

NOT PROTECTIVELY MARKED

SCOTTISH POLICE
AUTHORITY

Meeting	Public SPA Board Meeting
Date	28 November 2017
Location	Stirling Court Hotel, Stirling
Title of Paper	Update to SPA Scheme of Delegation
Item Number	13.1
Presented By	Eric Leggat, Solicitor, SPA
Recommendation to Members	For Approval
Appendix Attached	Yes Appendix 1 – Updated SPA Scheme of Delegation

PURPOSE

To seek Members' approval of the updated SPA Scheme of Delegation (Appendix 1). This incorporates changes required to the Scheme of Delegation by the imminent deletion of the Chief Executive Officer (CEO) post from the establishment and the creation of the Chief Officer post, together with additional provisions to introduce an approval process for requests for Reform Funding.

1. BACKGROUND

- 1.1 To allow the SPA and (where relevant) Police Scotland business to be conducted efficiently and effectively, the SPA has established a Scheme of Delegation in terms of which many day-to-day functions of a routine nature are delegated to the Chief Executive Officer ("CEO") to perform.
- 1.2 Members formally approved the current Scheme of Delegation at a Board meeting on 24th August 2017.
- 1.3 Whilst the SPA is obliged in terms of the Scheme of Delegation to review its terms on an annual basis, amendments are now required to the Scheme of Delegation to take account of the imminent deletion of the CEO post from the establishment and the creation of the Chief Executive post, and to introduce an approval process for requests from the SPA, SPA Forensic Services and Police Scotland for Reform Funding.

2. FURTHER DETAIL ON THE REPORT

- 2.1 The SPA recently decided to delete the CEO post from the establishment to reflect the fact that there would no longer be a reporting line from the Director of Forensic Services to the CEO.
- 2.2 Accordingly the SPA created a new post of Chief Officer. To provide the Chief Officer with delegated powers similar to those currently enjoyed by the CEO, appropriate amendments to the Scheme of Delegation are required.
- 2.3 In addition to the delegated powers currently enjoyed by the CEO, it is proposed that the Chief Officer will also have delegated powers to requests for Reform Funding.
- 2.4 An updated Scheme of Delegation incorporating the amendments which are now required is attached to this report (**Appendix 1**). The various amendments are listed on Page 1 of the updated Scheme of Delegation.

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3. FINANCIAL IMPLICATIONS

3.1 There are no financial implications associated with this paper.

4. PERSONNEL IMPLICATIONS

4.1 There are no personnel implications associated with this paper.

5. LEGAL IMPLICATIONS

5.1 There are no legal implications associated with this paper.

6. REPUTATIONAL IMPLICATIONS

6.1 There are no reputational implications associated with this paper.

7. SOCIAL IMPLICATIONS

7.1 There are no social implications associated with this paper.

8. COMMUNITY IMPACT

8.1 There are no community implications associated with this paper.

9. EQUALITIES IMPLICATIONS

9.1 There are no equality implications associated with this paper.

10. ENVIRONMENTAL IMPLICATIONS

10.1 There are no environmental implications associated with this paper.

RECOMMENDATIONS

Members are invited to approve the updated SPA Scheme of Delegation at Appendix 1



SCOTTISH POLICE AUTHORITY

SCHEME OF DELEGATION

NOVEMBER 2017

Approved	15 December 2016
Last Review	August 2017
Next Review	August 2018
Version	1.2

Version Control

Version	Date	Summary	Amended by
1.0	15 Dec 2016	Approved by SPA Board	-
1.1	10 Aug 2017	Updated following initial 6 month period	R Johnston/E Leggat
1.2	13 Nov 2017	Updated to reflect change from CEO to Chief Officer, and changes re approval of Reform Funding requests	E Leggat

Amendments

Version	Para	Amendment
1.2	Various	References to CEO have been deleted and replaced with references to Chief Officer
1.2	Para 8	Introduction of approval process for requests for Reform Funding
		Formatting amendments have been made

APPENDIX 2

SCHEME OF DELEGATION

1. Introduction

- 1.1 In terms of paragraph 12 of schedule 1 to the Police and Fire Reform (Scotland) Act 2012 ("the Act"), the Authority may authorise any of its committees or any member of the Authority's staff to perform on behalf of the Authority such of its functions as it may determine, to the extent so authorised.
- 1.2 This Scheme of Delegation ("this Scheme") details the functions which the Authority has delegated to its Chief Officer to perform, and the extent of that delegation.
- 1.3 This Scheme will be reviewed by the Authority on an annual basis.

