

NHS GOLDEN JUBILEE SPONSORSHIP FRAMEWORK DOCUMENT

SCOTTISH GOVERNMENT HEALTH AND SOCIAL CARE
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Introduction

1. This framework document has been drawn up by the Scottish Government (“SG”) in consultation with The National Waiting Times Centre Board (more commonly known as “NHS Golden Jubilee”). It sets out the broad framework within which NHS Golden Jubilee will operate and defines key roles and responsibilities which underpin the relationship between NHS Golden Jubilee and the SG. While this document does not confer any legal powers or responsibilities, it forms a key part of the accountability and governance framework and should be reviewed and updated as necessary, and at least every 2 years. Any proposals to amend the framework document either by the SG or NHS Golden Jubilee will be taken forward in consultation and in the light of SG priorities and policy aims. Any question regarding the interpretation of the document shall be determined by the SG after consultation with NHS Golden Jubilee. Legislative provisions shall take precedence over any part of the document.

2. References to NHS Golden Jubilee include any subsidiaries and joint ventures owned or controlled by NHS Golden Jubilee. NHS Golden Jubilee has a national portfolio and the Chief Executive is accountable officer for:

- Golden Jubilee University National Hospital
- NHS Scotland Academy
- National Centre for Sustainable Delivery
- Golden Jubilee Research Institute
- Golden Jubilee Conference Hotel

NHS Golden Jubilee shall not establish subsidiaries or enter into joint ventures without prior notification to the SG.

3. Copies of the document shall be placed in the Scottish Parliament Reference Centre. It shall also be published on the Scottish Government and NHS Golden Jubilee websites.

Purpose

4. NHS Golden Jubilee is to contribute to the achievement of the Scottish Ministers’ objectives and priorities by aligning its aims and objectives with the [National Performance Framework](#), [Scotland’s National Strategy for Economic Transformation](#) and [Programme for Government](#).

5. In pursuing this, NHS Golden Jubilee will principally contribute to the National Outcome that *people are healthy and active*. Activity to deliver this outcome will align with the National Outcome that *people value, enjoy, protect and enhance our environment* in pursuit of its commitment to deliver a net zero health service by 2040.

6. Under the National Health Service (Scotland) Act 1978, NHS Golden Jubilee has the statutory responsibility to provide or arrange for the provision of a range of healthcare, health improvement and health protection services.

7. NHS Golden Jubilee's corporate objectives support the NHS Golden Jubilee's vision to be a high performing, person centred and innovative organisation supporting sustainable recovery and transformation.

8. NHS Golden Jubilee works collaboratively with colleagues across the NHS, academia and industry to ensure the continued development of high quality, sustainable, person-centred healthcare.

National/Regional Collaboration:

- Actively progress the delivery of the Health & Social Care Delivery Plan.
- Progress delivery of the National Clinical Strategy and implement Realistic Medicine.
- A lead role in the planning and implementation of the National Treatment Centres.
- Develop collaborations with strategic partners to support public sector reform, including Academia, Local Authorities, third sector and industry.
- Develop and deliver a collective National Board delivery plan.
- Contribute to and implement the Regional Delivery Plans.
- Collaborate with NHS boards to ensure best use of facilities and workforce across NHS Scotland and NHS Golden Jubilee facilities, capability and capacity.

9. This Sponsorship Framework will support:

- an effective, strategic working arrangement between NHS Golden Jubilee and SG based on a shared understanding of respective roles and responsibilities;

- risk management arrangements that allow both parties to effectively identify and alert the other to risks and potential areas of tension;
- a clear two-way communication channel between the organisations;
- a robust system for agreeing NHS Golden Jubilee’s priorities, which includes a view of the priorities and resources for the future;
- a constructive dialogue and input to the formulation of SG policy and initiatives; and
- the further strengthening of our relationship based on openness, honesty, learning support and constructive challenge.

Governance and accountability

Legal origins of powers and duties

10. NHS Golden Jubilee (the commonly used name of the National Waiting Times Centre Board) was constituted by order of the Scottish Ministers under and in terms of the National Waiting Times Centre Board (Scotland) Order 2002, exercising powers contained in sections 2(1) (b), (1A), (1B) and (1C) and 105(7) of the National Health Service (Scotland) Act 1978. NHS Golden Jubilee is a special health board. It is one of the organisations which form part of NHS Scotland (NHSS). NHS Golden Jubilee does not carry out its functions on behalf of the Crown.

Ministerial responsibilities

11. Scottish Ministers are ultimately accountable to the Scottish Parliament for the activities of NHS Golden Jubilee and its use of resources. They are not however responsible for day to day operational matters. Their responsibilities include:

- agreeing NHS Golden Jubilee’s strategic aims and objectives and key targets as part of the corporate planning process
- agreeing the budget and the associated grant in aid requirement to be paid to NHS Golden Jubilee, and securing the necessary Parliamentary approval
- carrying out responsibilities specified in eg the Public Finance and Accountability (Scotland) Act 2000, and The Health Boards (Membership and Procedure) (Scotland) Regulations 2001, such as appointments to NHS Golden Jubilee’s board, approving the terms and conditions of board members, and appointment of the chief executive/accountable officer.
- other matters such as approving NHS Golden Jubilee’s chief executive and staff pay remit in line with SG [Pay Policy](#) and laying the accounts (together with the annual report) before the Parliament

NHS Golden Jubilee Board Responsibilities

12. The NHS Golden Jubilee Board, including the chair, consists of non-executive and executive members appointed by the Scottish Ministers in line with the [Code of Practice](#) for Ministerial Public Appointments to Public Bodies in Scotland. The role of the board is to provide leadership, direction, support and guidance to ensure the body delivers and is committed to delivering its functions effectively and efficiently and in accordance with the aims, policies and priorities of the Scottish Ministers. It has corporate responsibility, under the leadership of the chair, for the following:

