National Scheme of Financial Delegation to Employees

Summary: This document outlines the principles that support the scheme of financial delegation to the employees of the LSC and the framework of authorities within which they must operate. All employees of the LSC must ensure that they only commit the LSC to those services and expenditures for which they have specific responsibility and authority.

Approved January 2007
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1 INTRODUCTION

1.1 The Learning and Skills Act 2000 (the Act) provides the framework for the delegation of functions by the LSC. The Act provides that the Council can authorise the Chief Executive to exercise such of its functions as it may determine. Where the Chief Executive is authorised to exercise a function he may authorise an employee of the Council to exercise it on his behalf.

1.2 The Council has delegated to the Chief Executive the authority to exercise certain financial and managerial functions. These delegations have been summarised by the Council Solicitor and agreed by Management Group. A summary is attached at Annex A and details which of the delegations can be further delegated to employees.

1.3 Schemes of financial delegation form an integral part of the Learning and Skills Council’s Control Environment. No member of the LSC should undertake or authorise a transaction for which they do not have authority. It is the responsibility of managers to ensure that they have the appropriate level of authority to carry out their role.

1.4 This scheme of delegation sets out financial authorisation levels for various types of contract covering both programme and administration budgets. The Chief Executive, as accounting officer for the Council, is personally responsible to Parliament for the resources under his control, regardless of their source. During the annual budget setting process, budgets will be delegated to Regional and National Directors. Regional and National Directors may then delegate their own budget holder responsibility to their staff within the scope of their own authority, and subject to the constraints within this scheme.

1.5 In order to make this Scheme of Financial Delegation effective, this document sets out:
- the principles underpinning the LSCs approach to financial delegations,
- the rules that underpin the LSC’s approach to financial delegations,
- a summary of executive delegations (Annex A)
- a guide to transaction limits that should be used as a default (Annex B),
- a template letter for notifying staff of their delegated authority (Annex C), and
- a template scheme of delegation table (Annex D).
1.6 In order to demonstrate financial delegations, letters of delegation must cascade down from the Chief Executive to all those who have delegated authority. The diagram above shows how these letters make up the Scheme of Delegation. An example letter is at Annex C. These letters must be signed by both the person doing the delegating, and the person to whom the delegation is being given. This confirms acceptance of the delegated authority. At this point managers should ensure that the person to whom they are delegating fully understands the limits within which they must operate. All those with delegated authority must be able to recognise the types of transactions that require countersigning, for example signing contracts or agreeing capital expenditure, as explained in the appropriate guidance.

Delegation letters must be sent to the Financial Policy team at National Office to ensure the accurate maintenance of the actual Scheme of Delegation. This will be important in order that payments can be made as appropriate. All payments authorisation signatures are checked before payment is made.

1.7 Financial delegations are specific to a post rather than to an individual. Secondees or agency staff covering a post that has delegated authority under this scheme can exercise that delegation in the same way as an LSC employee.

1.8 Financial delegations should be agreed at the time of agreeing objectives and forward job plans.
Delegation Example

CHIEF EXECUTIVE

Delegating responsibility for funding the work of resources and finance. GAE delegations

DIRECTOR OF RESOURCES

Delegating authority for Finance Directorate expenditure and authorisation roles. GAE Delegations

DIRECTOR OF FINANCE

Delegating responsibility for authorising Payment runs. GAE delegations

DIRECTOR OF ASC

GAE Delegations

TREASURY TEAM LEADER
2 PRINCIPLES SUPPORTING THE SCHEME

2.1 The Scheme of Financial Delegation to Employees is based on a set of principles. Adherence to these principles will ensure that financial delegations are effective and adequately controlled. The principles are set out below:

- All delegations to LSC employees come from the Chief Executive to whom the Council has delegated certain functions and who, as Accounting Officer for the LSC, is personally accountable to Parliament.

- All financial delegations must be compatible with the scheme of delegation to National and Regional Directors and can only be top down.

- Only those employees of the LSC who have been delegated a budget or have formal delegated authority to commit expenditure can delegate further.

- LSC staff do not have authority to commit or spend funds outside of the scheme of delegation.

