital scheme is approved within the annual capital plan, full and final approval to proceed is still required as set out in the delegated limits in table 4.*

*Approvals for capital projects over £350k, will be itemized in a schedule to Trust Board on a quarterly basis.*

| <b>Programme allocations within Capital Plan</b> | <b>Group/ individual responsible for approval</b> |
|--|---|
| Building and Works                               | The Building and Infrastructure Group             |
| Medical Equipment                                | Medical Devices Committee                         |
| Information Systems                              | Information Systems Steering Group                |

### **12.3 Private Finance Initiative**

12.3.1 Proposals for Private Finance must be submitted to the Investment Group for approval or review prior to request for approval by the Finance and Performance Committee or Trust Board if required.

### **12.4 Asset Registers**

12.4.1 The DOF is responsible for the maintenance of registers to record capital fixed assets. Appropriate adjustments must be made to reflect actual Trust assets currently in use. All items over £5,000 must be recorded on the Fixed Asset Register.

12.4.2 The DOF shall prepare procedural instructions on the disposal of assets.

12.4.3 Additions to the fixed asset register must be clearly identified to an appropriate budget holder and be validated by reference to:

- a) Properly authorised and approved agreements, architect's certificates, supplier's invoices and other documentary evidence in respect of purchases from third parties;
- b) Stores, requisitions and wages records for own materials and labour including appropriate overheads.

12.4.4 Where capital assets are sold, scrapped, lost or otherwise disposed of, their value must be removed from the accounting records and each disposal must be validated by reference to authorisation documents and invoices (where appropriate).

12.4.5 The DOF shall approve procedures for reconciling balances on fixed assets accounts in the general ledger against balances on the fixed asset register.

12.4.6 The value of each asset shall generally be depreciated using appropriate methods and rates in line with accounting standards.

## **12.5 Security of Assets**

- 12.5.1 The overall control of fixed assets is the responsibility of the Chief Executive.
- 12.5.2 Asset control procedures (including fixed assets, cash, cheques and negotiable instruments, including donated assets) must be approved by the DOF. This procedure shall make provision for:
- a) Recording managerial responsibility for each asset;
  - b) Identification of additions and disposals;
  - c) Identification of all repairs and maintenance expenses;
  - d) Physical security of assets;
  - e) Periodic verification of the existence of, condition of, and title to, assets recorded;
  - f) Identification and reporting of all costs associated with the retention of an asset; and
  - g) Reporting, recording and safekeeping of cash, cheques, and negotiable instruments.
- 12.5.3 The DOF shall approve procedures for reconciling balances on fixed assets accounts in the general ledger against balances on the fixed asset register.
- 12.5.4 All discrepancies revealed by verification of physical assets to the fixed asset register shall be notified to the appropriate manager who shall inform the DOF who shall decide what further action shall be taken.
- 12.5.5 Whilst each employee has a responsibility for the security of property of the Trust, it is the responsibility of Directors and senior employees in all disciplines to apply such appropriate routine security practices in relation to NHS property as may be determined by the Trust Board. Any breach of agreed security practices must be reported.
- 12.5.6 Any damage to the Trust's premises, vehicles and equipment, or any loss of equipment, stores or supplies must be reported by Directors and Employees in accordance with the procedure for reporting losses and the requirements of insurance arrangements.
- 12.5.7 Whenever practicable, assets should be marked as Trust property.
- 12.5.8 Inventories shall also be maintained and receipts obtained for Equipment on loan.

## **12.6 Property (Land and Buildings)**

- 12.6.1 Significant changes relating to the Trust's Estate must receive the prior approval of the Trust Investment Group and Trust Executive Committee.

- 12.6.2 The following matters related to property must be approved by the Trust Board:
- a) An Estate Strategy;
  - b) Acquisition of freehold property over £200,000 (excluding VAT); and
  - c) Acquisition of property where the total value of the agreement is over £200,000 (excluding VAT) by means of a lease, whether it is deemed to be an operating or finance lease.
- 12.6.3 Property purchases, licences and leases up to £200,000 each (excluding VAT) may be authorised by the Chief Executive, provided that they fall within the Board's approved Estates Strategy and that the cost is within 10% of an independent valuation.
- 12.6.4 The complexity of any property reports to the Trust Board should be determined by the materiality of the consideration or lease payments and any contentious issues, and must contain:
- a) Details of the consideration or lease payments;
  - b) Details of the period of the lease;
  - c) Details of the required accounting treatment;
  - d) Annual running costs of the property;
  - e) Funding sources within the Trust of both capital and revenue aspects of the acquisition;
  - f) The results of property and ground surveys;
  - g) Professional advice taken and the resultant cost;
  - h) Details of any legal agreement entered into;
  - i) Any restrictive covenants that exist on the property; and
  - j) Planning permission.
- 12.6.5 Any property acquisition should be in accord with, Department of Health guidance.
- 12.6.6 The contracts to acquire the property must be signed by two Executive Directors, one of whom should be the Chief Executive.
- 12.6.7 Appointment of professional advisors must be in line with the separate procedures for the appointment of advisors.
- 12.6.8 Trust Board approval must be obtained for the disposal of any property over £100,000 (excluding VAT) which is recorded on the balance sheet of the Trust. A business case must be presented to the Trust which must include:
- a) The proceeds to be received;
  - b) Any warrants or guarantees being given; and
  - c) Independent valuations obtained.
- 12.6.9 The disposal must be effected in full accord with Estate code.

