

NCG Corporation

Scheme of Delegation

1. Responsibilities

1.1. The main responsibilities of the Corporation, identified in its Articles of Government, are:

1.1.1. The determination and periodic review of the educational character and mission of the institution and the oversight of its activities.

1.1.2. 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.

1.1.3. Reviewing how well the education and / or training provided meets local needs and consider what actions could be taken to better meet those needs (in light of the review).

1.1.4. Approving the quality strategy of the institution.

1.1.5. The effective and efficient use of resources, the solvency of the institution and the Corporation and safeguarding their assets.

1.1.6. Approving annual estimates of income and expenditure.

1.1.7. 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.

1.1.8. 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 Officer 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, including the Chair or the Vice-Chair.

2. Powers and Duties Reserved by the Corporation

The following are powers and duties reserved by the Corporation, and therefore shall not be delegated:

2.1. The determination of the educational character and mission of the institution;

This includes (but is not limited to);

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 and progression of the NCG Strategy.

2.1.3. Approving and monitoring the implementation of the NCG Values.

2.1.4. Approving and monitoring the implementation of the annual NCG Accountability Statement.

2.1.5. Approving a Group policy and framework for:

- a. Attendance of Non-Committee Members at Committee Meetings
- b. Anti-Bribery and Corruption
- c. Anti-Money Laundering
- d. Careers Guidance
- e. Code of Conduct
- f. Code of Conduct for Suppliers and Subcontractors
- g. Code of Practice on Freedom of Speech
- h. Complaints
- i. Data Protection

- j. Equality, Diversity, Inclusion and Belonging (incl. approving Group EDIB annual report)
- k. Financial Regulations (as per the below)
- l. Freedom of Information
- m. Further Education Fees
- n. Higher Education Fees / access agreement with OFFA
- o. Health and Safety (incl. approval of annual report)
- p. Information
- q. Modern Slavery
- r. Quality (improving teaching, learning and assessment)
- s. Risk Management (incl. high level risk register)
- t. Safeguarding
- u. Subcontracting Provision
- v. Supply Chain Fees and Charges Policy
- w. Treasury (as per the below)
- x. Whistleblowing / Disclosure

2.1.6. Approving the formation of any Student Union, the Student Union Code of Practice and the Student Union constitution.

2.1.7. 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 approval of the annual estimates of income and expenditure;

2.3.1. Approving the annual NCG Business Plan, including capital and revenue budgets and financial forecasts (as required by the ESFA), and performance monitoring progress incorporating financial and quality KPIs.

2.4. The responsibility for ensuring the solvency of the institution and the Corporation and for safeguarding their assets;

- 2.4.1. Approving property purchases and any other purchases required to be discharged by the Corporation, in accordance with the Financial Regulations.
- 2.4.2. Ensuring funding is used only in accordance with legal powers.
- 2.4.3. Appointing an Accounting Officer.
- 2.4.4. Approving Financial Regulations (individuals may not make financial commitments outside the Financial Regulations).
- 2.4.5. Approving Treasury Policy.
- 2.4.6. Approving the Internal Audit Plan following endorsement by the Audit & Risk Committee.
- 2.4.7. Approving the appointment of the external auditor including any extension to the contract of the external auditor.
- 2.4.8. Approving the Financial Statements Audit Plan following endorsement by the Audit & Risk Committee.
- 2.4.9. Approving the Annual Report and Accounts following endorsement by the Audit & Risk Committee.
- 2.4.10. Monitoring Financial Performance.
- 2.4.11. Monitoring Human Resources (incl. high level KPIs).
- 2.5. The appointment of the Chief Executive of NCG or Senior Post Holders.
- 2.6. 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);
- 2.7. Modification or revocation of the Instrument and Articles of Government:
 - 2.7.1. Approving the Corporation's Standing Orders
 - 2.7.2. Approving the Code of Conduct for Governors
 - 2.7.3. The appointment and removal of members of the Corporation (with advice from Search Committee, as appropriate)

- 2.7.4. The appointment and removal of the Chair and Vice-Chair of the Corporation
- 2.7.5. The appointment and removal of the members of committees of the Corporation, including members of College Boards
- 2.7.6. The acquisition, formation or dissolution of subsidiary companies
- 2.7.7. The appointment and removal of directors of subsidiary companies.
- 2.8. The consideration of the case for dismissal.
- 2.9. The power to determine an appeal in connection with the dismissal of the Chief Executive of NCG, the Clerk or Senior Post Holder, other than to a committee of members of the Corporation, including the Chair or the Vice-Chair.
- 2.10. 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.
 - 2.10.1. The Corporation may delegate decisions on dismissals and appeals to committees of at least 3 members of the Corporation convened for the purpose, including the Chair or the Vice-Chair of the Corporation.
 - 2.10.2. Identifying which posts are senior posts, after discussion with the Chief Executive, via the Appraisal and Remuneration Committee.

