

NHS Lancashire and South Cumbria Integrated care Board

Scheme of Reservation and Delegation (SoRD)

- The SoRD reflects the ICB's operating model and committee structure and on the principle of no delegations outside of the ICB in 2022/23, or joint committees formed (other than formal arrangements already established i.e., Section 75s)
- The SoRD ~~will~~ has been ~~be~~-reviewed in ~~2022/23 financial year~~ September 2023 to reflect any necessary changes.

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Overarching Scheme of Reservation and Delegation

Reference	Decision/responsibilities	Reserved to the Board	Delegated to Committee or Group	Delegated to Chair or officer
Regulation and Control				
Constitution 1.6	Consideration and approval of applications to the NHS England on any matter concerning changes to the board's Constitution and standing orders	✓		Variations may be proposed by the Chief Executive or the Chair
Constitution SOs 5	Suspension of any part of standing orders		Reported to the next Audit committee	The Chair in discussion with at least 2 other members
Constitution 2.2.4	Approve the appointment of Board members (other than the Chair)			Chair ¹
Constitution 4.6.4(a)	Establish and approve terms of reference and membership for the ICB committees and sub-committees and consider and approve any changes	✓		
Constitution 4.6.6	Approve members, or any changes to members of committees and sub-committees that exercise commissioning functions			Chair
FoICB 4 ²	Establish governance arrangements to support collective accountability between partner organisations for whole-system delivery and performance, underpinned by the statutory and contractual accountabilities of individual organisations.	✓		Prepared by the Chief Executive
FoICB 4	Establish governance arrangements to support collective accountability between partner organisations for place-based system delivery and performance, underpinned by the statutory and contractual accountabilities of individual organisations.	✓		Prepared by the Chief Executive
Constitution 4.7	Agree any functions delegated to other relevant bodies or exercised jointly with the ICB and another relevant bodies	✓		
Constitution 4.7 (g)	Approve the arrangements for discharging the ICB's statutory financial duties	✓	Assured by the Audit Committee	

¹ The Chief Executive appointment is subject to approval of NHS England in accordance with any procedure published by NHS England (c 3.4.2)

² [functions of the integrated care board](#)

Reference	Decision/responsibilities	Reserved to the Board	Delegated to Committee or Group	Delegated to Chair or officer
			Overseen by the Finance and Performance Committee	
Constitution 4.4.2	Approve the ICB overarching scheme of reservation and delegation (SoRD) which sets out those decisions reserved to the Board, committees and sub-committees, individuals, or specified persons	✓		Amendments may be proposed by the Chief Executive or the Chair
Constitution 4.4.2	Approve the ICB operational scheme of delegation, which sets out those key operational decisions and financial limits delegated to individuals or specified persons	✓		Amendments may be proposed by the Chief Executive or Chief Finance Officer
Constitution 5.2	Approve the ICB standing financial instructions.	✓		Prepared by the Chief Finance Officer
Constitution 1.7.3	Approve the ICB Governance Handbook and Functions and Decisions map	✓		Prepared by Chief Finance Officer
Constitution SOs 4.9.5 4.9.6	taking of urgent decisions and extraordinary circumstances on behalf of the Board.			Chair and Chief Executive (or Chair and relevant lead director in the case of committees)
Constitution SOs 6	Use of the seal or execution of a document for signature.	✓		At least 2 individuals to be the: Chair, Chief Executive or Chief Finance Officer
Constitution 1.4.5	Approve the arrangements for discharging the ICB's statutory functions and general statutory duties which include but are not limited to: a) having regard to and acting in a way that promotes the NHS Constitution b) exercising its functions effectively, efficiently and economically. c) duties in relation to children including safeguarding and promoting welfare. d) adult safeguarding and carers (the Care Act 2014) e) equality, including the public-sector equality duty	✓		

