

Corporation Board – Scheme of Delegation

Purpose:

The purpose of this Scheme of Delegation is to set out how the Corporation Board distinguishes between matters reserved exclusively for Board approval or decision, and those delegated to committees or individuals.

General:

When delegating authority, the Board should remember that, whilst it can delegate the performance of its functions, the Board itself retains overall responsibility and accountability. It is therefore essential that the Board has the appropriate checks and balances in place to ensure that functions are being exercised effectively and appropriately and in accordance with the delegated authority.

When delegating authority, the Board must have due regard to legislation and terms and conditions of funding.

The Scheme of Delegation should also take account of internal documents e.g. financial regulations and which set out levels of delegation relating to financial or other matters.

Role of the Board:

As per Article 3.1, the key responsibilities of the Corporation are as follows:

- (a) The determination and periodic review of the educational character and mission of the institution and the oversight of its activities and the setting of its strategy for fulfilling its Objects;
- (b) Publishing arrangements for obtaining the views of staff and students on the determination and periodic review of the educational character and mission of the institution and the oversight of its activities;
- (c) Reviewing how well the education meets local and regional needs and consider what actions could be taken to better meet those needs (in light of the review).
- (d) Approving the quality strategy of the institution;
- (e) The effective and efficient use of resources, the solvency of the institution and the Corporation and safeguarding its assets;
- (f) Approving annual estimates of income and expenditure;
- (g) The appointment, grading, suspension, dismissal and determination of the pay and conditions of service of the senior post-holders and the Clerk, including, where the Clerk is, or is to be appointed as, a member of staff, the Clerk's appointment, grading, suspension, dismissal and determination of pay in the capacity of a member of staff; and
- (h) Setting a framework for the pay and conditions of service of all other staff.

As per Article 9, the Corporation shall not delegate the following:

- (a) The determination of the educational character and mission of the institution and the setting of strategy;
- (b) The approval of the annual estimates of income and expenditure;

- (c) The responsibility for ensuring the solvency of the institution and the Corporation and for safeguarding assets;
- (d) The appointment of the Principal or any other senior post-holder;
- (e) The appointment of the Clerk, (including, where the Clerk is, or is to be, appointed as a member of staff the Clerk's appointment in the capacity of a member of staff); and
- (f) The modification or revocation of these Articles.

As per Article 10, the Corporation may not delegate the following:

- (a) The consideration of the case for dismissal, and
- (b) The power to determine an appeal in connection with the dismissal of the Principal, the Clerk or any other senior post-holder, other than to a committee of members of the Corporation.

Whilst the Board has overall responsibility for the effective operation of the College and the implementation / monitoring of the College Strategic Plan, the Board should not be involved in the day to day operation of the College, instead remaining at a strategic level. This includes setting strategic goals and objectives, ensuring these are able to be monitored and measured, providing a strategic policy framework to facilitate the strategy and seeking assurance that appropriate systems and processes are in place to facilitate this.

Delegation to Committees

As per Article 4, the Corporation are able to establish committees for any purpose or function, other than those assigned in these Articles to the Principal or Clerk, and may delegate powers to:

- (a) Such committees
- (b) The Chair, or in the Chair's absence, either of the Vice-Chairs
- (c) The Principal

The Corporation has the following committees in place:

- Governance Committee (required by the Instrument and Articles of Government)
- Audit Committee (required by the Instrument and Articles of Government)
- People Committee
- Remuneration Committee
- Finance and General Purposes Committee
- Curriculum and Quality Standards Committee

Each Committee shall have a clearly defined remit within the Terms of Reference which sets out the duties and responsibilities delegated by the Corporation Board.

The remit must be approved by the Board. The Committee may suggest amendments to the remit, but any amendments must be approved by the Board before they are implemented.

The Board may choose to delegate additional functions to a specific Committee and this should be clearly detailed within the minutes of an appropriate meeting.

The Board reserves the right to review the committee structure and the authority delegated to them as and when it deems it appropriate to do so.

