



NCG Corporation

Scheme of Delegation

1. Responsibilities

- 1.1 The main responsibilities of the Corporation, identified in its Articles of Government, are:
- 1) the determination and periodic review of the educational character and mission of the institution and the oversight of its activities;
 - 2) 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;
 - 3) approving the quality strategy of the institution;
 - 4) the effective and efficient use of resources, the solvency of the institution and the Corporation and safeguarding their assets;
 - 5) approving annual estimates of income and expenditure;
 - 6) 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; and
 - 7) setting a framework for the pay and conditions of service of all other staff.
- 1.2 The Corporation retains to itself the powers and duties specified in Section 2 below. To provide effective governance within the legal requirements, the Corporation delegates other functions to specified committees, to the Chair of the Corporation and to the Chief Executive of NCG.
- 1.3 The Corporation 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 of NCG, the Clerk or the holder of a senior post, other than to a committee of at least 3 members of the Corporation or to the Chair or the Vice-Chair.

2. Powers and Duties Reserved by the Corporation

- 2.1 The determination and periodic review of the educational character and mission of NCG (the "Group") and the oversight of its activities
- 2.1.1 Approving and monitoring the implementation of the NCG Purpose, which serves as its mission

- 2.1.2 Approving and monitoring the implementation of the NCG Strategy
- 2.1.3 Approving and monitoring the implementation of the NCG Values
- 2.1.4 Approving the annual NCG Business Plan, including capital and revenue budgets and financial forecasts (as required by SFA), and performance monitoring progress incorporating financial and quality KPIs.
- 2.1.5 Approving property purchases and any other purchases required to be discharged by the Corporation, in accord with Financial Regulations
- 2.1.6 Approving a Group policy and framework for:
 - a) Child Protection and Safeguarding Vulnerable Adults (including a Group Safeguarding member)
 - b) Code of Practice on Freedom of Speech
 - c) Complaints
 - d) Disclosure (whistleblowing)
 - e) Equality (incl. approving Group E&D annual report)
 - f) FE Fees
 - g) HE Fees / access agreement with OFFA
 - h) Health and Safety Policy (incl. approval of annual report)
 - i) Information (incl. Data Protection and Freedom of Information)
 - j) Quality (improving teaching, learning and assessment)
 - k) Risk Management (incl. high level risk register)
 - l) Subcontracting Provision
 - m) Supply Chain Fees and Charges Policy
 - n) Ensuring provision of accurate, timely and impartial careers guidance
- 2.1.7 Approving the formation of any Student Union, the Student Union Code of Practice and the Student Union constitution.
- 2.1.8 The governance of NCG's Higher Education provision
- 2.2 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
- 2.3 The effective and efficient use of resources, the solvency of the institution and the Corporation and safeguarding their assets
 - 2.3.1 Ensuring funding used only in accordance with legal powers
 - 2.3.2 Appointing an Accounting Officer
 - 2.3.3 Approving Financial Regulations (individuals may not make financial commitments outside the Financial Regulations)
 - 2.3.4 Approving Treasury Policy

- 2.3.5 Approving the Internal Audit Plan
- 2.3.6 Approving the Financial Statements Audit Plan
- 2.3.7 Approving the Annual Report and Accounts
- 2.3.8 Monitoring Financial Performance
- 2.3.9 Monitoring Human Resources (incl. high level KPIs)
- 2.4 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.
 - The Corporation has authorised the Chair of the Corporation to approve variation from a previously agreed remuneration package on appointment.
 - The Corporation may delegate decisions on dismissals and appeals to committees of at least 3 members of the Corporation convened for the purpose or to the Chair or the Vice Chair of the Corporation.
- 2.4.1 Identifying which posts are senior posts, after discussion with the Chief Executive
- 2.4.2 Approving Remuneration Policy for Senior Postholders
- 2.5 The determination of NCG's governance arrangements
 - 2.5.1 The modification or revocation of the Instrument and Articles of Government
 - 2.5.2 Approving the Corporation's Standing Orders
 - 2.5.3 Approving the Code of Conduct for Governors
 - 2.5.4 The appointment and removal of members of the Corporation (with advice from Search Committee, as appropriate)
 - 2.5.5 The appointment and removal of the Chair and Vice-Chair of the Corporation
 - 2.5.6 The appointment and removal of the members of committees of the Corporation, including members of College Boards
 - 2.5.7 The acquisition, formation or dissolution of subsidiary companies
 - 2.5.8 The appointment and removal of directors of subsidiary companies.

3. Delegation to the Chair of the Corporation

The Corporation delegates the following powers to the Chair of the Corporation, or in their absence, the Vice-Chair of the Corporation:

- 3.1 To take action on behalf of the Corporation provided that such a course of action does not run contrary to the Articles of Government, Financial Regulations and/or any other relevant regulations.
- 3.2 At short notice and where there is no remuneration, to authorise the appointment of a director to a board of a subsidiary company. (Approval by the Corporation is required where the director is to be remunerated)
- 3.3 On the appointment of a senior post holder or the Clerk to the Corporation, to approve variation from a previously approved remuneration package, seeking advice from the Chair of the Remuneration Committee.
- 3.4 To appoint an acting Chief Executive on behalf of the Corporation pending the formal appointment of a Chief Executive.
- 3.5 To carry out the appraisal of the Chief Executive and the Clerk to the Corporation.
- 3.6 To make statements on behalf of the Corporation (with the Chief Executive).

