

Assignment of Functions Schedule

February 2010

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1. Introduction

- 1.1 The purpose of this document is to provide the Assignment of Functions Schedule reserved to The Office of Health Professions Adjudication (OHPA) and its Board. It also sets out how the Chief Executive can assign to the appropriate level the application of policies and procedures. However, the Chief Executive remains accountable for all of its functions; even those assigned to other directors or employees.
- 1.2 The fundamental objective of the Assignment of Functions Schedule is to ensure that the work of OHPA is managed efficiently within the policies laid down by OHPA. It is therefore necessary for the Chief Executive to assign to others certain powers, in order to incur expenditure within approved budgets, to appoint staff within financial establishments and manpower ceilings, and for sundry other matters as may be decided by the Board.
- 1.3 The success of achieving a satisfactory management system depends on striking a correct balance between those matters, which require the Board's views, guidance and decision, and those which do not. The time of the Board should not be taken up in discussing and deciding matters of a relatively minor nature, or those that are clearly in line with policies or decisions of the Board on similar proposals. The Chief Executive retains an over-riding right to take any decision or to call for any information in respect of any decision taken by an individual under this assigned authority.
- 1.4 This document therefore sets out those matters on which decisions are reserved to the Board and those which are assigned to the budget holders, directors or employees.
- 1.5 The arrangements outlined herein are to be read in conjunction with, and subject to, the Standing Orders and Standing Financial Instructions adopted by OHPA and Government Accounting rules published by HM Treasury.

2. Role of the Chief Executive

- 2.1 These arrangements are based on the principle that the Chief Executive, and at the Chief Executive's discretion other designated individuals, be given, subject to certain constraints, the authority to discharge those responsibilities which OHPA has assigned. The arrangements also reflect the responsibilities of the Chief Executive in the role as the Accounting Officer for OHPA. The Chief Executive shall prepare and maintain a detailed Assignment of Functions Schedule identifying which functions the Chief Executive shall perform personally, and which functions have been assigned to others.
- 2.2 The identification of responsible officers and managers throughout this document does not, unless stated, limit their discretion to allocate the task to subordinates. The individual held accountable for performance will, however, remain as denoted in the column headed "responsible individual".
- 2.3 In the absence of an individual to whom powers have been assigned, those powers shall be exercised by that individual's superior unless:
 - alternative arrangements have been approved by OHPA;
 - the responsible individual has formally assigned authority.
- 2.4 If the Chief Executive is absent for any length of time, assigned powers may be exercised by an appropriate alternate identified by the Chairman.
- 2.5 Powers are assigned to individuals on the understanding that they will not exercise assigned powers in a matter which, in their judgement, is likely to be a cause for public concern.

- 2.6 The Assignment of Functions Schedule herein shows:
- a) The assignment of responsibilities to Board Committees.
 - b) The assignment of key responsibilities and powers to named individuals.

3. Role of the Board

- 3.1 The powers retained by and the responsibilities of the Board include:
- a) To appoint, dismiss and approve the Terms of Reference and powers of committees.
 - b) Approve expenditure over £100k, which is addition to budgetary allocations.
 - c) Approve individual capital expenditure over £250k.
 - d) Approve single tenders above £50K.

4. Delegation to Board Committees

4.1 Audit Committee

- 4.1.1 Terms of reference for the Audit Committee are currently being drafted.

5. Delegation of powers to named posts

- 5.1 The assignment of powers and responsibilities to named posts is shown in the following table.

Powers Assigned	Responsible individual/group
Final authority on interpretation of Standing Orders	Chair
Arrangements for Board meetings	Chair
Chair all board meetings and associated responsibilities	Chair
Emergency powers	Chair
To discipline non-executive Directors	Chair
Preparation of the Annual Report	Chief Executive
Arrangement for Board sub-committee meetings	Non-executive chairing sub-committee
To adopt an organisation structure	Chief Executive
Waiving of Standing Financial Instructions	Chief Executive
Waiving of formal competitive tendering	Chief Executive
Determination that quotations need not be in writing	Chief Executive

Receive & respond to official reports from statutory & regulatory bodies	Chief Executive
To provide contributions to responses to Parliamentary questions	Chief Executive
Nominate officers to join a group to evaluate competitive tenders	Chief Executive
Ratification of urgent decisions taken by the Chairman, subject to discussion with non-executives as appropriate	Chief Executive
Approve, sign and seal all documents necessary in legal proceedings	Chief Executive
Final interpretation of Standing Financial Instructions	Audit Committee
Undertaking of powers conferred on the Chief Executive in their absence	Officer assigned by the Chairman
Dismissal of an employee	Director of HR
Dismissal of the Chief Executive	Chairman in liaison with the Director of HR
Approval of arrangements for dealing with complaints	Chief Executive
To receive the annual Management Letter from External Audit	Chief Executive
Waiving of formal compulsory tendering under special conditions (waivers should be reported to Board in accordance with SO/SFIs)	Director of Finance
Re-grading of employees	Director of Finance
Declaration that a re-tendering exercise must take place	Director of Finance
To ensure that a system of internal audit is in place	Chief Executive
Signing of all documents under seal and swearing of affidavits	Chief Executive
Authorisation of losses and special payments and reporting to Board as appropriate	Director of Finance
Approval of the Annual Accounts	Board
Ensure value for money in service delivery	Chief Executive
Ensure that a Risk Management process is in place	Audit Committee
Delegate budget to budget holders	Director of Finance