- taking forward the strategic aims and objectives for the body agreed by the Scottish Ministers
- determining the steps needed to deal with changes which are likely to impact on the strategic aims and objectives of NHS Golden Jubilee or on the attainability of its operational targets
- promoting the efficient, sustainable, economic and effective use of staff and other resources by NHS Golden Jubilee consistent with the principles of [Best Value](#), including, where possible, participation in shared services arrangements
- ensuring that effective arrangements are in place to provide assurance on risk management (including in respect of personnel, physical and cyber risks/threats/hazards), governance and internal control. The board must set up an [audit committee](#) chaired by a non-executive member to provide independent advice and assurance on the effectiveness of the internal control and risk management systems

- ensuring that effective arrangements are in place to provide assurance that NHS Golden Jubilee's statutory duties (for instance in regard to the National Health Service (Scotland) Act 1978, and the National Health Service Reform (Scotland) Act 2004) are discharged. In practice this will be achieved by the establishment of a Clinical Governance Committee and a Staff Governance & Person Centred Committee, with remits sufficient to provide the assurance required for the effective discharge of the Board's statutory responsibilities
- ensuring that effective arrangements are in place to provide assurance that NHS Golden Jubilee's strategic priorities, and its effective financial and operational management, are adequately resourced and discharged. This may be achieved by the establishment of governance committees of NHS Golden Jubilee with remit sufficient to provide that assurance
- in reaching decisions, taking into account relevant guidance issued by the Scottish Ministers
- approving the annual accounts and ensuring Scottish Ministers are provided with the annual report and accounts to be laid before the Scottish Parliament. The chief executive as the Accountable Officer of the public body is responsible for signing the accounts and ultimately responsible to the Scottish Parliament for their actions
- ensuring that the board receives and reviews regular financial information concerning the management and performance of NHS Golden Jubilee and is informed in a timely manner about any concerns regarding the activities of NHS Golden Jubilee
- appointing with the approval of the Scottish Ministers NHS Golden Jubilee Chief Executive, following appropriate approval of the chief executive's remuneration package in line with [SG Pay Policy for Senior Appointments. New contracts for chief executives should include a notice period of no more than 3 months. Where a business case can be made, the notice period may be set at a maximum of 6 months.](#) In consultation with the SG, appropriate performance objectives should be set which give due weight to the proper management and use of resources within the stewardship of NHS Golden Jubilee and the delivery of outcomes
- demonstrating high standards of corporate governance at all times, including openness and transparency in its decision making.

13. Further guidance on how the board should discharge its duties is provided in appointment letters and in [On Board – A Guide for Members of Statutory Boards](#).

The Chair's Responsibilities

14. The chair is accountable to the Scottish Ministers and, in common with any individual with responsibility for devolved functions, may also be held to account by the Scottish Parliament. Communications between the NHS Golden Jubilee Board and the Scottish Ministers should normally be through the chair. The chair is responsible for ensuring that NHS Golden Jubilee's policies and actions support the Scottish Ministers' wider strategic policies and that its affairs are conducted with probity.

15. In leading the board the chair must ensure that:

- the work of the board is subject to regular self-assessment and that the board is working effectively
- the board, in accordance with recognised good practice in corporate governance, is diverse both in terms of relevant skills, experience and knowledge appropriate to directing NHS Golden Jubilee business, and in terms of protected characteristics under the Equality Act 2010 and the [Gender Representation on Public Boards \(Scotland\) Act 2018](#) and [Guidance](#), where these apply
- the board members are fully briefed on terms of appointment, duties, rights and responsibilities
- they together with the other board members, receive appropriate induction training, including on financial management and reporting requirements, severance policy and, as appropriate, on any differences that may exist between private and public sector practice
- succession planning takes place to ensure that the board is diverse and effective, and the Scottish Ministers are advised of NHS Golden Jubilee needs when board vacancies arise
- there is a code of conduct for board members in place, approved by the Scottish Ministers.

16. The chair assesses the performance of individual board members on a continuous basis and undertakes a formal appraisal at least annually. The chair, in consultation with the board as a whole, is also responsible for undertaking an annual appraisal of the performance of the chief executive.

Individual Board Members' Responsibilities

17. Individual board members should act in accordance with the responsibilities of the board as a whole and comply at all times with the code of conduct adopted by NHS Golden Jubilee and with the rules relating to the use of public funds and to conflicts of interest. (In this context "public funds" means not only any funds provided to NHS Golden Jubilee by the Scottish Ministers but also any other funds falling within the stewardship of NHS Golden Jubilee, including trading and investment income, gifts, bequests and donations.) General guidance on board members' responsibilities is summarised in their appointment letters and is also provided in [On Board](#).

NHS Golden Jubilee Chief Executive responsibilities

18. The NHS Golden Jubilee Chief Executive is employed by NHS Golden Jubilee following their approval by Scottish Ministers. They are the board's principal adviser on the discharge of its functions and are accountable to the board. Their role is to provide operational leadership to NHS Golden Jubilee and ensure that the board's aims and objectives are met and NHS Golden Jubilee's functions are delivered and targets met through effective and properly controlled executive action.

