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**Scheme of Delegation**

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**1. Introduction**

This scheme of delegation (the scheme) is intended to facilitate the efficient and effective functioning of Social Care Wales.

The Scheme is designed to set out clear lines of accountability and responsibility for the Board, Committees, Executive Team, Senior Leadership Team, Managers and Staff.

The Scheme of Delegation shows only the “top level” of delegation within Social Care Wales. The Scheme is to be used in conjunction with other established procedures within the organisation.

This document should be read in conjunction with:

* Standing Orders of the Board
* Matters only the Board can approve
* Model Framework
* Standing Financial Instructions
* Terms of References for Committees

The scheme forms an integral part of Social Care Wales’ overall governance arrangements. This scheme is maintained and monitored by the Corporate Governance team.

The Board must be satisfied that adequate reporting arrangements and arrangements for accountability are in place to allow it to continue to oversee the exercise of those delegated powers before agreeing to any delegation.

**Exercise of delegated power**

Where power is delegated under the scheme it must be exercised in a manner which is consistent with Social Care Wales’s obligations under general law and the following Acts:

1. Regulation and Inspection of Social Care (Wales) Act 2016
2. Social Services and Well-being (Wales) Act 2014
3. Well-being of Future Generations (Wales) Act 2015

When making a business decision all staff must have due regard to section 68 which sets out Social Care Wales’ main objective in carrying out its functions is to protect, promote and maintain the safety and well-being of the public in Wales. In pursuing that objective Social Care Wales must exercise its functions with a view to promoting and maintaining:

1. high standards in the provision of care and support services
2. high standards of conduct and practice among social care workers
3. high standards in the training of social care workers
4. public confidence in social care workers

**Statutory responsibilities**

We have a number of statutory responsibilities:

* Maintain and publish the Register of care professionals
* Publish and promote the Codes of Practice
* Regulate Social Work Training and Education Programmes
* Influence education and training provision
* Develop national occupational standards
* Undertake the functions of the Sector Skills Council; Skills for Care and Development (SfCD) including workforce information and planning.

Under the Regulation and Inspection of Social Care (Wales) Act 2016 we have a responsibility to:

* Set rules for Registration and Fitness to Practise (Parts 4 to 8)
* Publish codes of practice (Section 112) that set out the standards of behaviour and practice of social care workers, as well as social care employers or those looking to work as social care workers
* Set rules for the approval of courses (Section 114):
* for people who are social workers or who wish to be registered social workers with Social Care Wales
* in the work of people registered with Social Care Wales or who want to be registered
* in the work of people who are or want to be social care workers that is not listed under section 80(1)
* Set rules for the inspections of certain courses (Section 115)
* Set rules requiring registered persons to undertake further training (Section 113)
* Work with the Care and Social Services Inspectorate Wales (CSSIW) to support the development of the national market stability report (Section 63)
* Produce studies into the economy, efficiency and effectiveness in the provision of a care and support service (Section 70)
* Set out how Social Care Wales involves people and social care workers in its work (Section 71)
* Set out how Social Care Wales will bring criminal proceedings (Section 72)
* Set rules for the payment of fees (Section 73) to Social Care Wales in carrying out its work. Social Care Wales may make rules for the payment of fees for:
* the provision of advice or other assistance under section 69;
* registration in the register (see Part 4)
* the approval of courses under section 114 (approval of courses for persons who are or wish to become social care workers)
* the provision of training under section 116 (training provided or secured by SCW)
* the provision of copies of codes of practice or copies of, or extracts from, the register.

When making a decision due regard should also be given to the principles that all statutory powers must be exercised for their proper purpose and in line Welsh public service values.

Delegation does not impliedly authorise sub-delegation. Consequently, a Committee or person who Social Care Wales has delegated any power may not permit another Committee or person to exercise that power unless Social Care Wales has expressly authorised them to do so.

**Withdrawal of delegated power**

The scheme remains in force unless and until it is amended or revoked by the Board.

The requirement to amend or revoke the scheme does not apply to any matter where the Board is of the opinion that delegated authority should not be exercised. In that event the Board may resolve that delegated authority is not to be exercised in relation to that matter.

**Legislative framework**

Part 3 of the Regulation and Inspection of Social Care (Wales) Act 2016 (the Act) gives powers to Social Care Wales to may arrangements for any of its functions to be exercised by any of its

1. Committees
2. Sub-committees
3. Members, or
4. Staff

This does not affect Social Care Wales’s responsibility for exercise of delegated functions or affect its ability to exercise delegated functions.

The Executive Management Team, under the direction of the Chief Executive, remains responsible for the day to day operations of Social Care Wales and nothing in the scheme applies to any decision which is administrative in nature.

The scheme does not affect those statutory functions which are conferred upon the Registrar by or under the Act, the discharge or delegation of which are a matter for the Director of Regulation and Intelligence (the Registrar).

There are business processes and procedures which contains further detail for staff on how the scheme of delegation is in action on a day to day business to support decisions.

**2. Associated policies to be read in conjunction with the scheme**

**Standing orders of the Board**

The Board’s standing orders (<https://socialcare.wales/about>) sets out the procedures relating to the Board’s:

* Membership
* Remuneration etc. of members
* Term of office
* Resignation
* Dismissal
* Procedures of Board and Committees

**Matters only the Board can approve**

Matters only the Board can approve (<https://socialcare.wales/about>) sets out what matters can only be approved by the Board.