- Within the scheme of delegation there are three specific activities that require authority to deliver;
  - Authority to commit expenditure within the terms of the Financial Memorandum between DfES and the LSC,
  - Authority to authorise expenditure that has been previously committed,
  - Authority to physically sign off payment runs.

- Line managers must have specific delegated authority to authorise general admin expenditure (GAE) such as Travel and Subsistence.

- No individual is permitted to authorise their own expenditure.

- All expenditure should comply with the Financial Memorandum between the Department for Education and Skills and the LSC.

- All expenditure must be within the powers of the LSC as set out in the Learning and Skills Act and related to the LSC’s stated priorities and objectives.

- Although the person delegating remains accountable, delegation of authority implies that responsibility for managing associated risks has also been delegated.
● Delegated authorities should be recorded and maintained appropriately.

● All National and Regional Directors must maintain a record of the authorities they have delegated to other LSC employees.

● All delegations should be reflected in individual performance and objective plans.

● Individuals should hold a record of the authorities that have been delegated to them.

● All access levels to LSC financial systems should reconcile to delegated authorities.

● All delegation arrangements should be reviewed annually.
3 UNDERLYING RULES

The rules that underpin the LSC’s approach to delegations are as follows:

3.1 Business Continuity

3.1.1 When employees with delegated authority are absent from work, there will need to be contingency arrangements put in place.

For Planned Absences

3.1.2 In all cases where an authorising officer knows they will be absent for a period of 5 days or more temporary authority should be delegated to a suitable person. Such temporary, time limited delegations should be notified to Finance.

For Unplanned Absences

3.1.3 In order to avoid disruption to normal business the following contingency arrangements will apply:

- In the absence of the Chief Executive all transactions requiring Chief Executive’s authority which cannot await his return, should be authorised by a member of the Management Group and countersigned by the Director of Finance. Details of all such transactions should be recorded and brought to the Chief Executive’s attention on his return.

- In the absence of a National Office Group Director, all transactions requiring that Director’s authority which cannot await his/her return, should be authorised by a member of the Group’s Management team and countersigned by the Director of Finance. Details of all such transactions should be recorded and brought to the Group Director’s attention on his/her return.

- In the absence of a Regional Director, all transactions requiring that Regional Director’s authority which cannot await his/her return, should be authorised by a member of the Region’s Management team and countersigned by the Regional Director of Finance and Resources. Details of all such transactions should be recorded and brought to the Regional Director’s attention on his/her return.

- For all other staff, reference should be made to the appropriate Group or Regional Director to authorise contingency arrangements.

3.2 The Budget Holder

3.2.1 The budget holder has specific responsibility for authorising expenditure within the constraints of this scheme of delegation. Budget holders approve purchase orders or contracts which must have been subject
to appropriate procurement arrangements and be within the financial limits of their delegated authority.

3.2.2 All transactions must follow the national procedures for procurement set out in the Procurement Guide.

3.2.3 A requisitioner cannot also be a budget holder. Requisitioners are responsible for originating purchase requests or inputting contract allocations within the relevant systems for subsequent authorisation of the budget holder. Requisitioners are also the receivers of goods or services and approve the quality and/or quantity of the receipt.

3.2.4 All delegated budgetary authority is limited to the total amount available in the budget, taking into account all prior commitments. The purchase request must be approved by the budget holder (or his/her duly authorised alternative). Before approving the purchase request, the budget holder must confirm that there are adequate funds remaining in the budget to meet the commitment.

3.3 Contract Signing, Authorisation and Variation

3.3.1 In the interim, only those with adequate authority can sign contracts which should be countersigned in accordance with LSC procedure. Long term arrangements will be clarified within the strategic procurement review.

3.4 Budget Transfers

3.4.1 These are strictly controlled by Finance Directorate (National/Regional as appropriate and in accordance with the annual Grant Letter and rules agreed with DfES). Details of the rules are contained within the Budget Management Policy document.

3.5 VAT

3.5.1 All values listed in the scheme are inclusive of VAT. National guidance is available in the document VAT Guide for the Learning and Skills Council.