- 12.6.10. Disposals of protected assets requires the approval of NHS Improvement.
- 12.6.11 Major divestments as defined in the Foundation Trust Compliance Framework requires the approval of NHS Improvement.
- 12.6.12 The granting of property leases by the Trust must have prior Board approval where the annual value of the lease is in excess of £200,000

### **13. INVENTORY AND RECEIPT OF GOODS**

#### **13.1 Inventory Stores and Inventory**

- 13.1.1 Inventory Stores, defined in terms of controlled stores and department stores (for immediate use) and stock held by the Trust should be kept to a minimum subjected to at least an annual stock take valued at the lower of cost and net reliable value. Inventory shall be controlled on a First in First out (FIFO) basis wherever possible; cost shall be ascertained on either this basis or on the basis of average purchase price. The cost of inventory shall be the purchase price without any overheads, but including value added tax where this cannot be reclaimed on purchase.
- 13.1.2 Subject to the responsibility of the DOF for the systems of control, overall responsibility for the control of Inventory Stores and Inventory shall be the responsibility of the Director of Procurement. The day-to-day responsibility may be delegated by him/her to departmental officers and stores managers and keepers, subject to such delegation being entered in a record available to the DOF. The control of pharmaceutical stocks shall be the responsibility of the Chief Pharmacist; and the control of fuel oil the Head of Estates.
- 13.1.3 The responsibility for security arrangements and the custody of keys for all Inventory Stores and locations shall be clearly defined in writing by the Logistics Manager wherever practicable; stocks should be marked as Health Service property.
- 13.1.4 The DOF, in conjunction with the Associate Director of Procurement, shall set out procedures and systems to regulate the Inventory stores and the inventory contained therein, including records for receipt of goods, issues, and returns to suppliers, and losses and specify all goods received shall be checked as regards quantity and/or weight and inspected as to quality and specification; a delivery note shall be obtained from the supplier at the time of delivery and shall be signed by the person receiving the goods; all goods received shall be entered onto an appropriate goods received/inventory record (whether a computer or manual system) on the day of receipt:
- a) If goods received are unsatisfactory the records shall be marked accordingly. Where goods received are seen to be unsatisfactory, or short on delivery, they shall only be accepted on the authority of a designated officer and the supplier shall be notified immediately;
  - b) Where appropriate the issue of stocks shall be supported by an authorised requisition note and a receipt for the stock issued shall be returned to the designated officer independent of the storekeeper.
- 13.1.5 Stocktaking arrangements shall be agreed with the DOF and shall specify:
- a) The procedures of system for the control of consignment stock will be defined in the Consignment Inventory Policy;

- b) That there shall be a physical check covering all items in store at least once a year;
  - c) The physical check shall involve at least one officer other than the storekeeper, and a member of staff from the Finance Department shall be invited to attend;
  - d) The stocktaking records shall be numerically controlled and signed by the officers undertaking the check;
  - e) Any surplus or deficiencies revealed on stocktaking shall be reported in accordance with the procedure set out by the DOF.
- 13.1.6 Where a complete system of inventory control is not justified, alternative arrangements shall require the approval of the DOF.
- 13.1.7 The Director of Procurement shall be responsible for a system approved by the DOF for a review of slow moving and obsolete items and for condemnation, disposal, and replacement of all unserviceable articles. Any evidence of significant overstocking and of any negligence or malpractice shall be reported to the DOF (see also SFI 14, Disposals, Condemnations, Losses and Special Payments). Procedures for the disposal of obsolete stock shall follow the procedures set out for disposal of all surplus and obsolete goods.
- 13.1.8 Breakages and other losses of goods in stock shall be recorded as they occur. Tolerance limits shall be established for all stocks subject to unavoidable loss, e.g. natural deterioration of certain goods (see also SFI 14, Disposals, Condemnations, Losses and Special Payments).
- 13.1.9 Inventory that has deteriorated, or are not usable for any other reason for their intended purposes, or may become obsolete, shall be written down to their net reliable value. The write down shall be approved by the DOF and recorded.
- 13.1.10 For goods supplied via the NHS Supply Chain central warehouses, or Trust Supplies Stores, the Director of Procurement shall identify those authorised to requisition and accept goods from the store.
- 13.1.11 It is a duty of officers responsible for the custody and control of inventory to notify all losses, including those due to theft, fraud and arson, in accordance with SFI 14.

## **14. DISPOSALS AND CONDEMNATIONS, LOSSES AND SPECIAL PAYMENTS**

### **14.1 Disposals and Condemnations (see also Trust Disposals Policy)**

- 14.1.1 The DOF shall prepare detailed procedures for the disposal of assets including capital assets and condemnations.
- 14.1.2 When it is decided to dispose of a Trust asset, the Head of Department or authorised deputy will:
- a) Establish whether it is needed elsewhere in the Trust;
  - b) Determine and advise the Finance Department of the estimated market value of the item, taking account of professional advice or the assistance of the Procurement department where appropriate. The highest possible disposal value will be realised, taking into account potential risks and reputational impacts.

- 14.1.3 All unserviceable articles shall be:
- a) Condemned or otherwise disposed of by an employee authorised for that purpose by the DOF;
  - b) Recorded by the condemning officer in a form approved by the DOF which will indicate whether the articles are to be converted, destroyed or otherwise disposed of. All entries shall be confirmed by the countersignature of a second employee authorised for the purpose by the DOF.
- 14.1.4 The condemning officer shall satisfy him/herself as to whether or not there is evidence of negligence in use and shall report any such evidence to the DOF, who will take the appropriate action.
- 14.1.5 Disposals of assets valued between £100,001 - £200,000k (higher of either market value or net book value) must be approved by the Chief Executive.

