

**EAST OF ENGLAND DEVELOPMENT AGENCY  
SCHEME OF DELEGATION Oct 2008  
Approved at 9th October 2008 board**

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## **INTRODUCTION**

### ***Scheme of Delegation***

The Agency's authority to delegate is set out in the Regional Development Agencies Act 1998 ("the RDA Act") schedule 2 (7), and is subject to restrictions contained in the Management Statement and Financial Memorandum between the Agency and its sponsoring department, the Department for Business, Enterprise and Regulatory Reform ("DBERR"). Whilst the Agency's Board reserves some functions to itself and its Committees, execution of day-to-day functions is delegated to the Chief Executive, who in turn delegates to various staff or staff Teams.

### ***Extent of delegations***

The Board, Chief Executive, Executive Directors and all other persons contracted to the Agency, either on a permanent or temporary basis, including Seconded and Contractors ("Staff") shall be bound by the Delegation Scheme. The Scheme sets out the highest levels of delegation; authority may be sub-delegated further in writing unless specifically reserved to the management level stated in the Scheme. Where authority is delegated to a team (E.g. CEX Team), decisions must be made in accordance with the normal decision making processes for that team, for example majority vote. Where more than one individual or team is authorised equally (for example if either the CEO or Deputy CEO has authority), then each individual or team so authorized has delegated authority independently.

### ***Arrangements in absence of officers***

In the absence of an officer, the delegation reverts to their line manager, unless formal acting up arrangements have been agreed. In the absence of the Chief Executive, the Deputy Chief Executive may exercise the Chief Executive's authority in an emergency or where no formal acting up arrangement is yet in place.

### ***Conflict of interests***

The RDA Act prohibits the exercise of delegated powers in relation to a matter where the individual is in any way directly or indirectly interested in that matter. Where a member of staff has an interest in a delegated matter, for example as a director of a partner body, delegated authority will revert upwards or to a director who is independent. Staff are reminded that the RDA Act imposes a duty to disclose such interests.

### ***Novel or contentious issues***

Any proposed expenditure or guarantee that is in any way novel or contentious, regardless of its cost, will require the specific approval of DBERR and HM Treasury. The Chief Executive, as the Agency's Accounting Officer, has the duty to decide what s/he considers to be novel or contentious and to submit it for approval. It is essential that the Agency is able at all times to demonstrate that it handles public funds properly and effectively.

**Delegation limits**

Where no financial upper limit applies, delegation is indicated with a tick (✓). Staff are reminded that they are only able to exercise delegated authority consistent with their job description, letters of delegation and in accordance with this Scheme. Staff may only sub-delegate to the limit of their own financial authority.

**Application date**

The Head of Legal Services is responsible for ensuring that the Scheme of Delegation is kept up to date. Amendments may only be made to the Scheme with Board approval. The Scheme will be reviewed at least annually and updated as required. This version was approved by the Chief Executive Team and Board in October 2008.

Approved (signature):	Approved (signature):
Date:	Date:
Chairman	Chief Executive

## 1. General financial delegations including budgets

The Agency's resource budgets are formally allocated by DBERR following approval of the Corporate Plan. Under the Single Programme, the Agency may undertake any activity consistent with its five purposes as set out in section 4 of the RDA Act. These must be set out in the Corporate Plan and are subject to the controls set out in the Management Statement and Financial Memorandum. Within the overall limits set out for its expenditure, the Agency may not alter the balance between capital and current expenditure initially allocated to it without prior agreement of DBERR. Formal allocation of the authority to incur expenditure shall be made to Executive Directors through delegation letters signed by the Accounting Officer / CEO or Deputy. Directors can further delegate authority to appropriate officers within their directorate through formal written authorization.

