

Greater Manchester Shared Services

Operating Framework 2016-17

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1 Introduction

1.1 Statutory Position of Greater Manchester Shared Service

Greater Manchester Shared Service (GMSS) is a non-statutory organisation hosted by NHS Oldham CCG and derives its powers to act from delegations to GMSS Managing Director contained in NHS Oldham CCG Corporate Governance Framework.

1.2 Delegation of functions, duties and powers

The Governing Body, Committees, Sub-committees, Lay Members, Executive Members and designated Employees may not delegate functions, duties or powers that have been delegated to them, unless specifically authorised to do so as part of the delegation of that function, duty or power.

The Managing Director of GMSS has the authority under the refreshed CCG Scheme of Reservation and Delegation to delegate functions, duties or powers delegated to them, subject to such delegation being recorded in an Operating Framework.

The Operating Framework requires recommendation by the Chief Financial Officer (NHS Oldham CCG) and approval by the Audit Committee. The Managing Director remains accountable for all the functions delegated within the GMSS and shall account to the CCG Governing Body and its Committees.

1.3 Purpose of the Operating Framework

Scheme of Reservation & Delegation of Powers requires the Managing Director to:

- establish an Operating Framework that details the delegation of functions, duties and powers to Officers, including financial limits and
- operationalise the approved Operating Framework within the GMSS.

The Operating Framework summarises those functions, duties and powers that have been delegated to Managing Director of GMSS. The framework specifically documents where they have been delegated to designated employees, groups and members of the GMSS senior management teams.



This Operating Framework is made under the provisions of, and complies with, the the groups Standing Orders, Standing Financial Instructions and Scheme of Delegation as contained in NHS Oldham CCG Corporate Governance Framework documents.



Section 2 summarises the delegations of the duties, functions and power that relate specifically to the GMSS.

Section 3 outlines the local GMSS nominations made by the Managing Director for key roles required under NHS Oldham CCG governance.

Section 4 outlines local governance arrangements on key matters that are the responsibility of the Managing Director. Whilst not derived directly from NHS Oldham CCG governance documents these matters are essential for the operation of the GMSS.

Section 5 outlines the financial limits that are the responsibility of the Managing Director to set and which are at or below the Managing Director's limit as established by NHS Oldham CCG.

1.4 **Scope**

All of the Officers of the GMSS appointed by the GMSS or NHS Oldham are within the scope of this document.

1.5 **Reservation of Functions, Duties and Powers to the Board**

The Governing Body reserves the ability to, at any time, withdraw a function, duty or power it has delegated and then to exercise the function, duty or power itself or to delegate it.

1.6 **Caution over the use of Delegated Functions, Duties and Powers**

Functions, duties and powers are delegated to the Governing Body, Committees, Sub-committees, Lay members, Executive Members and designated Employees, provided they do not use such delegated functions, duties and powers in a manner that is likely to be a cause for public concern.

1.7 **Failure to Comply with Standing Orders and Standing Financial Instructions**

Failure to comply with Standing Orders and Standing Financial Instructions, which this document is deemed to be an integral part of, can in certain circumstances be regarded as a disciplinary matter that could result in dismissal.

1.8 **NHS Oldham Corporate Governance Framework Documents**



This GMSS Operating Framework should be read in conjunction with NHS Oldham CCG Corporate Governance Framework and associated documents, which provide more detail on matters reserved to the Governing Body, Committees and Employees



outside the GMSS. The Corporate Governance Framework and supporting documents can be accessed from Oldham CCG website under publications.

Specific documents of relevance are:

- Corporate Governance Framework, including:
 - CCG Constitution
 - Standing Orders;
 - Scheme of Reservation and Delegation of Powers; and,
 - Standing Financial Instructions.

The Managing Director of the GMSS is required to ensure that the Operating Framework incorporates changes to NHS Oldham CCG governance documents as approved by the Governing Body.



2 Scheme of Delegation in Respect of the Greater Manchester Shared Services Derived from NHS Oldham Governance documents

The functions, duties and powers outlined below are derived from NHS Oldham governance documents. Any changes to the delegation by the Managing Director will require approval by the Chief Financial Officer and ratification by the Audit Committee.

Area	Reference in Corporate Governance documents or NHS Act	Functions, Duties and Powers delegated to Managing Director	Retained by GMSS Managing Director	Delegated to GMSS group or individual
Income generation	Section 13 W - NHS Act 2006	Responsibility for decision making over income generation by GMSS and responsibility for running them in-line with guidance from the CCG Governing Body.	Yes - mandatory	
Services to CCGs	Section 14Z10 – NHS Act 2006	Exercise general duties in relation to those similar to the operation of Commissioning Support Unit services	Yes - mandatory	
Corporate Governance Framework	Scheme of Reservation and Delegation of Powers	Ensure all Officers are aware of NHS Oldham’s Standing Orders, Standing Financial Instructions, Schemes of Delegation and and comply with these on a day-to-day basis.	No	GMSS Head of Integrated Governance
Annual Business Plan	Scheme of Reservation and Delegation of Powers	Preparation of an annual business plan that, once approved, will form the basis of financial and operational delegations for the financial year.	No	GMSS Senior Management Team