## **14.2 Losses and Special Payments Procedures**

- 14.2.1 The DOF must prepare procedural instructions on the recording of and accounting for condemnations, losses and special payments in accordance with DH Group Accounting Manual and prepare a register.
- 14.2.2 The DOF must also prepare a 'fraud response plan' that sets out the action to be taken both by persons detecting a suspected fraud and those persons responsible for investigating it. (See the Trust's Fraud, Bribery and Corruption Policy).
- 14.2.3 Any employee discovering or suspecting a loss of any kind must immediately act according to the Trust's Fraud, Bribery and Corruption Policy.
- 14.2.4 The DOF is responsible for monitoring compliance with the Directions of the Secretary of State and with any other instructions issued by NHS Protect.
- 14.2.5 The Directorate or Service Manager shall inform the DOF of all other losses or recoveries of previous reported losses so that they can be entered in the losses and special payments register.
- 14.2.6 For losses apparently caused by theft, arson, neglect of duty or gross carelessness, except if trivial, the DOF shall inform the Chief Executive in cases where the loss may be material or where the incident may lead to adverse publicity.
- 14.2.7 The DOF shall be authorised to take any necessary steps to safeguard the Trust's interests in bankruptcies and company liquidations.
- 14.2.8 For any loss, the DOF should consider whether any insurance claim can be made against insurers.
- 14.2.9 All losses and special payments (other than compensation payments) shall be recorded without delay in the Trust's Losses Register, to be maintained by the DOF and investigated in such a manner as the DOF may require. Write-off action shall be recorded against each entry in the register.

## **15. INFORMATION TECHNOLOGY**

### **15.1 Computer Systems and Data**

- 15.1.1 The Senior Information Risk Owner (SIRO), supported by the Chief Information Officer, who is responsible for the accuracy and security of the computerised financial data of the Trust, shall devise and implement any necessary procedures to ensure adequate (reasonable) protection of the Trust's data, programs and computer hardware for which he/she is responsible from accidental or intentional disclosure to unauthorised persons, deletion or modification, theft or damage, having due regard for the Data Protection Act 1998; ensure that adequate (reasonable) controls exist over data entry, processing, storage, transmission and output to ensure security, privacy, accuracy, completeness, and timeliness of the data, as well as the efficient and effective operation of the system ensure that adequate controls exist such that the computer operation is separated from development, maintenance and amendment ensure that an adequate management (audit) trail exists through the computerised system and that such computer audit reviews as he/she may consider necessary are being carried out ensure procedures are in place to limit the risk of, and recover promptly from, interruptions to computer operations.
- 15.1.2 The DOF shall be satisfied that new financial systems and amendments to current financial systems are developed in a controlled manner and thoroughly tested prior to implementation. Where this is undertaken by another organisation, assurances of adequacy will be obtained from them prior to implementation.
- 15.1.3 The DOF shall ensure that contracts for computer services for financial applications with another health organisation or any other agency shall clearly define the responsibility of all parties for the security, privacy, accuracy, completeness, and timeliness of data during processing, transmission and storage. The contract should also ensure rights of access for audit purposes.
- 15.1.4 Where another health organisation or any other agency provides a computer service for financial applications, the DOF shall periodically seek assurances that adequate controls are in operation.
- 15.1.5 Where computer systems have an impact on corporate financial systems the DOF shall be satisfied that:
- a) Systems acquisition, development and maintenance are in line with the Trust's Informatics Strategy;
  - b) Data produced for use with financial systems is adequate, accurate, complete and timely, and that a management (audit) trail exists;
  - c) Finance staff have access to such data.
  - d) Have adequate controls in place; and
  - e) Such computer audit reviews as are considered necessary are being carried out.
- 15.1.6 No software package for use on trust equipment (PCs, laptops, tablets) should be purchased without the knowledge of the Informatics department. Any quotes to purchase software should therefore be managed through the IT helpdesk.

No hardware equipment should be connected to the network without the approval of the Informatics department.

It will be at the discretion of the Director of Corporate Development or the Director of Informatics whether a case requires discussion at ISSG.

## **16. PATIENTS' PROPERTY**

### **16.1 Patients' Property and Income**

- 16.1.1 The Trust has a responsibility to provide safe custody for money and other personal property (hereafter referred to as "property") handed in by patients, in the possession of unconscious or confused patients, or found in the possession of patients dying in hospital or dead on arrival. Staff have a duty of care to make every effort to take care of patients' possessions, which are **not** handed in for safe keeping, particularly if the patient does not have the capacity to look after their own possessions, This includes items of daily living such as glasses, false teeth, hearing aids etc.
- 16.1.2 The Chief Executive is responsible for ensuring that patients or their guardians, as appropriate, are informed before or at admission, (by notices and information booklets, hospital admission documentation and property records, and/or the oral advice of administrative and nursing staff responsible for admissions), of the Trust's policy that the Trust will not accept responsibility or liability for patients' property brought into Health Service premises, subject to the exceptions identified above, unless it is handed in for safe custody and a copy of an official patients' property record is obtained as a receipt. Patients electing not to conform to this guidance must indemnify the Trust against any loss.
- 16.1.3 The DOF will provide detailed written instructions on the collection, custody, investment, recording, safekeeping, and disposal of patients' property (including instructions on the disposal of the property of deceased patients and of patients transferred to other premises) for all staff whose duty it is to administer, in any way, the property of patients. Due care should be exercised in the management of a patient's money.
- 16.1.4 Where Department of Health instructions require the opening of separate accounts for patients' monies, these shall be opened and operated under arrangements agreed by the DOF.
- 16.1.5 In all cases where property of a deceased patient is of a total value in excess of £5,000 (or such other amount as may be prescribed by any amendment to the Administration of Estates, Small Payments, Act 1965), the production of Probate or Letters of Administration shall be required before any of the property is released. Where the total value of property is £5,000 or less, forms of indemnity shall be obtained.

