

The Further Education Corporation of Middlesbrough College

Governor Committees

Terms of Reference

Terms of Reference agreed by the Governing Body on the 21 March 2019

Committee	Terms of Reference
<p>Appeals Committee (Senior Postholders)</p>	<p>The Appeals Committee (Senior Postholders) shall consider an appeal by a Senior Postholder and / or the Clerk to the Corporation against any oral warning, written warning or final written warning made under the formal procedure of the Governing Body's Disciplinary, Suspension & Dismissal Procedure for Senior Postholders and shall decide upon the outcome.</p> <p>It shall also hear an appeal following a grievance, which has not been resolved to the satisfaction of the Senior Postholder and / or the Clerk to the Corporation.</p>

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Terms of Reference

Terms of Reference agreed by the Governing Body on the 9 July 2018 and 21 March 2019

Committee	Terms of Reference
Audit and Risk Committee	<p>The Audit and Risk Committee has:</p> <ul style="list-style-type: none">• The right to investigate any activity within its Terms of Reference.• The right to access all the information and explanations it considers necessary, from whatever source to fulfil its remit.• A minimum membership of three, a majority of whom must be Governors, but must not include the Chair of Governors or the Principal / Chief Executive, and should not include Staff Governors.• A responsibility to maintain its independence in appointing members.• A responsibility to include individuals with an appropriate mix of skills and experience to allow it to discharge its duties effectively. Collectively, members of the Audit and Risk Committee should have recent, relevant experience in risk management, finance and audit and assurance. <p>To assess and provide the Governing Body with an opinion on the adequacy and effectiveness of the College's assurance arrangements, framework of governance, risk management and control processes for the effective and efficient use of resources, the solvency of the College and the safeguarding of assets.</p> <p>To advise the Governing Body on the appointment, reappointment, dismissal and remuneration of the Financial Statements Auditor, Regularity Auditor and other assurance providers including the Internal Auditor and establish that all such assurance providers adhere to relevant professional standards.</p>

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	<p>To inform the Governing Body of any additional services provided by the Financial Statements Auditor, Regularity Auditor and other assurance providers, including the Internal Auditor, and explain how independence and objectivity were safeguarded.</p> <p>To monitor, within an agreed timescale, the implementation of agreed recommendations arising from any reports of audit and assurance providers.</p> <p>To produce an Audit and Risk Committee Annual Report for the Governing Body, summarising the Audit and Risk Committee's activities relating to the financial year under review including:</p> <ul style="list-style-type: none"> • A summary of the work undertaken by the Audit and Risk Committee during the year. • 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. • The Audit and Risk Committee's view of its own effectiveness and how it has fulfilled its Terms of Reference. • The Audit and Risk Committee's opinion on the adequacy and effectiveness of the College's audit arrangements, its framework of governance, risk management and control, and its processes for securing economy, efficiency and effectiveness. • Submit the Annual Report to the Governing Body before the Statement of Corporate Governance and Internal Control in the annual accounts Financial Statements is signed. • Submit a copy of the Audit and Risk Committee's Annual Report to the relevant funding body with the Financial Statements. <p>To oversee the College's policies on fraud and irregularity and whistleblowing, and ensure:</p> <ul style="list-style-type: none"> • The proper, proportionate and independent investigation of all allegations and instances of fraud and irregularity.

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	<ul style="list-style-type: none"> • That investigation outcomes are reported to the Audit and Risk Committee. • That the Financial Statement / Regularity Auditors (<i>and Internal Auditors where appointed</i>) have been informed, and that appropriate follow-up action has been planned / actioned. • That all significant cases of fraud or suspected fraud or irregularity are reported to the Education and Skills Funding Agency. • Risks around fraud have been identified and controls put in place to mitigate them. <p>To consider and advise the Governing Body on the Audit Strategy and Annual Internal Audit Plans for the Internal Auditor.</p> <p>To advise the Governing Body on the scope and objectives of the work of the Financial Statements Auditor, Regularity Auditor and Internal Auditor.</p> <p>To advise the Governing Body on Internal Audit assignment reports and annual reports and on control issues included in the management letters of the Financial Statements Auditor and Regularity Auditor and management’s responses to these.</p> <p>To review the annual Financial Statements.</p> <p>To ensure effective coordination between the Financial Statements Auditor, Regularity Auditor and Internal Auditor, including whether the work of the Regularity Auditor should be relied upon for internal audit purposes.</p> <p>To establish relevant Key Performance Indicators (<i>KPIs</i>) and to monitor the effectiveness of the Financial Statement Auditor, Regularity Auditor and Internal Auditor through indicators and decide, based on this review, whether a competition for price and quality of the audit service is appropriate.</p> <p>To consider and advise the Governing Body on relevant reports by the National Audit Office (<i>NAO</i>), the Education & Skills Funding Agency (<i>ESFA</i>), and other Government Agencies, and where appropriate management’s response to these.</p> <p>A restriction not to adopt an executive role.</p>