Reference	Decision/responsibilities	Reserved to the Board	Delegated to Committee or Group	Delegated to Chair or officer
	f) Information law (including data protection Act 2018, and Freedom of Information Act 2000) g) provisions of the Civil Contingencies Act 2004. h) improvement in quality of services. i) reducing inequalities. j) obtaining appropriate advice. k) duty to have regard to effect of decisions. l) public involvement and consultation. m) financial duties. n) having regard to assessments of its performance			
Constitution section 4	Determine the arrangements to ensure that the ICB exercises its functions effectively, efficiently and economically and in accordance with the board's principles of good governance, including but not limited to: a) comply with all relevant laws including but not limited to the 2006 Act and the duties prescribed within it and any relevant regulations b) comply with directions issued by the Secretary of State for Health and Social Care c) comply with directions issued by NHS England d) have regard to statutory guidance including that issued by NHS England; and e) take account, as appropriate, of other documents, advice and guidance issued by relevant authorities, including that issued by NHS England. f) respond to reports and recommendations made by local Healthwatch organisations within the ICB area	✓		
	Exercise or delegate those functions of the ICB which have not been retained as reserved by the ICB Board or delegated to its committees and sub-committees or delegated to named other individuals as set out in this document.			Chief Executive
Constitution 5.2 and 7.3.8	Approve the arrangements for discharging the ICB's statutory financial duties.	✓	Assured by Finance and Performance Committee	Prepared by the Chief Finance Officer

Reference	Decision/responsibilities	Reserved to the Board	Delegated to Committee or Group	Delegated to Chair or officer
Constitution 7.3.8 b)	Approve the ICB corporate budgets and financial plan that meet the ICB financial duties.	✓		Prepared by the Chief Finance Officer
Annual Report and Accounts				
Constitution 7.5 SFIs 3.3	Approve and Publish the ICB Annual Report and Annual Accounts	✓	Audit Committee review prior to submission for audit and Board .	Prepared by the Chief Finance Officer
Constitution 7.5	Approve the timetable for the preparation and approval of the ICB's annual report and annual accounts		Audit Committee	
TOR	Approve the appointment of the ICB's external auditor		Audit Committee	
Strategic Planning				
Constitution 7.3.8 a) b) Reg s.14Z52	Agree and publish a System Joint Forward Plan at the start of each financial year that sets out how the ICB proposes to exercise its functions during the next five years (covering all functions). The system joint forward plan will be agreed with partner NHS trusts and foundation trusts (those partners included under section 3.5.1 of the constitution)	✓		Prepared by the Chief Executive
Reg s.14Z53 clause 19	Agree revisions to the System Joint Forward Plan in agreement with partner NHS trusts and foundation trusts.	✓		
Reg s. 14Z54	Approve the arrangement for consultation of the joint forward plan or when making a change that is deemed significant, conducted jointly with partner NHS trusts and foundation trusts.	✓		
Reg s.14Z56	Agree and publish a Joint Capital Resource Use Plan with partner NHS trusts and foundation trusts (those partners included under section 3.5.1 of the constitution) before the start of each financial year.	✓	Recommended by Finance and Performance Committee	Prepared by the Chief Finance Officer
Reg s.14Z57	Agree revisions to the Joint Capital Resource Use Plan that are deemed significant in agreement with partner NHS trusts and foundation trusts.	✓	Recommended by Finance and Performance Committee	

Reference	Decision/responsibilities	Reserved to the Board	Delegated to Committee or Group	Delegated to Chair or officer
Reg s.116 clause 20(3)	Prepare a JSNA with each partner local authority (those partners included under section 3.7.1 of the constitution)	✓		exercised by Health and Wellbeing Boards ³
Reg s.116A clause 20(5)	Prepare a Joint Health and Wellbeing Strategy based on the JSNAs, with each responsible local authority.	✓		exercised by Health and Wellbeing Boards
7.3.8 c) FoICB 1	Agree a plan to meet the health and healthcare needs of the population (all ages) within Lancashire and South Cumbria, having regard to the Integrated Care Partnership's Strategy.	✓		Prepared by the Chief Executive
FoICB 2	Allocate resources to deliver the plan across the system and in each place, determining what resources should be available to meet population need and setting principles for how they should be allocated across services and providers (both revenue and capital)	✓		Prepared by Chief Finance Officer
FoICB 5	Arrange for the provision of health services in line with the allocated resources across the ICS through a range of activities including: <ul style="list-style-type: none"> a) putting contracts and agreements in place to secure delivery of its plan by providers b) convening and supporting providers (working both at scale and at place) to lead major service transformation programmes to achieve agreed outcomes. c) support the development of primary care networks (PCNs) as the foundations of out-of-hospital care and building blocks of place-based partnerships. including through investment in PCN management support, data and digital capabilities, workforce development and estates. d) working with local authority and voluntary, community and social enterprise (VCSE) sector partners to put in place personalised care for people, including assessment and provision of continuing healthcare and funded nursing care, and agreeing personal health budgets and direct payments for care 	✓		Chief Executive

