



## SCHEME OF DELEGATION OF BOARD AUTHORITY

### July 2020

<b>This document is relevant to:</b>	
Staff	✓
Trustees	✓

<b>Policy Owner</b>	Chair of Trustees
<b>Date first adopted by Trustees</b>	February 2020
<b>Date this version approved</b>	February 2020
<b>Date for next review</b>	May 2022

#### Change History

Version	Date	Author	Reason
1.2	July 20	Sheridan Hammond	Reviewed and version date changed

#### Reviewers

Name	Position
Paul Curd	Chair of Trustees
Steve Inett	Interim CEO



## **SCHEME OF DELEGATION OF BOARD AUTHORITY**

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### **Policy Statement**

South Kent Mind's Scheme of Delegation is a reference showing what authority the Board has delegated to committees, other volunteers or staff under the powers of its Memorandum and Articles of Association. It indicates where further details of the delegations may be found.

The Scheme of Delegation empowers and enables timely and effective action by volunteers and staff working in partnership for the benefit of the charity and its beneficiaries. It ensures an appropriate level of delegation from the Board of Trustees so that there is effective input into decision-making. It also ensures that Trustees are able to fulfil their legal and constitutional duties, through levers which enable them to delegate, monitor and if necessary, withdraw the delegated authority if it is considered in the interests of the charity and its beneficiaries.

### **Scheme of Delegation**

This Scheme of Delegation should be read alongside the Constitution, the Chief Executive's Job Description and Terms of Reference for the committees of the board.

Where matters are referred to in the attached Scheme as being delegated to the Chief Executive, this empowers the Chief Executive to delegate further to staff or volunteers (except where indicated). In these instances, the Chief Executive remains accountable to the Board for exercise of the powers delegated.

Where matters are not specifically stated as delegated within the schedule below, decisions are required to be made by the Board. The Board is not entitled to give away any of its authority permanently and retains the right to revoke, at its sole discretion, any or all of the powers it delegates if, for example, the Board is concerned that:

- delegated powers are not being used effectively in the interests of our charitable objects and beneficiaries

- the use of delegated powers is damaging the interests or reputation of the organisation
- delegated powers are being used against the letter or spirit of the organisation's agreed policies and procedures.

This Scheme of Delegation provides the framework for decision-making and action but there will be instances where it is not clear by whom an issue should be decided, or differences arise. The Board expects every volunteer or member of staff to work constructively together to arrive at timely, clear pragmatic solutions within the spirit of our leadership values, our strategy and the Code of Conduct, to maximise the positive impact of our work. This Scheme of Delegation also indicates the key sources of advice to the Board to assist the exercise of its functions.

Where other matters arise involving significant risk to the charity, but not defined in this document, these should be referred to the board. When implementing the scheme of delegation Boards should define their threshold for 'significant risk' in this context in terms of governance, operational, financial, external or compliance implications.

Except where otherwise stated, reference to a specific office holder applies to an individual nominated to act for them, for example during periods of leave or illness, or where the post is vacant.

## SCHEME OF DELEGATION OF BOARD AUTHORITY

Delegated matter	Delegation by Board to:	Limitation	Reference Document	Further delegation to:	Record of further delegation
<b>Leadership and Management</b>					
Operational leadership and management of staff and volunteers	Chief Executive	Within the governance framework to meet the organisation's short- and long-term objectives	Constitution Chief Executive's job description	Staff and volunteers	Job / role descriptions Letters of authority
Managing/overseeing the work of any working/task-and-finish groups to focus on specific areas of delivery required by the Board.	Chief Executive	Within the group's terms of reference	Constitution Chief Executive's job description	Staff	Job / role descriptions

Delegated Matter	Delegation by Board to:	Limitation	Reference Document	Further delegation to:	Record of further delegation
<b>People</b>					
Determine pay and conditions of service of Chief Executive and appraisal of Chief Executive	Board				
Recruit staff and determine staffing arrangements (e.g. staffing structures and reporting)	Chief Executive	Within operating plan and budget approved by the Board	Constitution Chief Executive's job description	Line management reports	Job descriptions
Approve procedures for staff management (including discipline and grievance procedures)	Chief Executive	Within legal and regulatory best practice		Line management reports	Job descriptions

Determine arrangements and approve policies for volunteering and volunteers (other than trustees) – including roles and dealing with problems	Chief Executive	All volunteers other than trustees			Role descriptions
Cancellation of members from the organisation	Board	Standing Orders *	Constitution		
Ensuring the organisation has policies and procedures to meet legal and regulatory obligations in respect of vulnerable children	Chief Executive	Within legal and regulatory best practice	Chief Executive's job description		
Ensuring the organisation has policies and procedures to meet legal and regulatory obligations in respect of vulnerable adults	Chief Executive	Within legal and regulatory best practice	Chief Executive's job description		

Delegated Matter	Delegation by Board to:	Limitation	Reference Document	Further delegation to:	Record of further delegation
<b>Strategy and Policy</b>					
Leadership of the organisation's overall strategy and key policies	Board	Within the organisation's charitable objects and constitutional document	Constitution	Advice from: Board committees / Chief Executive	
Formulation and implementation of a more detailed strategic plan	Chief Executive				
Formulation and implementation of policies to meet the organisation's legal obligations and/or implement the organisation's strategy	Chief Executive				

Delegated Matter	Delegation by Board to:	Limitation	Reference Document	Further delegation to:	Record of further delegation
<b>Planning and Finance</b>					
Formulate, modify and recommend the annual operating plan and budget to the Board	Chief Executive  Assessed by: Finance committee  Approved by: Board	Within the framework of the organisation strategy	Chief Executive's job description		
Control and monitoring of activities and expenditure	Chief Executive  Monitored by the Finance committee  Reported to the Board	In line with annual planned budget approved by the Board	Chief Executive's job description	Line management reports	Job descriptions
Re-allocation of resources 'in-year' (virement) to meet emerging requirements	Chief Executive  Monitored by the Finance committee	Within overall annual budget approved by the Board	Chief Executive's job description	Any use of this power must be reported to the Board as soon as possible	



Signature of cheques and financial authorities (eg BACS)	Chair/Treasurer Chief Executive Monitored by Finance Committee				
Approve changes to banking arrangements (e.g. new borrowing terms)	Treasurer				
Accept legacies and donations	Chief Executive		Chief Executive's job description Donations policy		
Formulate and recommend organisation's risk management framework to the Board	Chief Executive Approved by: Board	Within the framework of the organisation's strategy	Chief Executive's job description		
Control, monitoring and review of risk management plan	Chief Executive Monitored by the Board	In line with the risk management framework and the organisation strategy		Line management reports	Job descriptions

Delegated Matter	Delegation by Board to:	Limitation	Reference Document	Further delegation to:	Record of further delegation
<b>Legal and Regulatory</b>					
Sign statutory and other routine reports to regulatory bodies (e.g. Companies House, Charity Commission)	Chair/Treasurer Monitored by Board				
Authority to enter into contractual or other partnerships in pursuit of the organisation's objects	Chair/Treasurer Chief Executive Monitored by the Finance committee				
Authorise signing for data protection registration	Chief Executive		Chief Executive's job description		