

LONGLEY PARK SIXTH FORM COLLEGE

SUMMARY OF THE POWERS AND RESPONSIBILITIES OF THE CORPORATION

Principal Powers

Under Section 18 of the Further and Higher Education Act 1992 a further education corporation may:

- (a) provide further and higher education; and
- (b) supply goods or services in connection with their provision of education.

These are known as the Corporation's "principal powers".

Supplementary Powers

Under Section 19 of the 1992 Act a further education corporation may do anything which appears to it to be necessary or expedient for the purpose of or in connection with the exercise of any of the principal powers conferred by Section 18 of the Act, including in particular the following:

- (a) acquire and dispose of land and other property,
- (b) enter into contracts, including in particular:
 - (i) contracts for the employment of teachers and other staff for the purposes of or in connection with carrying on any activities undertaken in the exercise of their principal powers, and
 - (ii) contracts with respect to the carrying on by the corporation of any such activities,
- (c) borrow such sums as the corporation think fit for the purposes of carrying on any activities they have power to carry on or meeting any liability transferred to them under sections 23 to 27 of this Act and, in connection with such borrowing, may grant any mortgage, charge or other security in respect of any land or other property of the corporation,
- (d) invest any sums not immediately required for the purposes of carrying on any activities they have power to carry on,
- (e) accept gifts of money, land or other property and apply it, or hold and administer it on trust for, any of those purposes, and
- (f) do anything incidental to the conduct of an educational institution providing further or higher education, including founding scholarships or exhibitions, making grants and giving prizes.

The Corporation may also provide facilities of any description (including boarding accommodation and recreational facilities for students and staff and facilities to meet the needs of students having learning difficulties) which appear to be necessary or desirable for the purposes of or in connection with the carrying on of the principal powers.

The powers conferred by Section 19 of the Act are known as "supplementary powers".

Summary of Responsibilities of Corporation Members

Responsibilities

Under Article 3(1) of the College's Articles of Government the Corporation shall be responsible for:

- (a) the determination and periodic review of the educational character and mission of the institution and for the oversight of its activities;
- (b) approving the quality strategy of the institution;
- (c) the effective and efficient use of resources, the solvency of the institution and the Corporation and safeguarding their assets;
- (d) approving annual estimates of income and expenditure;
- (e) 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);
- (f) setting a framework for the pay and conditions of service of all other staff.

'Senior Post' means the post of Principal and such other posts as the Members may determine for the purposes of the Articles.

Responsibilities which must not be delegated

Article 9 of the Articles of Government prohibits the Corporation from delegating the following:

- (a) the determination of the educational character and mission of the institution;
- (b) the approval of the annual estimates of income and expenditure;
- (c) the responsibility for ensuring the solvency of the institution and the Corporation and for safeguarding their assets;
- (d) the appointment of the Principal or holder of a senior post;
- (e) 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 as a member of staff; and
- (f) the modification or revocation of these Articles.

Article 10 of the Articles of Government confirmed that the Corporation may not delegate:

- (a) the consideration of the case for dismissal, and
- (b) 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, and that the Corporation shall make rules specifying the way in which such a committee shall be established and conducted.