

SCHEME OF DELEGATION

1. Purpose of the Scheme of Delegation

This Scheme of Delegation distinguishes between matters reserved exclusively for the Corporation's approval or decision, and matters delegated to committees and individuals.

2. Role of the Corporation

The Corporation sets the strategic and operational framework within which the Principal will manage the College, and the Corporation will monitor and hold the Senior Management Team to account to achieve the College's Strategic Plan objectives.

The responsibilities of the Corporation are set out in the Articles of Government. Article 3(1) states that the Corporation shall be **responsible** for the following functions:

- (i) The determination and periodic review of the educational character and mission of the institution and the oversight of its activities;
 - (a) 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;
 - (a) Approving the quality strategy of the institution;
 - (b) The effective and efficient use of resources, the solvency of the institution and the Corporation and safeguarding their assets;
 - (c) Approving annual estimates of income and expenditure; and
 - (d) The appointment, grading, suspension, dismissal and determination of the pay and conditions of service of the holders of senior posts 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.

Article 9 states that the Corporation **shall not** delegate the following functions:

- (e) The determination of the educational character and mission of the institution;
- (f) The approval of the annual estimates of income and expenditure;
- (g) The responsibility for ensuring the solvency of the institution and the Corporation and for safeguarding their assets;
- (h) The appointment of the Principal or holder of a senior post;
- (i) 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
- (j) The modification or revocation of these Articles.

3. Role of the Principal

The statutory powers and duties of the Principal are set out in Article 3(2). The Principal shall be the Chief Executive of the institution, and shall be responsible for:

- (a) Making proposals to the Corporation about the educational character and mission of the institution and implementing the decisions of the Corporation;
- (b) The determination of the institution'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 holders of senior posts or the Clerk, where the Clerk is also a member of the staff;
- (f) Setting a framework for the pay and conditions of service of all staff other than the holders of senior posts and the Clerk; and
- (g) 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.

Article 11 states that the Principal may delegate functions to any member of the Senior Management Team other than:

- (a) The management of budget and resources; and
- (b) Any functions that have been delegated specifically to the Principal by the Corporation

4. Role of the Clerk

The Clerk shall be responsible for the following functions set out in Article 3(3): -

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

The remaining five core responsibilities of the Clerk are also laid out in the Instrument of Government, as follows: -

- Receiving written notice of the Chair/Vice Chair's resignation
- Receiving notice of a Member's disqualification from office
- Receiving written notice of a Member's resignation
- The maintenance of a Register of Members' Interests
- Calling meetings and send out agendas

5. Role of the Chair and taking Chair's Action

The Chair has the same legal authority as other Corporation members and acts as "First among Equals". The Chair is responsible for the leadership of the Corporation and is ultimately responsible to the College's stakeholders for the effectiveness of the Corporation. The following responsibilities are defined in the Instrument of Government:

- Issuing the agenda item and relevant papers relating to any proposal regarding the remuneration, conditions of service, conduct, suspension, dismissal, or retirement of the Clerk
- Calling special and non-scheduled meetings
- Second or casting vote in situations where there is an equal division of votes
- 14 (3) where minutes of a meeting are taken as an agenda item and agreed to be accurate, those minutes shall be signed by the Chair as a true record

The following responsibilities are defined in the Articles of Government:

12(1) The Chair or Vice Chair shall form part of the selection panel for the Principal

The Chair may also deal with those matters specifically delegated to him/her by the Corporation. However, the Chair shall not have delegated authority in relation to any matters listed in Article 3(1) see 3.2 above, or those responsibilities specifically delegated to the Principal under Article 3(2) see 4.1 above.

The Corporation Chair is empowered to take Chair's Action under the Standing Orders for the Corporation and its Committees.

**SCHEME OF DELEGATION
RECURRING DOCUMENT SCHEDULE – CORPORATION APPROVAL REQUIRED**

The Corporation is responsible for approving the following documents. These documents will be reviewed initially by the responsible individual, with appropriate consultation, and will be considered for approval by the Corporation at appropriate meetings as laid out in the Cycle of Business.