3.6 Capital

3.6.1 Capital expenditure relates to any expenditure above the threshold of £5,000 for an individual asset and £1,000 for individual assets grouped together to form a collective asset and where the asset purchased has a life of more than a year. This is subject to separate national capital control procedures.

3.7 Information Communication Technology

3.7.1 All IT and Communications expenditure is agreed by the Director of Information and Management.
3.8 Land, Property and Accommodation

3.8.1 All land, property and accommodation expenditure is agreed and managed by the Director of Corporate Property and Facilities Management.

3.9 The Public Contracts Regulations 2006

3.9.1 All LSC expenditure on programmes (except FE funding subject to Grant-in-aid through a Financial Memorandum and some grants) and goods and services are subject to the new consolidated EU procurement Directives set out in The Public Contracts Regulations 2006 (the Regulations). All agreements must be let on a competitive basis. In all cases procurement and tendering is completed by the relevant National or Regional Procurement Team.

3.10 Guidance on when to use purchase orders or contracts

3.10.1 Guidance on procurement is available from the relevant National or Regional Procurement Team.

3.11 Framework Agreements

3.11.1 Framework agreements are set up by National or Regional Procurement Teams. Approved suppliers are given framework agreements and area offices call off goods or services under the agreement terms. Advice on using framework agreements is available from the appropriate National or Regional Procurement Manager. Framework agreements currently in place can be found for:

- General Stationery
- Corporate Stationery
- Rail and Air Travel
- Hotels & Conferences
- Car Hire/Lease and Insurance
- Temporary Staff

3.11.2 Only in exceptional circumstances should we use any other supplier other than those on framework agreements, which denote preferred suppliers. Where more than one supplier is listed within a framework agreement and are capable of supplying the service or goods needed then you may select one supplier or invite all suppliers on the framework to provide written quotations. Receipt and safe custody of quotes should be treated in the same way as tenders. Evidence of selection of supplier must be maintained to show that the best value for money quote was used as a basis of any purchase made, taking into consideration issues of quality, specialist knowledge etc.

3.12 Programme Budgets

3.12.1 Programme budgets are set as part of the annual planning and allocation approval process.
3.12.2 Agreements with providers must be let on a competitive basis and are subject to the specific guidance issued.

3.12.3 All staff must adhere to the financial limits included within the budget setting and allocations process.

3.12.4 Authority to set the annual allocation of programme funding and any virement of funds is only held by the Regional Director, Director of Finance and National Director of Resources, subject to national rules.

3.13 Grants

3.13.1 Provision of grants must be accompanied by a formal grant letter in accordance with the specific guidance issued.

3.14 Single Tenders

3.14.1 Single tenders are only used in exceptional circumstances for both programmes and goods and services expenditure. The Council does not encourage single tendering and there are stringent authorisation limits. Single tenders can never be used where the value of the contract exceed the thresholds under the Regulations.

3.14.2 If the budget holders wish to seek a single tender, a business case must be constructed with reference to separate guidance, which must be strong enough to satisfy the authorising officer. Guidance on completing a business case is available from the National or Regional Procurement Teams.

3.15 Government Procurement Card

3.15.1 A cardholder does not necessarily have to have delegated budget authority, however it is the delegated budget holder’s responsibility that the use of the card complies with LSC guidance and purchases made using a card are within the limit of the budget and authority level. Multiple transactions to circumvent the financial limits placed upon the Government Procurement Card are not allowed.

3.15.2 New cardholder applications need senior management approval, normally not below director level.

3.15.3 All cardholder and budget holders must adhere to the guidance in the VisaCard Card Holders and Approvers Manual. All purchases are to be reconciled to monthly statements, checked by the cardholder and approved by the budget holder using the electronic system.

3.15.4 A register and documentation of authorities for procurement card holders should be maintained at Group and Regional offices.
3.16 Losses and Special Payments

3.16.1 All losses and special payments (extra contractual) can only be authorised by the Chief Executive. No other employee has any authority to write off or reduce a debt that is properly owed to the LSC. A record of losses and special payments that have been referred to the Chief Executive should be maintained locally. A national record will be maintained by Finance Directorate.

3.17 Disposals and change in use of assets

3.17.1 The Regional Facilities Manager is responsible for all administration relating to disposals and change in use of assets. No other employee has any authority to dispose of an asset owned by the LSC.