2. General provisions regarding delegation

Delegation to the Chief Officer

- 2.1 With the exception of functions specifically reserved to the Board, the Chief Officer may exercise any of the Authority's functions and powers, subject to the restrictions contained in this Scheme.
- 2.2 All delegated decision-making (including decisions made under sub-delegation provisions) must take into account any relevant guidance issued by the Scottish Government and all governance guidelines approved by the Authority. In particular, decision-making must take full account of the following:
 - a) the Authority's current SPA Governance and Accountability Framework Document;
 - b) the Scottish Public Finance Manual ("SPFM");
 - c) the Scottish Government's Memorandum to Accountable Officers of Public Bodies ("the Memorandum");
 - d) the annual Budget Allocation and Monitoring Letter issued to the Authority by the Scottish Government;
 - e) all relevant legal provisions and the Authority's policies and procedures;
 - f) the Authority's Financial Regulations;
 - g) the Authority's procedures and Standing Orders relating to procurement and contracts; and
 - h) the Authority's code of conduct for staff.

- 2.3 In the event of any question or dispute as to whether a decision taken, or proposed to be taken, is consistent with this Scheme, the matter will be determined by the Board of the Authority in consultation with the Chief Officer.
- 2.4 Before exercising delegated powers under this Scheme, the Chief Officer must, wherever practicable, consult with the Chair where the exercise of the powers would, or would be likely to :
- a) have a significant or adverse effect on financial, reputational or operational risk;
 - b) have an impact on service delivery and/or the performance of the Authority or Police Scotland's functions;
 - c) have an impact on the strategic police plan; or
 - d) be outside the scope of the grant in aid budget relating to police services.
- 2.5 The Chief Officer must as soon as practicable (and no later than the next scheduled meeting of the Board) report to Members any action taken following consultation with the Chair in connection with paragraph 2.4.
- 2.6 In the event that the Chief Officer is unable for any reason to exercise powers specifically delegated to him/her under this Scheme, the Chief Officer's nominated deputy will have authority to make decisions on his/her behalf.
- 2.7 The Board may require the Chief Officer to submit reports on decisions taken and actions authorised by him/her under this Scheme, including decisions made by members of staff under sub-delegation provisions.

Sub-delegation by the Chief Officer

- 2.8 The Chief Officer may sub-delegate powers to senior members of staff. Such delegations must be agreed between the Chair and the Chief Officer prior to such delegations being implemented.
- 2.9 The Chief Officer may not sub-delegate any of his/her personal obligations and responsibilities as Accountable Officer of the Authority. In the event that the Chief Officer is incapacitated or otherwise unable to perform the Accountable Officer's responsibilities for a period of four weeks or more, the Authority will notify the Permanent Secretary and Principal Accountable Officer who may appoint a substitute Accountable Officer pending the Chief Officer's return to duties.

- 2.10 Any sub-delegation of powers by the Chief Officer and the restrictions to which such powers are subject, will be detailed in a separate scheme which will be reviewed by the Authority on an annual basis.