**Delegation of powers to Committees and Sub-Committees**

**Committees**

The Board may delegate any of its functions to any of its Committees or Sub-committees and Members or Officers.

The remit and functions delegated to Committees are as set out in their terms of reference. The composition and terms of reference of Committees is reviewed by the Board. The Board will set out the reporting requirements in respect of these Committees.

The Committees will work in line with the framework set out in:

* This scheme
* Model Governance Framework
* Social Care Wales’ Standing Orders for the conduct of business at Board/Committee meetings as amended or replaced from time to time.

The Committees will operate in accordance with the governance statement, standing financial instructions, model framework and other documents of requirement (including any guidance issued by the National Assembly and/or HM Treasury).

In any situation of uncertainty, it is for the Board to determine which Committee is empowered to exercise authority which has been delegated to a Committee or Sub-committee.

(Hyperlinks to the terms of reference for Social Care Wales Committees will be included once approved)

**3. Delegation of powers to Social Care Wales Chief Executive, Executive Directors, Assistant Directors, Managers and staff**

**Delegation of powers to the Chief Executive**

The chief executive is to act as Social Care Wales’ accounting officer. This scheme identifies which functions the Chief Executive shall perform personally. The Chief Executive may delegate responsibilities to officers. However the Chief Executive remains responsible and accountable under this scheme to the Welsh Government.

**a) The Chief Executive as the Accounting Officer for Social Care Wales**

The Chief Executive is the Accounting Officer for Social Care Wales. The

National Assembly for Wales calls the Accounting Officer to account for the stewardship of resources of Social Care Wales.

The Accounting Officer takes personal responsibility for ensuring that Social Care Wales operates effectively, to a high standard of probity and delivers the standards set out below:

**Governance**

* Have a governance structure which transmits, delegates, implements and enforces decisions
* Have trustworthy internal controls to safeguard, channel and record resources as intended
* Work co-operatively with partners in the public interest
* Operate with propriety and regularity in all its transactions
* Treat its customers and business counterparties fairly, honestly and with integrity
* Offer appropriate redress for failure to meet agreed customer standards
* Give timely, transparent and realistic accounts of its business and decisions, underpinning public confidence.

**Decision-making**

* Support its Ministers with clear, well-reasoned, timely and impartial advice
* Make all its decisions in line with the strategy, aims and objectives of the organisation set by Ministers and/or in legislation
* Take a balanced view of the approach to managing opportunity and risk
* Impose no more than proportionate and defensible burdens on business.

**Financial management**

* Use its resources efficiently, economically and effectively, avoiding waste and extravagance
* Plan to use its resources on an affordable and sustainable path, within agreed limits
* Financial systems and procedures promote the efficient and economical conduct of business and safeguard financial propriety and regularity throughout
* Carry out procurement and project appraisal objectively and fairly, using cost benefit analysis and seeking good value for the public sector as a whole
* Feasibility and sustainability and financial considerations are taken fully into account in decisions on policy proposals
* Use management information systems to secure assurance about value for money and the quality of delivery and so make timely adjustments
* Avoid over defining detail and imposing undue compliance costs, either internally or on its customers and stakeholders
* Have practical documented arrangements for working in partnership with other organisations, as appropriate
* Use internal and external audit to improve its internal controls and performance.

The Accounting Officer takes personal responsibility for:

* **Regularity and propriety** (probity and ethics in the use of public funds) including seeking approval for any expenditure outside the normal delegations or potentially outside the relevant ambit, and carried through with appropriate disclosures in the annual accounts
* **Affordability and sustainability,** respecting agreed budgets and avoiding unaffordable longer term commitments, taking a proportionate view about other demands for resources
* **Value for money,** ensuring that the organisation’s procurement, projects and processes are systematically evaluated and assessed to provide confidence about suitability, effectiveness, prudence, quality, good value judged for the public sector as a whole, not just for the Accounting Officer’s organisation (e.g. using the HM Treasury Green Book to evaluate alternatives)
* **Management of opportunity and risk** to achieve the right balance commensurate with the organisation’s business and risk appetite
* **Learning from experience,** both using internal feedback and from lessons emerging elsewhere
* **Accounting accurately for the organisation’s financial position and transactions**, to ensure that its published financial information is transparent and up to date and that the organisation’s efficiency in the use of resources is tracked and recorded.

**National Assembly for Wales Committees**

The Accounting Officer is responsible for appearing before National Assembly for Wales’ Public Accounts Committee. The Accounting Officer may be accompanied by appropriate Social Care Wales officers. Where it is appropriate, and the Committee agrees, the Accounting Ofﬁcer may send a substitute. In answering questions, the Accounting Ofﬁcer will take responsibility for Social Care Wales’s business, even if it was delegated or if the events in question happened before he or she was appointed Accounting Ofﬁcer.

**House of Commons Committee on Public Accounts**

The Accounting Officer is responsible for appearing before the House of Commons Committee on Public Accounts on matters relating to responsibilities as Social Care Wales Accounting Officer.

**When the Accounting Officer is Not Available**

When the Accounting Officer is absent and cannot readily be contacted the Deputy Chief Executive will deputise. If a significant absence is planned, an acting Accounting Officer will be appointed[[1]](#footnote-1).

**Conflicts of Interest**

Sometimes the Accounting Officer faces an actual or potential conflict of interest.

There must be no doubt that the Accounting Officer meets the standards described without divided loyalties.