- 16.1.6 Staff should be informed, on appointment, by the appropriate departmental or senior manager of their responsibilities and duties for the administration of the property of patients.
- 16.1.7 Where patients' property or income is received for specific purposes and held for safekeeping the property or income shall be used only for that purpose, unless any variation is approved by the patient or patient's representative as appropriate, in writing.
- 16.1.8 Patients' income, including pensions and allowances, shall be dealt with in accordance with current Department of Health and Department of Social Security instructions and guidelines.

## **17. CHARITABLE FUNDS HELD ON TRUST**

### **17.1 Introduction**

- 17.1.1 The Trust Board is legally the 'Sole Corporate Trustee' of Salisbury District Hospital Charitable Fund Charity (registered charity number 1052284), and is responsible for the management of funds it holds on trust. For the purposes of these SFI's the Trust Board members shall be termed Trustees. Although the management processes may overlap with those of the Trust, the Trustee responsibilities must be discharged separately and full recognition given to the accountability to the Charity Commission for charitable funds held on trust.
- 17.1.2 This section of SFIs is intended to provide guidance to persons who have been delegated to act on behalf of the corporate Trustee. As management processes overlap, most of the sections of these SFIs will apply to the management of funds held on trust with the exception that expenditure from Charitable Funds shall be restricted to the purpose(s) of the appropriate fund and be made only with the approval of the Fund Manager appointed by the Trustees or the Trustees themselves. This section covers those instructions which are specific to the management and governance of funds held on trust.
- 17.1.3 The over-riding principle is that the integrity of each fund must be maintained and statutory and fund obligations met. Materiality must be assessed separately from Exchequer activities and funds.
- 17.1.4 The DOF has primary responsibility to the Trust Board for ensuring that these SFIs are applied in respect of Charitable Funds.

### **17.2 Administration of Charitable Funds**

- 17.2.1 The DOF shall:
  - a) Maintain such accounts and records as may be necessary to record and protect all transactions and funds of the Trust Board as Trustees of charitable funds. These shall be maintained in accordance with legislative requirements and any directions from the Charity Commission.
  - b) Ensure that each fund has a specific fund objective and that funds are spent appropriately, timely and in line with the donor wishes;

- c) Produce codes of procedure covering the financial management of funds held;
- d) Ensure funds are held within designated or restricted accounts in accordance with charity law;
- e) Periodically review the funds, rationalise funds within statutory guidelines, and report changes to the Salisbury District Hospital Charitable Fund Committee;
- f) Recommend additional funds where this is consistent with good practice for ensuring the safe and appropriate management of restricted/designated funds, in particular ensuring that the new fund could not adequately be managed as part of an existing fund;
- g) Ensure that all charitable funds are banked in accordance with the Trust's SFI for banking arrangements;
- h) Report income and expenditure totals to the Salisbury District Hospital Charitable Fund Committee at their quarterly meetings;
- i) Ensure that charitable funds' income and expenditure is managed with due regard to taxation implications.
- j) Prepare the annual accounts and Trustee's report in the required format for timely submission to the Auditors, Salisbury Hospital Charitable Funds Committee and the Charity Commission.

### **17.3 Fundraising and Incoming Funds**

- 17.3.1 All gifts, donations and proceeds of fund raising activities are the responsibility of the Trustees and shall be handed immediately to the DOF to be banked in the Charitable Funds bank account.
- 17.3.2 All gifts accepted shall be receipted and held in the name of the Trustees and administered in accordance with the Trustees' policies, subject to the terms of specific trusts. As the Trustees can accept gifts only for all or any purposes relating to the Health Service, managers shall, in cases of doubt, or where there are material revenue expenditure implications, consult the DOF before accepting gifts.
- 17.3.3 The DOF shall advise the Trustees on the financial implications of any proposal for fund raising activities which may be initiated, sponsored or approved.
- 17.3.4 The DOF shall be kept informed of all enquiries regarding legacies and shall keep an appropriate record. All correspondence concerning legacies shall be dealt with on behalf of the Trustees by the DOF who alone shall be empowered to provide an executor a good discharge.

### **17.4 Investments and Investment Income**

- 17.4.1 The Trustees shall be responsible for:
  - a) Appointing investments advisors to manage investments and provide relevant investment advice on these. Charitable funds shall be invested in a manner to maximize medium term value,
  - c) Monitor the performance of investments and seek clarification from the investment advisors on any relevant issues;
  - d) Report any significant concerns to the Trust Board;

17.4.2 The DOF will allocate dividends, interest, and realised and unrealised gains and losses across the funds appropriately.

## 17.5 Expenditure

17.5.1 Expenditure from any Charitable Fund shall be conditional upon the item being within the terms of the appropriate trust, the procedures approved by the Trustees and sufficient funds being available.

17.5.2 Day to day management of individual expenditure is delegated to Fund Managers who shall not enter into any transaction which will result in any fund under their control becoming overdrawn without first obtaining authorisation in writing from the DOF.