3 SPA Corporate Management

General

- 3.1 The Chief Officer has overall responsibility for the corporate management of the Authority and for the day to day exercise of its functions, including business continuity for which the Chief Officer is accountable to the Board.
- 3.2 The Chief Officer is authorised to seek to optimise income for the Authority in accordance with section 87 of the Act and the Scottish Police Authority (Provision of Goods and Services) Order 2013. Novel or contentious proposals for income generation by the Authority must be considered by the Board before approval is sought from the Scottish Government.
- 3.3 The Chief Officer is authorised to transfer funds between headings and between capital projects (virements) up to £200,000 for expenditure on Authority staff or other costs. Such transfers should be reported to the Finance and Audit Committees at their next scheduled meetings.
- 3.4 Such expenditure should be reported to the Finance Committee as soon as is practicable.
- 3.5 The Chief Officer may consider and approve payment to external businesses and management consultancies up to the value of £100,000, subject to the guidance contained in the Scottish Government's Consultancy Procedures (<http://www.gov.scot/Resource/0041/00413130.pdf>).

Staffing

- 3.6 The Chief Officer has responsibility for the appointment of staff (subject to agreed staffing limits) and the Authority's organisational structure. Staffing limits may be supplemented, where required, by the addition of short-term secondments and contractors to meet identified business needs, within budget limitations and subject to any applicable procurement rules.

3.7 In particular, the Chief Officer is authorised to:

- a) appoint staff to support the carrying out of police functions ("police staff") notwithstanding the Chief Constable's power under section 26(3) of the Act to appoint such staff on the Authority's behalf;
- b) appoint staff to the Authority to support the Authority in the carrying out of its corporate functions ("Authority staff"), in line with HR policy and within agreed staff budget levels;
- c) appoint staff to the Authority to support the Authority in the carrying out of its functions in relation to the provision of forensic services.
- d) conduct disciplinary and grievance proceedings in respect of Authority staff who are employed within the corporate functions of the Authority and/or Forensic Services;
- e) authorise the attendance of Authority staff who are employed within the corporate functions of the Authority and/or Forensic Services at training courses, conferences, seminars and other developmental activities; and
- f) remedy inconsistencies in pay or conditions of service, of all staff employed by the Authority, including those staff under the day-to-day direction and control of the Chief Constable of Police Scotland, in line with policy.

4 Authorised signatory

4.1 The Chief Officer has authority to sign documents on behalf of the Authority in terms of the Requirements of Writing (Scotland) Act 1995 and other applicable legislation, and to sign all deeds and other documents which are binding on the Authority.

5 Arrangements with the Chief Constable

5.1 The Chief Officer is authorised to approve arrangements, in accordance with section 83 of the Act, between the Authority and the Chief Constable (or other authorised Police Scotland personnel) for the provision of assistance and/or staff to and from Police Scotland.

6 Expenditure

- 6.1 The Chief Officer may instruct expenditure for which provision has been made within the appropriate budget (the limits of which are set out in financial delegations within this Scheme).
- 6.2 Major contracts (defined as values over £2m) require Board approval in each and every instance. The Chief Officer cannot enter into multiple contracts with the same supplier in any financial year which exceed £2m in total. Subsequent to Board approval for major contracts, the Chief Officer has delegated authority to instruct contractual payments in accordance with contractual terms.

7 Major Investment Projects

- 7.1 The Chief Officer is responsible for overseeing all Major Investment Projects, as defined in the SPFM, including the establishment of appropriate processes and reviews. The Chief Officer must report progress on such matters to the Board and/or the Finance/Audit Committees.

8 Review of applications for Reform Funding

- 8.1 In his/her capacity as Accountable Officer, the Chief Officer will be responsible for reviewing all business cases from both the Authority, SPA Forensic Services and Police Scotland for the draw down of reform funding once they have been approved by the Authority's Senior Management, the Senior Management of SPA Forensic Services or Police Scotland's Corporate Finance and Investment Board (as appropriate). Every business case should be supported by a benefits realisation plan to enable the return on investment of every project to be monitored and scrutinised. After reviewing a business case, the Chief Officer will act as follows :-
- (i) If the funding request is within the limits of the Chief Officer's delegated financial authority of £2m (in his/her capacity as Accountable Officer), and it does not raise matters of policy which would be of interest to the Board, and the Chief Officer approves the business case, the Authority will thereafter forward the business case to the Scottish Government for approval. The Authority will notify the Chief Financial Officer of Police Scotland of every such referral to the Scottish Government and will also maintain a record of all such referrals. The Chief Officer will also provide reports on a

quarterly basis to both the Finance Committee and the Board of all such referrals.