Area of delegation	Authority delegated to			
	Board	Resources Committee	CEX Team	CEO
Approval of virement <u>between</u> approved budgets	Above £2m current, £5m capital	Up to £2m current and £5m capital	Up to £500k current and £1m capital	
Virement <u>within</u> approved budgets			✓ CEX Team will maintain an approved scheme of delegation to authorise sub-delegation of virements of various values.	
Variations between directorate admin budgets			✓	
Bank instructions			Each member of CEX Team is individually authorised as a bank signatory. This may not be sub-delegated.	
Approval of losses and write offs Over £250k Secretary of State (DBERR)	Above £50k below £250k	Above £5k to £50k		Up to £5k

Area of delegation	Authority delegated to			
	Board	Resources Committee	CEX Team	CEO
<p>Approval of ex-gratia/special payments</p> <p>Over £5k Secretary of State (DBERR)</p>	Single case up to £5k			Single case up to £1k
<p>Personal injury or industrial tribunal claims</p> <p>Over £25k Secretary of State (DBERR)</p>				Single case up to £25k
<p>Approval of single gift.</p> <p>Over £1k DBERR</p> <p>(The overall level of gifts should not exceed £20k in any one year)</p>				Up to £1k

## 2. Grant expenditure.

The appraisal processes for grant applications vary depending on the funding stream(s) and programme(s) involved and are documented separately. Single Programme expenditure is also subject to the Financial Memorandum requirements.

### 2.1 ERDF

ERDF Area of delegation	Authority delegated to		
	CEO or Deputy CEO	Director – International or Head of European Structural Fund programmes	Other
Approval of grant awards & execution of funding agreement under seal (deed) & amendment thereof under seal	£5m & above	Below £5m	
Approval of grant awards & execution of funding agreement under hand & amendment thereof	£5m & above	Below £5m	Variation only of funding agreements below £500k in value: ERDF project Appraisal Officer, Senior Monitoring Officers
Certification of reimbursement claim to CLG	£20m & above	Below £20m	Below £12m: Manager, ERDF Programme Management Team. Below £8m: Assistant Manager, ERDF Programme Management Team.

ERDF Area of delegation	Authority delegated to		
	CEO or Deputy CEO	Director – International or Head of European Structural Fund programmes	Other
Authorisation of reimbursement claim to CLG	£20m & above	Below £20m	Below £8m: Manager, ERDF Programme Management Team
Certification of ERDF claim payments	£10m & above	Below £10m	Below £3m: Senior Monitoring Officer. Below £1m: Monitoring Officer
Authorisation of ERDF claim payments	£10m and above	Below £10m	Below £1m: Senior Monitoring Officer
Decision re: operation of claw back	✓	✓	
Certification of ERDF receipts (from claw back etc)	£10m & above	Below £10m	Below £3m: Senior Monitoring Officer. Below £1m: Monitoring Officer
Authorisation of ERDF receipts	£10m and above	Below £10m	Below £1m: Senior Monitoring Officer

Notes: ERDF Funds fall outside the scope of the Financial Memorandum. All financial thresholds stated refer to ERDF funding only, for the lifetime costs of the project (total project spend may be higher). Project approval will be recommended to EEDA by the ERDF Competitiveness Delivery Group. Funding agreements may be executed under seal (deeds) or under hand (not sealed). Executing as a deed has a number of advantages (longer limitation period, no consideration required) but requires greater formality, and is therefore not always necessary, especially for lower value grants. **Certification and authorization must be undertaken by different individuals.**

2.2 European Social Fund (“ESF”), Economic Participation Sub Regional programme (“EPSRP”) Rural Development Programme for England (“RDPE”), Research & Development (R&D), Single Programme (“SP”), Selective Finance for Investment in England (“SFIE”)