19. Their general responsibilities include the performance, management and staffing of NHS Golden Jubilee. General guidance on the role and responsibilities of the chief executive is contained in [On Board](#). Specific responsibilities to the board include:

- advising the NHS Golden Jubilee board on the discharge of its responsibilities - as set out in this document, in the founding legislation and in any other relevant instructions and guidance issued by or on behalf of the Scottish Ministers - and implementing the decisions of the NHS Golden Jubilee board.
- ensuring that financial considerations are taken fully into account by the board at all stages in reaching and executing its decisions, and that appropriate financial appraisal and evaluation techniques, consistent with the [Appraisal and Evaluation](#) section of the [Scottish Public Finance Manual](#) (SPFM), are followed.
- ensuring that NHS Golden Jubilee adheres, where appropriate, to the SG's [Programme and project management principles](#).
- having robust performance and risk management arrangements - consistent with the [Risk Management](#) section of the SPFM - in place that support the achievement of NHS Golden Jubilee's aims and objectives and that facilitate comprehensive reporting to the board, the SG and the wider public. Risk management arrangements should include full consideration of organisational resilience to physical, personnel and cyber risks/threats/hazards.
- ensuring that adequate systems of internal control are maintained by NHS Golden Jubilee, including effective measures against fraud and theft consistent with the [Fraud](#) section of the SPFM.
- establishing appropriate documented internal delegated authority arrangements consistent with the [Delegated Authority](#) section of the SPFM.
- advising the board on the performance of NHS Golden Jubilee compared with its aims and objectives.
- preparing NHS Golden Jubilee's corporate and business plans, in the light of the strategic aims and objectives agreed by the Scottish Ministers.
- ensuring effective relationships with SG officials.
- ensuring that timely forecasts and monitoring information on performance and finance are provided to the SG; that the SG is notified promptly if over or under spends are likely and that corrective action is taken; and that any significant problems whether financial or otherwise, and whether detected by internal audit or by other means, are notified to the SG in a timely fashions

NHS Golden Jubilee Accountable Officer responsibilities

20. The Principal Accountable Officer for the Scottish Administration (the Permanent Secretary of the SG) will designate the chief executive as the Accountable Officer for NHS Golden Jubilee. Accountable Officers are personally answerable to the Scottish Parliament for the exercise of their functions, as set out in the [Memorandum to Accountable Officers for Other Public Bodies](#). These include:

- ensuring the propriety and regularity of NHS Golden Jubilee's finances and that there are sound and effective arrangements for internal control and risk management
- ensuring that the resources of the public body are used economically, efficiently and effectively, and that arrangements are in place to secure Best Value and deliver Value for Money for the public sector as a whole
- ensuring compliance with relevant guidance issued by the Scottish Ministers, in particular the SPFM and SG [Pay Policy](#)
- signing the annual accounts and associated governance statements
- a statutory duty to obtain written authority from the board/chair before taking any action which they considered would be inconsistent with the proper performance of the Accountable Officer functions. The Accountable Officer should also notify the relevant Portfolio Accountable Officer.

21. It is incumbent on the chief executive to combine their Accountable Officer responsibilities to the Scottish Parliament with their wider responsibilities to the board. The board / chair should be fully aware of, and have regard to, the Accountable Officer responsibilities placed upon the chief executive, including the statutory duty described above.

Portfolio Accountable Officer responsibilities

22. The Principal Accountable Officer for the Scottish Administration will designate the Director-General for Health and Social Care as the Accountable Officer for the SG portfolio budget for NHS Golden Jubilee. The responsibilities of a Portfolio Accountable Officer are set out in detail in the [Memorandum to Accountable Officers for Parts of the Scottish Administration](#). They are personally answerable to the Scottish Parliament for ensuring that:

- the financial and other management controls applied by the SG are appropriate and sufficient to safeguard public funds and, more generally that those being applied by NHS Golden Jubilee conform to the requirements both of propriety and of good financial management.
- the key roles and responsibilities which underpin the relationship between the SG and NHS Golden Jubilee are set out in a framework document - and that this document is regularly reviewed.
- effective relationships are in place at Director and Deputy Director level between the SG and NHS Golden Jubilee in accordance with the strategic engagement principles.
- there is effective continuous assessment and appraisal of the performance of the chair of NHS Golden Jubilee, in line with the requirements of the Code of Practice for Ministerial Public Appointments in Scotland.

Scottish Government Director and Deputy Director

23. The NHS Scotland Chief Operating Officer (COO) has responsibility for overseeing and ensuring effective relationships between the SG and NHS Golden Jubilee which support alignment of NHS Golden Jubilee's business to the SG's Purpose and National Outcomes and high performance by NHS Golden Jubilee. They will work closely with the NHS Golden Jubilee chief executive and be answerable to the Portfolio Accountable Officer for maintaining and developing positive relationships with NHS Golden Jubilee characterised by openness, trust, respect and mutual support. They will be supported by a sponsor unit in discharging these functions. The NHS Scotland COO shall be responsible for assessing the performance of the NHS Golden Jubilee chair at least annually.

Sponsor unit responsibilities

24. The SG sponsor unit for NHS Golden Jubilee is the Health Performance & Delivery Division, Directorate of NHS Scotland Chief Operating Officer. It is the normal point of contact for NHS Golden Jubilee in dealing with the SG. The unit, under the direction of the NHS Scotland COO, is the primary source of advice to the Scottish Ministers on

the discharge of their responsibilities in respect of NHS Golden Jubilee and undertakes the responsibilities of the Portfolio Accountable Officer on their behalf.

