

**SCHEME OF DELEGATION:**

**Role of the Governing Body (Governing Body)**

The Governing Body's responsibilities as outlined in the Education Act 2011 must include:

- The determination and periodic review of the educational character and mission of the institution and the oversight of its activities
- The effective and efficient use of resources, the solvency of the institution and the body and the safeguarding of assets

Whilst some powers of the Governing Body can be delegated to Committees, the Chair or the Chief Executive Officer, the non-delegable powers of the Governing Body as defined by the Instrument and Articles of Government are:

- The determination of the educational character and mission of the Group
- The approval of the annual estimates of income and expenditure
- The responsibility for ensuring the solvency of the Group for safeguarding of assets
- The appointment of the Chief Executive Officer or holder of a Senior Post
- 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;
- The modification or revocation of the Articles of Association.

In addition, the Governing body may not delegate:

- The consideration of the case for dismissal, and
- The power to determine an appeal in connection with the dismissal of the Chief Executive Officer, the Clerk or the holder of a senior post, other than to a committee of members of the governing body.

These decisions are therefore reserved for decision at the meetings of the Governing Body.

The overall aim of the Governing Body is to maintain its strategic governance role and as a result it is necessary for the Board to delegate some of its functions to:

Its Committees and Local College Boards

The Chief Executive Officer

The Chair of Governors

## Key to the Tables

### Decision Levels

1	Governing Body
2	Committee
3	Local College Board
4	Chair of the Governing Body
5	Chief Executive Officer
6	Director of Governance

## Curriculum and Quality

		Decision Level					
		1	2	3	4	5	6
1a	Approve and monitor College Self Assessment Reports and Quality Improvement Plans						
1b	Approve and monitor the Group Self Assessment Report and Quality Improvement Plan		E				
1c	Informed of the Group Self Assessment Report and progress against the Quality Improvement Plan						
2a	Monitor the standards of teaching, learning and assesment (TLA) within Colleges						
2b	Monitor the standards of teaching, learning and assesment within the Group		E				
3a	Monitor in-year education performance within Colleges						
3b	Monitor in-year education performance within the Group		E				
4	Approve the Students' Union constitution						
5a	Approve the Students' Union budget						
5b	Monitor the financial performance of the Students' Union		B				
6a	Approve the Safeguarding Policy						
6b	Receive and approve the Annual Safeguarding Report						
6c	Receive monitoring reports from the Independent Chair of Safeguarding at each FGB meeting						

6d	Monitor the impact of safeguarding issues (including PREVENT) on the student experience		E				
6e	Informed of the the level of vulnerable students and safeguarding issues						
7	Monitor the Prevent action plan	Safeguarding Committee					
8	Monitor progress against the College visions						
9	Monitor the education standards of the College nurseries		E				
10	Receive an annual report on student exclusions		E				
11a	Receive an annual student progression and destinations report (at College level)						
11b	Receive an annual student progression and destinations report (at Group level)		E				

## Financial

		Decision Level					
		1	2	3	4	5	6
1	Annually approve the Group budget						
2	Approve the tuition fees policy						
3a	Approve expenditure in excess of £500k (within the approved Group Budget)						
3b	Approve expenditure between £150k-£500k (within the approved Group Budget)		B				
4a	Review Group Financial performance		B				
4b	Informed of Group Financial Performance						
4c	Monitor the performance of Group Commercial activity		B				
4d	Informed of income and expenditure at College level						
5a	Approve expenditure outside the agreed Group budget						
5b	Review/recommend expenditure outside the agreed Group Budget		B				
6	Ensure compliance with the Financial Memorandum		A				
7	Review the Financial Regulations		B				
8	Approve the Financial Regulations						

9	Approve the Treasury Management Policy						
10	Establish, in conjunction with the Group's senior management, relevant annual performance measures and indicators, and to monitor the effectiveness of the Internal Audit Service and external auditor through these measures and indicators and to decide, based on this review, whether a competition for price and quality of the audit service is appropriate.		A				
11	Monitor that arrangements are in place to promote economy, efficiency and effectiveness (value for money).		A				
12	Advise the Governing Body on the scope and objectives of the work of the external auditor, internal audit and other assurance providers (if applicable).		A				
13	Approval of the Internal Audit Plan and the objectives for the work of the external auditors (and any other assurance providers)						
14a	Advise the Governing Body on the appointment, reappointment, dismissal and remuneration of the external auditor and internal audit and other assurance providers and establish that all such assurance providers adhere to relevant professional standards.		A				
14b	Approve the appointment of the Internal and External Auditors						
15a	Recommend the Group's Financial Statements for Signature		A				

15b	Approval of the Group's Financial Statements						
16	Advise the Governing Body on internal audit assignment reports and annual reports and on control issues included in the management letters of the external auditor (including their work on regularity) and the funding auditor (where appointed), and the management's responses to these.		A				
17	Review and consider the reports of external auditor, internal audit and other assurance providers (as applicable), and monitor the implementation of recommendations to agreed timescales.		A				
18	Receive and consider reports from external parties on the Group's control systems and how they can be improved and developed to minimise the effect of risk to the Group.		A				