**Framework document**

The Accounting Officer must respect the legislation (or equivalent) which established Social Care Wales and terms of the framework document agreed with the sponsor Branch. The framework document agreed between Social Care Wales its sponsor branch always provides for the sponsor Branch to exercise meaningful oversight of the public body’s strategy and performance, pay arrangements and/or major ﬁnancial transactions, e.g. by monthly returns, standard delegations, exception reporting. Social Care Wales, through the Accounting Officer, should refer to their sponsor branch any issues which appear novel, contentious or repercussive

The Accounting Officer must make sure that Social Care Wales conforms with the requirements of the framework document, that proper financial procedures are followed and that accounting records are maintained in a form suited to the requirements of management as well as in the form prescribed for published accounts.

**Advice to Welsh Ministers**

The Accounting Ofﬁcer is responsible for ensuring that all advice to Ministers to whom they work includes appropriate advice on the proper use of public funds in accordance with the responsibility of the Accounting Ofﬁcer. The Accounting Ofﬁcer should bring to the attention of the Minister any perceived conflict between the Minister’s intentions and the Accounting Ofﬁce duties. The Accounting Ofﬁcer cannot simply accept the Minister’s aims or policy without examination. The acid test is whether the Accounting Ofﬁcer could justify the proposed activity if asked to defend it.

**Advice to the Board**

The Accounting Officer is responsible for bringing to the attention of the Board any conflict between their instructions and Accounting Officer duties. The Accounting Officer cannot simply accept the Board’s aims or policies without examination. There is no set form for registering objections, though it should be specific about their nature. The acid test is whether the proposed activity could be justified if asked to defend it.

If the Social Care Wales Chair or the Board is minded to instruct its Accounting Ofﬁcer to carry out a course inconsistent with the standards, then the Accounting Ofﬁcer should make their reservations clear, preferably in writing. If the Board is still minded to proceed, the Accounting Ofﬁcer will then:

* ask the Accounting Ofﬁcer of the sponsoring Group to consider intervening to resolve the difference of view, preferably in writing
* if the Board’s decision stands, seek its written direction to carry it out, and inform the sponsor Branch
* proceed to implement without delay
* follow the advice as set out in Managing Welsh Public Money (3.4.2).

**Statutory Annual Accounts**

Sign Social Care Wales statutory annual accounts and in doing so accept personal responsibility for their proper presentation as prescribed in the Regulation and Inspection of Social Care (Wales) Act 2016, the accounts direction and relevant guidance.

**Governance statement**

Ensure that a sound system of internal control is maintained in Social Care Wales to support the achievement of its policies, aims and objectives and should regularly review the effectiveness of the system. Assure the National Assembly for Wales and the public of the high standards of probity in the management and control of public funds within Social Care Wales. This will be reported on in the annual governance Statement which is included within the Statutory Annual Accounts.

**Regularity and propriety of expenditure**

Ensure compliance with Parliamentary and National Assembly for Wales’ requirements in the control of expenditure and any requirements imposed by the sponsoring department. A fundamental requirement is that the funds should be applied only to the extent and for the purposes authorised by the National Assembly for Wales. The National Assembly for Wales’ attention must be drawn to losses or special payments, by appropriate notation of the relevant account.

The Accounting Officer is responsible for ensuring that specific approval for expenditure has been obtained from the Welsh Government in all cases where it is required, including cases involving pay, pensions and conditions of service. This will include any expenditure not covered by any authorities delegated by the Welsh Government to Social Care Wales.

Delegated authority does not remove the obligation to submit to the Welsh Government proposals which are novel, contentious or repercussive. The Accounting Officer is also responsible for ensuring that adequate machinery exists for the collection of and bringing to account in due form all income and receipts of any kind in relation to Social Care Wales.

**Management of resources – staff and money**

Ensure that the staff which you are responsible are properly and well managed and safeguarded, with independent and effective checks of cash balances in the hands of any officer.

That at all levels managers:

1. have a clear view of their objectives, and the means to assess and, wherever possible, measure outputs or performance in relation to those objectives

b) are assigned well defined responsibilities for making the best use of resources including a critical scrutiny of output and value for money

c) have the information (particularly about costs), training and access to the expert advice which they need to exercise their responsibilities effectively.

**Asset management**

Ensure that land, buildings or other property, including stores and equipment, in relation to Social Care Wales are controlled and safeguarded with similar care, and with checks as appropriate.

**Policy proposals relating to Social Care Wales expenditure or income**

All relevant financial considerations, including feasibility and sustainability, are taken into account, the value for money of the proposal is assessed in accordance with the principles set out in the Treasury guidance “The Green Book: *Appraisal and Evaluation in Central Government*”; full regard is had to any issues of propriety and regularity; and good quality programme and project management techniques are used as appropriate to track progress and, where necessary, adjust progress. Where necessary, such considerations should be brought to the attention of the Board.

**Risk management**

Ensure that risks (whether to the achievement of business objectives, regularity and propriety or value for money) are identified, that their significance is assessed, and that appropriate systems are in place to manage them.

Ensure that management of opportunities and risk achieves the right balance commensurate with the business of Social Care Wales and the risk appetite the organisation is prepared to bear.

**Bribery, fraud and corruption**

Have in place arrangements to counter bribery, fraud and corruption and make sure that procedures for dealing with suspected cases are complied with.

**Internal Audit**

Make sure the arrangements for internal audit should accord with the objectives, standards and practices set out in HM Treasury’s "Government Internal Audit Standards".

**Scheme of delegation**

Arrangements for delegation promote good management and that they are supported by the necessary staff with an appropriate balance of skills.