3. Delegation to the Chair of the Corporation

- 3.1. As per Instrument and Articles, there may be occasions when issues arise which should be placed before the Corporation or its committees but the next scheduled meeting provides excessive delay and the Clerk deems it not significant enough to call a Special Meeting. In such circumstances, the

Corporation have empowered the Chair of the Corporation (or, in his absence, the Vice Chair) 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. Two types of Chair and Vice-Chair of the Corporation actions are envisaged: namely day to day issues and matters judged too urgent to await the next scheduled meeting but which do not merit the calling of a Special Meeting.
- 3.3. The Corporation delegates the following powers to the Chair of the Corporation, or in their absence, the Vice-Chair of the Corporation:
 - 3.3.1. 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.
 - 3.3.2. 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).
 - 3.3.3. To carry out the appraisal of the Chief Executive and the Clerk to the Corporation.
 - 3.3.4. 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.
- 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 Senior Post Holders 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, however where there is one policy, this responsibility shall remain with the Corporation Board for final approval

- 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, however where there is one policy, this responsibility shall remain with the Corporation Board for final approval
- 4.3.4. Making rules and procedures, as appropriate, concerning the hearing of grievances of staff other than senior post holders and the Clerk, however where there is one policy, this responsibility shall remain with the Corporation Board for final approval
- 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

The College Boards have delegated authority within the following areas of focus:

5.1. College and Business Strategy Planning

- 5.1.1. The College Board are responsible for establishing, approving and monitoring the college's strategy and annual Accountability Statement.

5.2. Relationships (Students, Staff and Stakeholders)

- 5.2.1. The College Board are responsible for ensuring that the College establishes and maintains appropriate relationships; ensuring that knowledge and understanding obtained inform the operation and development of the college.

5.3. Knowledge and Appropriateness of the Curriculum

5.3.1. Based on the College strategy and Accountability Statement , and knowledge gained through relationships the College Board will seek assurances that the college curriculum offered is carefully considered and researched to meet the needs and requirements of the community, national and regional skills priorities, and any specific requirements of local students, employers and stakeholders.

5.4. Quality of Delivery

5.4.1. Having established the appropriateness of the curriculum the College Board is responsible for ensuring the academic quality of the offer.

5.5. Student Experience, Outcomes and Destinations

5.5.1. The College Board are responsible for the ‘closure of the loop’, ensuring that the college performs strongly in relationship to student experience, outcomes and future destinations.

5.6. Safeguarding and Equalities

5.6.1. The College Board are responsible for ensuring appropriate and compliant procedures to ensure the Safeguarding of learners and staff, as well as monitoring the progress of Equality, Diversity, Inclusion and Belonging, in line with NCG’s policy and strategy.

5.7. Other (including monitoring local risk, receiving information in relation to financial and human resource performance. ,

Further information is included within the College Board Terms of Reference.

6. Delegation from NCG Corporation to Committees

Audit and Risk Committee

6.1. The Audit and Risk Committee has delegated authority to approve the internal audit charter and policy. The other duties of the Audit and Risk Committee are of a monitoring and advisory role relating to the

Corporation's audit arrangements and systems of internal control, as detailed in its terms of reference.

Appraisal and Remuneration Committee

6.2. The Appraisal and Remuneration Committee has delegated authority to determine the remuneration of Senior Post Holders and the Clerk to the Corporation (where not a SPH) within the framework approved by the Corporation. The other duties of the Appraisal and Remuneration Committee are of a monitoring and advisory nature and are detailed in its terms of reference.

Search Committee

6.3. The Search Committee has delegated authority to appoint the Chairs of Corporation Committees and to determine the process whereby candidates are recruited and nominated to the Corporation and its Committees (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.

Estates, Health & Safety and Environmental Committee

6.4. The Estates, Health & Safety and Environmental Committee has delegated authority to oversee the development and progress of the NCG Estates and Environmental Strategies, as well as monitor and seek assurance on relevant Estates, H&S and Environmental matters.

HE Governance Committee

6.5. The HE Governance Committee has delegated authority to ensure NCG has the correct accountability, control and scrutiny of Higher Education programmes, and monitor and measure institutional performance, strategy

and mission. The HE Governance Committee also oversees NCG international recruitment pertaining to the Student Sponsorship licence.

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.

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