- (ii) If the funding request is outwith the limits of the Chief Officer's delegated financial authority of £2m (in his/her capacity as Accountable Officer), and it does not raise matters of policy which would be of interest to the Board, and the Chief Officer supports the business case, the Chief Officer will refer the business case to the Board for approval via the Finance Committee (or other Committee, as appropriate) for assurance purposes. The Authority will notify the Chief Financial Officer of Police Scotland of every such referral to the Board. If the relevant Committee is content to recommend the business case to the Board for approval, and the Board duly formally approves the business case, the Authority will thereafter forward it to the Scottish Government for approval. The Authority will notify the Chief Financial Officer of Police Scotland of every such referral to the Scottish Government and will also maintain a record of all such referrals.
- (iii) If the Chief Officer deems that the funding request raises matters of policy which would be of interest to the Board, and the Chief Officer supports the business case, then he/she will refer the business case to the Board for approval. The Authority will notify the Chief Financial Officer of Police Scotland of every such referral to the Board. If the Board duly formally approves the business case, the Authority will thereafter forward it to the Scottish Government for approval. The Authority will notify the Chief Financial Officer of Police Scotland of every such referral to the Scottish Government and will also maintain a record of all such referrals.

9 Property

General

- 9.1 The Chief Officer may approve routine property transactions. The provisions of the "Property: Acquisition, Disposal and Management" section of the SPFM must always be adhered to in relation to all property transactions.
- 9.2 Where the Authority has a requirement for accommodation to provide regional or national coverage, Ministerial consent will be required. In addition, any novel or contentious proposals should be referred to the Scottish Government Property Division for advice, as Ministerial consent may be required.

Disposal of heritable property

9.3 The SPFM makes it clear that in most circumstances public bodies should obtain the best possible price on the open market when disposing of assets. The Chief Officer may authorise the acceptance of offers to purchase heritable property owned by the Authority which it has declared as surplus to operational requirements, and which has, where appropriate, been placed on the open market, provided:

- a) the Chief Officer, having regard to all the circumstances, including the terms and conditions of the offer(s) received, considers an offer to be the best (though not necessarily the highest) offer received;
- b) where the Chief Officer proposes to accept an offer contrary to professional advice, or where the Chief Officer proposes to accept an offer which contains unusual conditions, the Authority must obtain any additional approval required in terms of the SPFM;
- c) the proposed sale price does not exceed £1,000,000;
- d) the Chief Officer formally reports all property transactions to the Board on a quarterly basis; and
- e) in any circumstances the sale of more than one property to the same buyer within any financial year requires prior Board approval.

9.4 The general principle is that public bodies should obtain the best possible price on the open market when disposing of assets. The prior consent of the Scottish Ministers to a disposal of an asset at less than Market Value must be obtained.

9.5 It is recognised that the Authority may from time to time be obliged to dispose of heritable property to a community body where that community body has invoked a Right to Buy contained in the Land Reform (Scotland) Act 2003 (as amended). For the avoidance of doubt, such transactions shall be deemed to be of a routine nature.

Acquisition of heritable property

9.6 The Chief Officer may authorise the acquisition of heritable property by the Authority from third parties for a proposed purchase price of up to £1,000,000.

Non-property/accommodation-related Leases

9.7 The Chief Officer may approve leases – other than property/accommodation-related leases - for a period of up to five

years and up to a total value of £50,000 (calculated over the term of the lease).

- 9.8 It is not necessary for the Chief Officer to seek the approval of the Scottish Ministers to enter into any finance-related lease. However, all finance related leases with a projected total value in excess of £500,000 require Board approval.