**Partnership working**

Make sure that the wider impact of the activities are properly identified and where appropriate taken into account. Social Care Wales may contribute to a joined-up activity led by another organisation (whether in the public or private sectors) in the pursuit of its objectives.

The contribution may be considered appropriate even though it would not directly contribute to the achievement of Social Care Wales’ wider objectives. In such circumstances show that the participation represents good value for money overall and that appropriate controls are in place to safeguard propriety and to provide proper accountability.

Accounting Officers can take joint responsibility for the delivery of a service through joined-up working. On these occasions the lines of responsibility need to be clearly documented to ensure absolute clarity in terms of what each is responsible and accountable for.

**In the Round**

It is not realistic to set ﬁrm rules for every aspect of the business with which an Accounting Ofﬁcer may deal. Sometimes the Accounting Ofﬁcer may need to take a principled decision on the facts in circumstances with no precedents. Should that happen, the Accounting Ofﬁcer will be guided by the standards, assessing whether there is a case for seeking a direction based on any of the factors set out. It is essential that Accounting Ofﬁcers seek good outcomes for the public sector as a whole, respecting the key principles of transparency and National Assembly for Wales’ approval for management of public resources.

1. **The responsibilities of the Chief Executive as set out in the Model Governance Framework**

The Model Governance framework sets out the responsibilities of the Chief Executive in relation to the following:

**Organisational Performance**

Advise Social Care Wales on the discharge of its responsibilities under:

* the Acts
* the Welsh Government’s annual Remit Letter or other communication
* the Governance Statement
* Standing Financial Instructions
* any other guidance that may issue from time to time, including those recommendations of the National Assembly’s Public Accounts Committee, the House of Commons Committee on Public Accounts, other Parliamentary Select Committees or Parliamentary authority that have been accepted by the National Assembly.

Advise the Board on Social Care Wales’ performance compared with its aims and objectives via the Business and Strategic Plan.

Inform the Welsh Government of Social Care Wales’ progress in helping to achieve the Welsh Government’s policy objectives and in demonstrating how resources are being used to achieve those objectives.

Ensure that timely forecasts and monitoring information on performance and finance are provided to the Welsh Government; that the Welsh Government is notified promptly if overspends or underspends are likely to occur and that corrective action is taken; and that significant problems - whether financial or otherwise, and whether detected by internal audit or by other means - are notified to the Welsh Government as quickly as possible.

Ensure that all public funds made available to Social Care Wales – including any approved income and other receipts - are used for the purpose for which they were intended by the Welsh Government and the legislation which governs them, and that they and Social Care Wales’ other resources - including its capital assets, equipment and staff - are used economically, efficiently and effectively.

Ensure that total expenditure in each financial year does not exceed the provision approved by the Welsh Government.

Secure best value for money through the administration of Social Care Wales and in the use of its funds.

Provide, as and when requested, such information about Social Care Wales’ banking arrangements as is required to enable the Principal Accounting Officer to be satisfied that his/her responsibilities as to safeguarding public funds are being met.

Ensure that a system of risk management is maintained to inform decisions on financial and business planning and to assist in achieving objectives and targets.

Ensure that an effective system of programme and project management and contract management is maintained.

**Administration**

Ensure that arrangements are in place for the maintenance of a Register of Members’ Interests and is published on Social Care Wales’ website.

Ensure that appropriate arrangements are in place for procurement and tendering.

Ensure existing Board Members, Directors, staff and all new appointees are notified of and understand their responsibilities within the scheme, standing orders and standing financial instructions.

Approve and sign all documents which will be necessary in legal proceedings in accordance with the standing financial instructions and the model governance framework.

Act as a signatory for Social Care Wales on legal documents, contracts and leases.

**Finance – in line with the standing financial instructions and model governance framework**

Be responsible for the implementation of its policies and the financial implications of those policies and for co-ordinating any action necessary to further these policies.

Be responsible for the management of funding and the control of Social Care Wales Budgets.

Be responsible to the Board for the conduct of all Social Care Wales staff in financial matters and for ensuring that the affairs of Social Care Wales are conducted in a way that has due regards for economy, effectiveness, efficiency, probity and integrity.

Approve major performance indicators to judge performance of individual business areas.

With the Executive Management Team approve any changes in department budget allocations including virements in their overall Budgets.

Be responsible for signing the annual accounts.

Approve expenditure (not already approved within the Business Plan) over £50,000 – subject to the model governance framework.

Ensure that appropriate financial considerations are taken fully into account by Social Care Wales at all stages in reaching and executing its decisions.

Ensure that adequate internal management and financial controls are introduced, maintained and reviewed regularly - including measures to protect against fraud and theft – such measures to incorporate a comprehensive system of internal delegated authorities that shall be readily available to all staff.

**Assets**

Approve any acquisition, disposal or change of use of land and/or buildings.

**Personnel**

Ensure that appropriate personnel management policies are developed, maintained and observed.

Ensure that staff have access and are aware of their responsibilities under Social Care Wales’ Code of Conduct for Staff.

Ensure suitable arrangements are in place for staff appointments.

Be responsible for all staff, including agency staff, appointments.

Approve pay and grading arrangements.

Approve proposals for change to organisation structure.

Approve redundancy or early retirement expenditure in line with the relevant procedure.

**Losses and Special Payments**

Approve write off of losses and special payments according to the delegated limits set out in the standing financial instructions

**Consolidation Officer**

The Chief Executive is formally designated as the Council’sConsolidation Officer by HM Treasury and has a duty to undertakethis role in accordance with the Model Governance Framework.

