

Scheme of Delegation 2022-23 (Draft V1)

Signed: /s/ Ellen Thinnesen

Chief Executive Officer

Approved by the Board of the Corporation – 20 December 2022

Signed: /s/ James Stuart

(Chair)

REV NO	1	2	3	4	5	6	7	8
DATE	1.3.2019	20.12.22						

Governance Structure and Scheme of Delegation

The Corporation of City of Sunderland College (encompassing Northumberland College and Hartlepool Sixth Form, the “College Group”) is striving to be at the forefront of best practice in Governance. It recognises that excellent corporate governance is key to commanding public confidence and promoting the reputation of our College Group and the further education sector. It is also key to the pursuit and successful achievement of our vision and strategic goals which strives for excellence in everything we do.

This Scheme of Delegation adopts and builds on the Seven Principles of Public Life which provide an ethical framework for governance based on values and behaviours of governing with:

- Selflessness
- Integrity
- Objectivity
- Accountability
- Openness
- Honesty
- Leadership

Also embedding the Code of Good Governance for English Colleges (Professional; Prudent; Passionate), the Scheme of Delegation publicly demonstrates how governance within Sunderland College ensures leadership and stewardship, protects its reputation, and provides appropriate assurance to key stakeholders.

This Scheme of Delegation sets out the College Group’s approach to delegation between the different layers of governance within our structure, defining transparently the matters which are to be decided by the full Board of the Corporation and the powers delegated to its sub-committees, the Chief Executive and senior postholders.

Our Governance Structure

Our Governance structure is made up of the **Board of the Corporation** which is the accountable body for the College Group, and all sub-committees .

The Board of the Corporation is responsible for:

- Determining the vision, mission and values, and key strategic priorities for the College.
- Setting targets for student achievement.
- Agreeing the budgets prepared and proposed by the Executive.
- Appointing the Chief Executive, the Principals and other senior post holders.
- Reviewing the performance and pay of the Chief Executive Officer and senior post holders.

As a general rule, these responsibilities cannot be delegated. Specifically, the Board of the Corporation shall not delegate:

- (a) the determination of the educational character and mission of the College;
- (b) the approval of the annual estimates of income and expenditure;

- (c) the responsibility for ensuring the solvency of the College and the Corporation and for safeguarding their assets;
- (d) the appointment of the Chief Executive or holder of a senior post;
- (e) the appointment of the Head of Corporate Governance and Policy (including where the Head of Corporate Governance and Policy is, or is to be appointed as a member of staff, the Head of Corporate Governance and Policy's appointment in the capacity of a member of staff); and
- (f) the modification or revocation of the Articles.

(Articles of Government, para. 3)

Sub-Committees

The Board of the Corporation pursuant to its authority under the Instrument and Articles of Government, has established sub- committees to assist with the effective and efficient operation of corporate governance. These are the:

- **Audit Committee**, responsible for advising the Board of the Corporation on the adequacy and effectiveness of the College's audit arrangements and risk management and control across the Group.
- **Curriculum, Quality and Student Experience Committee**, responsible for is responsible for ensuring the College provides an ambitious curriculum that meets the needs of the local, regional and national economic needs, provides a high quality education and an outstanding student experience allowing all students and apprentices to thrive.
- **Finance, Resources & Capital Projects Committee**, responsible for advising the Board of the Corporation on the financial position of the College including the solvency of the institution and the safeguarding of its assets, estate and resource matters (including its people resources) across the Group.
- **Governance Committee**, responsible for advising the Board of the Corporation on all aspects of corporate governance including membership, governor training and self-assessment and search for senior post holders..
- **Remunerations Committee**, responsible for the performance, salary review and setting of Senior Post Holders goals.

The terms of reference for each local governing body and committee are attached hereto as Annexes 1 – 5.

Scheme of Delegation

The Board of the Corporation and the people and bodies to which powers are delegated will act at all times within the terms of the Instrument & Articles of Government, the Financial Memorandum between the Skills Funding Agency and the College Group, the Code of Good Governance for English Colleges, the Audit Code of Practice and the College's Financial Regulations. In case of any doubt or conflict the authority of these documents will prevail.

The Scheme of Delegation should be read in conjunction with the Corporation's Standing Orders, the Terms of Reference for all Committees, and the role description for the Chair of the Corporation.

Where the Board of the Corporation delegates, there must be clear and robust reporting procedures and lines of accountability in place to ensure the delegated authority is exercised appropriately.

The Scheme of Delegation will be reviewed biennially.