Area of delegation	Authority delegated to						
	Board	CEX Team	CEO or Deputy CEO	Directorate Team (formerly known as Product Group)	Exec Director responsible for Programme	Budget Holder	Other
Approval of EPSRP awards	£3m & above	Above £1m to below £3m			Up to £1m		
Approval of variation of EPSRP awards	Any variation where total EPSRP is or becomes £3m & above	Any variation provided total EPSRP funding remains above £1m but below £3m			Any variation provided total EPSRP funding remains £1m or below		
Approval of R&D grant awards				£250k and above			Below £250k R&D Case conference panel
Approval of variation of R&D grant awards				Any variation where total R&D funding is or becomes £250k or above			Any variation provided total R&D funding remains below £250k

Area of delegation	Authority delegated to						
	Board	CEX Team	CEO or Deputy CEO	Directorate Team (formerly known as Product Group)	Exec Director responsible for Programme	Budget Holder	Other
Approval of RDPE grant awards	£3m to below £10m	Above £500k to below £3m					Up to £500k Head of Sustainable and Rural Development
Approval of variation of RDPE grant awards	Any variation which provided funding remains below £10m	Any variation which provided funding remains below £3m					Any variation which provided funding remains no more than £500k Head of Sustainable and Rural Development
Approval of SP or ESF grant awards, and Over £10m SP must be referred to DBERR (CPRG). Over £20m Treasury	£3m to below £10m	£500k to below £3m		Over £100k to below £500k		Up to £100k	
Approval of variation of SP or ESF grant awards	Any variation which provided funding remains below £10m	Any variation which provided funding remains below £3m		Any variation which provided funding remains below £500k		Any variation which provided funding remains no more than £100k	

Area of delegation	Authority delegated to						
	Board	CEX Team	CEO or Deputy CEO	Directorate Team (formerly known as Product Group)	Exec Director responsible for Programme	Budget Holder	Other
Approval of SFIE grant awards Over £2m must be referred to DBERR						Below £100k	£100k to £2m Industrial Development Board ("IDB")
Approval of variation of SFIE grant awards Over £2m must be referred to DBERR						Below £100k increase	Above £100k increase provided total funding remains below £2m IDB
Execution of funding agreement under seal (deed) and amendment thereof under seal			✓		✓		✓Head of Legal Services
Execution of funding agreement under hand and amendment thereof			✓		✓		<ul style="list-style-type: none"> <li>✓Head of Legal Services</li> <li>✓Head of Major Projects</li> <li>✓Senior Monitoring Managers</li> <li>✓Contract Managers</li> </ul>

Area of delegation	Authority delegated to						
	Board	CEX Team	CEO or Deputy CEO	Directorate Team (formerly known as Product Group)	Exec Director responsible for Programme	Budget Holder	Other
Certification of claim payments							✓ Member of relevant Programme Team (PMMT, Co-financing team, Rural team etc)
Authorisation of claim payments						✓	
Decision re: operation of claw back			✓				
Signing of match funding certificates							✓ Head of Major Projects

Notes: ESF and RDPE Funds fall outside the scope of the Financial Memorandum. All financial thresholds stated refer to ESF or EPSRP or RDPE, or R&D, or SP or SFIE funding only (as relevant), for the lifetime costs of the project (total project spend may be higher). Where a project is funded through several funding streams the delegation limits for each stream must be applied separately for that stream. Single programme and R&D funds are subject to the Financial Memorandum and this will need to be considered when making decisions re: claw back (write offs). **Certification and authorization must be undertaken by different individuals.**

### 3. Procurement Delegations.

All procurement activity is governed by the Procurement Code and associated guidance issued from time to time by the Legal & Procurement Team, and the requirements of the Financial Memorandum. All procurement must be authorized by a budget holder within an agreed budget.