**Public Services Ombudsman Wales**

The Chief Executive is the Principal Officer for the purpose of the handling of cases involving the Welsh Administration Ombudsman. The Principal Officer is responsible for informing the Permanent Secretary to the Welsh Government about any complaints accepted by the Public Services Ombudsman Wales for investigation, and about Social Care Wales’ proposed response to any subsequent recommendations from the Public Services Ombudsman Wales.

**Miscellaneous**

The Chief Executive shall:

* authorise departures from the standard tendering procedures set out in the standing financial instructions and authorisation for single source tenders which fall within the limits set out in the standing financial instructions
* agree action on litigation against or on behalf of Social Care Wales
* ensure that effective procedures for handling complaints about Social Care Wales are established and made known widely within the organisation
* delegate day to day administration of his responsibilities under the Model Governance Framework notwithstanding such delegation the Chief Executive remains responsible and accountable under the Model Governance Framework

**c) The responsibilities of the Executive Directors as set out in the Model Governance Framework**

**All Directors will, through accountability to the Chief Executive:**

**Set strategy and deliver impact**

* Work with the Board to set the strategic direction and lead on the implementation of their work area activities in line with the purpose, values and vision
* Fulfil the Social Care Wales’ role and remit and statutory responsibilities as a Welsh Government Sponsored Body, in line with policy and best practice
* Plan the detailed proposals for areas of responsibility flowing from the annual Business Plan, develop delivery plans/programme plans
* Identify gaps in resources or markets and plan and negotiate new resources to deliver Social Care Wales’ strategies
* Ensure that the work of Social Care Wales contributes to the delivery of the Future Generations Act aspiration and vision for Wales

**Service Delivery** - ensure excellence in service delivery

* Deliver the required financial and organisational performance, maximising the effective use of resources
* Manage the development of the organisation, recommending new opportunities for it to improve and strengthen its performance
* Directly lead and manage Directorate staff, enabling them to perform to their maximum potential.

**Leading and engaging people** - exemplify Social Care Wales and Public Service Leadership Values and behaviours and develop and maintain relationships with external stakeholders.

* Uphold and champion the values of the organisation and promote a positive culture – leading by example
* Collaborate with leaders of other organisations
* Communicate with a network of internal and external peers and organisations
* Influence employers, learning providers, government departments, politicians and all key partners
* Influence and shape policy and thinking by government and others
* Provide leadership across all levels of Social Care Wales’ work and participate fully in the corporate management of Social Care Wales via the fulfilment of responsibilities and role as a member of the Executive Management Team
* Directly support Board members and committees to fulfil their roles individually and collectively and achieve good corporate governance
* Promote the effective integration of the Social Care Wales’ values, principles of equality and diversity and Welsh Language throughout all aspects of the Social Care Wales’ work, and place service users at the heart of the agenda.

**Accountability and compliance –** finance and risk and governance

* Work within the standing financial instructions
* Determine procedures and systems for their Directorate ensuring that they are in line with Social Care Wales’ policies and guidelines
* Deliver the required financial and organisational performance, maximising the effective use of resources
* Anticipate, drive and manage change and transformation minimising risk and ensuring probity

**Administration**

The Directors are responsible for ensuring that functions within their areas are performing in the most effective and efficient manner to achieve the goals of Social Care Wales.

**Assets**

Directors shall have overall responsibility for fixed assets and other assets under their respective Directorate control.

**Finance**

Directors shall:

* Approve revenue expenditure within Departmental budgets
* Delegate approval of revenue expenditure approved within Directorate Business Plans
* Approve individual revenue expenditure projects (not already approved in the annual Business Plan) not exceeding the limit in the SFIs
* Directors shall ensure that all staff in their department are aware of and comply with Social Care Wales policies.

**Policies**

Directors shall make sure that their directorate has appropriate and up to date policies to ensure compliance with its statutory obligations.

**Staffing (personnel)**

Directors shall

* Appoint staff in line with HR policies
* Directly lead and manage Directorate staff, enabling them to perform to their maximum potential

**d) Specific delegated responsibilities of the Executive Directors**

All Executive Directors are responsible for complying with their specific financial responsibilities as set out in Annex A – Scheme of Delegation: Financial matters and the Standing Financial Instructions.

**Executive director of corporate services and strategy**

Responsible for the internal and external audit functions on behalf of the Chief Executive as the Accounting Officer.

**Executive director of regulation and intelligence**

Is the Registrar of Social Care Wales, as set out in the Regulation and Inspection of Social Care (Wales) Act. The Registrar is responsible for:

* keeping and maintaining a register of social workers, social care workers and visiting social workers from relevant European States
* decisions relating to persons whose names appear on the register and persons seeking to be placed on the register, including decisions about:

1. initial registration
2. renewal of registration
3. restoration to the register
4. removal from the register
5. lapsed registration

In the absence of the Accounting Officer the Director will be the Deputy Accounting Officer of Social Care Wales. On these occasions the Assistant Director Regulation will be the Registrar.

