

PROPOSED AMENDMENTS TO SFI's

SFI SECTION	EXISTING NARRATIVE WITHIN THE SFI's	PROPOSED NARRATIVE FOR APPROVAL WITHIN THE SFI's	REASON FOR THE CHANGE REQUEST
NARRATIVE AMENDMENTS IN RELATION TO THE CHANGES IN OFFICIAL ACTS, REGULATORS AND POLICY FRAMEWORKS			
1.1.6 General	Officers of the Trust should note that the SFIs, SOs and Scheme of Decisions and Scheme of Delegation do not contain every legal obligation applicable to the Trust. The Trust and each officer of the Trust must comply with all requirements of legislation (which shall mean any statute, subordinate or secondary legislation, any enforceable community right within the meaning of section 2(1) European Communities Act 1972 and any applicable judgment of a relevant court of law which is a binding precedent in England) and all guidance and directions binding on the Trust. Legislation, guidance and directions will impose requirements additional to the SOs, SFIs and Scheme of Decisions and Scheme of Delegation. All such legislation and binding guidance and directions shall take precedence over these SFIs, SOs and the Scheme of Decisions and Scheme of Delegation. The SFIs, SOs and Scheme of Decisions and Scheme of Delegation shall be interpreted accordingly.	Officers of the Trust should note that the SFIs, SOs and Scheme of Decisions and Scheme of Delegation do not contain every legal obligation applicable to the Trust. The Trust and each officer of the Trust must comply with all requirements of legislation and all guidance and directions binding on the Trust. Legislation, guidance and directions will impose requirements additional to the SOs, SFIs and Scheme of Decisions and Scheme of Delegation. All such legislation and binding guidance and directions shall take precedence over these SFIs, SOs and the Scheme of Decisions and Scheme of Delegation. The SFIs, SOs and Scheme of Decisions and Scheme of Delegation shall be interpreted accordingly.	The European Communities Act 1972 was the piece of legislation that brought the UK into the Europe Union: it gives EU law supremacy over UK national law. A large amount of EU law effective in the UK currently relies on the 1972 Act. The Act is repealed by the EU Withdrawal Act 2018 although in reality this is more of a 'copy and paste' act that transfers EU regulation and law onto the UK statute book. Parts of the European Communities Act 1972 have been kept in force by the Withdrawal Agreement Act 2020 to allow for EU rules to continue to apply during the transition period up until December 2020.
2.6.1 (a) Fraud and Corruption	the NHS Anti Fraud Manual	the NHS Counter Fraud Manual;	Name change of the manual
2.6.1 (b) Fraud and Corruption	the policy statement "Applying appropriate sanctions consistently" published by NHS Protect (the predecessor organisation to the NHS Counter Fraud Authority)	The NHS counter fraud manual Chapter 6 – Pursuing sanctions where there is evidence of fraud, bribery or corruption;	Update the document in which to refer
2.6.3 Fraud and Corruption	The Trust shall nominate a suitable person to carry out the duties of the local counter fraud specialist (LCFS) and local security management specialist (LSMS) in accordance with relevant Counter Fraud and Security Management Standards for Providers.	The Trust shall nominate a suitable person to carry out the duties of the local counter fraud specialist (LCFS) in accordance with the NHS Requirements under Government Functional Standard 013 for Counter Fraud. Whilst the legacy standards historically required by NHS Protect (Security Management Standards for Providers) no longer exist they still provide an excellent framework for the management of security that will be continually implemented via the Health, Safety and Security Team.	Change in process and material to be referenced
2.6.4 Fraud and Corruption	The LCFS and LSMS shall report to the Director of Finance, Contracting and Estates and shall work with staff in the NHS Counter Fraud Authority in accordance with the NHS Anti-Crime Manual	The LCFS shall report to the Director of Finance, Contracting and Estates and shall work with staff in the NHS Counter Fraud Authority in accordance with the NHS Counter Fraud Manual. The Health, Safety & Security Team will report to the Compliance & Governance Manager (Estates) and provide security management arrangements in accordance with the relevant section of the Health & Safety Policy.	Change in process and material to be referenced
11.1.3 Capital Investment	The Chief Executive and Director of Finance, Contracting and Estates shall ensure that the arrangements for financial control and financial audit of building and engineering contracts and property transactions comply with the guidance contained within CONCODE and ESTATECODE. The technical audit of these contracts shall be the responsibility of the relevant Director	The Chief Executive and Director of Finance, Contracting and Estates shall ensure that the arrangements for financial control and financial audit of building and engineering contracts and property transactions comply with the guidance contained within EU Procurement Regulations and ESTATECODE. The technical audit of these contracts shall be the responsibility of the relevant Director	Change in regulation applied. EU Procurement Regulations still apply