The chair approved minutes of each committee meeting will be submitted to the Board for information at the next appropriate meeting. In addition, the Committee Chair shall give an update to the Board on key issues as part of the Chair's update. This update should specifically report on any approvals taken by the committee to ensure the full Board have awareness.

Governance Committee

The Governance Committee is specifically to oversee, consider and advise on the appointment of independent governors, matters relating to recruitment, induction, appointments, development and membership, revision of governance documentation, and effective governance.

Audit Committee

The Audit Committee is specifically to oversee, consider and advise on matters relating to the Corporation's audit arrangements and systems of internal control, including; assurance, internal and external audit, risk, and internal control.

People Committee

The People Committee is specifically to oversee, consider and advise on matters relating to equality, diversity and inclusion, people and organisation development, and health, safety and wellbeing.

Remuneration Committee

The Remuneration Committee is specifically to oversee, consider and advise on matters relating to the terms, conditions, performance and pay of senior post holders.

Finance and General Purposes Committee

The Finance and General Purposes Committee is specifically to oversee, consider and advise on matters relating to finance, IT, sustainability, subcontracting, estates, data protection and cyber security, partnership, brand, marketing and communications.

Curriculum and Quality Standards Committee

The Curriculum and Quality Standards Committee is specifically to oversee, consider and advise on matters relating to curriculum, quality, safeguarding and prevent, learner experience, equality, diversity and inclusion, careers, and special educational needs and disabilities.

Delegation to the Chair or Vice-Chair(s)

As per Article 4, the Corporation are able delegate functions to the Chair or Vice-Chair(s) (in the Chair's absence).

The Corporation has delegated authority to:

- (a) Exercise judgement in the event of a need for an urgent decision during the period between Board meetings, such that:
 - An extraordinary Board meeting is called in the case of material decisions;
 - A proposal is circulated and a decision is approved by email (in accordance with the Standing Orders). Approvals should be reported back to the full Board at the next meeting.
- (b) On behalf of the Board, sign and date the College's Annual Report and Accounts, after Board approval, and other documents as may be required.
- (c) Represent the Board within the College and externally.
- (d) Issue communications on behalf of the Board in whatever form is appropriate, both within and out with the College.
- (e) Monitor, review and record the Principal's performance at least annually against performance measures agreed by the Remuneration Committee.
- (f) Monitor, review and record the Director of Governance and Compliance's performance at least annually against performance measures agreed by the Remuneration Committee.

Delegation to the Principal:

As per Article 3.2, the Principal shall be responsible for the following functions:

- (a) Making proposals to the Corporation about the educational character and mission of the institution and implementing the decisions of the Corporation and the strategy from time to time;
- (b) The determination of the Corporation's academic and other activities;
- (c) Preparing annual estimates of income and expenditure for consideration and approval by the Corporation, and the management of budget and resources within the estimates approved by the Corporation;
- (d) The organisation, direction and management of the institution and leadership of the staff;
- (e) The appointment, assignment, grading, appraisal, suspension, dismissal and determination, within the framework set by the Corporation, of the pay and conditions of service of staff, other than the senior post-holders or the Clerk, where the Clerk is also a member of the staff; and
- (f) Maintaining student discipline and, within the rules and procedures provided for within these Articles, suspending or expelling students on disciplinary grounds or expelling students for academic reasons.

These functions will normally be address through management committees such as Executive Team meetings.

In the absence of the Principal, the Deputy Principals (as Senior Post Holders) shall ensure that essential function and delegated authorities of the Principal are carried out.

Delegation to the Clerk:

As per Article 3.2, the Clerk shall be responsible for the following functions:

- (a) Advising the Corporation (and its members) with regard to the operation of its powers;
- (b) Advising the Corporation (and its members) with regard to procedural matters;
- (c) Advising the Corporation (and its members) with regard to the conduct of its business; and
- (d) Advising the Corporation (and its members) with regard to matters of governance practice.

In the absence of the Clerk, the Board shall agree temporary arrangements to fulfil the role.