In this delegation the phrases used have the following meanings:

- **Consult:** the individual/group that should be consulted as part of the process of completing a particular task.
- **Deliver:** the individual/group that has responsibility for undertaking the particular task delegated to them and reporting on its delivery at suitable intervals.
- **Approve:** the individual/group that has primary responsibility for ensuring the particular task is completed and approving how the Group and/or local colleges (as appropriate) should undertake the task including determining appropriate milestones and targets to be reported against.
- **Develop:** the individual/group that has responsibility for developing proposals relating to a task for discussion and approval by the appropriate decision-making individual/group.
- **Recommend:** the individual/group that should make recommendations as to how a particular task should be completed. In the case of (i) the CEO they will be making recommendations to the Board of the Corporation and/or College Local Board (as appropriate), (and (ii) the Principals they will be making recommendations in relation to their local college to the CEO and/or Board (as appropriate).
- **Report:** the individual/group that has responsibility for reporting on the delivery of tasks or notifying of irregularities or issues.
- **Review:** the individual/group that has responsibility for reviewing whether a particular task is being carried out satisfactorily and where appropriate requiring action to be taken to ensure task is delivered appropriately.
- **Comply:** the individual/group will follow agreed policies and procedures.

To assist interpretation of the matters delegated the table below provides additional comment as appropriate

Level: The 'Group' also known as Education Partnership North East (EPNE)					
STRATEGY AND LEADERSHIP	FUNCTION OR TASK	Board of the Corporation	Subcommittee	Head of Corporate Governance and Policy	CEO/Executive Leadership Team
	Set the vision, strategic objectives and key performance indicators of the Group	Approve and Review – for the Group			Develop – in the case of the Colleges in consultation with College Local Boards (CLB) and Principals
	Deliver strategic objectives of the Group and its Colleges	Review			Deliver
	Compliance : Funding Agreement – comply with all obligations	Review and Comply			Deliver
	Compliance: Regulatory – with all regulations affecting the Group (including all charity law), company law, employment law, and health and safety law	Review and Comply	Review – FRP and Audit		Comply Report – to Board of the Corporation
	Compliance: Financial Oversight – ensuring that there are appropriate financial controls so that there is value for money in relation to the management of public funds	Approve – policies to ensure compliance and review	Recommend- FRP and Audit		Deliver Report – to Board of the Corporation
	Compliance: Governance Completing the register of interests and put in place a procedure to deal with any conflicts of interest and connected party transactions	Approve – policies to ensure compliance Comply	Recommend- Gov Com	Deliver	
	Appointment of Governors – Board of the Corporation and sub-committees – ensuring processes in place for appointment of Governors (including ensuring that the Governors have the skills to run the Group and the Colleges)	Approve – policies and criteria for the selection of Governors and appointment of Governors Review – the Board	Recommend – Gov Com	Review – annually the size, structure and composition and skills needs of the sub-committees Recommend – if appropriate changes to the	Consult and Recommend – potential Governors

	and sub-committees' performance		size and composition of the sub-committees	
Appointment of the Accounting Officer and Audit Committee	Approve and Deliver – appoint Accounting Officer and the Audit Committee	Recommend – Gov Com		Deliver – the Accounting Officer role
Appointment of Head of Corporate Governance and Policy	Approve and Deliver – appoint the Head of Corporate Governance and Policy to the Board			Consult and Recommend – recognising the dual nature of the role
Policies – review and approval of certain Group Wide Policies	Approve and Review	Recommend – FRP, Audit and CQSE	Review Report – fitness and suitability	Deliver – presenting policies to the Board for approval Report – material non-compliance to the Board
Safeguarding – compliance with statutory duties and Group policy	Approve and Review	Review – CQSE		Deliver – present both Group and Colleges with policy Report
Prepare Terms of Reference for Sub-Committees	Deliver and Review	Recommend – All Committees	Report	
Training programme for Governors	Approve and Comply		Develop	