13.2.2 Losses and Special Payments	The Director of Finance, Contracting and Estates must notify the Counter Fraud and Security Management Services (CFSMS) and the External Auditor of all frauds.	The Director of Finance, Contracting and Estates must notify the Counter Fraud and Security Management Service Division (CFSMS) and the External Auditor of all frauds.	Update in the name of the regulator
AMENDMENTS IN RELATION TO SECTION 17 - TENDERING AND CONTRACTING PROCEDURES			
17.5.3 (m) Exceptions and instances where formal tendering need not be applied	Contracts awarded by the Head of Procurement and Supplies in conjunction with Points (f) and (g) are not required to be waived, as contracts awarded in these circumstances. Have been let through nationally negotiated contracts which have demonstrated best value and have been let through open competition in accordance with National Procurement legislation. The Head of Procurement and Supplies is not required to document and report this to the Trust Board.	Contracts awarded by the Head of Procurement in conjunction with Points (f) and (g) are not required to be waived, as contracts awarded in these circumstances. Have been let through nationally negotiated contracts which have demonstrated best value and have been let through open competition in accordance with National Procurement legislation. The Head of Procurement is not required to document and report this to the Trust Board.	Head of Procurement and Supplies, replaced with Head of Procurement
17.5.6 Building and Engineer Construction Works	Competitive Tendering cannot be waived for building and engineering construction works and maintenance (other than in accordance with concode) without Departmental of Health approval.	Competitive Tendering cannot be waived for building and engineering construction works and maintenance (other than in accordance with EU Procurement Regulations) without Departmental of Health approval.	Change in regulation applied. EU Procurement Regulations still apply
17.6.1 (ii) Invitation to Tender	All invitations to tender shall state that no tender will be accepted unless:	All hard copy invitations to tender shall state that no tender will be accepted unless:	Wording update
17.6.1 (iv) Invitation to Tender	Every tender for building or engineering works (except for maintenance work, when Estmancode guidance shall be followed) shall embody or be in the terms of the current edition of one of the Joint Contracts Tribunal Standard Forms of Building Contract or Department of the Environment (GC/Wks) Standard forms of contract amended to comply with concode; or, when the content of the work is primarily engineering, the General Conditions of Contract recommended by the Institution of Mechanical and Electrical Engineers and the Association of Consulting Engineers (Form A), or (in the case of civil engineering work) the General Conditions of Contract recommended by the Institute of Civil Engineers, the Association of Consulting Engineers and the Federation of Civil Engineering Contractors. These documents shall be modified and/or amplified to accord with Department of Health guidance and, in minor respects, to cover special features of individual projects.	Every tender for building or engineering works (except for maintenance work, when Estmancode guidance shall be followed) shall embody or be in the terms of the current edition of one of the Joint Contracts Tribunal Standard Forms of Building Contract or Department of the Environment (GC/Wks) Standard forms of contract amended to comply with EU Procurement Regulations; or, when the content of the work is primarily engineering, the General Conditions of Contract recommended by the Institution of Mechanical and Electrical Engineers and the Association of Consulting Engineers (Form A), or (in the case of civil engineering work) the General Conditions of Contract recommended by the Institute of Civil Engineers, the Association of Consulting Engineers and the Federation of Civil Engineering Contractors. These documents shall be modified and/or amplified to accord with Department of Health guidance and, in minor respects, to cover special features of individual projects.	Change in regulation applied. EU Procurement Regulations still apply
17.6.2 Receipt and safe custody of tenders	Tender responses will be accessed electronically by approved/delegated staff in Trust Headquarters, whereupon all offers will be printed and recorded in the same way as hard copy only Tenders.	Tender responses will be accessed electronically by approved/delegated staff, whereupon all offers will be printed and recorded in the same way as hard copy only Tenders.	Wording update