3.17.2 The asset register is maintained by Corporate Property and Facilities.

3.18 Authorisation of gifts

3.18.1 Before accepting a gift or hospitality explicit approval should be gained from line managers. Gifts received by an employee must be recorded in the Register of Gifts and Hospitality, in accordance with the national financial policy. Gifts over the value of £50 should normally be refused. The register of gifts and hospitality is to be examined at least once a year and signed off by the appropriate Director.

3.18.2 For the LSC to give a gift, prior approval must be given by the Chief Executive. An application should be sent to Head of Legal and Governance, who will advise the Chief Executive. Any gift given by the LSC should not exceed more than £30.

3.18.3 More details can be found within the LSC documents *Hospitality Received and Gifts* and *Guidance on Hospitality*.

3.19 Capital Expenditure

3.19.1 All delegations associated with capital expenditure are subject to the delegation rules as laid down by the Capital Committee.
4 FINANCIAL GUIDANCE

4.1 This scheme of delegation is supported by a number of more detailed guidance documents, all available on Finance Online and covering the following areas:

- Budget Management Policy
- Capital Expenditure, Fixed Assets and Inventory Control
- Costs Chargeable to Programme Budgets
- Funding Assets for Other Organisations
- Hospitality
  - Guidance on Hospitality
  - Hospitality Received & Gifts
- Income Generation
- Insurance
- Late Payment Policy & Legislation
- Petty Cash
- Procurement Guide
- Provider Losses Relating to Providers of Education & Training
- Providing Financial Support to Providers of Education & Training
  - Action on Providers in Poor Financial Health
  - Borrowing Consents
  - Ending Funding Agreements with Providers
  - FE Colleges Requests for Exceptional Funding
  - Consent for FE Colleges to Invest in Companies
  - Recovery Plans at FE Colleges
- Reporting Losses, Theft, Fraud & Special Payments
- Responding to Fraud
  - Policy Statement on Financial Irregularity
  - Response to Financial Irregularity
- TEC Legacy Funds
- Travel & Subsistence Guide
• VAT
• VISA Cardholders and Approvers Manual
5 OPERATIONAL DELEGATIONS

As with Financial Delegations all other operational delegations must comply with LSC rules and regulations, all of which are available from AskHR. Specific Areas where LSC rules and regulations apply include:

- Absences
- Overseas Travel
- Staffing Levels
- Staff Performance Monitoring
- Overtime, Reimbursement of Expenses and Attendance at External Events
- Staff Development
- Subscriptions
- Ensuring Compliance with Health and Safety Policies
- Paid and Unpaid Leave
- Management of office facilities and equipment
- Determination of staff grievances
- Discipline, suspension and/or dismissal of employees.
### SCHEME OF EXECUTIVE DELEGATIONS
(as approved by Chief executive and Management Group)

<table>
<thead>
<tr>
<th>Functions delegated by the Council to the Chief Executive</th>
<th>Terms of delegation</th>
<th>Delegations from the Chief Executive to other employees</th>
<th>Additional Terms of Delegation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authority to agree education and training programmes to be funded by the LSC</td>
<td>In accordance with directions and conditions of funding imposed by the Secretary of State and the Council’s Annual Statement of Priorities and subject to s96 and s97 of the Learning and Skills Act.</td>
<td>Authority to agree programmes with national coverage, National Director Skills; National Director of Learning.</td>
<td>Following consultation with Regional Directors</td>
</tr>
<tr>
<td>Authority to agree programmes to encourage individuals to undergo post-16 education and training to be funded by the LSC</td>
<td>In accordance with directions and conditions of funding imposed by the Secretary of State and the Council’s Annual Statement of Priorities</td>
<td>Authority to agree programmes with national coverage National Director of Learning.</td>
<td>Following consultation with Regional Directors</td>
</tr>
<tr>
<td>Authority to agree programmes to encourage employers to participate in the provision of education and training to be funded by the LSC</td>
<td>In accordance with directions and conditions of funding imposed by the Secretary of State and the Council’s Annual Statement of Priorities</td>
<td>Authority to agree programmes with national coverage National Director of Skills.</td>
<td>Following consultation with Regional Directors</td>
</tr>
</tbody>
</table>