25. Specific responsibilities include:

- discharging sponsorship responsibilities in line with the principles and framework set out in the document '[Strategic Engagement between the Scottish Government and Scotland's Public Bodies](#)' and ensuring that sponsorship is suitably flexible, proportionate and responsive to the needs of the Scottish Ministers and NHS Golden Jubilee.
- ensuring that appointments to the NHS Golden Jubilee board are made timeously and, where appropriate, in accordance with the [code-practice](#) for Ministerial Appointments in Scotland.
- proportionate monitoring of NHS Golden Jubilee's activities through an adequate and timely flow of appropriate information, agreed with NHS Golden Jubilee, on performance, budgeting, control and risk management.
- addressing in a timely manner any significant problems arising in NHS Golden Jubilee, alerting the Portfolio Accountable Officer and the responsible Minister(s) where considered appropriate.
- ensuring that the objectives of NHS Golden Jubilee and the risks to them are properly and appropriately taken into account in the SG's risk assessment and management systems.
- informing NHS Golden Jubilee of relevant SG policy in a timely manner.

Internal audit

26. NHS Golden Jubilee shall:

- establish and maintain arrangements for internal audit in accordance with the [Public Sector Internal Audit Standards](#) and the [Internal Audit](#) section of the SPFM
- set up an audit committee of its board, in accordance with the [Audit Committees](#) section of the SPFM, to advise both the board and the chief executive in their capacity as the board Accountable Officer
- forward timeously to the SG the audit charter, strategy, periodic audit plans and annual audit assurance report, including the board Head of Internal Audit opinion on risk management, control and governance and other relevant reports as requested
- keep records of, and prepare and forward timeously to the SG an annual report on fraud and theft suffered by the board and notify the SG at the earliest opportunity of any unusual or major incidents.

27. The SG's Internal Audit Directorate has a right of access to all documents held by the board internal auditor, including where the service is contracted out. The SG has a right of access to all board records and personnel for any purpose.

External audit

28. The Auditor General for Scotland (AGS) audits, or appoints auditors to audit, the board's annual accounts and passes them to the Scottish Ministers who shall lay them before the Scottish Parliament, together with the auditor's report and any report prepared by the AGS. For the purpose of audit the auditors have a statutory right of access to documents and information held by relevant persons. The board shall instruct its auditors to send copies of all management reports (and correspondence relating to those reports) and responses to the SG.

29. The AGS, or examiners appointed by the AGS, may carry out examinations into the economy, efficiency and effectiveness with which the board has used its resources in discharging its functions. The AGS may also carry out examinations into the arrangements made by the board to secure Best Value. For the purpose of these examinations the examiners have a statutory right of access to documents and information held by relevant persons. In addition, the board shall provide, in contracts and any conditions to grants, for the AGS to exercise such access to documents held by contractors and sub-contractors and grant recipients as may be required for these examinations; and shall endeavour to secure access for the AGS to any other documents required by the AGS which are held by other bodies.

Annual report and accounts

30 NHS Golden Jubilee must publish an annual report of its activities together with its audited accounts after the end of each financial year. The annual report must cover the activities of any corporate, subsidiary or joint ventures under the control of the board. It should comply with the Government [Financial Reporting Manual](#) (FReM) and outline the board's main activities and performance against agreed objectives and targets for the previous financial year.

31. The accounts must be prepared in accordance with relevant statutes and the specific accounts direction (including compliance with the FReM) and other relevant guidance issued by the Scottish Ministers. Any financial objectives or targets set by the Scottish Ministers should be reported on in the accounts and will therefore be within the scope of the audit. Any subsidiary or joint venture owned or controlled by the board shall be consolidated in its accounts in accordance with International Financial Reporting Standards as adapted and interpreted for the public sector context.

32. The draft governance statement and significant issues letters should be submitted to the SG and the draft accounts for information, by 31st May each year. The final accounts should be submitted to SG by the 30th June each year in order for Scottish Ministers to lay them before parliament. Whilst the statutory date for laying and publishing accounts audited by the AGS is by 31 December, following the close of the previous financial year, there is an expectation on the part of the Scottish Ministers that accounts will be laid and published as early as possible. The accounts must not be laid before they have been formally sent by the AGS to the Scottish Ministers and must not be published before they have been laid. The board shall be responsible for the publication of the annual report and accounts.

Management responsibilities

Annual Delivery Plan (ADP)

33. NHS Golden Jubilee must ensure an ADP, agreed with the Scottish Ministers, is in place and published on the NHS Golden Jubilee website. The plan represents NHS Golden Jubilee's agreement with the Scottish Government on the key work to be undertaken in the coming financial year and the subsequent two years, and will be accompanied by a financial plan to support its delivery. The content of the plan and the timetable for its preparation and review will be agreed with the SG. The plan must reflect the statutory duties of NHS Golden Jubilee and detail key activity planned by the Board to support the delivery of safe and accessible treatment and care in line with ministerial priorities defined in the SG commission annually. The plan will demonstrate how NHS Golden Jubilee contributes to the achievement of the SG's purpose and supports the realisation of those outcomes contained in Scotland's [National Performance Framework](#) (NPF). The ADP should include:

- the purpose and principal aims (or mission) of NHS Golden Jubilee;
- an analysis of the environment in which NHS Golden Jubilee operates;
- key objectives and associated key performance targets for the period of the plan, the strategy for achieving those objectives and how these will contribute towards the achievement of the SG's purpose and realisation of the outcomes contained in Scotland's [National Performance Framework](#) (NPF);
- details of any planned efficiencies, describing how NHS Golden Jubilee proposes to achieve better value for money, including through collaboration and shared services;
- other matters as agreed with the SG Health and Social Care Directorates.

34. Alongside the NHS Golden Jubilee ADP which describes key planned activity, NHS Golden Jubilee will produce detailed operational and financial plans covering the full range of its activity, their desired outcomes, performance targets and budgets. Again, NHS Golden Jubilee shall agree with the SG the issues to be addressed in the plans and the timetable for its preparation and review. NHS Golden Jubilee's annual planning will take account both of its approved budgetary provision and of any forecast income, and will include a budget of estimated payments and receipts together with a profile of expected expenditure/consumption of resources and of draw-down and other income over the year.