Area of delegation	Authority delegated to				
	Board	CEX Team	Exec Director	Head of Legal	Other
Approval of single tender action (Over £250k DBERR)	Below £250k	Below £100k	Below £50k		
Approval of contracts for goods and services or works which will commit EEDA to a single supplier for a period of more than 3 years or has the potential to do so (if options to extend exercised).	✓				
Approval of contract variation (including variation of standard terms pre-issue) that does not affect contract value				✓	
Approval of variation or extension of contract that affects contract value	Any variation provided contract value remains below £10m	Any variation provided contract value remains below £3m	Any variation provided that contract value remains below £500k		Budget holder – any variation provided that contract value remains below £100k

Area of delegation	Authority delegated to				
	Board	CEX Team	Exec Director	Head of Legal	Other
Issue of purchase orders					Budget holder up to £15k provided Procurement Code complied with. Only to be used above this value in exceptional circumstances with prior approval of Head of Legal Services
Signing of contracts				✓	✓ Head of Governance in absence of Head of Legal. Up to £500k, Procurement Manager & Procurement & Contracts Officer
Certification of invoices					✓ Any member of staff who is able to confirm that the goods/services have been received and are in good order
Authorisation of payment of invoices					✓ Budget Holder (who may delegate signing authority)

Area of delegation	Authority delegated to				
	Board	CEX Team	Exec Director	Head of Legal	Other
Submission of quote to provide goods & services to another body					✓ CEO or Deputy CEO

Note: All STAs must be reported to the Audit Committee. **Certification and authorization of invoices must be undertaken by different individuals.** Where a budget holder certifies payment of an invoice, their line manager should authorize payment. Section 3 only applies to procurement of contracts for goods and/or services and/or works. It does not apply to competitive processes for the award of grants, which may use similar processes but will result in the issue of a grant, not a contract and are therefore governed by section 2.

#### 4. Property acquisitions and disposals.

Area of delegation	Authority delegated to				
	Board	CEX Team	Exec Director	Head of Legal	Head of Major Projects
Where a project has already been approved, execution of contracts for acquisition or disposal of property assets in connection with the development (If disposal is for less than best consideration Board and DBERR is approval required)				✓	✓
Estate management: execution of tenancy or licence agreement, or variation of terms thereof				✓	
Approval of request to submit Greenfield consent application (Consent is also required from Go East, in advance, for all development projects on Greenfield Sites)		✓			

#### 5. HR delegations.

The exercise of the HR function is governed by the Financial Memorandum, and EEDA's Staff Handbook and other guidance issued by the HR team from time to time.

Area of delegation	Authority delegated to					
	Resources Committee	CEO	Exec Director	HR Manager	Line Manager	Other
<b>Establishment</b>						
Authority to vary posts within existing budget and headcount				✓		
Authority to vary posts above existing budget and headcount	✓					
Authority to appoint temporary staff (subject to budget being available)				✓		
Grant of temporary promotion or additional responsibility allowances in instances of business need or staff absence				✓		
Approval of regrading of posts following Agency's agreed job evaluation procedure				✓		
<b>Appointment</b>						
Signing of offer letter				✓		✓ Head of Legal and Head of Finance in absence of HR Manager
Signing of employment contract				✓		✓ Head of Legal and Head of Finance in

						absence of HR Manager
<b>Termination</b>						
Approval to leave Agency on grounds of ill health early retirement				✓		
Decision to dismiss  Directors All other staff		✓		✓		
<b>Pay</b>						
Authorisation of payroll				✓		
Authority to authorize travel and subsistence payments within UK					✓ Chief Exec's to be authorized by Chair of Board.	
Requests for overseas travel		✓	✓ Deputy CEO only			
<b>Absence</b>						
Approval of annual leave					✓	

Approval of special leave (e.g. compassionate leave)					✓	
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**7. Other decisions to apply for DBERR consents**

Area of delegation	Authority delegated to				
	Board				
Other decisions to apply for Secretary of State (DBERR) consents required under the RDA Act and Financial Memorandum	✓ This may not be sub-delegated				

Note: The full list of decisions requiring Secretary of State approval is set out in the Financial Memorandum. These include those arising under section 5 of the RDA Act 1998:

- S5 (a) give financial assistance (for example by loan)
- S5 (b) dispose of land for less than the best consideration which can reasonably be obtained
- S5(c) form or acquire an interest in a body corporate