

Standing Orders and Standing Financial Instructions (SOFI) and Counter Fraud Policy – Review and Amendments

For: Noting and approval

Summary: All of these items form parts of the Trust's "Corporate Governance manual".

The SOFI confers duties of care and responsibility to everyone employed by the Trust to act in line with the provisions contained within it to ensure the proper functioning of the Trust and to avoid the risk of business failure.

The SOFI is a live document and is reviewed annually to bring it up to date to reflect the current business activity and processes of the Trust.

A list of the reviews and subsequent changes made to the SOFI's, to date, are imbedded below as well as the current version of the full set of SOFI document itself (with the changes made).

A final version of the SOFI will be made available to the Board in Jan 12.

In addition the revised Counter Fraud Policy is attached.

All of these items were approved at the AAC as complete and for submission to the Board.

Please Note: Board members need not print out the full manual (it has 181 pages) unless they want to check detail – all amendments are listed in the attachments.

Documents attached:

1. List of changes to SFI:



SFI_List of
Changes.xls

2. List of changes to SOs:



SO_List of
Changes.xls

3. Full current version of SOFI document:



Corporate
Governance Manual

4. Revised Counter Fraud Policy

Action: The Board is asked to note and approve revised SFIs , SOs and Counter Fraud Policy.

Presented by: Paul Simpson, Chief Financial Officer.
Author: Paul Simpson, Chief Financial Officer.

Trust objective: **Better Information, More Choice**
This paper supports delivery of all Trust objectives, but links specifically to 6: An Effective Organisation

**What are the legal considerations and implications linked to this item?
Please name relevant act:**

NHS Trusts are governed by Act of Parliament Most health legislation made since 1977 has been summarised within three Acts of Parliament: The National Health Service Act 2006; The National Health Service (Wales) Act 2006; and the National Health Service (Consequential Provisions) Act 2006.

Legal: The functions of the Trust are conferred by this legislation.
As a statutory body, the Trust has specified powers to contract in its own name and to act as a corporate trustee. In the latter role it is accountable to the Charity Commission for those funds deemed to be charitable as well as to the Secretary of State for Health.
The Trust also has statutory powers under the legislation to fund projects jointly planned with local authorities, voluntary organisations and other bodies.

What aspect of regulation applies and what are the outcome implications?

The Code of Accountability requires the Trust to adopt Standing Orders for the regulation of its proceedings and business. The Trust must also adopt Standing Financial Instructions (SFIs) as an integral part of Standing Orders setting out the responsibilities of individuals.

Regulation: Further, the Code of Accountability requires that, inter alia, Boards draw up a schedule of decisions reserved to the Board, and ensure that management arrangements are in place to enable responsibility to be clearly delegated to senior executives (a scheme of delegation). The code also requires the establishment of audit and remuneration committees with formally agreed terms of reference. The Codes of Conduct makes various requirements concerning possible conflicts of interest of Board members.