Property/accommodation-related Leases etc. – Authority as Landlord

- 9.9 The Chief Officer may approve the Authority entering into a Lease, Licence to Occupy, or Memorandum of Terms of Occupation (MOTO) with third parties in respect of heritable property owned by the Authority for a period of up to 5 years and up to a total value of £5 million (calculated over the term of the Lease/Licence to Occupy/MOTO). However, where a proposed lease concerns accommodation of regional or national importance, the transaction will require the consent of the Scottish Ministers following Board approval.
- 9.10 The Chief Officer may approve the variation or extension of an existing Lease, Licence to Occupy, or MOTO provided any proposed extension would not exceed the threshold specified in paragraph 9.7.
- 9.11 The Chief Officer may instruct appropriate action to enforce the terms of any Lease, Licence to Occupy or MOTO (including the termination thereof) where the Tenant/Licensee/Occupier has failed to comply with the terms of the Lease, Licence to Occupy, or MOTO and in particular may authorise appropriate action to enable the Authority to obtain vacant possession of the heritable property in question.

Property/accommodation-related Leases etc. – Authority as Tenant

- 9.12 The Chief Officer may approve the Authority entering into a Lease, Licence to Occupy, or MOTO with third parties in respect of heritable property owned by the third party for a period of up to 5 years and up to a total value of £2 million (calculated over the term of the Lease/Licence to Occupy/MOTO). However, where a proposed lease concerns accommodation of regional or national importance, the transaction will require the consent of the Scottish Ministers.
- 9.13 The Chief Officer may approve the variation or extension of an existing Lease, Licence to Occupy, or MOTO provided any proposed extension would not exceed the threshold specified in paragraph 9.7.

9.14 The Chief Officer may authorise the exercise, or the non-exercise, of a tenant's lease break.

Miscellaneous

9.15 The Chief Officer may authorise:

- a) the granting to a third party of any other right (e.g. cable wayleave) over heritable property owned by the Authority and vice versa;
- b) the exercise of any right afforded to the Authority under contract or otherwise in respect of heritable property owned by the Authority; and
- c) the granting of, or discharge of, rights affecting or ancillary to property interests existing or acquired.

10 Other licence Agreements

10.1 The Chief Officer may enter, renew and terminate Licence Agreements and/or Site Sharing Agreements with third parties, including but not limited to Agreements pertaining to the use of telecommunication equipment and radio masts, and may authorise any necessary legal action in this connection.

11 Procurement/Contracts

11.1 Subject to the provisions and financial thresholds detailed in the Standing Orders relating to Contracts (see link below), the Chief Officer has authority to place orders and enter into contracts, or to instruct such orders to be placed and entered into, for the supply of goods and services, and works. The Chief Officer may also extend, vary and terminate such contracts or instruct the extension, variation and termination of such contracts.

11.2 <http://www.scotland.police.uk/assets/pdf/138327/327595/standing-orders-relating-to-contracts>.

12 Non-Current Asset Valuation Changes

12.1 The Chief Officer may authorise the increase, decrease or write-off of non-current assets held by the Authority over £25,000 in value. Such adjustments will have an accumulation ceiling of £100,000 within any

financial year. Write-offs which accumulate above £100,000 in any financial year require Board approval.

13 Transactional Services

13.1 The Chief Officer may authorise the write-off of debt due to the Authority by a single debtor of up to £25,000 in accordance with Authority policies, provided all reasonable means of recovery have been exhausted. Where the Chief Officer has approved the write-off of debt due by a particular debtor, any proposed write-off of a further debt owed by the same debtor requires Board approval. Write-offs have an accumulation ceiling of £100,000 within any financial year. Write-offs which accumulate above £100,000 in any financial year require Board approval.

13.2 The Chief Officer may (a) arrange insurance for the Authority and (b) renew periodically all Authority insurances, provided that such actions are consistent with the provisions of the SPFM. Any action taken under (a) and (b) above must be reported to the Finance and/or Audit Committees.

14 Members' Expenses

14.1 The Chief Officer may approve Authority Members' remuneration, allowances and expenses, in accordance with Scottish Government pay policy, Members' terms of appointment, and any specific guidance issued by Scottish Ministers.

