

CROYDON COLLEGE CORPORATION 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 Executive 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;
 - (b) Approving the quality strategy of the institution;
 - (c) The effective and efficient use of resources, the solvency of the institution and the Corporation and safeguarding their assets;
 - (d) Approving annual estimates of income and expenditure;
 - (e) 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. Decisions must comply with HM Treasury's Guidance for Approval of Senior Pay and the requirements of Managing Public Money; and
 - (f) Setting a framework for the pay and conditions of service of all staff other than the holders of senior posts and the Clerk.

Additional responsibilities of the Corporation

The Corporation must comply with a duty under a new section 52B of the Further and Higher Education Act 1992 to review provision in relation to local needs. Reviews should be undertaken every three years or when a new LSIP is produced, if earlier;

The Corporation is responsible for ensuring that an external governance review is commissioned every three years;

The Corporation is responsible for ensuring that an accountability statement is produced annually covering ESFA funded provision;

The reclassification of the FE sector in England into central government on 29 November 2002 places new responsibilities on Corporations. This includes ensuring that any transactions entered into by the Corporation are within the delegated authorities set out in the "Dear Accounting Officer" letter of 29 November 2002 and ESFA's bite size guides, and that prior approval has been sought and obtained for

any transactions beyond those delegated authorities in line with HM Treasury's Managing Public Money.

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.

The Governing Body may delegate any of the functions not listed in Article 9 to a Committee, the Chair (or in his/her absence the Vice-Chair), or the Principle (Article 4).

The Governing Body shall not appoint Governors (other than the Principal, the Staff and Student Governors) without first considering the advice of the Search Committee (Article 5(2)).

3. 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 (Article 4). However, the Chair shall not have delegated authority in relation to any matters listed in Article 3(1), Article 9 or Article 10, or those responsibilities specifically delegated to the Principal under Article 3(2).
- The Corporation Chair is empowered to take Chair's Action as set out in the Standing Orders for the Corporation and its Committees.

4. Role of Committees

Committees may deal with any matters delegated to them by the Governing Body (Article 4(1)).

- The Search Committee is a mandatory requirement (Article 5) and is to advise on the appointment of Governors. The Governing Body has established a Search and Governance Committee with a remit to advise on governance matters too.
- The Audit Committee is a mandatory requirement and is to advise on matters relating to audit requirements and systems of internal control (Article 6)

- The Governing Body may not delegate to committees any matters in Article 9.

The Governing Body has agreed terms of reference for each Committee which sets out those matters delegated to each Committee.

5. 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; 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.

Article 11 states that the Principal may delegate functions to any member of the Executive 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

The Principal has delegated the power to dismiss a member of staff (other than a senior post holder) to the other members of the Executive Team. The Principal has the power to determine an appeal in connection with the dismissal of a member of staff (other than a senior post holder).

6. 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: -

- 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

Approved by the Governing Body
12 July 2023