³ Refer to section 'Decisions and functions delegated to be exercised jointly'

Reference	Decision/responsibilities	Reserved to the Board	Delegated to Committee or Group	Delegated to Chair or officer
FoICB 12	Approve the arrangements for the review, planning and procurement of primary medical care services and appropriate specialised services (to reflect the terms of the delegation agreement with NHS England).	✓		Recommended by the Chief of Strategy, Commissioning & Integration Medical Director
	Approve the ICB operating structure	✓		Prepared by the Chief Executive
FoICB 6 PB ToR	Agree system implementation of people priorities including delivery of the People Plan and People Promise by aligning partners across the ICS to develop and support 'one workforce', including through closer collaboration across the health and care sector, with local government, the voluntary and community sector and volunteers.	✓	People Board make recommendations and oversee implementation.	Strategy prepared by Chief People Officer
FoICB 7	Agree system-wide action on data and digital: working with partners across the NHS and with local authorities to put in place smart digital and data foundations to connect health and care services to put the citizen at the centre of their care.	✓		Prepared by Chief Digital Officer
FoICB 10	Agree joint work on estates, procurement, supply chain and commercial strategies to maximise value for money across the system and support wider goals of development and sustainability.	✓		Prepared by Chief Finance Officer
FoICB 11	Agree arrangements for planning responding to and leading recovery from incidents (EPRR), to ensure NHS and partner organisations are joined up at times of greatest need, including taking on incident coordination responsibilities as delegated by NHS England and NHS Improvement.	✓		Prepared by Chief of Transformation and Recovery
Partnership Working				
FoICB 3	Agree joint working arrangements with partners across Lancashire and South Cumbria that embed collaboration as the basis for delivery within the ICB plan.	✓		
Constitution 4.3.2	Approve arrangements for coordinating the commissioning of services with other ICBs or with local authorities, where appropriate.	✓		Prepared by the Chief of Strategy, Commissioning & Integration.
Constitution 4.3.2	Approve arrangements for risk sharing and /or risk pooling with other organisations (for example arrangements for pooled funds with other	✓		

Reference	Decision/responsibilities	Reserved to the Board	Delegated to Committee or Group	Delegated to Chair or officer
	ICBs or pooled budget arrangements under section 75 of the NHS Act 2006) ⁴	Joint Committee for S75 arrangements)		
Employment and Remuneration				
Constitution Section 8	Have oversight of the ICB's responsibilities as an employer including adopting a Standards of Business Conduct for staff	✓		
Constitution section 8.1.6	Approve the terms and conditions, remuneration and travelling or other allowances for Board members, including pensions and gratuities.		Remuneration Committee Remuneration Panel where it relates to a non-executive member of the board ⁵	
Constitution 8.1.6	Approve the terms and conditions, remuneration and travelling or other allowances for employees of the ICB and to other persons providing services to the ICB		Remuneration Committee	
	Approve human resources policies for ICB employees and for other persons working on behalf of the ICB		Remuneration Committee	
Constitution 8.1.1 SFI 8.1	Approve arrangements for staff appointments		Remuneration Committee	
Constitution 3.1.1 TOR	Provide assurance of ICB statutory duties relating to people such as compliance with employment legislation including such as Fit and proper person regulation (FPPR)		Remuneration Committee	
Operational Business and Risk Management				
SFIs	Approve a comprehensive system of internal control that underpins the effective, efficient and economic operation of the ICB.	✓		Prepared by Chief Executive and Chief Finance Officer