15 Legal

15.1 The Chief Officer has authority to do the following:

- a) settle legal actions and claims against the Authority for sums of over £75,000 and up to and including £250,000, in consultation with the Authority's Head of Legal and Compliance;
- b) authorise Police Scotland's Legal Services Department to settle legal actions and claims against the Chief Constable and/or the Authority for sums of over £75,000 and up to and including £250,000, in consultation with the Authority's Head of Legal and Compliance;
- c) settle associated claims for judicial expenses, in consultation with the Authority's Head of Legal and Compliance;
- d) recommend to the Board the settlement of legal actions and claims against the Authority for sums exceeding £250,000;

- e) initiate, enter into, defend and withdraw from legal proceedings involving the Authority, all in consultation with the Head of Legal and Compliance;
- f) direct the signing of court documents on behalf of the Authority;
- g) sign, or authorise the signing on the Authority's behalf, of missives or other documents in terms of the Requirements of Writing (Scotland) Act 1995 relating to transactions involving heritable property; contracts for goods, services or works; and notices and orders relating to compulsory purchase orders; and
- h) engage Police Scotland's Legal Services Department, external legal firms, counsel, sheriff officers, patent agents and parliamentary agents as appropriate, or other specialist services as required.

16 Forensic Services

16.1 The Chief Officer is authorised to enter into necessary arrangements for the provision of forensic services to the Police Service of Scotland, the Police Investigations and Review Commissioner and the Lord Advocate and procurators fiscal, within approved budget limits. Such arrangements may include, but are not restricted to Memoranda of Understanding, Service Level Agreements, establishing advisory/working groups, and other such measures to enable the delivery of an effective service. Any joint arrangements which have a value of over £100,000 require Board approval.

17 Independent Custody Visiting

17.1 The Chief Officer is authorised to perform all functions under sections 94 and 95 of the Act, including the making of arrangements for independent custody visiting, and visits of the Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

18 Conduct & Complaints

18.1 The Chief Officer is authorised to do the following:

- a) Maintain, on behalf of the Authority, suitable arrangements for the handling of relevant complaints, in terms of section 60(1) of the Act;
- b) Keep informed, on behalf of the Authority, as to the manner in which relevant complaints are dealt with by the Chief Constable, with a view to being satisfied that the arrangements maintained

by the Chief Constable for this purpose are suitable (section 60(3) of the Act);

- c) Investigate and respond to relevant complaints made about the Authority or members of the Authority's staff (with the exception of complaints made about the Chief Officer, which will be dealt with by the People Committee);
- d) Perform the functions of the Authority under the Police Service of Scotland (Senior Officers) (Conduct) Regulations 2013, with the exception of the following:
 - (i) decisions as to whether to suspend a senior officer (regulation 6);
 - (ii) decisions as to the action to be taken following receipt of the investigator's report into the alleged misconduct (regulation 15);
 - (iii) the appointment of panels for misconduct hearings (regulation 18);
 - (iv) determining the procedure for appeals against the decisions of misconduct panels (regulation 26);
- e) Perform the functions of the Authority under the Police Service of Scotland (Senior Officers) (Performance) Regulations 2016, with the exception of the following:
 - (i) all functions of the Chair of the Authority acting as the Chief Constable's reporting officer;
 - (ii) the appointment of appeal panels to conduct performance appeal meetings (regulation 19); and
 - (iii) the appointment of panels to conduct performance hearings (regulation 28).

18.2 The Chief Officer or his/her delegated representative, must report to the Policing Committee in respect of Complaints matters at each meeting of the Policing Committee.

19 Health & Safety

19.1 The Chief Officer is authorised to make such decisions, and take such action, as are required to satisfy the Authority's obligations under the Health and Safety at Work Act of 1974 ("the 1974 Act"). This includes taking the lead role in ensuring that Authority Members, managers and other Authority staff are meeting their responsibilities so as to comply with the 1974 Act. This activity is undertaken in conjunction with the Business Partnering arrangements for service delivery from Police Scotland.