Level: The 'Group' also known as Education Partnership North East (EPNE)				
EDUCATION AND CURRICULUM	FUNCTION OR TASK	Board of the Corporation	Curriculum, Quality and Student Experience	CEO/Senior Leadership Team
	Set the curriculum model and staffing complement for the Group	Approve – for the Colleges in line with Group ethos	Recommend –	Develop – in the case of the Colleges in consultation with CLB and Principals
	Quality of Education and High Standards of Teaching, Learning Support and Assessment – ensuring high standards and consistency through challenge and intervention	Approve, Review and Deliver	Review and Deliver –	Deliver – supporting the Colleges and intervening where appropriate
	Curriculum – setting the curriculum for the Colleges and reviewing its effectiveness	Approve – curriculum and standards	Recommend and Review effectiveness	Recommend, Review and Deliver
	Student Voice, Engagement, Conduct and Impact	Approve,	– Recommend and Deliver	Review - delivery
	Student Services and Support (including services for disadvantaged students)	Review	Review	Approve
Level: The 'Group' also known as Education Partnership North East (EPNE)				
FINANCE AND RISK	FUNCTION OR TASK	Board of the Corporation	Finance, Resources & Projects (FRP) Committee or Audit Committee (AC)	CEO/Executive Leadership Team
	Financial Planning – agreeing 3-5 year affordable financial strategy and plan across the Group to ensure sustainability and solvency	Approve – in consultation with the CLBs	FRP Review – compliance with the overall financial plan for the Group	Recommend – a funding model to the Board for approval Review
	Group Annual Budget – Formulating and setting the Group wide budget	Approve	FRP Recommend – the Group Budget to the Board of Corporation	Deliver – on preparation of Group Budget and present to the FP&C for approval
	Expenditure and ensuring delivery of Annual Budgets	Review	FRP Review and Report – to the Board	Report – to the Board any material issues with delivery

		any issues with expenditure or compliance with the Annual Budgets	against the Annual Budgets by the Colleges Receive Reports – on matters of concern in connection with compliance with the Annual Budgets
Reporting: financial reporting, Annual Accounts and KPIs	Approve	FRP Review and Recommend – Annual Accounts to Board of Corporation	Deliver
Financial Regulations and Delegations	Approve	FRP Review, Deliver and Comply – Adherence to limits	Deliver – on recommending financial limits to the Board Review – effectiveness of limits
Tuition and Other Fees – determining the tuition and other fees payable to the Corporation	Approve	FRP Recommend FRP Review	Recommend Review
Risk Management - Risk Framework Policy, Risk Appetite, Strategic Risk Register	Approve	AC – Recommend AC - Review	Develop Deliver
Arranging Insurance for the Group	Review		Deliver
Audit and Controls – external and internal	Approve	AC - Approve- audit strategy and annual internal audit plans AC- Recommend – appointment of internal and external auditors,	Deliver

Level: The 'Group' also known as Education Partnership North East (EPNE)				
HR AND OPERATIONS	FUNCTION OR TASK	Board of the Corporation	Sub- Committee	CEO/Senior Leadership Team
	Appointment of Head of Corporate Governance and Policy	Approve and Deliver –		Consult and Recommend- appointment of the Head of Corporate Governance and Policy (recognising the dual remit of the role)
	Appointing the senior designated postholders	Approve – in consultation with the CEO	Recommend- Gov Comm as search committee Recommend – Rem Com – pay and benefits	Recommend – sit on appointment panel along with representatives of the Board of Corporation and relevant CLB
	Human Resource/ People Plan – ensure its reflects the ethos and values of the Group and is affordable	Approve	Review- FRP	Recommend Deliver
	Setting Terms and Conditions of Employment	Determine – and consider any proposals by CLBs to make amendments	Recommend- FRP	Recommend
	Setting Appraisal Performance Targets in line with Policy and completed pay reviews (in line with the Group's pay policy and Association of College Governor's Council – The Colleges Senior Post Holder Remuneration Code)	Review – in respect of senior post holders/HCG&P Receive reports – in respect of appraisal arrangements/outcomes Review – appeals in respect of senior post holders cross-Group staff Approve – for pay reviews	Recommend – RemCom for senior post holders/HCG&P	Review – in respect of senior post holders and cross Group staff (and any appeals from College staff) Review and Report – (annually) to the Board on appraisal arrangements and outcomes
	Discipline and grievance policy	Approve	Recommend – FRP	Recommend

	<p>Suspension, dismissal or discipline of the CEO, and senior post holders(in accordance with the College disciplinary and capability policies)</p>	<p>Review – in respect of senior post holders and HCG&P</p> <p>Deliver -Manage and approve procedures and policy and make decisions.</p>		<p>Review – in respect of senior post holders</p> <p>Recommend</p> <p>Report – any dismissal of senior leaders (non SPH) to the Board</p>
	<p>Asset and Premises Maintenance Strategy – determine use of Group’s premises and ensuring premises are adequately maintained</p>		<p>Approve and Review-FRP</p>	<p>Recommend</p>
	<p>Acquiring and disposing of Group Land</p>	<p>Approve</p>	<p>Recommend-FRP</p>	<p>Recommend</p>
	<p>Changing use of Assets</p>	<p>Approve</p>	<p>Recommend-FRP</p>	<p>Recommend</p>

Annex 1 –Committee Terms of Reference