Policy	Responsibility	Reason for Corporation Approval
Annual Budget	DPFR	Instrument and Articles of Government: Article 3 and Article 9
Audit Committee Annual Report	DoGoV	Post 16 Audit Code of Practice Requirement
Borrowing Approval	DPFR	Instrument and Articles of Government: Article 3 and Article 9
College Key Performance Indicators Review	SLT	Monitoring tool
College Estates Strategy	DPFR	Instrument and Articles of Government: Article 3 and Article 9
Corporation Improvement Action Plan (GAP)	DoGoV	Code of Good Governance for English Colleges
Corporation Self-Assessment Report	DoGoV	Code of Good Governance for English Colleges
Financial Statements	DPFR	ESFA Annual Finance Circular
Financial Statements Audit Management Letter	DPFR	Post 16 Audit Code of Practice Requirement
Financial Statements Auditors Engagement Letter	DPFR	Post 16 Audit Code of Practice Requirement
Financial Statements Subsidiary Companies	N/A	ESFA Annual Finance Circular
Franchise Contracts – Annual Report	DoBIDU	ESFA Funding Rules and supply chain advice
Franchise/Partner Contracts – Future Contracts/Additional partner/Extensions	DoBIDU	ESFA Funding Rules and supply chain advice
Internal Audit Service Audit Needs Assessment and Plans	DPFR	Post 16 Audit Code of Practice Requirement
Internal Audit Service Engagement Letter	DPFR	Post 16 Audit Code of Practice Requirement
Internal Auditors Annual Report	IAS	Post 16 Audit Code of Practice Requirement
Letter of Representation - Financial Statements Audit and Regularity Audit	DPFR	Financial Statements Auditors Requirement
Quality Strategy (& Quality Improvement Plan)	DPCQ/DoTLA	Instrument and Articles of Government

Risk Management Policy	Princ/DPFR	LSC “ A Guide to Risk Management in Further Education”
Self-Assessment Report	DPCQ	Education Inspection Framework
Senior Postholder Objectives – Remuneration Committee Responsibility	DoGov	Remuneration Committee Terms of Reference
Strategic Plan	Principal	Instrument and Articles of Government: Article 3 and Article 9
Three Year Financial Plan	DPFR	Instrument and Articles of Government: Article 3 and Article 9

**SCHEME OF DELEGATION
POLICY SCHEDULE FOR CORPORATION APPROVAL**

The Corporation is responsible for approving the following policies.

Policy	Responsibility	Reason for Corporation Approval
Access & Participation statement or plan	DPCQ	S12 HERA 2017
Access to Corporation Information (Scheme of Publication)	DPO	Instrument and Articles of Government: Instrument 16 and Instrument 17, Article 8
Anti-Bribery Policy and Procedures	DPFR	Bribery Act 2010
Arrangements for Obtaining Staff and Students Views	DoGov	Instrument and Articles of Government: Article 3(1)(b)
Code of Practice for Student Union (Constitution)	DPCQ	Education Act 1994
College Fees Policy	DPFR	Instrument and Articles of Government: Article 19; Consumer Rights Act
Complaints Policy	DPCQ	ESFA; Consumer Protection Law
Conflict of Interest Policy	DoGov	Instrument and Articles of Government: Instrument 11. Charities Act
Corporation Attendance Policy	DoGov	Governance Framework
Corporation Framework for the Approval, Payment and Reporting of Redundancies	Principal	Financial Memorandum
Climate and Sustainability Roadmap	DPFR	EAUC's 'SORTED: Guide to Sustainability in Further Education
Corporation Training and Development Policy	DoGov	Governance Policy
Cycle of Business	DoGov	Governance framework
Data Protection Policy	DPO	GDPR
Disaster Management	DPFR	LSC "A Guide to Risk Management in Further Education"
Disciplinary & Grievance Procedures for all staff	DoHR	Article 3(2) Article 16
Equality Policy	DoHR	Equality Act 2010
Eversheds Code of Conduct for Governors	DoGov	Instrument and Articles of Government: Instrument 9.3(c)
Expenses Policy (Staff & Governors)	DPFR	Instrument and Articles of Government: Instrument 18
Financial Regulations (Corp)	DPFR	Instrument and Articles of Government: Article 3 and Article 9
Framework for setting pay & conditions of all staff	Principal	Instrument and Articles of Government: Article 3(2)
Fraud Policy and Fraud Response Plan	DPFR	Financial Regulations and Procedures
Freedom of Information Act Publication Scheme	DPO	Freedom of Information Act 2000
Freedom of Speech Code of Practice	Principal	Education (No 2) Act 1986