⁴ Awaiting national guidance for approval of s75 arrangements

⁵ The remuneration of the chair will be determined by NHS England

Reference	Decision/responsibilities	Reserved to the Board	Delegated to Committee or Group	Delegated to Chair or officer
	Approve arrangements for oversight of strategic risks held on the Board Assurance Framework.	✓	Ensured-assured by Audit Committee	
1.4.5	Approve arrangements to meet the public sector equality duty	✓		Prepared by the Chief People Officer
Constitution 4.4.2	Approve ICB Financial Policies	✓	Finance and Performance Committee	
Constitution 4.4.2	Approve Safeguarding, Clinical and Medicines Polices		Quality Committee	
Constitution 4.4.2	Approve HR Policies		Remuneration Committee	
Constitution 1.4.5 1.4.7	Approve system-level arrangements, including polices, to minimise clinical risk, maximise patient safety and to secure continuous improvement in quality and patient outcomes	✓	Quality Committee to recommend to the Board and implement	
1.4.5	Approve ICB risk management arrangements	✓	Assured by Audit Committee	
Constitution 6	Approve arrangements for managing conflicts of interest, including gifts and hospitality and for standards of business conduct.	✓	Assured by Audit Committee	
7.3.4	Approve arrangements for handling complaints	✓		Prepared by Chief Nurse
7.3.5	Approve arrangements for handling freedom of information requests	✓		Prepared by the Chief Digital Officer
Constitution 7.4.3	Approve arrangements for complying with existing procurement rules until the NHS Provider Selection Regime comes into effect. The ICB will comply with the requirements of the NHS Provider Selection Regime once it is introduced.	✓		Prepared by Chief Finance Officer
Schedule 1, Part 1, para 4B of the Civil Contingencies Act 2004	Approve arrangements for assessing the risk of an emergency occurring and maintaining plans for the purposes of responding to an emergency as a Category 1 Responder.	✓		Prepared by Chief of Strategy, Commissioning & Integration
Audit				

Reference	Decision/responsibilities	Reserved to the Board	Delegated to Committee or Group	Delegated to Chair or officer
Constitution 4.6.8	Report and provide assurance to the Board on the effectiveness of ICB governance arrangements.		Audit Committee	
TOR	Ensure that financial systems and governance are established which facilitate compliance with DHSC's Group Accounting Manual		Audit Committee	
Constitution 4.6.8	Receive the annual governance letter from the External Auditor and advise the Board of proposed action		Audit Committee	
Constitution 4.6.8	Approve the internal audit, external audit and counter-fraud plans and any changes to the provision or delivery of related services		Audit Committee	
Constitution 4.6.8	Approve the appointment (and where necessary change or removal) of the internal audit provider.		Audit Committee	

Decisions and functions delegated to the board by other organisations

Body making the delegation	Decisions and functions delegated to the ICB	Reference	Delegated to Committee or Group
NHS England	Delegation of commissioning functions as agreed in the delegation agreement between NHS England and the ICB in relation to: <ul style="list-style-type: none"> • Primary Medical Services • Pharmacy Services • Primary Dental Services • Primary Ophthalmic services 	Delegation Agreement	Primary Care Commissioning Committee Contracting Group

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Decisions and functions delegated to be exercised jointly

Committee/entity that will exercise the function/ decision	Decisions and functions delegated to the committee/entity Section 75 Partnership arrangements	Legal power	Governing arrangements
Lancashire Health and Wellbeing Board	<ul style="list-style-type: none"> • Agree priorities and Investment plans for the Better Care Fund created jointly by the ICB and Lancashire County Council. • Agree the strategic direction of the Better Care Fund and the delivery of better integrated care, as part of their statutory duty to encourage integrated working between commissioners. 	Section 75	Section 75 Partnership agreement.