17.5.3 The DOF shall act on behalf of the Trustees in ensuring that all expenditure incurred is in accordance with the purposes identified by the donor.

17.5.4 The powers of delegation available to commit resources are detailed in the table below. The levels of authority relate to single orders or connected multiple orders.

17.5.5 A connected multiple orders could be for example:

- a) The refurbishment of a room where several suppliers are involved
- b) An ECG machine and its trolley
- c) An order to cover a period of more than one year (the whole value of the order is considered rather than each annual value).

### 17.5.6 Levels of Authority

No expenditure can take place without the approval of the following:

| £             | Orders can only be processed once the following people give their authority                                    |
|---------------|--|
| Up to £10,000 | The Fund Manager   |
| Over £10,000  | The Fund Manager<br>+ The Salisbury District Hospital Charitable Funds Committee (reported to the Trust Board) |

17.5.7 Where charitable fund expenditure has an impact on NHS costs, the approval of the Trust shall be sought prior to contractual commitment.

## 17.6 Asset Management

17.6.1 Assets granted by the Charity to the ownership of or to be used by the Trust, shall be maintained along with the general estate and inventory of assets of the Trust.

17.6.2 The Charity accepts no responsibility, financially or otherwise, for any liabilities arising out of the expenditure.

17.6.3 The Charity shall not be responsible for replacement of the equipment, if it is to be replaced, when it comes to the end of its natural life.

## 17.7 Risk Management

17.7.1 The DOF will be responsible for updating an annual risk register for

agreement by the Salisbury District Hospital Charitable Funds Committee.  
This will address the following key areas of risk for the charity:

- a) Governance risks – e.g. inappropriate organisational structure, conflict of interest;
- b) Operational risks – e.g. Service quality or development, security of assets, fund-raising activity;
- c) Financial risks – e.g. accuracy and timeliness of financial information, adequacy of reserves and cash flow, investment management, recession;
- d) External risks – e.g. Public perception and adverse publicity, government policy;
- e) Compliance with law and regulation – e.g. Breach of charity law, lottery regulations.

## **18. STANDARDS OF BUSINESS CONDUCT**

**18.1** The Chief Executive shall ensure that all staff, volunteers and any other person associated with the Trust are made aware of, and comply with, the Trust's Conflicts of Interest Policy. This policy details the behaviour expected of individuals with regard to:

- a) Interests (financial or otherwise) in any matter affecting the Trust and the provision of services to patients, public and other stakeholders;
- b) Conduct by an individual in a position to influence purchases;
- c) Employment and business which may conflict with the interests of the Trust;
- d) Relationships which may conflict with the interests of the Trust;
- e) Hospitality and gifts and other benefits in kind such as sponsorship.

Declarations relating to the above must be made to the Head of Corporate Governance for inclusion in the Register of Interests.

**18.2** The Bribery Act 2010 reforms the criminal law of bribery, making it easier to tackle this offence proactively in the public and private sectors. It introduces a corporate offence which means that organisations are exposed to criminal liability, punishable by an unlimited fine, for negligently failing to prevent bribery. In addition, the Act allows for a maximum penalty of 10 years' imprisonment for offences committed by individuals.

Under the Bribery Act 2010 it is a criminal offence to:

- a) Bribe another person by offering, promising or giving a financial or other advantage to induce them to perform improperly a relevant function or activity, or as a reward for already having done so, and
- b) Be bribed by another person by requesting, agreeing to receive or accepting a financial or other advantage with the intention that a relevant function or activity would then be performed improperly, or as a reward for having already done so.

These offences can be committed directly or by and through a third person and, in many cases, it does not matter whether the person knows or believes that the performance of the function or activity is improper. It is, therefore, extremely important that staff adhere to this and other related policies (specifically, Fraud, Bribery and Corruption, Conflicts of Interest and Freedom to Speak Up: Raising Concerns policies, available via the intranet).

The action of all staff must not give rise to, or foster the suspicion that they have been, or may have been, influenced by a gift or consideration to show favour or disadvantage to any person or organisation. Staff must not allow their judgement or integrity to be compromised in fact or by reasonable implication.

Staff should not be afraid to report genuine suspicions of fraud, bribery or corruption and should report all suspicions to the Local Counter Fraud Specialist (LCFS) who is responsible for tackling any concerns. Alternatively, suspicions can be reported via the National fraud and corruption reporting line (0800 028 40 60) or via the National Fraud Reporting website [www.reportnhsfraud.nhs.uk](http://www.reportnhsfraud.nhs.uk).

## 19. RETENTION OF RECORDS AND INFORMATION

19.1 The Chief Executive shall be responsible for maintaining archives for all records, information and data required to be retained in accordance with NHS Improvement / DH guidelines. The delegated responsibility for holding and safekeeping of contracts, in secure storage where applicable, shall be as follows:

| Document  | Held By   |
|---|---|
| Property Deeds  | Director of Corporate Development                           |
| Building & Engineering Contracts                      | Director of Corporate Development & Director of Procurement |
| Estate Maintenance Contracts                          | Director of Corporate Development & Director of Procurement |
| Maintenance Contracts                                 | Director of Procurement                                     |
| Commissioner Contracts                                | Director of Finance   |
| Contracts for goods and services other than the above | Director Procurement  |

The managers noted in the table above will also be responsible for maintaining registers of the contracts held by them. Any other contracts not covered by the above which may be held by other Managers must be reported to the Director of Procurement for a register to be maintained.