Area	Reference in Corporate Governance documents or NHS Act	Functions, Duties and Powers delegated to Managing Director	Retained by GMSS Managing Director	Delegated to GMSS group or individual
Annual Report	Scheme of Reservation and Delegation of Powers	Prepare an annual report at the end of each financial year, detailing activity and financial outturn against the approved business plan, together with a supporting narrative.	No	GMSS Deputy Chief Finance Officer
Governance	Scheme of Reservation and Delegation of Powers	Make arrangements for internal governance structures, systems and processes in line with NHS Oldham CCG Standing Orders, Standing Financial Instructions, Schemes of Delegation and policies and document these within the GMSS Operating Framework.	No	GMSS Head of Integrated Governance and GMSS Senior Management Team
Governance	Scheme of Reservation and Delegation of Powers	Put in place arrangements for a register of interests covering all Officers and advisory lay members, including arrangements for notification of new and changed interests and an annual declaration process, in line with NHS England policy and procedure.	No	GMSS Head of Integrated Governance
Governance	Scheme of Reservation and Delegation of Powers	Put in place arrangements for a register of hospitality covering all Officers and advisory lay members, including arrangements for notification of new instances of hospitality and an annual reminder/declaration process, in line with NHS England policy and procedure.	No	GMSS Head of Integrated Governance

Area	Reference in Corporate Governance documents or NHS Act	Functions, Duties and Powers delegated to Managing Director	Retained by GMSS Managing Director	Delegated to GMSS group or individual
Risk Management	Scheme of Reservation and Delegation of Powers	The GMSS will be subject to the NHS Oldham Risk Management Policy. Risks and incidents should be monitored and investigated locally, and reported 'up' as appropriate.	No	GMSS Head of Integrated Governance
Policy	Scheme of Reservation and Delegation of Powers	Ensure compliance with NHS Oldham CCG human resources policies.	No	GMSS Head of People Services
Policy	Scheme of Reservation and Delegation of Powers	Develop human resources policies to address local issues in agreement with the GMSS Local Partnership Forum which align with the NHS Oldham human resources policy framework	No	GMSS Head of People Services
Policy	Scheme of Reservation and Delegation of Powers	Governance policies to address local issues not covered by NHS Oldham policies	No	GMSS Head of Integrated Governance
Policy	Scheme of Reservation and Delegation of Powers	Exercise duties on processes for developing policy that will enable the GMSS to meet NHS Oldham CCG statutory duties regarding patient and public involvement and equality and diversity	No	GMSS Senior Management Team

Area	Reference in Corporate Governance documents or NHS Act	Functions, Duties and Powers delegated to Managing Director	Retained by GMSS Managing Director	Delegated to GMSS group or individual
Organisational Structures	Scheme of Reservation and Delegation of Powers	Set structures and processes that will enable the GMSS to operate under the conditions laid down for it by NHS Oldham.	No	GMSS Senior Management Team
Appointments	Scheme of Reservation and Delegation of Powers	Ensure compliance with NHS Oldham HR policies to the extent to which they are relevant.	No	GMSS Head of People Services
Appointments	Scheme of Reservation and Delegation of Powers	Responsible for providing pay and benefits to, and line management of, GMSS staff and all associated overarching day-to-day HR activities.	No	GMSS Head of People Services in conjunction with CCG CFO
New Business Opportunities	Scheme of Reservation and Delegation of Powers	Compete for new business opportunities, on terms and conditions beneficial to the delivery of the business plan and that secure the long-term business interests of the GMSS in line with the limits and powers delegated by NHS Oldham and approved as part of its annual business plan.	No	GMSS Senior Management Team and Heads of Service
Service Provision and Development	Scheme of Reservation and Delegation of Powers	Negotiate service partnership with any commissioner regarding existing or new services, following standard SLA or contracting protocols and within financial limits.	No	GMSS Senior Management Team and Heads of Service

Area	Reference in Corporate Governance documents or NHS Act	Functions, Duties and Powers delegated to Managing Director	Retained by GMSS Managing Director	Delegated to GMSS group or individual
Service Provision and Development	Scheme of Reservation and Delegation of Powers	Enter into negotiations with local independent contractors and other providers of health and social care, Local Authorities, independent and Third Sector organisations regarding the delivery of a portfolio of support services, determined by the CSU to be of sufficient value that give a return on the investment made in those services, within defined limits.	No	GMSS Senior Management Team and Heads of Service
Service Provision and Development	Scheme of Reservation and Delegation of Powers	Sign contracts in accordance with financial limits	No	Ref SFIs
Operational Partnerships	Scheme of Reservation and Delegation of Powers	Enter into operational partnerships as an autonomous stakeholder within the local health and social care economy, subject to financial limits.	No	GMSS Senior Management Team
Financial Reporting	Scheme of Reservation and Delegation of Powers	Ensure compliance with NHS Oldham's financial reporting regime, as notified from time to time.	No	GMSS Deputy Chief Finance Officer

3 Nominations Specific to Greater Manchester Shared Services

The following nominations are required to be made by the Managing Director.