1. **Specific responsibilities delegated to Assistant Director posts**

**Assistant Director Regulation**

In the absence of the Director of regulation and intelligence the Assistant Director will take on the responsibilities of the Registrar and will be responsible for:

* keeping and maintaining a register of social workers, social care workers and visiting social workers from relevant European States
* decisions relating to persons whose names appear on the register and persons seeking to be placed on the register, including decisions about:

1. initial registration
2. renewal of registration
3. restoration to the register
4. removal from the register
5. lapsed registration

**Assistant Director Finance**

The Assistant Director Finance will undertake the responsibilities of the Finance Director which are set out in Managing Welsh Public Money. Many of the day-to-day responsibilities may in practice be delegated but the Assistant Director Finance should maintain oversight and control. In large part these duties consist of ensuring that the financial aspects of the Accounting Officer’s responsibilities are carried across Social Care Wales.

The finance function should maintain a firm grasp of Social Care Wales’ financial position and performance. Supporting the Accounting Officer, the Assistant Director Finance should ensure that there is sufficient expertise in depth, supported by effective systems, to discharge this responsibility and challenge those responsible for the organisation’s activities to account for their financial performance. It is important that financial management is taken seriously throughout Social Care Wales.

The Assistant Director Finance is responsible for the following:

**Financial Leadership**

leadership of financial responsibilities within Social Care Wales ensuring that the information on which decisions about the use of resources are based is reliable.

**Governance**

* Financial leadership, within Social Care Wales, at both a strategic and operational level
* Ensuring sound and appropriate financial governance and risk management.
* Leading, motivating and developing the finance function, establishing its full commercial contribution to the business
* Planning and delivering the financial framework agreed with the HM Treasury or sponsoring organisation against the defined strategic and operational criteria
* Challenging and supporting decision makers, especially on affordability and value for money, by ensuring policy and operational proposals with a significant financial implication are signed-off by the finance function

**Internal control**

* Co-ordinating the planning and budgeting processes
* Applying discipline in financial management, including managing banking, debt and cash flow, with appropriate segregation of duties
* Preparation of timely and meaningful monthly management information
* Ensuring that delegated financial authorities are respected
* Selection, planning and oversight of any capital projects
* Ensuring efficiency and value for money in the organisation’s activities
* Provision of information and advice to the Audit and Risk Committee
* Leading or promoting change programmes within Social Care Wales

**External links**

* Preparing draft budgets and resource accounts and consolidation data for whole of government accounts
* Liaison with the external auditor
* Liaison with National Assembly for Wales Finance and Public Accounts Committees, other relevant Assembly Committees, and, possibly, Parliament’s Committee of Public Accounts.

**Financial management leadership**

* Providing professional advice and meaningful financial analysis enabling decision makers to take timely and informed business decisions
* Maintaining a long term financial strategy to underpin the organisation’s financial viability within the agreed framework
* Developing and maintaining an effective resource allocation model to optimise outputs
* Ensuring financial probity, regularity and value for money
* Developing and maintaining appropriate asset management and procurement strategies
* Reporting accurate and meaningful financial information about the organisation’s performance to the National Assembly for Wales, Office of National Statistics, Parliament, HM Treasury and the general public
* Setting the strategic direction for any commercial activities
* Acting as head of profession in the organisation

**Internal Financial Discipline**

Maintain strong and effective policies to control and manage use of resources in the organisation’s activities. This includes improving the financial literacy of budget holders in Social Care Wales. These should all draw on best practice in accounting and respect central requirements, including, where relevant, accounts directions. These responsibilities are described below:

**Financial control**

* Enforcing financial compliance across Social Care Wales while guarding against fraud and delivering continuous improvement in financial control.
* Applying strong internal controls in all areas of financial management, risk management and asset control.
* Establishing budgets, financial targets and performance indicators to help assess delivery.
* Reporting performance of Social Care Wales to the Board and other parties as required.
* Value management of long term commercial contracts.
* Ensuring that Social Care Wales’ capital projects are chosen after appropriate value for money analysis and evaluation using the HM Treasury Green Book.

**f) All staff**

In general staff have delegated powers to spend up to the limits of their annual approved Budgets and to advise the Assistant Director Finance and IT of any significant under or over spends as soon as possible. Where increases in expenditure Budgets are needed due to additional activity, these must be approved by the Executive Management Team.

A project manager specifically appointed to manage a project may have specific powers delegated to them which should be approved by the relevant Director in advance. The project manager is responsible for complying with the standing financial instructions on how the project budget should be managed.

All staff are responsible for security of Social Care Wales’ property, avoiding loss, exercising economy and efficiency in using resources and conforming to standing orders, standing financial instructions and relevant business procedures and processes.

All staff are responsible for reporting losses to their line manager in accordance with Social Care Wales’ procedure.

All members of staff are responsible for abiding by the policies and procedures of Social Care Wales.