35. The NHS Golden Jubilee ADP, detailed operational plan and financial plans will be underpinned by the NHS Golden Jubilee 3 year Strategy, setting out the strategic ambitions and key areas of focus for the organisation. The content of the Strategy will be agreed with SG to ensure it properly reflects Scotland's National Performance Framework and wider ministerial priorities. A copy of the agreed Strategy should be published on the NHS Golden Jubilee website.

Budget management

36. Each year, in the light of decisions by the Scottish Ministers on the allocation of budgets for the forthcoming financial year, the SG will send to the board a formal statement of its budgetary provision, and a note of any related matters and details of the budget monitoring information required by the SG. The terms of that letter, referred to as the Budget Allocation letter, should be viewed as complementing the content of this sponsorship framework. Monitoring is the primary means of in-year budgetary control across the SG. As such bodies must comply with the format and timing of the monitoring together with any requests for further information. The statement of budgetary provision will set out the budget within the classifications of resource Departmental Expenditure Limits (RDEL), capital DEL (CDEL) and Ring-fenced (non-cash) (RfDEL). The board will inform the SG sponsor unit at the earliest opportunity if a requirement for Annually Managed Expenditure (AME) budget is identified. The SG should also be advised in the event that estimated net expenditure is forecast to be lower than budget provision. Transfers of budgetary provision between the different classifications require the prior approval of the SG Finance Directorate. Any proposals for such transfers should therefore be submitted to the SG sponsor unit. Transfers of provision within the classifications may be undertaken without reference to the SG, subject to any constraints on specific areas of expenditure e.g. the approved pay remit.

37. If the trading and other resource income realised (including profit or loss on disposal of non-current assets) – scored as negative RDEL, or the net book value of disposals of non-current assets – scored as negative CDEL is less than included in the agreed budget the board shall, unless otherwise agreed with the SG, ensure a corresponding reduction in its gross expenditure. (The extent to which the board exceeds agreed budgets shall normally be met by a corresponding reduction in the budgets for the following financial year.) If income realised is **more** than included in the agreed budgets the board must consult and obtain the prior approval of the SG before using any excess to fund additional expenditure or to meet existing pressures. Failure to obtain prior approval for the use of excess income to fund additional expenditure may result in corresponding reductions in budgets for the following financial year. The only exception is where the income is from gifts, bequests and donations but this must be spent within the same financial year as the receipt, otherwise additional budget allocation will be required. In any event, income from all sources and all planned expenditure should be reflected in the Board's budget monitoring statement (Financial Performance Returns).

Cash management

38. Any [grant in aid](#) (i.e. the cash provided to the board by the SG to support the allocated budget) for the year in question must be authorised by the Scottish Parliament in the annual Budget Act. Grant in aid will normally be paid in monthly instalments on the basis of updated profiles and information on unrestricted cash reserves. Payment will not be made in advance of need, as determined by the level of unrestricted cash reserves and planned expenditure. Unrestricted cash reserves held during the course of the year should be kept to the minimum level consistent with the efficient operation of the board - and the level of funds required to meet any relevant liabilities at the year-end. Grant in aid not drawn down by the end of the financial year shall lapse. Grant in aid shall not be paid into any restricted reserve held by the board.

39. The banking arrangements adopted by the board must comply with the [Banking](#) section of the SPFM.

Risk management

40. NHS Golden Jubilee shall ensure that the risks that it faces are dealt with in an appropriate manner, in accordance with relevant aspects of generally recognised best practice in corporate governance, and develop an approach to risk management consistent with the [Risk Management](#) section of the SPFM. Reporting arrangements should ensure that the sponsor unit is made aware of relevant risks and how they are being managed. The board audit committee is also required, at the earliest opportunity, to notify the relevant Director General Assurance meeting if it considers that it has identified a significant problem which may have wider implications.

Organisational security and resilience

41. As part of risk management arrangements, NHS Golden Jubilee shall ensure that it has a clear understanding at board level of the key risks, threats and hazards it may face in the personnel, physical and cyber domains, and take action to ensure appropriate organisational resilience to those risks/threats/hazards. It should have particular regard to the following key sources of information to help guide its approach:

- [Having and Promoting Business Resilience \(part of the Preparing Scotland suite of guidance\)](#)
- [The Scottish Public Sector Action Plan on Cyber Resilience and associated guidance, in particular the Cyber Resilience Framework](#)

Counter fraud arrangements

42. NHS Golden Jubilee should adopt and implement policies and practices to safeguard itself against fraud and theft, in accordance with the [Fraud](#) section of the SPFM. Application of these processes must be monitored actively, supported by a fraud action plan and robust reporting arrangements. This includes the establishment of avenues to report any suspicions of fraud.

Performance management and escalation

43. The board shall operate management information and accounting systems that enable it to review, in a timely and effective manner, its financial and non-financial performance against the strategic aims, objectives, targets and milestones set out in the corporate and business plans. The results of such reviews should be reported on a regular basis to the board and copied to the SG. The SG shall assess the board's performance, proportionately, on a continuous basis and hold a formal review meeting at least twice a year. The responsible Cabinet Secretary / Scottish Minister shall meet the board chair at least once a year.

44. As a patient facing National Board we are aware that NHS Golden Jubilee has its own internal escalation processes to help manage risk and ensure consistent performance in line with key performance indicators.

45. NHS Golden Jubilee continues to report performance into SG on a monthly basis with their sponsor team responsible for scrutinising these reports and engaging with the Board on any issues regarding performance, reporting to Senior Management within SG and Ministers as appropriate.

