

Scheme of Delegation of the Tameside College Corporation Further Education Corporation

Background

1. The Scheme of Delegation sets out:
 - (i) the powers delegated by the Corporation to the Principal; and,
 - (ii) the powers delegated by the Corporation to its committees.

The Scheme of Delegation should be read in conjunction with other College documents such as the Instrument and Articles of Government, Standing Orders, Committee Terms of Reference and the Financial Regulations.

Review

2. This document is subject to annual update, review and approval by the Board of Governors to ensure the appropriateness of the delegation of powers and responsibilities.

Responsibilities of the Corporation

3. The Corporation is responsible for the following functions (under Article 3(1)):
 - (i) the determination and periodic review of the educational character and mission of the College and oversight of its objectives;
 - (ii) publishing arrangements for obtaining the views of staff and students on the determination and periodic review of the educational character and mission of the College and the oversight of its activities;
 - (iii) approving the quality strategy of the College;
 - (iv) the effective and efficient use of resources, the solvency of the College and the Corporation and safeguarding their assets;
 - (v) approving annual estimates of income and expenditure;
 - (vi) 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
 - (vii) setting a framework for the pay and conditions of service of all other staff.
4. Further, under the Department for Education (DfE) College Accountability Agreement (1 August 2025 to 31 July 2026) Schedule 7 (2.1): *'The Governing Body of the College [Corporation] has responsibilities for ensuring that the College's funds are used only in accordance with the corporation's powers as set out in the Further and Higher Education Act 1992 and the College's own statutory duties and other obligations'*.
5. The educational character of the College includes the broad purpose and strategic direction of the College, the nature of its educational programme, pattern of courses and any special characteristics of its range of subjects, its overall ethos, admissions policy and its relationship to its learners, communities and stakeholders.
6. It is the role of the Corporation to set the College mission and strategic direction, oversee quality and financial performance, challenge the executive on delivery and hold the Principal to account. There is a clear delineation between the roles of governance (the role of the Board) and management (the role of the Principal).

Delegation

7. The powers and responsibilities of the Corporation and Principal are defined in the Instrument and Articles of Government for Tameside College Further Education Corporation.
8. Article 4(1) explicitly allows for the delegation of Corporation powers to its committees and the Principal:

'The Corporation may establish committees for any purpose or function other than those assigned in these Articles to the Principal or Clerk and may delegate powers to—

- (i) such committees;
- (ii) the Chair, or in the Chair's absence, the Vice Chair; or
- (iii) the Principal.'

Corporation

9. There are some powers which the Corporation shall not delegate (under Article 9):
 - (i) the determination of the educational character and mission of the College;
 - (ii) the approval of the annual estimates of income and expenditure;
 - (iii) the responsibility for ensuring the solvency of the College and of the Corporation and for safeguarding their assets;
 - (iv) the appointment of the Principal or holder of a senior post;
 - (v) 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,
 - (vi) the modification or revocation of the Articles.
10. In addition, the Corporation may not delegate (under Article 10(1)):
 - (i) the consideration of the case for dismissal; and
 - (ii) the power to determine an appeal in connection with the dismissal of the Principal, the Clerk or the holder of a senior post, other than to a committee of members of the Corporation.
11. Under the Department for Education (DfE) College Accountability Agreement (1 August 2025 to 31 July 2026) Schedule 7 (2.1): *'The Governing Body of the College has responsibilities for ensuring that the College's funds are used only in accordance with the corporation's powers as set out in the Further and Higher Education Act 1992 and the College's own statutory duties and other obligations'*.

Principal

12. The statutory powers and duties of the Principal are set out in Article 3(2). S/he is responsible for:
 - (i) making proposals to the Corporation about the educational character and mission of the College and implementing the decisions of the Corporation;
 - (ii) the determination of the institution's academic and other activities;
 - (iii) 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;
 - (iv) the organisation, direction and management of the College and leadership of the staff;

- (v) 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 staff; and
- (vi) maintaining student discipline and, within the rules and procedures provided for within the Articles, suspending or expelling students on disciplinary grounds or expelling students for academic reasons.