20 Emergency Planning

20.1 The Chief Officer is authorised to make such decisions, and take such action, as are required to satisfy the Authority's obligations for emergency planning, business continuity, and disaster recovery as detailed in the Civil Contingencies Act 2004. This activity is undertaken in conjunction with the Business Partnering arrangements for service delivery from Police Scotland.

21 Freedom of Information

21.1 The Chief Officer is authorised to make such decisions and take such action, as are required to satisfy the Authority's obligations under:

- a) the Freedom of Information (Scotland) Act 2002;
- b) the Environmental Information (Scotland) Regulations 2004;
- c) the Data Protection Act 1998;
- d) the Public Records (Scotland) Act 2011

22 Applications for assistance with legal expenses

22.1 The Chief Officer is authorised to consider applications from constables for assistance with the payment of legal expenses arising from alleged unlawful conduct by them, or in connection with Fatal Accident Inquiries.

23 Pensions

23.1 The Chief Officer is authorised to do the following:

- a) make decisions regarding flexible retirements in line with the Pensions Discretionary Policy;
- b) make decisions on pension forfeiture cases;
- c) make decisions on individual cases regarding –
 - i. reinstatement of a child's pension.
 - ii. reinstatement of a widow/ers pension.
 - iii. granting cessation of payments towards increased pension benefits.

In the case of such pension matters funding implications are a matter for the Scottish Public Pensions Agency (SPPA). The Authority is the

decision maker in respect of entitlement and action. The Authority cannot proceed without the agreement of SPPA.

- d) make decisions on individual cases regarding –
 - i. granting an underpayment of an injury on duty award.
 - ii. granting a retrospective injury on duty award.

In the case of injury on duty awards funding implications are a matter for SPPA. The Authority is the decision maker in respect of entitlement and action. The Authority cannot proceed without the agreement of SPPA.

- e) all decisions made under (a)-(d) above must be reported to the People Committee as soon as it is practicable to do so.

24 III-Health Retirements

24.1 The Chief Officer is authorised to consider and determine applications from police officers for III-Health retirement, provided that:

- a) the People Committee is advised of all such applications;
- b) decisions taken are formally reported to the People Committee as soon as it is practicable to do so.

25 Injury on Duty Awards

25.1 The Chief Officer is authorised to consider and determine applications from police officers for Injury on Duty awards, provided that:

- a) the People Committee is advised of all such applications;
- b) decisions taken are formally reported to the People Committee as soon as it is practicable to do so.

GLOSSARY OF TERMS

Definitions	
The Authority	The Scottish Police Authority - the body corporate established under the terms of the Police and Fire Reform (Scotland) Act 2012
Accountable Officer	Can delegate authority for budgets and associated strategic and financial management responsibilities however, while an Accountable Officer can delegate authority the responsibilities of an Accountable Officer cannot be delegated or shared.
Best Value	Best Value is about continuous improvement, seeking to change the way things are done in a way that transforms and sustains the delivery of quality public services in Scotland.
Heritable Property	Heritable property ("real" or "immovable") includes only naturally immovable items such as land minerals, or any object attached to land such as buildings.
Leases	Operating - a lease whose term is short compared to the useful life of the asset or piece of equipment (an airliner, a ship, etc.) being leased. It is commonly used to acquire equipment on a relatively short-term basis. Finance - a lease that transfers substantially all the risks and rewards incidental to ownership of an asset. Title may or may not eventually be transferred.
Major Investment Project	Investment projects with a budget of £5M+ including fees and VAT.
VAT	All sums stated in this Scheme of Delegation are inclusive of VAT
Virement	The term used for the process by which funds are moved between budget sections or subheads (detailed subdivisions of budget sections as set out in the Budget Documents) such that additional expenditure on one is met by savings on one or more others.
Section 83	Section 83 of the Police and Fire Reform (Scotland) Act 2012:

	<p>Co-operation between Scottish Police Authority and Police Service</p> <p>(1) The Authority and the Chief Constable may make arrangements under which –</p> <ul style="list-style-type: none">(a) The Authority is to provide assistance to the Police Service or(b) The Police Service is to provide assistance to the Authority
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LIST OF LEGISLATION REFERENCED IN THIS SCHEME OF DELEGATION

Civil Contingencies Act 2004

Requirements of Writing (Scotland) Act 1995

Police and Fire Reform (Scotland) Act 2012

Public Finance and Accountability (Scotland) Act 2000;

Land Reform (Scotland) Act 2003

Freedom of Information (Scotland) Act 2002;

Environmental Information (Scotland) Regulations 2004;

Data Protection Act 1998;

Public Records (Scotland) Act 2011

FINANCIAL DELEGATIONS –SPA/POLICE SCOTLAND

The Authority's Financial Delegations are set out below. However, linked transactions which exceed any of the financial delegations as set out for the Chief Officer and/or Executive sub-group require Board approval.

Linked transactions which exceed any of the delegations as set out for the Board require Scottish Government approval. Examples of linked transactions would include, but are not restricted to:

- multiple transactions with the same organisation/individual or organisations/ individual within a group structure
- transactions with more than one organisation/individual linked by contract, memorandum of understanding or other legal framework
- transactions with more than one organisation/individual engaged in similar work types.

All financial delegations must take full account of serial transactions. The financial delegations must be regarded as cumulative. Therefore, in all circumstances full consideration must be given to the cumulative and combined effect of all financial transactions. Where the cumulative and combined effect exceeds the delegated financial authority levels set out below approval must be sought from the next highest authority level in all cases. By way of example, should the Chief Officer believe that in a heritable property transaction, a cumulative and combined effect presents itself, then it is necessary for him or her to seek Board approval prior to proceeding with the transaction. This is an underpinning rule which holds true for all transactions and financial delegation activities.

Financial Authorisations Summary

Financial authorisation limits in respect of the Authority and Police Scotland are determined by the Board on the recommendation of the Chief Officer.

Item	Type of expenditure (if applicable)	Authorisation		
		Police Scotland	Chief Officer/Accountable Officer	SPA Board / SG
Transfer funds between headings and between capital projects	Authority Staff		up to £200,000	Over £200,000. (1% Cumulative Annual Variation Allowed)
	Other costs		up to £200,000	Over £200,000. (2.5 % Cumulative Annual Variation Allowed)
Heritable Property	Routine Purchase	N/A	Up to £1m	To SG over £1m up to £2m
	Routine disposal	N/A	Up to £1m (provided market value met.)	
	Non routine disposal	N/A	All to CEO (on to Board)	All to Board (on to SG)
Leases	Operating lease		Up to £50,000 and up to a period of 5 years	To SG exceeding £50,000 or more than 5 years
Tenders & Contracts	Award of Goods & Services	Up to £500,000	From £500,000 to £1m	From £1m up to £2m
	Award of Works (construction)	Up to £500,000	From £500,000 to £2m (OJEU Threshold) (to SG over £2m)	From £2m to £4m (OJEU Threshold) (to SG over £2m)
	Extension		Over £1m	
	Non-competitive action (NCA)	Up to £25,000	From £25,000 to £1m (on to SG)	Over £1m (on to SG)
External Businesses & Management Consultancies			up to £100,00 (to SG over £100K)	Over £100,000 (to SG over £100K)
Capital Investment (Major Projects)	Investment appraisal/ business case		Up to £2m	To SG over £2m
Legal	Settling legal actions & claims against the Authority		From £75,000 to £250,000	Over £250,000

Item	Type of expenditure (if applicable)	Authorisation		
		Police Scotland	Chief Officer/Accountable Officer	SPA Board / SG
	Settling legal actions & claims against the CC	From £75,000 to £250,000 (consultation with SPA Legal)		
Write off, bad debt/losses			Up to £25,000 (to max. £100k within F/Y)	From £100,000 (accumulated over F/Y)