

Governing Body (public) meeting

DATE: 27 March 2014

Title	Use of Chair's Action & Seal	
Recommended action for the Governing Body	<p>That the Governing Body:</p> <p>Approve the process for the use of Chair's Action and Seal.</p>	
Executive summary	<p>There may, occasionally, be circumstances where decisions which would normally be made by the Governing Body need to be taken between scheduled meetings, and it is not practicable to call a meeting of the Governing Body. In these circumstances, the Chair and or Accountable Officer may deal with the matter on behalf of the Governing Body and where possible will always discuss decisions with the Clinical Vice Chair or Deputy Chair, and in their absence will notify a Governing Body GP Lead. The Board Secretary must ensure that any such action is formally recorded and reported to the next meeting of the Governing Body for consideration and ratification.</p> <p>The CCG Seal must be used for all the following documents:</p> <ul style="list-style-type: none"> • All contracts for the purchase/lease of land and/or building. • All contracts for capital works exceeding £100,000. • All lease agreements where the annual lease charge exceeds £10,000 per annum and the period of the lease exceeds beyond five years. • Any other lease agreement where the total payable under the lease exceeds £100,000. • Any contract or agreement with organisations other than NHS or other government bodies including local authorities where the annual costs exceed or are expected to exceed £500,000. <p>The Accountable Officer is responsible for ensuring a register is maintained of every document sealing and will be supported in this by the Board Secretary. The register will be kept with the Seal in the safe.</p>	
Which objective does this paper support?	Patients: Improve the health and wellbeing of people in Bexley in partnership with our key stakeholders	✓

Clinical Commissioning Group

	People: Empower our staff to make NHS Bexley CCG the most successful CCG in (south) London		✓
	Pounds: Delivering on all of our statutory duties and become an effective, efficient and economical organisation		✓
	Process: Commission safe, sustainable and equitable services in line with the operating framework and which improves outcomes and patient experience		✓
Organisational implications	Key risks <small>(corporate and/or clinical)</small>	Risks associated with the smooth operation of CCG governance and procedures.	
	Equality and diversity	None anticipated as a direct result of the constitutional changes.	
	Patient impact	None anticipated as a direct result of the constitutional changes.	
	Financial	None anticipated as a direct result of the constitutional changes.	
	Legal issues	None anticipated as a direct result of the constitutional changes.	
	NHS constitution	None anticipated as a direct result of the constitutional changes.	
Consultation (public, member or other)	To date informal through member comments only, this is a formal process with the membership.		
Audit (considered/approved by other committees/groups)	Not applicable at this stage.		
Communications plan	N/A		
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Date	17 March 2014		

NHS Bexley Clinical Commissioning Group

PROCEDURE FOR THE USE OF COMMON SEAL

Introduction

NHS Bexley CCG's Constitution Section 6 Standing Orders sets out the general principles around the use of the CCG's Seal.

The following individuals are authorised to authenticate the use of the Seal by their signature:

- The Accountable Officer
- The Chair of the Governing Body
- The Deputy Chair of the Governing Body
- The Chief Financial Officer
- The Director of Governance & Quality
- The Director of Commissioning
- Other individuals may be mandated by the Governing Body for this particular purpose

Use of Seal – General Guide

The Common Seal must be used for all the following documents:

- All contracts for the purchase/lease of land and/or building.
- All contracts for capital works exceeding £100,000.
- All lease agreements where the annual lease charge exceeds £10,000 per annum and the period of the lease exceeds beyond five years.
- Any other lease agreement where the total payable under the lease exceeds £100,000.
- Any contract or agreement with organisations other than NHS or other government bodies including local authorities where the annual costs exceed or are expected to exceed £500,000

Custody of Seal

The secure custody of the Seal is the responsibility of the Accountable Officer who will be supported in this by the Board Secretary.

The Seal will be kept in the safe at CCG's Headquarters and can be accessed by contacting the Accountable Officer

Register of Sealing

The Accountable Officer is responsible for ensuring a register is maintained of every document sealing and will be supported in this by the Board Secretary. The register will be kept with the Seal in the safe.

Sealing and Signature of Documents and Completion of Register

The relevant lead Director should liaise with the Board Secretary to access the seal and register.

The Board Secretary should make the necessary arrangements for the sealing and signing to take place.

The Seal must be affixed in the presence of the two authorised signatories and the document witnessed by them. (This should not include the Director who sought approval for its use or who is leading on the issue).

The register must be completed, signed and dated by the authorised individuals, at the time of sealing.

Execution of a Document by Signature

The following individuals or their named deputies are authorised to execute a document on behalf of the NHS Bexley CCG by their signature (via Board Secretary):

- The Accountable Officer
- The Chair of the Governing Body
- The Deputy Chair of the Governing Body
- The Chief Financial Officer
- The Director of Governance & Quality
- The Director of Commissioning
- Other individuals may be mandated by the Governing Body for this particular purpose

Alternatively this could be by other individuals to whom that ability has been delegated in writing by the Accountable Officer. Other individuals with authority to sign on behalf of the CCG are detailed within the Schedule of Matters.

Reporting Use of the Seal

Every use of the Seal will be reported to the next meeting of the Audit Committee and an annual report presented to the Governing Body.