



## SCHEME OF DELEGATION 2023 -24

### 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:

- (a) The determination of the educational character and mission of the institution;
- (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 their assets;
- (d) The appointment of the Principal or holder of a senior post;
- (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.

### 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): -

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

- (a) Receiving written notice of the Chair/Vice Chair's resignation
- (b) Receiving notice of a Member's disqualification from office
- (c) Receiving written notice of a Member's resignation
- (d) The maintenance of a Register of Members' Interests
- (e) 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.

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

Letter of Representation - Financial Statements Audit and Regularity Audit	<b>DPFR</b>	Financial Statements Auditors Requirement
Quality Strategy (& Quality Improvement Plan)	<b>DPCQ/DoTLA</b>	Instrument and Articles of Government
Risk Management Policy Review	<b>Princ/DPFR</b>	LSC "A Guide to Risk Management in Further Education"
Self-Assessment Report	<b>DPCQ</b>	Education Inspection Framework
Senior Postholder Objectives – Remuneration Committee Responsibility	<b>DoGov</b>	Remuneration Committee Terms of Reference
Strategic Plan	<b>Principal</b>	Instrument and Articles of Government: Article 3 and Article 9
Three Year Financial Plan	<b>DPFR</b>	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.

<b>Policy</b>	<b>Responsibility</b>	<b>Reason for Corporation Approval</b>
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	?	Education (No 2) Act 1986
GDPR – Privacy statements	DPO	GDPR 2018
Governor Appointment Policy	DoGov	Governance Policy
HE Strategy	N/A	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
Risk Management Policy	DPFR	LSC “A Guide to Risk Management in Further Education”
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 after consultation	DoHR	Instrument and Articles of Government: Article 16, Article 17
Senior Postholder Grievance procedure - after consultation	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 – WORKING COPY**

The Policies should be reviewed on a cyclical basis or updated as required by changes in legislation or to reflect good practice. This is not intended to be a complete list of College Policies.

<b>Policy</b>
Assessment & Internal Verification Policy
Attendance & Punctuality Policy
Business Continuity Plan
Capability Policy
Careers Education and Guidance Policy
College Communication System-Personal Use
College Tutorial Policy
Continuous Improvement in the Quality of College Services
DBS Handling and Security of Disclosure Information procedure
Disability Equality Policy (Employment of People with Disabilities)
Disaster Recovery Plan
Enrichment Strategy
E-Safety Policy
Examinations Policy
Family Friendly Policies – maternity, paternity, flexible working etc.
Harassment & Bullying Policy
Internal Assessment/Verification Procedures
International Students Attendance & Punctuality
International Students Enrolment T&Cs

International Students Recruitment Admission
IT System Ownership
IT Use of Copyright Material Frequently Asked Questions
Learning Support Policy
Lone Working Policy, Procedure and Guidance
Management Information Systems
Organised excursions & visits Policy
Plagiarism Policy
Procedures on death of student
Provision of course materials and equipment/ funding for student visits
Recognition of prior learning
Refund Policy
IT Security Policy
SEND Policy
Severe Weather and Disruption Policy
Sickness Absence Procedure
Social Media Policy
Staff Development & Support Policy
Stress Management Policy
Student Anti-Bullying Policy (Anti-Bullying Policy)
Student Mental Health Needs Policy
Student Transgender Policy
Waste & Environmental Management Policy