17.6.3 (ii) Opening tenders and Register of tenders (paper based responses)	A member of the Trust Board will be required to be one of the two approved persons present for the opening of tenders estimated above £20,000. The rules relating to the opening of tenders will need to be read in conjunction with any delegated authority set out in the Trust's Scheme of Delegation	A member of the Trust Board will be required to be one of the two approved persons present for the opening of tenders estimated above £25,000. The rules relating to the opening of tenders will need to be read in conjunction with any delegated authority set out in the Trust's Scheme of Delegation	Value updated
17.6.4 (iii) Opening tenders and Register of tenders (Electronic Responses) – Procurement and Supplies Department Only	The Head of Procurement and Supplies and the Deputy Head of Procurement and Supplies will be required to be one of the two approved persons present for the releasing of the tenders estimated above £25k. In the case where the Head of Procurement and Supplies or the Deputy Head of Procurement and Supplies is the tender originator, a separate delegated officer will need to be present. The rules relating to the opening of tenders will need to be read in conjunction with any delegated authority set out in the Trust's scheme of delegation	The Head of Procurement and the Deputy Head of Procurement will be required to be one of the two approved persons present for the releasing of the tenders estimated above £25k. In the case where the Head of Procurement or the Deputy Head of Procurement is the tender originator, a separate delegated officer will need to be present. The rules relating to the opening of tenders will need to be read in conjunction with any delegated authority set out in the Trust's scheme of delegation	Head of Procurement and Supplies, replaced with Head of Procurement
17.6.4 (iv) Opening tenders and Register of tenders (Electronic Responses) – Procurement and Supplies Department Only	A register shall be maintained by the Head of Supplies, or a person authorised by them, to show for each set of competitive tender invitations despatched:	A register shall be maintained by the Head of Procurement, or a person authorised by them, to show for each set of competitive tender invitations despatched:	Head of Procurement and Supplies, replaced with Head of Procurement
17.6.8 (ii) Acceptance of formal tenders	The Head of Procurement and Supplies may enter into post tender negotiations on terms of costs provided that the reasons for, and the results of, such negotiations are maintained in a permanent record.	The Head of Procurement may enter into post tender negotiations on terms of costs provided that the reasons for, and the results of, such negotiations are maintained in a permanent record.	Head of Procurement and Supplies, replaced with Head of Procurement
17.6.8 (iv) Acceptance of formal tenders		(c) in accordance with MEAT (Most Economically Advantageous Tender) criteria	Additional narrative added

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17.6.10 List of approved firms - (b) Building and Engineering Construction Works	(i) Invitations to tender shall be made only to firms included on the approved list of tenderers compiled in accordance with this instruction or on the separate maintenance lists compiled in accordance with Estmancode guidance. (Health Notice HN(78)147).	(i) Invitations to tender shall be made only to firms included on the approved list of tenderers compiled in accordance with this instruction or on the separate maintenance lists compiled in accordance with Estmancode guidance.	Health notice removed. Not required
17.6.10 List of approved firms - (b) Building and Engineering Construction Works	(d) Supplies/Procurement The Head of Procurement and Supplies should seek to ensure that all firms, with whom the Trust enters into a contract, are technically and financially competent to undertake to fulfil the supply of goods and services, making use of the national and regional framework contracts, the NHS Supply Chain, and Trust approved contractors	(d) Procurement The Head of Procurement should seek to ensure that all firms, with whom the Trust enters into a contract, are technically and financially competent to undertake to fulfil the supply of goods and services, making use of the national and regional framework contracts, the NHS Supply Chain, and Trust approved contractors	Head of Procurement and Supplies, replaced with Head of Procurement
17.8 Authorisation of Tenders and Competitive Quotations	Providing all the conditions and circumstances set out in these Standing Financial Instructions have been fully complied with, formal authorisation and awarding of a contract may be decided by the following staff to the value of the contract as follows: Head of Procurement and Supplies up to £25,000	Providing all the conditions and circumstances set out in these Standing Financial Instructions have been fully complied with, formal authorisation and awarding of a contract may be decided by the following staff to the value of the contract as follows: Head of Procurement up to £25,000	Head of Procurement and Supplies, replaced with Head of Procurement
AMENDMENTS RELATING TO CHANGES TO DIRECTOR RESPONSIBILITY			