4. Delegation to the Chief Executive of NCG

- 4.1 The main responsibilities of the Chief Executive, identified in NCG's Articles of Government, are:
 - 4.1.1 Making proposals to the Corporation about the educational character and mission of the institution and implementing the decisions of the Corporation.
 - 4.1.2 The determination of the institution's academic and other activities.
 - 4.1.3 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. (The Chief Executive is the Accounting Officer and this role is non-delegable)
 - 4.1.4 The organisation, direction and management of the institution and leadership of the staff.
 - 4.1.5 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.

- 4.1.6 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.
- 4.2 The Chief Executive may delegate functions identified in section 4.1 above to any other manager, with the exception of the management of budget and resources which may not be delegated.
- 4.3 The following powers are delegated to the Chief Executive by the Corporation and may not be delegated further. These functions will normally be addressed through management committees such as the Executive Board or Academic Board.
 - 4.3.1 Setting a framework for the pay and conditions of service of all staff other than senior post holders.
 - 4.3.2 Making rules and procedures, as appropriate and after consultation with staff, concerning the suspension of staff other than senior post holders and the Clerk.
 - 4.3.3 Making rules and procedures, as appropriate and after consultation with staff, concerning the conduct, discipline, dismissal, redundancy and redeployment and the hearing of appeals for staff other than senior post holders and the Clerk. Rules concerning conduct are to show regard to the need for academic freedom as specified in the Articles.
 - 4.3.4 Making rules and procedures, as appropriate, concerning the hearing of grievances of staff other than senior post holders and the Clerk.
 - 4.3.5 Making rules concerning the conduct of students, including procedures for their suspension and expulsion (including expulsion for an unsatisfactory standard of work or other academic reason).
- 4.4 To make statements on behalf of the Corporation.

5. Delegation from NCG Corporation to College Boards

- 5.1 Oversee local relationships with stakeholders
 - 5.1.1 Maintaining an understanding of effectiveness informed by stakeholder views
 - 5.1.2 Ensuring there is collaboration with employers and others to ensure the range and content of provision is aligned with local, regional and national priorities
 - 5.1.3 Ensuring there is evidence of working with local and regional bodies to ensure provision takes account of their priorities

- 5.1.4 Ensuring the College has a student voice
- 5.1.5 Ensuring the College has a staff voice
- 5.2 Comment on College business plans as they are developed
- 5.3 Oversee Quality of Provision in the College
 - 5.3.1 Monitoring quality performance and providing challenge to local management
 - 5.3.2 Monitoring progress and performance of groups of learners so none underachieves
 - 5.3.3 Securing and sustaining improvements in teaching, learning and assessment
 - 5.3.4 Challenging and supporting the Senior Leadership Team to ensure staff improve teaching through incisive performance management
 - 5.3.5 Monitoring progression and destinations and challenge College management
 - 5.3.6 Challenging and supporting the Senior Leadership Team to ensure the provision of accurate, timely and impartial careers guidance
- 5.4 Ensure the College complies with NCG policy in respect of:
 - 5.4.1 Child Protection and Safeguarding Vulnerable Adults (including a Local Safeguarding member)
 - 5.4.2 Equality (incl. a local Equality member and approving the College E&D annual report)
 - 5.4.3 Health and Safety (incl. approving the College Health and Safety annual report)
 - 5.4.4 Risk Management
 - 5.4.5 Subcontracting Provision
 - 5.4.6 Supply Chain Fees and Charges Policy
- 5.5 Monitoring local risks in line with the Scheme of Delegation and the NCG Risk Management Framework
- 5.6 Review and monitor progress in the College and challenge College leadership on:

- 5.6.1 The development of culture in the College in line with NCG Values and Behaviours
- 5.6.2 Human Resources
- 5.6.3 Complaints and learner feedback
- 5.7 Receive, scrutinise and comment on information relating to the College on
 - 5.6.1 Financial performance
 - 5.6.2 Issues arising in the areas of:
 - Disclosure Policy
 - Information Policy
 - Code of Practice on Freedom of Speech
- 5.8 Make statements on behalf of the College, but not on behalf of the Corporation
- 5.9 Provide the Corporation with an annual statement regarding its performance against its delegated authorities
- 5.10 Make recommendations to the Corporation on appointments to vacancies on the College Board

6. Audit, Remuneration and Search Committees

- 6.1 The Audit Committee has a monitoring and advisory role, as detailed in its terms of reference.
- 6.2 The Remuneration Committee has delegated authority to determine the remuneration of senior post holders and the Clerk to the Corporation within the framework approved by the Corporation (Remuneration Policy for Senior Postholders). The other duties of the Remuneration Committee are of a monitoring and advisory nature and are detailed in its terms of reference.
- 6.3 The Search Committee has delegated authority to determine the process whereby candidates are recruited and nominated to the Corporation (other than as a staff or student member). The other duties of the Search Committee are of a monitoring and advisory nature and are detailed in its terms of reference.

7. Further Delegation or Recovery

- 7.1 The Corporation may delegate to or recover from any Committee, the Chief Executive and the Chair of the Corporation any matters as the Corporation may from time to time determine.

8. Interpretation

- 8.1 For the avoidance of doubt the Corporation may determine any matter which, in accordance with its Scheme of Delegation, has been delegated to a committee or working group, the Chair or the Chief Executive.
- 8.2 For the avoidance of doubt a committee, College Board or working group, the Chair or Chief Executive rather than exercise the powers delegated in accordance with the scheme of delegation may refer the matter to the Corporation or the relevant committee for decision as the case may be.