46. As well as regular reporting, NHS Golden Jubilee has regular engagement with its sponsor team both formally through annual/mid-year reviews and formal sponsorship meetings and less formally through regular quarterly operational catch ups. This regular engagement allows the sponsor team to work collaboratively with Board colleagues on any issues affecting performance, workforce, finance or any other concerns impacting service delivery. This engagement will continue to be the avenue used for the sponsor team to engage appropriately with internal colleagues within SG, as well as with partners within the Board to make decisions on any required escalation of issues and any decision required to be made regarding additional support which needs to be made available to the Board.

NHS Golden Jubilee staff management

Broad responsibilities for NHS Golden Jubilee staff

47. NHS Golden Jubilee will have responsibility for the recruitment, retention and motivation of its staff. The NHS Golden Jubilee Board will ensure that:

- it complies with its duty in relation to the governance of staff as set out in the National Health Service Reform (Scotland) Act 2004 and complies with the Staff Governance Standard <http://www.staffgovernance.scot.nhs.uk/what-is-staff-governance/staff-governance-standard/> and all other relevant legislation;
- in complying with the Staff Governance Standard NHS Golden Jubilee Board establishes a Staff Governance Committee and a Remuneration Committee as standing committees of the NHS Golden Jubilee Board;
- it complies with requirements set out in national workforce policies including the extant Partnership Information Network (PIN) policies <http://www.staffgovernance.scot.nhs.uk/partnership/partnership-information-network/>, and the and the Once for Scotland Workforce Policies ['Once for Scotland' Workforce Policies — NHS Scotland Staff Governance](#);
- the performance of its staff at all levels is satisfactorily appraised and NHS Golden Jubilee's performance measurement systems are reviewed from time to time;
- its staff are encouraged to acquire the appropriate professional, management and other expertise necessary to achieve NHS Golden Jubilee's objectives;
- proper consultation with staff takes place on key issues affecting them;
- grievance and disciplinary procedures set out in the national Once for Scotland Grievance Policy and Conduct Policy are in place;
- it complies with the requirements of the national Whistleblowing Standards ([National Whistleblowing Standards | SPSO](#)) that are referred to in the Once for Scotland Whistleblowing policy and these are clearly communicated and available to staff to encourage and support them to speak up;
- a Code of Conduct for staff is in place.

Pay and conditions of service

48. As part of NHS Scotland, NHS Golden Jubilee shall employ its staff on the NHS terms and conditions packages which apply to each staff group in line with UK or Scottish agreements. Pay for its staff will be determined under Ministerial direction through the relevant NHS circulars. In addition, NHS Golden Jubilee will comply fully with

any process set up to determine appropriate pay for senior managers. The performance of staff at all levels will be appraised in line with the appraisal arrangements set out in that staff group's terms and conditions.

Pensions, redundancy and compensation

49. As part of NHS Scotland, NHS Golden Jubilee staff are eligible to join the NHS Scotland Superannuation Scheme. Staff may, however, opt out of the NHS Scotland Superannuation Scheme at any time.

50. Proposals on compensation payments must comply with the [Settlement Agreements, Severance, Early Retirement and Redundancy Terms](#) section of the SPFM. This includes referral to the SG of any proposed severance scheme (for example, a scheme for voluntary exit), business case for a settlement agreement being considered for an individual, or proposal to make any other compensation payment. In all instances, a body should engage with the SG prior to proceeding with proposed severance options, and prior to making any offer either orally or in writing.

Asset and property management

51. NHS Golden Jubilee shall maintain an accurate and up-to-date record of its current and non-current assets consistent with the [Property: Acquisition, Disposal & Management](#) section of the SPFM. 'Non-current' assets should be disposed of in accordance with the SPFM. The SG's Property Division should be consulted about relevant proposed disposals of property that the board holds for operational purposes (rather than investment) at the earliest opportunity so it may be advertised internally. An [Internal Advertisement](#) form must be completed and submitted at least one month prior to property being advertised on the open market. Any proposal to acquire land, buildings or other rights in property for accommodation / operational purposes should comply with the SPFM. The board is also subject to the [SG Asset Management Policy](#), including the requirement for acquisition of a new lease, continuation of an existing lease, decision not to exercise a break option in a lease or purchase of property for accommodation / operational purposes, to be approved in advance by Scottish Ministers. The Property Controls Team should be consulted as early as possible in this process. All assets (property, plant and equipment) are to be properly recorded and updated as necessary by the board on the Cabinet Office [electronic Property Information Mapping System](#) (e-PIMS). *[If the board is not required to report data annually to Parliament, in accordance with section 76 of the Climate Change (Scotland) Act 2009, the business area can use other robust property asset management systems.]*

Specific financial provisions

52. [Many of the provisions included in this section - and other sections - of the framework document highlight specific requirements in the SPFM that are considered of particular relevance to boards. It should be noted however that guidance in the SPFM should always be considered in its entirety as and when relevant issues arise.]

Delegated authorities

53. NHS Golden Jubilee's specific delegated financial authorities for losses and special payments - as agreed in consultation between the boards and the SG - are set out in the attached Appendix. The board shall obtain the SG's prior written approval before entering into any undertaking to incur any expenditure that falls outside these delegations. The board shall also comply with any requirements for prior SG approval included in the SPFM and/or this document. Prior SG approval must always be obtained before incurring expenditure for any purpose that is or might be considered novel, contentious or repercussive or which has or could have significant future cost implications.