13. Under the Department for Education (DfE) College Accountability Agreement (1 August 2025 to 31 July 2026) Schedule 7 (2.3): *'The Governing Body will appoint an accounting officer with an appropriate separation of duties between executive and non-executive roles and responsibilities. The expectation is that the accounting officer will be the Principal or the most senior executive leader of the College'.*

Also, Schedule 7 (4.1): *'The Governing Body will require the accounting officer to take personal responsibility, which will not be delegated, to assure them that there is compliance with the Department's Conditions of Funding and the [College financial handbook - Guidance - GOV.UK](#). The accounting officer may be required to appear before the Parliamentary Committee of Public Accounts on matters relating to the College's use of funds'.*

Also, Schedule 7 (4.2): *'The accounting officer will be responsible for advising the Governing Body in writing if at any time, in their opinion, any action or policy under consideration by the Governing Body is incompatible with the Department's Conditions of Funding or the [College financial handbook - Guidance - GOV.UK](#). If the accounting officer has evidence that the Governing Body is acting, or intending to act, in breach of the Department's Conditions of Funding or the [College financial handbook - Guidance - GOV.UK](#), the accounting officer must inform the Department's Chief Executive in writing as soon as is reasonably practicable'.*

14. The following further powers and responsibilities are delegated by the Corporation to the Principal:
- (i) informing the Board of Governors, its committees or the Chair as appropriate, of all significant matters, achievements, activities and events related to the work of the College;
 - (ii) making any rules relating to the conduct of staff, other than senior post holders including grievance, capability, disciplinary, suspension and dismissal procedures;
 - (iii) making any rules relating to the conduct of students, including suspension, discipline, academic appeals and complaints procedures;
 - (iv) determining all matters relating to the establishment, constitution and conduct of any student body or other social or representative organisation for students;
 - (v) 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; and,
 - (vi) determining the College's responses and communications to other organisations in accordance with the policies of the Board of Governors.

Note: Under Article 11, the Principal may delegate functions to the holder of any other post other than:

- (i) the management of budget and resources; and
- (ii) any functions that have been delegated to the Principal by the Corporation.

Clerk

15. The Clerk shall be responsible for the following functions (Article 3(3)):

- (i) advising the Corporation with regard to the operation of its powers;
- (ii) advising the Corporation with regard to procedural matters;
- (iii) advising the Corporation with regard to the conduct of its business; and
- (iv) advising the Corporation with regard to matters of governance practice.

Chair of Corporation

16. As identified in section 4.1 of the Tameside College Further Education Corporation's Standing Orders:

The Chair of the Corporation or the Chair of a Governors' Committee, or the Vice Chair in the Chair's absence, is empowered to act on behalf of the Corporation or the relevant Committee between meetings as follows:

- the taking of routine action which would not merit an agenda item and discussion at a Corporation meeting or the relevant committee meeting. This includes the signing of routine documents on behalf of the Corporation or the relevant committee, responding to approaches made to the Corporation or committee by external organisations, and agreeing detailed aspects of the implementation of matters already agreed by the Corporation or relevant committee.
- If matters arise which are judged too urgent to await a scheduled meeting of the Corporation, or of the relevant committee, the Chair will normally call a special meeting. However, the Chair may act in situations of emergency or urgency where to delay taking a decision would disadvantage the College on condition that the action taken is not contrary to the Instrument and Articles of Government.
- The taking of specific actions for which delegated authority has been given by the Corporation, or relevant committee.

A record of Chair's action taken, other than routine action as described above shall be maintained by the Clerk and the Chair shall inform the Clerk in writing of action that he or she has taken so that the record can be maintained.

Chair's action taken between meetings, other than routine action, will be reported as an item under Chair's Actions at the next meeting of the Governing Body or relevant Committee.

The Corporation accepts corporate responsibility for those actions taken by the Chair outside of a meeting, and within the terms of these Standing Orders.

Board of Governors' Committees

17. The Board of Governors has established three committees:

- Audit (required under Article 6)
- Remuneration
- Search (required under Article 5)

Terms of Reference of Corporation Committees

N.B. All committees to be chaired by a member of the Corporation.

Audit Committee

18. Membership (5) (with quorum of 3) comprising:

- up to five Members of the Corporation
- up to one external co-opted member.