## Human Resources

		Decision Level					
		1	2	3	4	5	6
1	Appoint the CEO and other Senior Post Holders						
2	Approve a framework for the salaries and conditions of service of all staff within the Group						
3	Determine staffing levels						
4	Determine the salary structure and pay scales						
5a	Appraise the CEO						
5b	Appraise the other Senior Post Holders (exc. Director of Governance)						
5c	Appraise the Director of Governance						
5d	Review the appraisals of the CEO and other Senior Post Holders		S				
5e	Determine the arrangements to ensure that all staff are appraised						
6a	Recommend the annual pay award						
6b	Review the annual pay award and make recommendations to the Full Governing Body		B				
6c	Approve the annual pay award						
6d	Approve the annual pay award and remuneration package for Senior Post Holders		R				



6e	Informed of the annual pay award and remuneration package for Senior Post Holders						
6f	Approve the remuneration and employment terms and conditions of the remunerated Chair.		R				
6g	Informed of the remuneration and employment terms and conditions of the remunerated Chair.						
7	Approve the staff disciplinary, capability and sickness policies						
8a	Dismissal / suspension of the CEO and other Senior Post Holders						
8b	Dismissal / suspension of staff						

## Resources including Risk Management and Health and Safety

		Decision Level					
		1	2	3	4	5	6
1a	Approve the Group Property Strategy						
1b	Monitor performance against the Property Strategy including Estate Utilisation		B				
2a	Review arrangements for Insurance and Personal Liability		A				
2b	Approve the arrangements for Insurance and Personal Liability						
3a	Approve the Health, Safety and Wellbeing Policy						
3b	Monitor performance against the Health, Safety and Wellbeing Policy		B				
3c	Informed of key staff statistics on wellbeing, performance and satisfaction at College level						
3d	Monitor key staff statistics on wellbeing, performance and satisfaction at Group level		B				
4	Approve the Annual Report on Health and Safety						
5a	Maintenance and development of the Group Risk Register						
5b	Review in detail the Group's approach and progress in the management of risk and to make appropriate recommendations to the Governing Body.		A				
5c	Monitoring the risks related to committee delegated responsibilities		E,B,S				

5d	Monitoring the risks related to Local Board delegated responsibilities						
5e	Recommend potential local college board members to the Search and Governance Committee for approval						
6	Advise the Governing Body on the adequacy and effectiveness of the Group's assurance arrangements for risk management, framework of governance, and control processes for the effective and efficient use of resources (value for money); and control processes for the solvency of the Group and the safeguarding of assets.		A				

## Governance

		Decision Level					
		1	2	3	4	5	6
1a	Annual review of the Instruments and Articles of Government (I&As), Standing Orders and ToRs						
1b	Review any proposed changes to the I&As, Standing Orders and ToRs		S				
1c	Approve any changes to the I&As, Standing Orders and ToRs.						
2	Appoint the Chair of the Governing Body						
3a	Recommend the appointment or removal of members of the Governing Body		S				
3b	Approve the appointment or removal of members of the Governing Body						
4	Make arrangements for the succession planning of the Governing Body and Senior Post Holders		S				
5	Establish and maintain a Register of Interests						
6	Ensure that the Governing Body has the appropriate skills and monitor current skill levels		S				
7a	Development of the annual calendar of meetings and other governance events						
7b	Approval of the annual calendar of meetings and governance events		S				
8	Monitor the attendance of Governing Body members		S				
9	Publish the minutes of the unrestricted Governing Body and Committee minutes on the web-site						

10	Maintain records and report on the use of the College Seal							
11	Annually approve the Data Protection and the Freedom of Information Policies							
12	Annually approve the Whistleblowing Policy and Procedure							
13	Annually approve the Single Equality Scheme							
14a	Review the Senior Post Holders Disciplinary, Capability and Grievance Policies		S					
14b	Approve the Senior Post Holders Disciplinary, Capability and Grievance Policies							
15a	Review the Code of Conduct for Governing Body members		S					
15b	Approve the Code of Conduct for Governing Body members							
16	Approve the annual Gender Pay Gap Report							
17	Approve the annual list of sub-contractors and associated details							
18	Receive an annual report on the use on the Gifts and Hospitality register		S					
19	Receive an annual report on staff and student complaints							
20	Approve and monitor the Group Strategic Plan							
21	Approve the membership of committees and local boards		S					

22	The committee shall have the right to investigate any activity within its terms of reference, and to access all information and explanation it considers necessary, from whatever source, to fulfil its responsibilities.		A				
23	Inform the Governing Body of any additional services provided by the external auditor, internal audit and other assurance providers (as applicable) and explain how independence and objectivity are safeguarded.		A				

24	<p>Oversee the Governing Body's policies on and processes around fraud, irregularity, impropriety and whistleblowing, and ensure:</p> <ul style="list-style-type: none"> <li>(i) the proper, proportionate and independent investigation of all allegations and instances of fraud and irregularity;</li> <li>(ii) that investigation outcomes are reported to the audit committee;</li> <li>(iii) that the external auditor (and internal auditor if applicable) are informed of investigation outcomes and other matters of fraud, irregularity and impropriety, and that appropriate follow-up action has been planned/actioned;</li> <li>(v) that all significant cases of fraud or suspected fraud, theft, bribery, corruption, irregularity, major weakness or breakdown in the accounting or other control framework are reported to ESFA as soon as possible;</li> <li>(vi) risks around fraud have been identified and controls put in place to mitigate them.</li> </ul>		A				
25	<p>Ensure that all allegations of fraud and/or irregularity are properly and promptly followed up.</p>		A				