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Annex A
<p>| Authority to secure proper and reasonable provision, | In accordance with Secretary of State’s conditions and directions | Authority to agree a clear and robust Annual Statement of Priorities and framework for local and provider planning and funding | Following consultation with Council, Statutory Committees, National and Regional Directors |
| Authority to agree programmes to provide work experience for young persons | In accordance with directions and conditions of funding imposed by the Secretary of State and the Council’s Annual Statement of Priorities | Authority to agree programmes with national coverage National Director of Learning Authority to agree funding for provision and / or programmes delivered regionally Regional Directors | Following consultation with National Directors |
| Authority to determine funding rates for education and training programmes. | In accordance with directions and conditions of funding imposed by the Secretary of State | National Director of Resources | Following consultation with National and Regional Directors (need to make assessment of impact on policy) |
| Authority to agree programme expenditure | | National and Regional Directors | Within the limits of their delegated budgets and in accordance with Financial Regulations |
| Authority to determine conditions funding | | National Director of Resources | Following consultation with National and Regional Directors and in accordance with financial memorandum |
| Authority to develop and implement process for the assessment of the performance of persons providing post-16 education and training | National Director of Learning | with DfES |
| Authority to determine research to be carried out | National Director Strategy and Communications | After consultation with National and Regional Directors |
| Authority to establish the systems for collecting information to support the exercise of the LSC’s functions | National Director Resources | After consultation with National and Regional Directors |
| Authority to secure the provision of information advice and guidance about education training and connected matters. | Authority to agree programmes with national coverage National Director of Learning | Following consultation with Regional Directors |
| | Authority to agree funding for provision and / or programmes delivered regionally Regional Directors | |
| Authority to agree programmes with national coverage National Director of Learning | Authority to agree funding for provision and / or programmes delivered regionally Regional Directors | Following consultation with National Directors and in accordance with local plans |
| Decisions on applications for capital funding up to £5million | Taking into account the recommendation of the independent appeals panel. | Regional Directors |
| Decisions on applications for residential placements for learners with learning difficulties | | Subject to right of appeal where final decision will be taken by the Chief Executive |
| Authority to determine applications for capital funding up to £5million | | |
| Acquisition and disposal of land and other property | National Director of Resources | After consultation with Regional Directors |
| Entering into contracts for the provision of goods and services to the LSC | National and Regional Directors | In accordance with financial limits |
| Authority to determine the organisation structure including number and grades of staff | Subject to endorsement by the Council | Director of Human Resources | After consultation with National or Regional Directors |
| Authority to determine conditions of employment | Subject to approval by the Secretary of State | Director of Human Resources | |
| Authority to appoint and dismiss staff | | National and Regional Directors within their Directorates and Regions | |
| Authority to authenticate the Council seal | | Head of Legal and Governance | |
| Authority to commence and defend legal proceedings on behalf of the Council | | Head of Legal and Governance | |
| Approval of the Accounts | | National Director of Resources | |
| Writing off sums owed to the Council | Subject to the terms of the Financial Memorandum with the Department | | |
| Authority to give notice to the governing body of a Further Education Institution to provide education to | | Regional Directors | |</p>
<table>
<thead>
<tr>
<th>Description</th>
<th>Authority</th>
<th>After consultation</th>
</tr>
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<tbody>
<tr>
<td>individuals who are over 16 and under 19</td>
<td>National Director of Resources</td>
<td>Regional Directors</td>
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<tr>
<td>Authority to give consent to a Further Education Corporation to borrow money</td>
<td></td>
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<tr>
<td>Authority to give consent to a Further Education Corporation to participate in a company the purpose of which is to provide education funded wholly or partly by the LSC</td>
<td>Regional Directors</td>
<td></td>
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</table>
**DELEGATION LIMITS**  *(TO BE USED AS A GUIDE ONLY; TO BE SET BY REGIONAL/NATIONAL DIRECTOR IN LIGHT OF SPECIFIC GUIDANCE IN AREAS OF PROCUREMENT, CAPITAL ETC)*

All delegations are subject to the limit of authorised, allocated budgets.