19.2 The records held in archives shall be capable of retrieval by authorised persons.

19.3 Records and information held in accordance with latest NHS Improvement / DH guidance shall only be destroyed before the specified guidance limits at the express authority of the Chief Executive or DOF. Proper details shall be maintained of records and information so destroyed.

## 20. GOVERNANCE, RISK MANAGEMENT AND INSURANCE

### 20.1 Risk Management

20.1.1 The Chief Executive shall ensure that the Trust has a risk management policy and procedures and sound processes for risk management which will be monitored by the Board and its delegated sub committees with responsibility for Risk Management.

20.1.2 The risk management and associated policies shall include:

- a) A process for identifying and quantifying risks;
- b) The authority of all managers with regard to managing the control and mitigation of risk;
- c) Management processes to ensure all significant risks and potential liabilities are addressed, including effective systems of internal control

cost effective insurance cover, and decisions on the acceptable level of residual risk;

- d) Contingency plans to offset the impact of adverse events;
- e) Audit arrangements including: internal audit, external audit, clinical audit, health and safety review.

The existence, integration and evaluation of the above elements will provide a basis to make a statement on the effectiveness of Internal Financial Control within the Annual Report and Accounts as required by current Department of Health /NHS Improvement guidance.

## **20.2 Insurance**

- 20.2.1 On an annual basis, the DOF shall review membership of the Non-Clinical Risk Pooling Scheme plus other insurance arrangements and recommend whether or not to continue with current arrangements
- 20.2.2 The Financial Controller shall act as the Trust's contact on insurance matters, liaising with Insurance Brokers over queries and negotiating renewal terms.
- 20.2.3 The Financial Controller shall ensure timely reporting of incidents against insurance provision on the third party liability scheme.
- 20.2.4 The Financial Controller shall ensure timely reporting of losses and the submission of claims against insurance provision on the third party liability scheme in line with the agreed limits set in these SFIs.

## **20.3 Clinical Risk Management/CNST**

- 20.3.1 The Director of Nursing shall:
  - a) Provide a central point of contact within the Trust for NHSLA/CNST issues;
  - b) Report on claims to Trust Board within the set limits and values.

## **21. LITIGATION PAYMENTS**

### **21.1 Claims from Staff, Patients and the Public**

21.1.1 Out of court settlement of claims from staff, patients and the public shall be made where the NHS Resolution (formerly NHS Litigation Authority)/Claims Handler considers it appropriate to do so. Occupier liability claims carry an excess of £3k and employer liability claims carry an excess of £10k. Any occupier liability cases handled in house by the trust within the excess of £3k will be notified to the Head of Litigation and Insurance Services for acknowledgement only.

21.1.2 The limits for notification of individual damages payments are as follows, given that financial responsibility for the payment of all claims is the responsibility of the NHS Resolution with the Salisbury NHS Foundation Trust as the defendant.

|                                  |                     |
|----------------------------------|---------------------|
| Up to £100k NHSLA/Claims handler | Head of Litigation  |
| £100k-£250k NHSLA/Claims handler | Director of Nursing |
| £250k-£500k NHSLA/Claims handler | Chief Executive     |
| >£500k NHSLA/Claims handler      | Trust Board         |

The DH must be consulted before making any special payments that are novel, contentious or repercussive. Any payments made contrary to legal advice must be approved by the CEO and Trust Board.

### **21.2 Health and Social Care Act 2003 – NHS Charges**

21.2.1 Part 3 of the Health and Social Care (Community Health and Standards) Act 2003 makes provision for the establishment of a scheme to recover the costs of providing treatment to an injured person in all cases where that person has made a successful personal injury compensation claim against a third party.

21.2.2 Regarding any claim settled by the Trust and/or by the NHS Resolution, there is a requirement to report all such matters in advance of settlement to the Compensation Recovery Unit (DWP). In the event that any NHS charges are payable these will be met in full by the compensator i.e. any other NHS Trust. In the event the compensator is Salisbury NHS Foundation Trust the act provides that SFT is exempt from repaying their “own” costs.

## **22. EMPLOYMENT TRIBUNALS**

- 22.1** All settlement agreements must be approved by the Director of HR.
- 22.2** Any settlement agreement in excess of contractual entitlement must be approved by the Director of HR and the DOF. In certain cases, additional approval should be sought from NHS Improvement and/ or HM Treasury.
- 22.3** The out of court settlement of Employment Tribunal applications shall only be made where the Director of Human Resources advises it to be prudent so to do and only after taking into account the monetary sum involved and any legal advice received. The limits are as follows:
- | <b>Value of Payment</b> | <b>Approval</b>             |
|-------------------------|-----------------------------|
| Up to £30,000           | Director of Human Resources |
| £30,001 to £100,000     | Chief Executive             |
| £100,000 plus           | Trust Board                 |
- 22.4** NHS Improvement must be consulted before making any special payments that are novel, contentious or repercussive. The Director of HR, in the case of any compromise agreements, shall submit a business case to be approved by Treasury. Any payments made against/contrary to legal advice must be approved by the Trust Board.

## **23. WHOLLY OWNED SUBSIDIARIES**

- 23.1** Subsidiary companies are separate, distinct legal entities for commercial purposes and have distinct taxation, regulatory and liability obligations. As a separate, independent company, wholly owned subsidiaries are subject to their own governance arrangements, which are the responsibility of the subsidiary's board of directors, and therefore these Standing Financial Instructions are not applicable. Reference to the subsidiary's documentation will need to be made.

