

## **Scheme of Delegation**

### **1. Purpose**

The College's Instrument & Articles of Government defines roles and responsibilities and what may be delegated to whom. Responsibilities are also set out in the ESFA Conditions of Funding Agreement. This scheme of delegation provides the framework for individual and collective responsibilities and delegated responsibilities.

### **2. Role of Corporation**

Corporation's main business is to determine the educational character of the College and to ensure its' financial solvency. Educational character includes the broad purpose and strategic direction of the College, the nature of its educational programme, its overall ethos and its relationship to its learners, communities and stakeholders. Corporation sets the College mission and strategic direction, oversees quality and financial performance, challenges the executive on delivery and holds the Principal & CEO and Executive Team to account. There is a clear delineation between the roles of governance (the role of Corporation) and management (the role of the Principal & CEO).

### **3. Responsibilities of Corporation**

Article 3 of the Articles of Government states that Corporation will be responsible for:

- a) The determination and periodic review of the educational character and mission of the institution and the oversight of its activities;
- 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) Approving the quality strategy of the institution;
- d) The effective and efficient use of resources, the solvency of the institution and the Corporation and safeguarding their assets;
- e) Approving annual estimates of income and expenditure;
- f) The appointment, grading, suspension, dismissal and determination of the pay and conditions of service of the holders of senior posts and the Director of Governance, including, where the Director of Governance is, or is to be appointed as, a member of staff, the Director of Governance's appointment, grading, suspension, dismissal and determination of pay in the capacity of a member of staff; and
- g) Setting a framework for the pay and conditions of service of all other staff.

Article 9 of the Articles of Government states that Corporation shall not delegate:

- 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 & CEO or holder of a senior post;
- e) The appointment of the Director of Governance, (including, where the Director of Governance is, or is to be, appointed as a member of staff the Director of Governance's appointment in the capacity of a member of staff); and
- f) The modification or revocation of the Articles.

Article 10 of the Articles of Government states that Corporation may not delegate

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

Schedule 9 of the ESFA Conditions of Funding Agreement states:

The governing body of the College has responsibilities for ensuring that the College's funds are used only in accordance with the College's powers as set out in the Further and Higher Education Act 1992 and/or the College's own statutory duties, articles of association or trust deeds and other obligations.

#### **4. Responsibilities the Corporation may delegate**

Article 4 of the Articles of Government state:

Corporation may establish committees for any purpose or function, other than those assigned in these Articles to the Principal & CEO or Director of Governance and may delegate powers to:

- a) Such committees;
- b) The Chair, or in the Chair's absence, a Vice-Chair; or
- c) The Principal & CEO.

Corporation has established six Committees:

- Search & Governance (required under Article 5)
- Audit (required under Article 6)
- Estates & Sustainability
- Finance & Resources
- Learning & Quality
- Remuneration

Each Committee has a Terms of Reference outlining its responsibilities. At present only Finance & Resources Committee has a delegated responsibility (annually approving the Students' Union accounts).

#### **5. Responsibilities of the Principal & CEO**

Article 3 of the Articles of Government states that the Principal & CEO will 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; 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;
- c) The organisation, direction and management of the institution and leadership of the staff;
- d) 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 Director of Governance, where the Director of Governance is also a member of the staff; and
- e) 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.

Schedule 9 of the Education & Skills Conditions of Funding Agreement states:

The governing body will appoint an accounting officer with an appropriate separation of duties between executive and non-executive roles and responsibilities. The expectation is that the accounting officer will be the Principal or most senior executive leader of the College.

The governing body will require the accounting officer to take personal responsibility, which will not be delegated, to assure them that there is compliance with the Department's Conditions of Funding. The accounting officer may be required to appear before the Parliamentary Committee of Public Accounts on matters relating to the College's use of funds.

## **6. Responsibilities the Principal & CEO may delegate**

Article 11 of the Articles of Government states that the Principal & CEO may delegate functions to the holder of any other senior post other than:

- a) The management of budget and resources; and
- b) Any functions that have delegated to the Principal & CEO by the Corporation.

The designated senior postholders are the Principal & CEO, Deputy Principal & Deputy CEO Curriculum & Quality and COO. The Director of Governance is also a senior postholder.