<table>
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<tr>
<th>Position in Organisation</th>
<th>TRANSACTION LIMITS</th>
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<tbody>
<tr>
<td></td>
<td>SINGLE TENDER LIMIT</td>
<td>GAE</td>
<td>PROGRAMME</td>
<td>CAPITAL</td>
<td>WRITE OFF</td>
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<td>CHAIRMAN</td>
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<td>CHIEF EXECUTIVE</td>
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<td>GROUP DIRECTOR</td>
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<td>REGIONAL DIRECTOR</td>
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<td>FINANCE DIRECTOR</td>
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<tr>
<td>PAY BAND 5 DIRECTORS</td>
<td>NO AUTHORITY</td>
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<tr>
<td>PAY BAND 4 DIRECTORS</td>
<td>NO AUTHORITY</td>
<td>30,000</td>
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<tr>
<td>PAY BAND 3 B</td>
<td>NO AUTHORITY</td>
<td>10,000</td>
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<tr>
<td>PAYBAND 3 A</td>
<td>NO AUTHORITY</td>
<td>5,000</td>
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<tr>
<td>PAYBAND 2 C</td>
<td>NO AUTHORITY</td>
<td>1,000</td>
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<td></td>
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<tr>
<td>PAYBAND 2 A/B</td>
<td>NO AUTHORITY</td>
<td>500</td>
<td>0</td>
<td></td>
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<tr>
<td>PAYBAND 1</td>
<td>NO AUTHORITY</td>
<td>0</td>
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These limits are for guide purposes. However, before breaching any of the above you should refer to appropriate regulations. You will be expected to record your justification where proposed delegations materially differ from the above guide.
Model financial delegation letter

To:

From:

cc:

Delegated Financial Authority for Financial Year ____/____

This is to confirm that I am formally delegating to you responsibility for the following budget expenditure.

<table>
<thead>
<tr>
<th>EXPENDITURE TYPE</th>
<th>DESCRIPTION</th>
<th>Annual Budget £</th>
<th>Single Transaction Value £</th>
<th>Additional Terms of Delegation</th>
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<tbody>
<tr>
<td>GAE or programme? If programme, identify</td>
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<td>ie; can be further delegated, must be countersigned etc</td>
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This is to confirm that I am formally delegating to you responsibility for the following managerial and operational responsibilities:

- Staff performance management
- Ensuring compliance with Health and Safety
- Paid and unpaid Leave
- Determination of staff grievances

You are reminded that you must comply with the current scheme of delegation, with current LSC regulations and guidance.

You will be required at various times in the year (at least annually) to confirm that you have complied with the above table and that any expenditure that you have incurred was in line with LSC procedures and that due regard for achieving value for money was maintained.

You are further reminded that you are expected to act lawfully at all times.

Where you further delegate responsibilities for elements of the above budgets you must ensure that the person(s) to whom you delegate authority is...
reminded of the need to comply with LSC regulations and guidance and of the need to operate lawfully.

Unless otherwise amended or revoked, this authority remains in force while you occupy your current role with your present responsibilities. It will no longer be valid should you transfer to another post. I look to you to seek approval from me for any necessary changes to this authority.

Signed: 

Date: 

Full Name: 

Position: 

Delegation Accepted by

Signed: 

Date:

Full Name: 

Position: 

Note: A copy of this memo should be sent to the Financial Policy Team, National Office to ensure that any system capabilities etc are set in accordance with these delegations.
Summary of budget delegations from Regional/National Director

Scheme of Delegation Table for Financial Year ____/____

Group/Region Name:

Director’s Name:

I confirm that the delegations listed below are compatible with the delegations I have received from the Chief Executive

<table>
<thead>
<tr>
<th>TYPE</th>
<th>ACCOUNT CODE</th>
<th>DESCRIPTION</th>
<th>NAME</th>
<th>POSITION</th>
<th>ANNUAL BUDGET</th>
<th>SINGLE TRANSACTION VALUE</th>
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Signed: Date:

Please maintain a copy of this schedule for your Regional/Group records and forward a copy to the Financial Policy Team, National Office.