	<ul style="list-style-type: none"> • Approve arrangements for risk sharing and/or risk pooling. • Approve quarterly and year-end report against plan for submission. • Agree pooled fund payments schedules. • Approve annual statement of accounts. • Oversight of Regional and National Assurance process 		Lancashire County Council as host of s75 pooled fund.
Blackburn with Darwen Health and Wellbeing Board	<ul style="list-style-type: none"> • Agree priorities and Investment plans for the Better Care Fund created jointly by the ICB and Blackburn with Darwen Borough Council. • Agree the strategic direction of the Better Care Fund and the delivery of better integrated care, as part of the statutory duty to encourage integrated working between commissioners. • Approve arrangements for risk sharing and/or risk pooling. • Approve quarterly and year-end report against plan for submission. • Agree pooled fund payments schedules. • Approve annual statement of accounts. • Oversight of Regional and National Assurance process 	Section 75	Section 75 Partnership agreement. Blackburn with Darwen Council as host of s75 pooled fund.
Blackpool Health and Wellbeing Board	<ul style="list-style-type: none"> • Agree priorities and Investment plans for the Better Care Fund created jointly by the ICB and Blackpool Borough Council. • Agree the strategic direction of the Better Care Fund and the delivery of better integrated care, as part of their statutory duty to encourage integrated working between commissioners. • Approve arrangements for risk sharing and/or risk pooling. • Approve quarterly and year-end report against plan for submission. • Agree pooled fund payments schedules. • Approve annual statement of accounts. • Oversight of Regional and National Assurance process 	Section 75	Section 75 Partnership agreement. Blackpool Council as host of s75 pooled fund.
Cumbria-Cumberland Joint Health and Wellbeing Board	<ul style="list-style-type: none"> • Agree priorities and Investment plans for the Better Care Fund created jointly by the ICB and Cumbria County Council. • Agree the strategic direction of the Better Care Fund and the delivery of better integrated care, as part of their statutory duty to encourage integrated working between commissioners. • Approve arrangements for risk sharing and/or risk pooling. • Approve quarterly and year-end report against plan for submission. • Agree pooled fund payments schedules. • Approve annual statement of accounts. • Oversight of Regional and National Assurance process 	Section 75	Section 75 Partnership agreement. Council as host of s75 pooled fund.

Westmorland and Furness Health and Wellbeing Board	<ul style="list-style-type: none"> • Agree priorities and Investment plans for the Better Care Fund created jointly by the ICB and Westmorland and Furness Council. • Agree the strategic direction of the Better Care Fund and the delivery of better integrated care, as part of their statutory duty to encourage integrated working between commissioners. • Approve arrangements for risk sharing and/or risk pooling. • Approve quarterly and year-end report against plan for submission. • Agree pooled fund payments schedules. • Approve annual statement of accounts. • Oversight of Regional and National Assurance process 	Section 75	Section 75 Partnership agreement. Westmorland and Furness Council as host of s75 pooled fund
North Yorkshire	<ul style="list-style-type: none"> • Agree priorities and Investment plans for the Better Care Fund created jointly by the ICB and North Yorkshire Council. • Agree the strategic direction of the Better Care Fund and the delivery of better integrated care, as part of their statutory duty to encourage integrated working between commissioners. • Approve arrangements for risk sharing and/or risk pooling. • Approve quarterly and year-end report against plan for submission. • Agree pooled fund payments schedules. • Approve annual statement of accounts. • Oversight of Regional and National Assurance process 	Section 75	Section 75 Partnership agreement. North Yorkshire Council as host of s75 pooled fund

Decisions and functions delegated by the board to other statutory bodies

The ICB will not make use of its powers to delegate its functions to NHS trusts/FT, local authorities, or combined authorities during 2023/24/23. This is to allow sufficient time to consider the secondary legislation and NHSE statutory guidance relating to these new powers as these are published.

The ICB will continue working with [Local Authorities and](#) providers on system plans and collaboration arrangements and consider any plans and aspirations for how delegation can support the delivery of system objectives in future years and begin to put to plans in place.

(does not apply to delegation to committees of the ICB board or existing section 75 arrangements with local authorities or any current lead provider arrangements in which NHS providers have responsibility for re-designing services, such as the NHS-led Mental Health, Learning Disability and Autism Provider Collaborative arrangements)

Body	Decisions and functions delegated from the ICB to the body	Legal power	Governing arrangements
	N/A for 2022/23 2023/24		

Operational scheme of delegation including delegated financial limits

This describes the detailed delegated financial limits that individuals are authorised to approve and who has what authority to commit resources in the delivery of ICB's objectives.

The document is held as a separate document and published within the Governance Handbook.