Appointment of all staff	Director of HR
Evaluation of quotations	Director of Finance
Information assets and knowledge management	Director of Finance
Approve, sign and seal all leases, capital, land and building documents	Director of Finance
Overall responsibility for Resource Cash Limit control	Director of Finance
Maintenance of a Capital Assets Register	Director of Finance
Reporting HR staff numbers, pay awards and any ex-gratia payments to the Remuneration Committee and/or Board as appropriate	Director of HR
Production of monthly year-end financial I&E outturn forecasts	Director of Finance
Provide access to ALL records financial and otherwise to internal and external audit and other authorised parties	Director of Finance
Writing off the book value of assets	Director of Finance
Management of OHPA's banking arrangements	Director of Finance
Negotiation of service level agreement and contracts	Director of Finance
Ensuring that sufficient cash is drawn to ensure business continuity	Director of Finance
Opening of tenders	Director of the Board plus a senior manager
Holding/maintaining Register(s) of Interests	Director of Finance
Receipt and custody of tenders	Director of Finance
Taking and keeping of Board minutes	Board Secretary
Maintaining the Hospitality Register	Board Secretary
Issuing of contracts of employment	Director of HR
Incurring of expenditure within the areas of budget responsibility	Budget holder
Appointment of staff within budgeted establishment	Director of Finance

ANNEXES

Schedule 1

OHPA

Audit committee terms of reference - draft

1. The Board has resolved to establish a Committee of the Board to be known as the Audit Committee and reserves the authority to appoint or remove the Committee Chairman or any of its members.
2. Its membership consists of at least two non-executive directors (excluding the Chairman), one of whom the Board considers has recent and relevant experience. In forming the Audit Committee, the Chairman of that Committee may wish to draw on external advice from someone with an accountancy background and shall make this advisor a Committee member where appropriate. Whilst not a member of the Committee, the Director of Finance is expected to attend, together with representatives from OHPAs external auditors and internal auditors. The Chief Executive may also attend as required.
3. The Board Secretary shall act as secretary to the Committee.
4. Minutes of all Audit Committees shall appear as standing agenda items on the Board meetings.
5. The Committee shall meet on at least four occasions in the year. One meeting shall coincide with consideration of OHPAs Annual Report and Accounts.
6. The Committee is authorised by the Board to investigate any activity within its terms of remit. It is authorised to seek any information it requires from any employee and all employees are directed to co-operate fully with any request made by the Committee.
7. The Secretary shall circulate the minutes of meetings of the Committee to all members of the Board upon request.
8. The Chairman of the Committee shall have the right to approach the Chairman of the Board in regard to any matters of concern which arise from the Audit Committee agenda, so that appropriate action can be agreed and put in place.
9. The duties of the Committee shall be:
 - a. to monitor the integrity of the financial statements of OHPA and especially the Annual Report and Accounts and focus on:
 - any changes in accounting policies and practices
 - major judgmental and risk areas
 - significant adjustments

- compliance with accounting standards
 - integrity of the accounting information
- b. to review and monitor OHPAs internal control, financial reporting, accounting policies and procedures, and risk management systems. The Committee should also review OHPAs Statement on Internal Control before it is agreed by the Board for inclusion in OHPAs Annual Report and Accounts;
- c. to make recommendations to the Board in respect of matters relating to:
- the appointment or
 - re-appointment or
 - removal of the external auditor;
- d. to discuss and agree with the external auditor before the audit commences the nature and scope of the audit and to approve the audit plan. The Committee shall also approve and advise the Board of the remuneration of the external auditor;
- e. to discuss problems and reservations arising from the work of the external auditor and to review the external auditor's management letter and management's response;
- f. to ensure that there are no unsettled issues of significance between management and the external auditor which could affect the underlying accuracy of OHPAs financial reporting;
- g. to review OHPAs arrangements by which employees may in confidence raise concerns about possible business, financial or other improprieties (i.e. whistleblowing);
- h. to review Internal Audit / the external auditor working relationships;
- i. agreement to the appointment or termination of the Internal Audit Service;
- j. receive reports from internal audit and external audit and have the opportunity to seek assurances that the matters raised by such reports have been adequately dealt with.
10. Audit Committee shall monitor and review the effectiveness of OHPAs internal audit service at least annually.
11. The Committee shall be provided with appropriate and timely training, both in the form of an induction programme for new members and on an ongoing basis for all members as required.

To be revised 30 April 2010.