**Scheme of Delegation: Financial Matters**

|  |  |
| --- | --- |
| **Delegated matter** | **Authority delegated to** |
| **1. Management of Budgets** | |
| (a) Approval of annual budget | Board |
| (b) Approval of virements: |  |
| * reallocating funds between specific budgets in the grant allocation letter | Chief Executive, Executive Directors |
| * sums relating to ring-fenced provisions set out in the grant allocation letter | Welsh Government |
| * the reallocation is between capital, near cash or non-cash budget lines | Welsh Government |
| * net payments exceeding the total approved budget | Welsh Government |
| (c) Setting and monitoring of budgets: |  |
| * At individual budget level (Non-Pay); | Executive Team, Senior Leadership Team, Management Team, Technical and Development Team |
| * Payroll; | Executive Team, Senior Leadership Team, Management Team |
| **2. Maintenance/Operation of Bank Accounts** | |
| (a) Day to day management. | Executive Director of Corporate Services and Strategy, Assistant Director Finance and IT, Finance Administrators |
| (b) Opening of new accounts and closing old accounts. | Chief Executive, Executive Director of Corporate Services and Strategy |
| (c) Notify bank of a change of authorised signatory | Chief Executive, Executive Director of Corporate Services and Strategy |
| (d) Cheque signatories (up to £1,000) | Executive Team, Senior Leadership Team |
| (e) Cheque signatories (over £1,000) | Any two of the Executive Team, Senior Leadership Team |
| (f) Set up a direct debit or standing order | See delegated limits for cheque signatories above. |
| **3. Payment approval limits:** (See more detail in the Standing Financial Instructions) | |
| * up to £5,000 * up to £10,000 * up to £25,000 * £50,000 * Over £50,000 | Technical and development team  Management Team  Senior Leadership Team  Executive Directors  Chief Executive |
| (b) variations and extensions to contracts (not single source) | Chief Executive, Executive Directors |
| **4. Quotation, tendering and contract Procedures** | (See more detail in the Standing Financial Instructions) |
| (a) One written quote for single items up to £3,000. | Technical and development team, Management Team, Senior Leadership Team, Executive Directors, Chief Executive |
| (b) Obtaining a minimum of 2 written quotations for goods/services from £3,001 to £5,000. | Technical and development team, Management Team, Senior Leadership Team, Executive Directors, Chief Executive |
| (c) Obtaining a minimum of 3 written quotations for goods/services from £5,001 to £10,000. | Technical and development team, Management Team, Senior Leadership Team, Executive Directors, Chief Executive (including a review of the process by the Procurement Officer) |
| (d) Obtaining a minimum of 3 written competitive tenders for goods and services from £10,001 to £25,000. | Senior Leadership Team, Executive Directors, Chief Executive |
| (e) Obtaining a minimum of 4 written competitive tenders for goods and services from £25,001 to £50,000. | Executive Directors, Chief Executive |
| (f) Obtaining a minimum of 4 written competitive tendersfor goods and services in excess of £50,001. | Chief Executive |
| (g) EU tendering Limit (2014/24/EU) | Chief Executive |
| (h) Wavering of quotations subject to SOs, SFIs and Model Governance Framework | Chief Executive, Executive Directors |
| (i) Wavering of Tenders subject to SOs, SFIs and Management statement |  |
| <£50,000 | Chief Executive, Executive Director of Corporate Services and Strategy |
| >£50,000 | Welsh Government |
| (j) Awarding contracts resulting from tendering process | See standing financial instructions |
| **5. Agreements/Licences** | |
| (a) Preparation and signature of all tenancy agreements. | Chief Executive, Welsh Government |
| (b) Letting of premises to outside organisations | Chief Executive, Welsh Government |
| (c) Approval of lease/rent based on professional assessment | Chief Executive, Executive Director of Corporate Services and Strategy |
| (d) Approval of equipment leases / agreements. | In line with section 4 |
| **6. Condemning and Disposal** | |
| (a) Items obsolete, obsolescent, redundant, irreparable or cannot be repaired cost effectively | Assistant Director Finance and IT |
| **7**. **Losses, Write off and compensation** | |
| (a) Losses of cash due to:  • Bribery, Theft, Fraud, etc  • Overpayments of Salaries, wages, fees and allowances  • Other Causes including unvouched or incompletely vouched payments, overpayments other than those included under item 2: physical losses of cash and cash equivalents, e.g. stamps due to fire (other than arson), accident and similar causes |  |
| Up to £5,000 | Chief Executive |
| > £5,000 | Written notification to Welsh Government |
| (b) Fruitless payments (including abandoned capital schemes) |  |
| Up to £5,000 | Chief Executive |
| > £5,000 | Written notification to Welsh Government |
| (c) Bad debts and claims abandoned:- |  |
| Up to £5,000 | Chief Executive |
| > £5,000 | Written notification to Welsh Government |
| (d) Damage to buildings, their fittings, furniture and equipment and loss of equipment and property in stores and in use due to:  • Culpable causes e.g. theft, fraud, arson or sabotage whether proved or suspected, neglect of duty or gross carelessness |  |
| Up to £5,000 | Chief Executive |
| > £5,000 | Written notification to Welsh Government |
| (e) Compensation payments made under legal obligation | Welsh Government |
| (f) Ex gratia payments to staff for loss of personal effects |  |
| Up to £5,000 | Chief Executive |
| Over £5,000 | Written notification to Welsh Government |
| (g) For personal injury claims |  |
| Up to £5,000 | Chief Executive |
| Over £5,000 | Welsh Government |
| **8. Reporting of Incidents to the Police** | |
| (a) Where a criminal offence or fraud is suspected or involved. | Chief Executive, Executive Directors, Assistant Directors |
| **10. Receiving Hospitality and Gifts** | |
| Applies to both individual and collective hospitality and gifts received | Chief Executive, Executive Directors or Assistant Directors, Management Team |
| **11. Internal and External Audit** | |
| 1. Agreement of external audit recommendations. | Chief Executive, Executive Director of Corporate Services and Strategy |
| 1. Agreement of internal audit recommendations. | Chief Executive, Executive Directors, Assistant Directors |