8.4.1 Processing Payroll	The Director of Finance, Contracting and Estates is responsible for: (a) specifying timetables for submission of properly authorised time records and other notifications; (b) the final determination of pay and allowances; (c) making payment on agreed dates; (d) agreeing method of payment	The Director of Human Resources and Organisational Development is responsible for: (a) specifying timetables for submission of properly authorised time records and other notifications; (b) the final determination of pay and allowances; (c) making payment on agreed dates; (d) agreeing method of payment	Change in the director responsibility
8.4.2 Processing Payroll	The Director of Finance, Contracting and Estates will issue instructions regarding: (a) verification and documentation of data; (b) the timetable for receipt and preparation of payroll data and the payment of employees and allowances; (c) maintenance of subsidiary records for superannuation, income tax, social security and other authorised deductions from pay; (d) security and confidentiality of payroll information; (e) checks to be applied to completed payroll before and after payment; (f) authority to release payroll data under the provisions of the Data Protection Act; (g) methods of payment available to various categories of employee and Officers; (h) procedures for payment by cheque, bank credit, or cash to employees and Officers; (i) procedures for the recall of cheques and bank credits; (j) pay advances and their recovery; (k) maintenance of regular and independent reconciliation of pay control accounts; (l) separation of duties of preparing records and handling cash; (m) a system to ensure the recovery from those leaving the employment of the Trust of sums of money and property due by them to the Trust.	The Director of Human Resources and Organisational Development will issue instructions regarding: (a) verification and documentation of data; (b) the timetable for receipt and preparation of payroll data and the payment of employees and allowances; (c) maintenance of subsidiary records for superannuation, income tax, social security and other authorised deductions from pay; (d) security and confidentiality of payroll information; (e) checks to be applied to completed payroll before and after payment; (f) authority to release payroll data under the provisions of the Data Protection Act; (g) methods of payment available to various categories of employee and Officers; (h) procedures for payment by cheque, bank credit, or cash to employees and Officers; (i) procedures for the recall of cheques and bank credits; (j) pay advances and their recovery; (k) maintenance of regular and independent reconciliation of pay control accounts; (l) separation of duties of preparing records and handling cash; (m) a system to ensure the recovery from those leaving the employment of the Trust of sums of money and property due by them to the Trust.	Change in the director responsibility
8.4.3 (b) Processing Payroll - Appropriately nominated managers have delegated responsibility for:	(b) completing time records and other notifications in accordance with the Director of Finance, Contracting and Estates instructions and in the form prescribed by the Director of Finance, Contracting and Estates ;	(b) completing time records and other notifications in accordance with the Director of Human Resources and Organisational Development instructions and in the form prescribed by the Director of Human Resources and Organisational Development ;	Change in the director responsibility
8.4.3 (c) Processing Payroll - Appropriately nominated managers have delegated responsibility for:	submitting termination forms in the prescribed form immediately upon knowing the effective date of an employee's or Officer's resignation, termination or retirement. Where an employee fails to report for duty or to fulfil obligations in circumstances that suggest they have left without notice, the Director of Finance, Contracting and Estates must be informed immediately	submitting termination forms in the prescribed form immediately upon knowing the effective date of an employee's or Officer's resignation, termination or retirement. Where an employee fails to report for duty or to fulfil obligations in circumstances that suggest they have left without notice, the Director of Human Resources and Organisational Development must be informed immediately	Change in the director responsibility
8.4.4 Processing Payroll	Regardless of the arrangements for providing the payroll service, the Director of Finance, Contracting and Estates shall ensure that the chosen method is supported by appropriate (contracted) terms and conditions, adequate internal controls and audit review procedures and that suitable arrangements are made for the collection of payroll deductions and payment of these to appropriate bodies.	Regardless of the arrangements for providing the payroll service, the Director of Human Resources and Organisational Development shall ensure that the chosen method is supported by appropriate (contracted) terms and conditions, adequate internal controls and audit review procedures and that suitable arrangements are made for the collection of payroll deductions and payment of these to appropriate bodies.	Change in the director responsibility