Function/role:	Nomination:
Deputy SIRO	GMSS Head of Integrated Governance
GMSS Caldicott Guardian	GMSS Head of Medicine Management
Director responsible - local security management arrangements	Director of Client Relations and Operations
Local Security Management Co-ordinator	Corporate Admin Manager

4 Local governance arrangements on key matters

Whilst not derived directly from NHS Oldham governance documents these matters are essential for the operation of the GMSS. They can be amended locally and do not require the approval of the Chief Financial Officer and ratification by the Audit Committee but must comply with NHS Oldham governance documents.

Area	Description	Retained by Managing Director	Delegated to GMSS group or individual
Appointment of Executive directors of the GMSS	Appoint, appraise, discipline and dismiss executive directors in line with GMSS / Oldham CCG HR policies.	Yes	
Urgent decisions	Urgent decisions may be taken by the GMSS Managing Director and Director of Client relations and Operations on any matters relating to GMSS operation	Yes	
Deputisation for GMSS Managing Director	Act on behalf of and make decisions accordingly in the absence of the Managing Director	No	GMSS Directors
Budgets	Establish budgets for GMSS operation Approve virements within and between GMSS budgets, within financial limits set out in CCG Financial Limits	No	GMSS Deputy Chief Finance Officer

Area	Description	Retained by Managing Director	Delegated to GMSS group or individual
Appointments and dismissals	Nominate officers with delegated authority to enter into contracts of employment, regarding staff, agency staff or temporary staff service contracts, subject to delegated budgets and SFI limits. Any dismissal to be in accordance with GMSS/CCG HR policy framework as required.	No	GMSS Directors and Heads of Service
Property	Consider acquisition, disposal or change of use of land/buildings and recommend to NHS Oldham and/or NHS Property Service Ltd.	No	GMSS Directors
Capital	Approval capital programme and bids to NHS England.	No	Retained by CCG CFO

Appendix 1 Definitions

Unless a contrary intention is evident or the context requires otherwise, words or expressions contained in this document shall have the same meaning as set out in the National Health Service Act 2006 and the Health & Social Care Act 2012 or in any secondary legislation made under the National Health Service Act 2006 and the Health & Social Care Act 2012 and the following defined terms shall have the specific meanings given to them below:

Accounting Officer	means the person responsible and accountable for resources within the control of NHS England, in accordance with the requirements of the HM Treasury guidance Managing Public Money. Under paragraph 15 of Schedule A1 of the NHS Act 2006 the Accounting Officer for NHS England is the Chief Executive.
Governing Body	means the Chair, Executive Members and Lay Members of NHS Oldham CCG
Budget	means a resource, expressed in financial terms, proposed by the Governing Body for the purpose of carrying out, for a specific period, any or all of the functions of NHS Oldham.
Budget Holder	means an Officer with delegated authority to manage finance (income and/or expenditure) for a specific area of NHS Oldham /GMSS.
Budget Manager	means an Officer who manages a Budget on behalf of a Budget Holder.
Chair	means the person appointed by the Secretary of State for Health under paragraph 2(1) of Schedule A1 of the NHS Act 2006, to lead the Governing Body and to ensure that it successfully discharges its overall responsibility for NHS Oldham as a whole. The expression “the Chair” shall be deemed to include the Vice-chair if the Chair is absent from the meeting or is otherwise unavailable.
Chief Financial Officer	means the chief financial officer of NHS Oldham CCG.
Clinical Commissioning Group/CCG	means a body established in accordance with section 1 of the NHS Act 2006.
Committee	means a committee appointed by the Governing Body, which reports to the Governing Body.
Committee Member	means a person appointed by the Governing Body to sit on or to chair a specific Committee.
Employee	means a person paid via the payroll of NHS Oldham, or for whom NHS Oldham has responsibility for making payroll arrangements, but excluding Lay Members or those

contracted for service.

HSCA 2012	means Health & Social Care Act 2012.
Member	means a Member or of the Governing Body as the context permits. Member in relation to the Governing Body does not include its Chair.
NHS Act 2006	means National Health Service Act 2006 (as amended).
NHS England	means NHS Commissioning Board.
Nominated Officer	means an Officer charged with the responsibility for discharging a specific task within SOs and/or SFIs.
Officer	means an Employee of NHS Oldham or any other person holding a paid appointment or office with NHS Oldham.
Secretary	means a person appointed to provide advice on corporate governance issues to the Governing Body and the Chair, and to monitor the Governing Body compliance with the law, SOs and SFIs, and guidance issued by the Secretary of State for Health.
Secretary of State for Health	means the UK Cabinet Minister responsible for the Department of Health.
SFI	means Standing Financial Instruction.
SO	means Standing Order.
Sub-committee	means a committee appointed by the Governing Body, which reports to a Committee of the Governing Body