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Committee	Terms of Reference
Corporate Services	<p>To make recommendations to the Governing Body on</p> <ol style="list-style-type: none">1) The annual estimates of income and expenditure.2) Major variations of expenditure.3) Capital expenditure requirement including loans.4) Budgetary Pay Awards.5) Financial Strategy. <p>Reviewing arrangements for securing value for money, solvency and safeguarding of assets.</p> <p>Determine and make amendments to the College's Financial Regulations, Fees Policy, Investment Policy and Treasury Management Policy.</p> <p>Monitoring the Financial Health of the Corporation.</p> <p>Approve contracts awarded above £250,000.</p> <p>To approve budget virements within the agreed Revenue Budget set by the Governing Body.</p> <p>To determine policy in relation to the general development of the College sites.</p> <p>To keep an overview of the use and quality of the College's premises.</p> <p>To set a framework for the Pay and Conditions of Service of all staff other than Senior Postholders.</p> <p>To receive reports from the Principal / Chief Executive on a scheme for the appointment, grading, appraisal, pay and Conditions of Service of staff and for procedures relating thereto.</p> <p>To keep under review Estates matters.</p> <p>To keep under review Finance and Registry matters.</p> <p>To keep under review Human Resources matters.</p> <p>To keep under review Information Services matters.</p>

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Remuneration Committee	<p>The Remuneration Committee should:</p> <ul style="list-style-type: none">- Have a minimum membership of three, a majority of whom must be Governors, but must not include the the Principal / Chief Executive, and should not include Staff Governors.- Furthermore, the Committee should not be chaired by the Chair of the Governing Body- Adopt and have due regard to the Colleges Senior Staff Remuneration Code, December 2018. <p>To make recommendations to the Governing Body regarding the grading, remuneration, and Conditions of Service of the Senior Postholders and the Clerk to the Corporation.</p> <p>To ensure an annual Staff Appraisal of the Senior Postholders and Clerk to the Corporation is carried out, and reported back to the Remuneration Committee, so that a recommendation can be made to the Governing Body on whether a pay award should be made.</p> <p>The Clerk to the Corporation should act as Clerk to this Committee but the Remuneration Committee should retain the ability to call on an External Clerk should this become necessary from time to time.</p>

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Committee	Terms of Reference
Search and Governance Committee	<p>To make recommendations on the composition and membership of the Governing Body, Committees and the appointment of Nominated Governors (<i>where appropriate</i>).</p> <p>To make recommendations on policies and procedures including the:</p> <ul style="list-style-type: none">• Governor Nomination Process.• Skills and Competency Framework.• Election of the Chair / Vice Chair of Governors.• Governor Induction Programme.• On-going training of Governors and External Members. <p>To develop an annual training plan for College Governors, Staff Governors, Student Governors and External Members and to keep this under review.</p> <p>To keep under review the Governance Framework and make recommendations to the Governing Body for improvement.</p>

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Committee	Terms of Reference
Selection Committee (Senior Posts)	<p>To establish a Selection Committee (<i>Senior Posts</i>) to meet as required with the following remit:</p> <ol style="list-style-type: none"><li data-bbox="526 660 1364 817">1) Determine the arrangements for the selection of applicants for interview in relation to the appointment of a Senior Postholder or Clerk to the Corporation.<li data-bbox="526 840 1364 884">2) Interview those applicants and<li data-bbox="526 907 1364 1041">3) Where they consider it appropriate to do so, recommend to the Governing Body the appointment and the conditions of services.

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Committee	Terms of Reference
Settlement Committee	For negotiation of settlements on the termination of contracts by agreement with Senior Postholders and Clerk to the Corporation within the parameters set by the Governing Body.

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Committee	Terms of Reference
Special Committee	<p>To determine any case for dismissal of a Senior Postholder and Clerk to the Corporation.</p> <p>To undertake consultations within the framework of the Collective Disputes Procedure, referring the matter back to JCNC with relevant comment appropriate to the parties concerned.</p>

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Committee	Terms of Reference
Standards Committee	<p>To set, monitor and ensure that the College's Curriculum Key Performance Indicators (KPIs) and Progress Measures are achieved.</p> <p>To receive Directorate / Department Performance Reports, which may include <i>(not an exhaustive list and depending on the time of year)</i> aspects relating to:</p> <ul style="list-style-type: none">• Student progress from initial starting point.• Recruitment.• Timely achievement.• Progression.• Attendance.• Teaching and Learning Observations.• New course provision.• Underperforming courses.• Student Voice.• Compliance with Study Programmes. <p>with a view to ensuring that relevant improvements are being made, and also supporting those curriculum areas deemed to be performing well.</p> <p>To keep under review curriculum and quality matters by reference to the College's Improvement Plans.</p> <p>To monitor and ensure improvements are made to Teaching, Learning and Assessment ensuring that the College is shifting towards Outstanding.</p> <p>To challenge the quality, curriculum and performance of the College, so that there is a positive impact on the learner experience.</p>