

PROCEDURE FOR USE OF COMMON SEAL

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PROCEDURE AMENDMENTS

Amendments to the Procedure will be issued from time to time. A new amendment history will be issued with each change.

New Version Number	Issued by	Nature of Amendment	Approved by and Date	Date on Intranet

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1.0 INTRODUCTION

- 1.1 Section 6 of the CCG's Standing Orders (Appendix C of the Constitution) sets out the general principles around the use of the Group's Common Seal.
- 1.2 The following individuals are authorised to authenticate the use of the Common Seal by their signature :
- The Accountable Officer
 - The Chair of the Governing Body
 - The Vice Chair of the Governing Body
 - The Chief Finance Officer
- 1.3 The application of the Common Seal shall be affixed in the presence of two members of the Governing Body, including one of the above.

2.0 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.

3.0 APPROVAL FOR USE OF THE SEAL

- 3.1 The appropriate lead Senior Officer is responsible for ensuring that approval is sought from the Governing Body **before** the Seal is used. The report to the Governing Body should specify :
- The financial implications of the issue.
 - Whether legal advice has been sought.
 - That Standing Orders and Prime Financial Policies have been complied with.

- 3.2 Once approval has been granted by the Governing Body, the Senior Officer should inform the Board Secretary and provide details of the document, for inclusion in the register.

4.0 URGENT USE

- 4.1 If the Common Seal is required to be used urgently and prior approval from the Governing Body is not possible, the Senior Officer responsible must provide a full briefing to whoever is authorised to sign the document, prior to presentation of the document for signature and sealing.
- 4.2 Failure to provide a full briefing could result in signing and sealing being delayed.

5.0 CUSTODY OF THE SEAL

- 5.1 The secure custody of the Common Seal is the responsibility of the Accountable Officer who will be supported in this by the Board Secretary.
- 5.2 The Common Seal will be kept locked at Grimbald Crag Court and can be accessed by contacting the Board Secretary (or in their absence, one of Corporate Team PAs).

6.0 REGISTER OF SEALING

- 6.1 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 Common Seal in the safe.

7.0 SEALING AND SIGNATURE OF DOCUMENTS AND COMPLETION OF THE REGISTER

- 7.1 The relevant lead Senior Officer should liaise with the Board Secretary to access the seal and register.
- 7.2 The relevant Senior Officer's secretary should make the necessary arrangements for the sealing and signing to take place.
- 7.3 The Common Seal must be affixed in the presence of the two authorised signatories and the document witnessed by them. **(Preferably this should not include the Senior Officer who sought approval for its use or who is leading on the issue).**

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

7.5 Where any document will be a necessary step in legal proceedings on behalf of the CCG, it must be signed by the Accountable Officer.

8.0 EXECUTION OF A DOCUMENT BY SIGNATURE

8.1 The following individuals are authorised to execute a document on behalf of the Group by their signature :

- The Accountable Officer
- The Chair of the Governing Body
- The Vice Chair of the Governing Body
- The Chief Finance Officer

8.2 Alternatively this could be by other individuals to whom that ability has been delegated in writing by the Accountable Officer.