Income generation

54. NHS Golden Jubilee shall seek to optimise income - grant in aid does not qualify as income - from all sources, and ensure that the SG is kept informed. Novel or contentious proposals for new sources of income or methods of fundraising must be approved by the SG. Fees or charges for any services supplied by NHS Golden Jubilee shall be determined in accordance with the [Fees & Charges](#) section of the SPFM.

55. Gifts, bequests or donations received by NHS Golden Jubilee score as income and should be provided for in the agreed resource DEL and capital DEL budgets, updated as necessary in consultation with the SG. However, NHS Golden Jubilee should be able to demonstrate that expenditure funded by gifts etc. is additional to expenditure normally supported by grant in aid (i.e. SG core funding) or by trading and other income. Before accepting such gifts etc. NHS Golden Jubilee shall consider if there are any associated costs in doing so or any conflicts of interests arising. NHS Golden Jubilee shall keep a written record of any such gifts etc. and what happened to them.

Financial investments

56. Unless covered by a specific delegated authority NHS Golden Jubilee shall not make any financial investments without the prior approval of the SG. That would include equity shares in ventures which further the objectives of NHS Golden Jubilee. NHS Golden Jubilee shall not invest in any venture of a speculative nature.

Borrowing

57. Borrowing cannot be used to increase the board's spending power. All borrowing by the board - excluding agreed overdrafts - shall be from the Scottish Ministers in accordance with guidance in the [Borrowing, Lending & Investment](#) section of the SPFM.

Lease arrangements

58. Unless covered by a specific delegated authority the board shall not enter into any finance, property or accommodation related lease arrangement – including the extension of an existing lease or the non-exercise of a tenant's lease break - without the SG's prior approval. Before entering/ continuing such arrangements the board must be able to demonstrate that the lease offers better value for money than purchase and that all options of sharing existing public sector space have been explored. Non-property/ accommodation related operating leases are subject to a specific delegated authority. The board must have capital DEL provision for finance leases and other transactions which are in substance borrowing.

Tax arrangements

59. Non-standard tax management arrangements should always be regarded as novel and/or contentious and must therefore be approved in advance by the SG. Relevant guidance is provided in the [Tax Planning and Tax Avoidance](#) section of the SPFM. The board must comply with all relevant rules on taxation, including VAT. All individuals who would qualify as employees for tax purposes should be paid through the payroll system with tax deducted at source. It is the responsibility of the board to observe VAT legislation and recover input tax where it is entitled to do so. The implications of VAT in relation to procurement and shared services should be considered at an early stage to ensure that financial efficiency is achieved. The board must also ensure that it accounts properly for any output tax on sales or disposals.

Settlement, severance, early retirement and redundancy

60. The board shall seek to deliver, and demonstrate, robust governance processes, best practice and value for money when developing and implementing a severance scheme or when developing a settlement agreement, in compliance with current policy, observing all policy limits as set out in the [Settlement, severance, early retirement, redundancy section](#) of the SPFM.

Lending and guarantees

61. Any lending by the board must adhere to the guidance in the [Borrowing, Lending & Investment](#) section of the SPFM on undertaking due diligence and seeking to establish a security. Unless covered by a specific delegated limit the board shall not, without the SG's prior approval, lend money, charge any asset, give any guarantee or indemnity or letter of comfort, or incur any other contingent liability (as defined in the [Contingent Liabilities](#) section of the SPFM), whether or not in a legally binding form. Guarantees, indemnities and letters of comfort of a standard type given in the normal course of business are excluded from this requirement.

Third party grants

62. Unless covered by a specific delegated authority the board shall not, without the SG's prior agreement, provide grant funding to a third party. Such funding would be subject to the guidance in the [Subsidy Control](#) section of the SPFM. Guidance on a framework for the control of third party grants is provided as an annex to the [Grant & Grant in Aid](#) section of the SPFM.

Impairments, provisions and write-offs

63. Assets should be recorded on the balance sheet at the appropriate valuation basis in accordance with the FReM. Where an asset - and that includes investments - suffers impairment it is important that the prospective impairment and background is communicated to the SG at the earliest possible point in the financial year to determine the implications for the board's budget. Similarly any significant movement in existing provisions or the creation of new provisions should be discussed in advance with the SG. Write-off of bad debt and/or losses scores against the board's

resource DEL budget classification and is subject to a specific delegated limit. (Annex) Losses which are above the delegated authority limit should be notified to the SG at the time of discovery. Application for write-off authority should follow as soon as the full facts of the losses have been established, and should not be delayed until the annual accounts are submitted.

Insurance

64. *[Where the SG decides that the board should be subject to the self-insurance policy.]* The board is subject to the SG policy of self-insurance. Commercial insurance must however be taken out where there is a legal requirement to do so and may also be taken out in the circumstances described in the [Insurance](#) section of the SPFM - where required with the prior approval of the SG. In the event of uninsured losses being incurred the SG shall consider, on a case by case basis, whether or not it should make any additional resources available to the board. The SG will provide the board with a Certificate of Exemption for Employer's Liability Insurance.

65. Commercial insurance must however be taken out where there is a legal requirement to do so and may also be taken out in the circumstances described in the [Insurance](#) section of the SPFM - where required with the prior approval of the SG. In the event of uninsured losses being incurred the SG shall consider, on a case by case basis, whether or not it should make any additional resources available to NHS Golden Jubilee. The SG will provide NHS Golden Jubilee with a Certificate of Exemption for Employer's Liability Insurance.

Risk Indemnity

66. The Clinical Negligence and Other Risks Scheme (CNORIS) has been in operation since 2000. Participation in the scheme is mandatory for all NHS Boards in Scotland. The scheme allows for risk pooling of legal claims in relation to clinical negligence and other risks and works in a similar manner to an insurance scheme. CNORIS provides indemnity to Member organisations in relation to Employer's Liability, Public / Product Liability and Professional Indemnity type risks (inter alia). The level of cover provided is at least £5 million Public Liability, £10 million Employers Liability, and £1 million Professional Indemnity. The Scheme will provide "Indemnity to Principal" where required. CNORIS also provides cover in relation to Clinical Negligence.