| 1. Implementation of external audit agreed recommendations | Chief Executive, Executive Director of Corporate Services and Strategy, Assistant Director Finance and IT |
| 1. Implementation of internal audit agreed recommendations | Chief Executive, Executive Directors, Assistant Directors, Management Team |
| **12. Personnel and Pay** | |
| **(a) Establishment** |  |
| Appointment of the Chief Executive | Board, Chair recommends to Permanent Secretary prior to Welsh Minister |
| Additional staff to the agreed establishment with specifically allocated finance. | Chief Executive, Executive Director of Corporate Services and Strategy |
| Additional staff to the agreed establishment without specifically allocated finance. | Chief Executive, Executive Director of Corporate Services and Strategy |
| Authority to fill funded post on the establishment with permanent staff. | Chief Executive, Executive Directors |
| The granting of additional salary increments to staff within budget. | Chief Executive, Executive Directors |
| All requests for upgrading or re-grading shall be dealt with in accordance with Social Care Wales’ procedure. | Chief Executive, Executive Directors |
| All Executive Team upgrading or re-grading outside of the agreed salary banding | Remuneration Committee |
| **(b) Pay** |  |
| Authority to complete standing data forms effecting pay, new starters, variations and leavers. | Chief Executive, Directors, Assistant Director Finance and IT, HR and Wellbeing Manager |
| Authority to authorise overtime. | Chief Executive, Executive Directors |
| Authority to authorise travel and subsistence expenses. | Chair, Chief Executive, Executive Directors, Senior leadership team, Management team, Technical and development team |
| Approval of Performance Related Pay Assessment | Chair, Chief Executive, Executive Directors |
| Renewal of Fixed Term Contract | Chief Executive, Executive Directors, Assistant Directors, HR and Wellbeing Manager |
| Authorisation of an advancement of pay | Chief Executive, Executive Director of Corporate Services and Strategy |
| Authorisation of the annual salary of the Chief Executive | Welsh Government |
| **(c) Staff Retirement Policy** |  |
| Authorisation of extensions of contract beyond normal retirement age. | Chief Executive |
| **(d) Redundancy** | Chief Executive |
| **(e) Ill Health Retirement** |  |
| Decision to grant retirement on the grounds of ill health. | Chief Executive |
| **(f) Dismissal** | Chief Executive |
| **(g) Leave** |  |
| Approval of annual leave | Chair, Chief Executive, Executive Directors, Senior leadership team, Management team, Technical and development team |
| Special leave arrangements | Chief Executive, Executive Directors, Senior leadership team, Management team, Technical and development team |
| Flexi time off | Chief Executive, Executive Directors, Senior leadership team, Management team, Technical and development team |
| Maternity / paternity leave – paid and unpaid | Chair, Chief Executive, Executive Directors, Senior leadership team, Management team, Technical and development team |
| **(h) Sick leave** |  |
| Extensions of sick leave beyond normal provision. | Chief Executive, Executive Directors |
| Return to work part-time on full pay to assist recovery in excess of Social Care Wales’ terms and conditions. | Chief Executive, Executive Directors |
| **(i) Study leave** | Chief Executive, Executive Directors, Senior leadership team, Management team, Technical and development team |
| **(j)Relocation expenses** | |
| Authorisation of payment of relocation expenses in accordance with Social Care Wales’ policy incurred by officers taking up new appointments (providing consideration was promised at interview). | Chief Executive, Executive Director of Corporate Services and Strategy |
| **13. Complaints** | |
| (a) Overall responsibility for ensuring that all complaints are dealt with effectively | Chief Executive |
| (b) Responsibilty for ensuring complaints are investigated thoroughly | Directors, Assistant Directors, Complaints Officer |
| **14. Relationships with Press** | |
| 1. Non-Emergency General Enquries  * Within Hours * Outside Hours | Chief Executive, Executive Directors, Assistant Directors, Head of Communications, Communications team |
| 1. Emergency  * Within Hours * Outside Hours | Chief Executive, Executive Directors, Assistant Directors, Head of Communications, Communications team |
| **15. Fire precautions** | |
| (a) Responsibility for annual review of fire precauions | Executive Director of Corporate Services and Strategy, Human Resource and Wellbeing Manager, Assistant Director Corporate Services |
| **16. Health and Safety.** | |
| (a) Responsibility for Social Care Wales’ statutory compliance with health and safety legislaton. | Executive Director of Corporate Services and Strategy, Human Resource and Wellbeing Manager, Assistant Director Corporate Services |
| **17. Data Protection Act.** | |
| (a) Responsibility for Social Care Wales’ compliance with the Data Protection Act. | Chief Executive, Executive Directors, Senior leadership team, Management team, Technical and development team |
| **18. Contractual arrangments between Social Care Wales and outside bodies.** | |
| 1. Responsibility for monitoring of Contractual arrangments between Social Care Wales and outside bodies. | Chair, Chief Executive, Executive Directors, Senior leadership team, Management team, Technical and development team |
| **19. Declaration of Interests Register.** | |
| 1. Responsibility for the maintenance and monitoring of the declaration of interests register. | Executive Director of Corporate Services and Strategy |
| **20. Gifts and hospitality Register** | |
| (a) Responsibility for the maintenance and monitoring of the hospitality register. | Executive Director of Corporate Services and Strategy |
| **21. Losses and compensation Register** | |
| (a) Responsibility for the losses and compensation register. | Executive Director of Corporate Services and Strategy, Assistant Director Finance and IT |
| **22. Retention of records** | |
| Responsibility for the retention and storage of records. | Executive Director of Corporate Services and Strategy |

Amounts will be inclusive of VAT.

1. In accordance with Managing Welsh Public Money [↑](#footnote-ref-1)