

PERTH AND KINROSS INTEGRATION JOINT BOARD

SCHEME OF DELEGATION

1. COMMENCEMENT, INTERPRETATION, DEFINITIONS AND ALTERATION OF THE SCHEME OF DELEGATION

1.1 Commencement

The Scheme shall apply with effect from 3 May 2021.

1.2 Interpretation and Definitions

The Interpretation Act 1978 shall apply to the interpretation of the Scheme as it would apply to the interpretation of an Act of Parliament.

In this Scheme the following words shall have the meanings assigned to them, that is to say:

“2014 Act” means the Public Bodies (Joint Working) (Scotland) Act 2014;

“Board” means Perth and Kinross Integration Joint Board;

“Head of Finance and Corporate Services” means the chief financial officer of the Board appointed by the Board in terms of section 95 of the 1973 Act.

“Chief Officer” means the Chief Officer of the Integration Joint Board;

“Employer” means whichever of the Council or NHS shall employ a particular member of staff;

“Integration Scheme” means the Perth and Kinross Integration Scheme made between the Partners under the 2014 Act and approved by Scottish Ministers;

“Members” means Members of the Board;

“Partners” means NHS Tayside and Perth and Kinross Council.

1.3 Alteration of Scheme

1.3.1 The Board shall be entitled to amend, vary or revoke the Scheme from time to time.

1.3.2 The Chief Officer shall have the power to alter the Scheme to correct any textual or minor errors, or to make any consequential amendments required as a result of a decision of the Board. Any such alteration shall be notified to the Clerk to the Board and made to the version of the Scheme retained by the Clerk.

2 DELEGATION TO OFFICERS

- 2.1 All powers which are not specifically reserved to the Board are delegated to the Chief Officer or, as the case may be, the Head of Finance and Corporate Services.

The Chief Officer will have delegated responsibility for all matters in respect of the oversight, operational management and delivery of integrated functions of the Board, as set out in the Integration Scheme, except where

- (i) specifically reserved to the Board; or
- (ii) where the Board determines that a particular power should be exercised by the Board, notwithstanding the delegation permitted by this clause.

- 2.2 The Chief Officer or Head of Finance and Corporate Services are authorised to take, or make arrangements for, any action required to implement any decision of the Board or any decision taken in the exercise of delegated powers.

- 2.3 The Chief Officer or Head of Finance and Corporate Services are authorised to take such measures as may be required in emergency situations, subject to reporting to the Board as soon as possible on any items for which approval would normally be necessary.

- 2.4 In exercising the authority hereby delegated to them, officers must act in accordance with any policies and procedures of the Board.

- 2.5 If any decision proposed under delegated powers might lead to a budget being exceeded, the Chief Officer or Head of Finance and Corporate Services must consult with the Chair of the Board before exercising the delegated power.

3 GENERAL POWERS RESERVED TO THE BOARD

- 3.1 Notwithstanding clause 2.1 above, delegated powers should not be exercised by officers where any decision would represent:

- (i) a departure from Board policy or procedure;
- (ii) a departure from the Strategic Plan or would be contrary to a standing instruction of the Board;
- (iii) a significant development of policy or procedure.

The only exception to this is in the case of emergency as set out in clause 2.3 above.

4 SPECIFIC POWERS RESERVED TO THE BOARD

4.1 The following specific powers are reserved to the Board:

- (i) To approve or amend the Strategic Plan including the Financial Plan;
- (ii) To issue Directions to the Partners under sections 26 and 27 of the 2014 Act;
- (iii) To approve the financial strategy;
- (iv) To approve the annual budget;
- (v) To appoint (but not dismiss) the Chief Officer and the Head of Finance and Corporate Services subject always to the relevant policies and procedures of the Employer;
- (vi) To deal with matters reserved to the Board by Standing Orders, Financial Regulations and other schemes approved by the Board;
- (vii) To establish such committees and sub-committees as may be considered appropriate to conduct business and to appoint and remove Chairs, Vice-Chairs and members of such committees and sub-committees;
- (viii) To approve or amend the Standing Orders regulating meetings, proceedings and business of the Board;
- (ix) To approve or amend this Scheme;
- (x) To approve any Expenses Policy and the entitlement of Members and others to such expenses;
- (xi) To change the name of the Board;
- (xii) To fix and amend a programme of Board and committee meetings; Any other functions or remit which is, in terms of statute or other legal requirement, bound to be undertaken by the Board itself.