## **24. RESEARCH**

- 24.1** The undertaking of research by Trust employees within the Trust's premises shall be strictly in accordance with the Trust's policies and strategies on research and shall be subject to approval accordingly.
- 24.2** Proposals to undertake research shall be fully costed, in accordance with the national guidance, 'Attributing the costs of health and social care research and development' (AcoRD DH2012) using the national costing guidance/templates. Excess treatment costs should be submitted to CRN:Wessex for funding.
- 24.3** The undertaking of research shall not commit the Trust to future expenditure and no relationship may be entered into with a third party that could affect the impartiality of a future procurement.
- 24.4** The Standing Orders and other sections of the SFIs apply equally to the undertaking of research and this includes declaration of interests, security of assets, budgetary control, purchasing and contracting, charitable funds, and the section on casual gifts, hospitality and commercial sponsorship.

- 24.5 The submission of grant applications to support research shall be signed by the Director of Finance or designated representative.
- 24.6 The agreement covering any undertaking of research shall give cognisance to Trust policies governing Intellectual Property rights. Where there is any lack of clarity this shall be resolved prior to undertaking the project.
- 24.7 The principles governing probity and public accountability shall apply equally to work undertaken through research.

# Annex 1

## Authorisation Levels For Electronic Requisitioning System

| Hierarchy | Abbreviated | Proc Function | Role  | Indicative Band for Responsibility               | Financial Approval Authority Limit (Financial approval limits are gross (including tax) based on value of transaction) | Non PO Invoice Approval Hierarchy | R12 Invoice Approval Position |
|-----------|-------------|---------------|---|--|--|-----------------------------------|-------------------------------|
| Level 1   | L1R         | Requisitioner | Any   | Preferably Band 2 or 3 (several per sub service) | £0   | No                                | RNZ_INVOICE_APPROVER_0000000  |
| Level 2   | L2A         | Approver      | Band 5 if A&C or Band 6 if clin   | Band 5 / 6                                       | £1,000   | Yes                               | RNZ_INVOICE_APPROVER_0001000  |
| Level 3   | L3A         | Approver      | Ward Lead or Sub-Service M  | Band 7   | £2,500   | Yes                               | RNZ_INVOICE_APPROVER_0002500  |
| Level 4   | L4A         | Approver      | Head of Service or Clinical Le  | Band 8a+ or Clinical Lead                        | £5,000   | Yes                               | RNZ_INVOICE_APPROVER_0005000  |
| Level 5   | L5A         | Approver      | DMT Core Operational Member   | Band 8b or above (8a if delegated DMT member)    | £9,999   | Only for escalation               | RNZ_INVOICE_APPROVER_0009999  |
| Level 5A  | L5AA        | Approver      | DMT Core Operational Member   | Band 8b or above (8a if delegated DMT member)    | £10,000  | Only for escalation               | RNZ_INVOICE_APPROVER_0010000  |
| Level 6   | L6A         | Approver      | Divisional Director of Operations (DDO)   | Band 8d or 9                                     | £25,000  | Only for escalation               | RNZ_INVOICE_APPROVER_0025000  |
| Level 7   | L7A         | Approver      | Deputy Director of Finance / Financial Controller/Director of Procurement           |  | £50,000  | Only for escalation               | RNZ_INVOICE_APPROVER_0050000  |
| Level 8   | L8A         | Approver      | Chief Operating Officer / Director of Nursing / Medical Director / Director of OD&P |  | £100,000   | Only for escalation               | RNZ_INVOICE_APPROVER_0100000  |
| Level 9   | L8A         | Approver      | Chief Executive / Director of Finance   |  | Over £100,000  | Only for escalation               | RNZ_INVOICE_APPROVER_9999999  |
| Level U   | L8A         | Approver      | Chief Executive / Director of Finance   |  | Over £100,000  | Only for escalation               | RNZ_INVOICE_APPROVER_9999999  |

Procurement authority to process pre-authorised orders

|          |                                |          |                        |                              |
|----------|--------------------------------|----------|------------------------|------------------------------|
| Approver | Director of Procurement        | £350,000 | Processing Orders only | RNZ_INVOICE_APPROVER_350,000 |
| Approver | Deputy Director of Procurement | £50,000  | Processing Orders only | RNZ_INVOICE_APPROVER_350,000 |

Competitive Tendering Process Requirements

Needs Identification

Contract Value Analysis

Contract Value

≥£10,000?

YES

≥£10,000 – ≤£25,000?

YES

≥£25,000 – ≤£75,000?

YES

>PCR Threshold

NO

NO

YES

NO

Quotation Required

2 Quotation Required

Procurement involvement required for the expenditure at the start of the process as a tender process is required

Purchase Order

Purchase Order

Quotation

Tender

EU Tender in line with PCR

Value Challenge

Value Challenge

Detailed analysis and strategic review including but not limited to:

- Route to Market
- Contract Term
- Market Engagement

If >£25,000, advertise appropriately

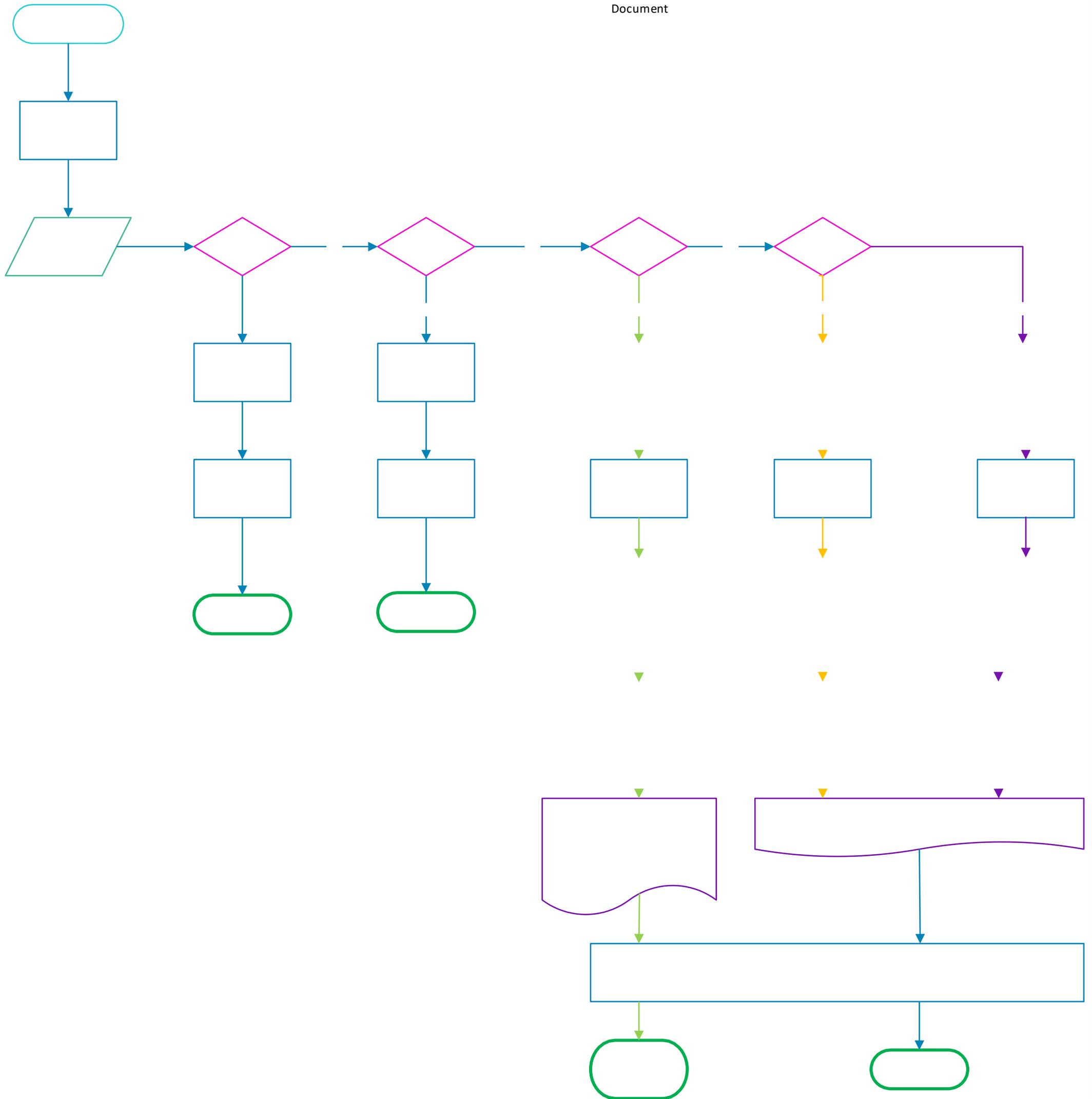
- Minimum of 3 Quotations
- <£25,000: minimum of 2 quotations
  - >£25,000: minimum of 3 quotations

Minimum of 4 Tenders

Evaluation and Recommendation Report

Contract  
Approval  
Document

Contract Signed



### Annex 3

#### Contracting for Income - Financial Limits

##### NON NHS

All limits **exclude** Value Added Tax where applicable.

| <b>Lifetime Contract value</b>                     | <b>Approval</b>   |
|--|---|
| Up to £20,000<br>(Inclusive of zero nominal value) | <b>Deputy Director of Finance/Director of Procurement</b> |
| <b>£20,000 to &lt; £300,000</b>                    | <b>DOF</b>  |
| <b>£300,000 to &lt;£1.5million</b>                 | <b>CEO</b>  |
| <b>£1.5m +</b>                                     | <b>Trust Board</b>  |

##### **Lifetime Contract value (NHS)**

Service Level Agreements

Up to £100,000,000

Finance

Over £100,000,000

Director of

Chief Executive

## Annex 4

### Emergency Powers (Chair's Action)

1. A recommendation to utilise Emergency Powers must be made by the Chief Executive (or Deputy Chief Executive if responsibilities have been delegated) by email to the Chair and at least two other Non-Executive Directors.
2. The request must include the justification for the recommendation, and the reasons for the need to override normal governance procedures.
3. Agreement to proceed is contingent on the approval of CEO, Chair, and at least two Non-Executive Directors. Evidence of the approval must be recorded (email records are sufficient).
4. The exercise of emergency powers shall be reported to the next formal meeting of the Board in public or private (as appropriate) for ratification.
5. Utilising Emergency Powers does not remove the need to subject the recommendation to Trust governance procedures. Business cases, recommendation reports, and any other paper falling within the scope of the Scheme of Delegation should still be reviewed in the forums and committees as set out in the SFIs as a matter of good practice and to ensure risks, mitigations, and benefits have been appropriately explored and challenged.
6. A schedule of decision taken under Emergency Powers should be presented to Audit Committee on a quarterly basis. This schedule should include the reasons for the escalation, as set out in (2.).