Procurement and payment

67. NHS Golden Jubilee's procurement policies shall reflect relevant guidance in the [Procurement](#) section of the SPFM and relevant guidance issued by the SG's Procurement and Commercial Directorate. Procurement should be undertaken by appropriately trained and authorised staff and treated as a key component of achieving the board's objectives consistent with the principles of [Best Value](#), the highest professional standards and any legal requirements. All external consultancy contracts over the value of £100,000 or any proposal to award a contract without competition (non-competitive action) over the value of £100,000 must be endorsed in advance by the Chief Executive.

68. Any major investment programmes or projects undertaken by the board shall be subject to the guidance in the [Major Investment Projects](#) section of the SPFM [and is also subject to a specific delegated authority]. The sponsor unit must be kept informed of progress on such programmes and projects and Ministers must be alerted to any developments that could undermine their viability. ICT investment plans must be reported to the SG's Office of the Chief Information Officer.

69. The board shall pay all matured and properly authorised invoices relating to transactions with suppliers in accordance with the [Expenditure and Payments](#) section of the SPFM and in doing so shall seek wherever possible and appropriate to meet the SG's target for the payment of invoices within 10 working days of their receipt.

Gifts made, special payments and losses

70. Unless covered by a specific delegated authority NHS Golden Jubilee shall not, without the SG's prior approval, make gifts or special payments or write-off of losses. Special payments and losses are subject to the guidance in the [Losses and Special Payments](#) section of the SPFM. Gifts by management to staff are subject to the guidance in the [Non-Salary Rewards](#) section of the SPFM.

Clawback

71. Where the board has financed expenditure on assets by a third party, the board shall make appropriate arrangements to ensure that any such assets above an agreed value are not disposed of by the third party without the board's prior consent. The board shall put in place arrangements sufficient to secure the repayment of its due share of

the proceeds - or an appropriate proportion of them if the board contributed less than the whole cost of acquisition or improvement. The board shall also ensure that if assets financed by the board cease to be used by the third party for the intended purpose an appropriate proportion of the value of the asset shall be repaid to the board.

Subsidy Control

72. The EU State aid regime was effectively revoked from UK law from 1 January 2021 and subsidy control provisions were covered by the UK-EU Trade and Cooperation Agreement (TCA) and the UK's international obligations including various Free Trade Agreements and those arising as a consequence of World Trade Organisation membership. The UK Government established its own domestic subsidies control regime on 4 January 2023 replacing the TCA. Any activity that the board undertakes itself, or funds other bodies to undertake, that can be offered on a commercial market for goods and services is subject to the UK Government subsidy rules.

Board expenses

73. Remuneration (daily fees), allowances and expenses paid to board members [and any pension arrangements] must comply with the SG [Pay Policy for Senior Appointments](#) and any specific guidance on such matters issued by the Scottish Ministers.

NATIONAL HEALTH BOARD MODEL FRAMEWORK DOCUMENT: APPENDIX

SPECIFIC DELEGATED FINANCIAL AUTHORITIES

Item No.	Category	Delegated Authority per case (£)
	Theft / Arson / Wilful Damage	
1	Cash	10,000
2	Stores / procurement	20,000
3	Equipment	10,000
4	Contracts	10,000
5	Payroll	10,000
6	Buildings & Fixtures	20,000
7	Other	10,000
	Fraud, Embezzlement & other irregularities (including attempted fraud)	
8	Cash	10,000
9	Stores / procurement	20,000
10	Equipment	10,000
11	Contracts	10,000
12	Payroll	10,000
13	Other	10,000
14	Nugatory & Fruitless Payments	10,000
	Claims Abandoned	
15(a)	Private Accommodation	10,000
15(b)	Road Traffic Acts	20,000
15(c)	Other	10,000
	Stores Losses	
16	Incidents of the Service –	
	- Fire	20,000
	- Flood	20,000
	- Accident	20,000
17	Deterioration in Store	20,000
18	Stocktaking Discrepancies	20,000
19	Other Causes	20,000
	Losses of Furniture & Equipment and Bedding & Linen in circulation	
20	Incidents of the Service -	
	- Fire	10,000
	- Flood	10,000
	- Accident	10,000
21	Disclosed at physical check	10,000

22	Other Causes	10,000
Compensation Payments - legal obligation		
23	Clinical *	250,000
24	Non-clinical *	100,000
Ex-gratia payments		
25	Extra-contractual Payments	10,000
26	Compensation Payments - Ex-gratia - Clinical *	250,000
27	Compensation Payments - Ex-gratia - Non Clinical *	100,000
28	Compensation Payments - Ex-gratia - Financial Loss *	25,000
29	Other Payments	2,500
Damage to Buildings and Fixtures		
30	Incidents of the Service	
	- Fire	20,000
	- Flood	20,000
	- Accident	20,000
	- Other Causes	20,000
31	Extra-Statutory & Extra-regulatory Payments	Nil
32	Gifts in cash or in kind	10,000
33	Other Losses	10,000

* This delegated limit was revised as at 1st August 2001 HDL (2001)65.

+ those losses which do not broadly fall within the definitions of theft, arson, wilful damage, fraud, embezzlement and attempted fraud and would have fallen within the previous item 2 "Cash Losses – overpayments of salaries, wages and allowances" and the previous item 3 "Cash Losses – Other" should be included within this heading