GDPR – Privacy statements	DPO	GDPR 2018
Governor Appointment Policy	DoGov	Governance Policy
HE Strategy/Access participation statement	DPCQ	OfS regulations
HE FEES Policy	DPCQ	OfS regulations
Health and Safety Policy	DPFR	Health and Safety at Work Act 1974; Management of Health and Safety at Work Regulations 1999 etc; Health and Safety Executive guidance gives annual basis
HR Strategy	DoHR	Education Inspection Framework
Managing Allegations Policy	Principal	Education Act 2002 s.175
Partnership Management Fees Policy	DPFR	ESFA Funding Guidance
Pensions statement on the exercise of discretionary function in connection with LGPS	DPFR	Regulation 66 of the LGPS (Administration) Regulations 2008
Policy to address Complaints against the Corporation	DoGov	Governance Framework
Prevent Strategy	DoSS	Prevention of Terrorism Act
Quality Strategy	DPCQ	Instrument and Articles of Government: Article 3
Reserves Policy	DPFR	Financial Regulations and Procedures
Safeguarding Policy for Children and Vulnerable Adults	DoSS	Education Act 2002 s.175, Safeguarding vulnerable groups Act
Senior Postholder Appointment Procedure	DoGov	Instrument and Articles of Government: Article 12
Senior Postholder Disciplinary Policy	DoHR	Instrument and Articles of Government: Article 16, Article 17
Senior Postholder Grievance procedure	DoHR	Instrument and Articles of Government: Article 16
Slavery & Human Trafficking statement	DPFR	Section 54 Modern Slavery Act 2015
Standing Orders	DoGov	Instrument and Articles of Government: Article 23
Supply Chain Fees	DPFR	ESFA Funding Guidance
Terms of Reference for committees	DoGov	Instrument and Articles of Government
Treasury Management Policy	DPFR	Financial Regulations and Procedures
Use of the Corporation Seal	DoGov	Instrument and Articles of Government: Instrument 22
Whistleblowing Procedure	DoGov	Public Interest Disclosure Act 1998 Financial Regulations and Procedures

**SCHEME OF DELEGATION
DELEGATED POLICY SCHEDULE**

College Policies which are reviewed on a cyclical basis or updated as required by changes in legislation or to reflect good practice.

Staff Policies	Student Policies	HE Policy Framework & associated College Policies
Absence Management	Accessibility Statement	College Assessment & Verification Policy
Business Continuity Plan	Additional Learning Support Framework/Strategy	College Behaviour for Learning Policy
Capability Procedures	Admissions Policy	College Careers Policy
Cyber Incident Response Plan	Behaviour for Learning Policy	College Complaints and Feedback Policy
	Bullying & Harassment of Students	College CPD/Staff Development Policy
Data Retention Policy	Careers Education Guidance Policy	College Curriculum Planning Template
Disciplinary Procedures	Complaints Procedure	College Employer Engagement
Discretions under LGPS Pension Scheme	Counselling & Welfare Policy	College Fitness to Study Policy
Equality & Diversity Strategy	Educational Visits and Trips Policy	College Recording Prior Learning
	English & Maths Strategy	College Teaching & Learning Policy
Family Leave Policy	Equality and Diversity Strategy	HE Academic Appeals
Fire and Emergency Evacuation Procedures	Freedom of Speech - Guest Speakers Policy	HE Academic Integrity & Malpractice
Flexible and Predictable Working Policy	Harmful Sexual Abuse Policy	HE Access & Participation Statement
Grievance for Senior Post Holders	Internal Appeals Procedure	HE Admissions
Grievance Procedure Harassment and Bullying Policy	Learner Code of Conduct	HE Assessment & Course Boards
Market Pay	Learner Withdrawals Procedure	HE Break In Learning Policy & Form
Menopause Policy	PEEP	HE CIS Template
Modern Day Slavery	Plagiarism	HE Communications Plan
Probationary Procedure	Procedure for Looked After Children Care Leaver and young careers policy	HE Contracting
Procurement Policy (Sustainable)	Risk Assessment	HE Course Approval
Procurement Strategy	Student IT user acceptable policy	HE Course Closure & Change Policy
Redundancy Procedure	Student Learning Contract	HE Course Review & SED Document

Safer Recruitment and Selection Policy	Sub-contracting Fees Policy	HE Course Unit Review/Evaluation
Staff Code of Conduct/Dress code/Smoking/Outside work	TLA Framework	HE Deliberative Committee Handbook
Sustainability Plan	Tutorial Procedure and Guidance	HE Extenuating Circumstances
	Web Accessibility Statement	HE Personal Tutoring
		HE Reportable Events Procedure (note)
		HE Research Ethics Policy
		HE Student Engagement
		HE Student Protection Plan
		HE Student Support Policy
		HE Student Transfer Plan
		HE Validation Policy & Process
		HE Work Experience & placement
		HN Programme Handbook Template
		HN Unit Handbook Template
		IT Fair Usage Policy/GDPR
		LRC SLA Delivery Policy
		Student Code of Conduct HE
		Student Mental Health Support Policy