The Chair of the Corporation, Principal, Staff Governor and any employee of the Corporation who holds a senior post shall be ineligible for membership of the Audit Committee.

19. The Audit Committee shall:

- assess and provide the Corporation with an opinion on the adequacy and effectiveness of the Corporation's assurance arrangements, framework of governance, risk management and control processes (including for subcontracting arrangements) for the effective and efficient use of resources, solvency of the College and the safeguarding of its assets;
- to act as the Risk Committee, reviewing the key risks to which the College is exposed, approving the risk management policy, risk register and action plan against significant risks, and monitoring the action plan against significant risks;
- advise the Corporation on the appointment, re-appointment, dismissal and remuneration of the Internal Audit Service, External Auditor, Reporting Accountant and other assurance providers (if applicable) and establish that all such assurance providers adhere to relevant professional standards. In particular, the Committee will ensure that the External Auditor and Reporting Accountant contract is re-tendered at least every five years;
- inform the Corporation of any additional services provided by the Internal Audit Service, External Auditor, Reporting Accountant and other assurance providers (if applicable) and explain how independence and objectivity were safeguarded;
- establish, in conjunction with College management, relevant annual performance measures and indicators and to monitor the effectiveness of the performance of the Internal Audit Service and the External Auditor and Reporting Accountant and decide, based on this assessment of performance, whether a competition for price and quality of the audit service is appropriate;
- review and consider the reports of the Internal Audit Service, External Auditor, Reporting Accountant and other assurance providers, and monitor the implementation of recommendations to agreed timescales;
- oversee the Corporation's policies on and processes around fraud, irregularity, impropriety and whistleblowing, and ensure:
 - the proper, proportionate and independent investigation of all allegations and instances of fraud and irregularity;
 - investigation outcomes are reported to the Audit Committee;
 - the External Auditor and Reporting Accountant and Internal Audit Service have been informed, and that appropriate follow-up action has been planned/actioned;
 - all significant cases of fraud or suspected fraud, theft, bribery, corruption, irregularity, cybercrime, major weaknesses or breakdown in the accounting or other control framework are reported to the DfE and other relevant funding authorities, as soon as possible;
 - risks around fraud have been identified and controls put in place to mitigate them;
- advise the Corporation on the scope and objectives of the work of the Internal Audit Service and the External Auditor and Reporting Accountant;

- (ix) ensure effective co-ordination between the Internal Audit Service and the External Auditor and Reporting Accountant;
- (x) advise the Corporation on internal audit assignment reports and annual reports and on control issues included in the management letters of the External Auditor and Reporting Accountant and College management's response to these;
- (xi) consider and advise the Corporation on relevant reports by the National Audit Office (NAO), the DfE and other funding bodies, and where appropriate, College management's response to these;
- (xii) produce an annual report for the Corporation, summarising the Committee's activities relating to the financial year under review, including:
 - a summary of the work undertaken by the Committee during the year;
 - the number of the meetings held in the year, and attendance records for each Audit Committee member;
 - any significant issues arising up to the date of preparation of the report;
 - any significant matters of internal control included in the reports of audit and assurance providers;
 - details of the date of appointment of the external auditors and the remaining term of the contract;
 - the Committee's view of its own effectiveness and how it has fulfilled its terms of reference;
 - the Committee's opinion on the adequacy and effectiveness of the Corporation's assurance arrangements, assurance over subcontracting, framework of governance, risk management and control processes for the effective and efficient use of resources, solvency of the institution and the safeguarding of its assets;

Submit the annual report to the Corporation before the statement of corporate governance and internal control in the annual accounts is signed;
- (xiii) make recommendations to the Corporation on the approval of the College's annual accounts following the Committee's review of the External Auditor and Reporting Accountant's management letter and consideration of the statements on Corporate Governance, Responsibilities of Members of the Corporation and the System of Internal Control;
- (xiv) undertake an annual review of its terms of reference and its compliance with them and make recommendations to the Corporation as necessary;
- (xv) consider the development of Members and put in place appropriate training to ensure their skills and knowledge are up to date. Where the Audit Committee identifies a gap in its existing skillset, training and development should be provided to address this in the first instance;
- (xvi) to consider other matters, as determined from time to time by the Corporation.

Remuneration Committee

20. Membership (4) (with quorum of 2) comprising:
- the Chair of the Corporation;
 - the Vice Chair of the Corporation;
 - up to two other Members of the Corporation, excluding the Principal, Staff and Student Members
 - up to one external co-opted Member.
21. The Remuneration Committee shall:
- (i) advise the Corporation on specific remuneration packages of the Principal and other Senior Post Holders (as designated by the Corporation) and in doing so shall consider the following component elements:
 - basic salary;

- benefits in kind;
 - annual bonus/performance related elements;
 - pension provisions;
 - the main terms and conditions in the service agreement for each designated Senior Post Holder, with particular reference to the notice provisions.
- (ii) shall evaluate annually the specific remuneration packages of the Principal and other designated Senior Post Holders against:
- pre-established performance goals and objectives; and
 - an appropriate peer group.
- For that purpose, the Committee will review and assess performance target goals and objectives established before the commencement of the relevant period and determine whether such goals and objectives have been achieved at the end of the relevant period;
- (iii) advise the Corporation on any compensation (including the augmentation of pension benefits) which may be payable in the event of an early termination of the employment of the Principal or any designated Senior Post Holder, with the broad aim of:
- avoiding rewarding poor performance; and
 - dealing fairly with cases where early termination is not due to poor performance.
- (iv) review on a continuing basis the Corporation's Senior Post Holder Remuneration Policy in relation to:
- all aspects relating to the remuneration of the Principal and designated Senior Post Holders including salary levels, comparisons with similar colleges, performance criteria and compensation commitments on early termination;
 - main component elements in the specific remuneration packages of each designated Senior Post Holder, such as salary, benefits in kind, individual bonuses and pension entitlements.
- (v) in reviewing and making any recommendation to the Corporation on the pay of Senior Post Holders, the Remuneration Committee shall follow the Corporation's Senior Post Holder Remuneration Policy, as well as HM Treasury (HMT) requirements in relation to Managing Public Money and HMT Guidance for Approval of Senior Pay: Senior Pay Controls Process. The Corporation must seek permission from the Department for Education (DfE) in respect of senior pay over defined limits;
- (vi) in reviewing any special payments, including severance, compensation and ex-gratia payments being considered for Senior Post Holders, the Remuneration Committee shall give consideration to the requirements of HMT Managing Public Money and the approval required for any payments above stated thresholds and signing of non-disclosure agreements;
- (vii) make rules relating to the conduct of senior post holders including grievance, capability, discipline, suspension and dismissal procedures.

Search Committee

22. Membership (5) (with quorum of 3) comprising:
- the Chair of the Corporation;
 - Vice Chair of the Corporation;
 - Principal;
 - up to two other Members of the Corporation;
 - up to one external co-opted Member.
23. The Search Committee shall:
- (i) consider and make recommendations to the Corporation on:

- the composition and balance of the membership of the Corporation and its committees having regard to the necessary skills to ensure that the Corporation fulfils its functions as set out in Article 3 of the Articles of Government;
 - the rules specifying the way in which the Search Committee is to be conducted;
 - the appointment of persons who are not Members of the Corporation as Members of any committee of the Corporation;
 - candidates for appointment and/or re-appointment as Members of the Corporation;
 - policies and procedures for the induction, appraisal and development of Corporation Members;
 - on matters related to governance.
- (ii) be responsible for:
- undertaking and maintaining skills audits of Members of the Corporation;
 - ensuring that the written procedure for the appointment of Members is reviewed and is publicly available;
 - overseeing and reviewing the role description for Members of the Corporation;
 - overseeing and reviewing the criteria for the selection of Corporation Members;
 - ensuring that a person specification is prepared to match any identified skills or experience;
 - ensuring the Corporation is representative of the community that it serves;
 - short-listing and interviewing prospective Members;
 - monitoring and reviewing the performance of the Corporation, its committees and its Members;
 - drafting the Corporation's annual self-assessment report on governance.

Scheme of Delegation approved and adopted by the Tameside College Further Education Corporation at their meeting held on 30 June 2026.