

UNIVERSITY OF GLOUCESTERSHIRE: SCHEME OF DELEGATIONS (as of 26 June 2018)

The Council

1. Article 13 of the Articles of Association stipulates that the 'affairs of the University shall be conducted by the Council who may exercise all such powers of the University as are not by the (Companies) Act or by these Articles required to be exercised by the University in General Meeting.....'

Powers Which the Council may not Delegate

2. Article 14 deals with delegation by the Council, and determines that the Council may not delegate:
 - a. The determination of the educational character and mission of the University;
 - b. The approval of the annual estimates of income and expenditure (the budget);
 - c. Ensuring the solvency of the University and the safeguarding of its assets;
 - d. The appointment and dismissal of the senior staff (the Vice-Chancellor, the Deputy and Pro Vice-Chancellors, the Secretary and the Senior Chaplain); or
 - e. The varying or revoking of the Articles of Association of the University.

Statement of Primary Responsibilities

3. The Council has approved a statement of its primary responsibilities. It is attached as Appendix 1.

Powers Which the Council has Resolved not to Delegate

4. In addition to the matters which the Council may not delegate, the Council has resolved to reserve to itself the following:

Constitutional Matters

5. Major changes to the organisational structure of the University;
6. The establishment or abolition of committees reporting to the Council;
7. The appointment of its Chair and Vice-Chair (Article 12);
8. The appointment of external members of the Council (Article 9); and
9. The appointment of the Chancellor and Pro-Chancellor(s) (Article 19).

Strategic Planning

10. The approval of the strategic plan;
11. The approval of major subsidiary strategies (those which are academic should be recommended by the Academic Board);
12. Monitoring and evaluating the performance of the University in delivering the strategic plan.

Academic Matters

13. To make the annual assurance statement on academic matters as part of the Annual Accountability Return

Financial Matters

14. Approval of the financial strategy;
15. Decisions on the University's maximum fee for courses within the scope of the Access and Participation Plan;
16. The appointment of the University's bankers;
17. Approval of the Annual Report and Financial Statements;
18. Approval of the Annual Corporate Planning Statement and financial Forecasts (statutory return to the OfS);
19. Approval of major capital expenditure (in excess of £500,000 if unbudgeted; in excess of £3m for one project if budgeted);
20. Approval of leases in excess of 5 years with an annual value in excess of £500k
21. Writing off bad debts in excess of £750K
22. Approval of borrowing limits and facilities; and
23. The determination of policy, procedures and rates for any allowances to be paid to members of the Council.

Audit and Compliance Matters

24. The appointment of the external auditors and the determination of the audit fee;
25. The appointment of the internal auditors;
26. The setting of the University's Risk Appetite
27. Approval and monitoring of risk management policies and procedures, in particular the corporate risk register; and
28. Approval of the University Health & Safety Policy and consideration of the Annual Report on Health & Safety.

Staffing Matters

29. Decisions on participation in national arrangements for salaries and other staffing matters; and
30. Approval of the remuneration (including levels and rates of Performance Related Pay), terms and conditions of employment and all other benefits, and severance terms for the Vice-Chancellor;
31. The framework for the appointment of Staff and the pay and conditions of employment for all members of the Staff (Article 21.1)

Matters relating to Students

32. The approval of the Students' Union constitution and any amendments to it (Article 27); and
33. Regulations for student conduct and discipline (Article 27.3)

Estates and Infrastructure Matters

34. The purchase, sale, exchange or leasing of University land and buildings (value over £3m).

Other Matters

35. The approval and amendment of Council Standing Orders;
36. The removal from office of members of the Council (Article 10.4); and
37. Constitutional arrangements for the Academic Board (Articles 25 and 26).

Delegated Powers

Governance

38. Where necessary for the good conduct of the University, and when a decision by circulation is not practicable, the Chair may take decisions on behalf of the Council between meetings. Such decisions shall be reported to the next meeting of the Council.
39. The appraisal of the VC and the University Secretary Chair
40. The use of the University seal, in accordance with agreed procedures. Univ Sec
41. Maintenance of the Register of Council Members' Interests Univ Sec

Academic Matters

42. Conferral (and withdrawal) of academic awards (other than research degrees)PABS
43. Conferral and withdrawal of MPhil and PhD awards URDC
44. Approval of academic regulations AB

Finance

45. Approval of Financial Policy and Regulations F&GPC
46. Responsibility for non-regulated tuition fees UEC
47. Strategic monitoring of the University's overall financial position F & GPC
48. Agreement of Treasury Management Policy F & GPC
49. Agreement of Investment Policy and appointment of investment managers F & GPC
50. Approval of major capital expenditure in excess of £750K and up to £3M for one project if budgeted F & GPC
51. Approval of leases in excess of 5 years with an annual value in excess of £250k and up to £500k F & GPC
52. Financial allocations to schools/departments UEC
53. Financial allocations to services UEC
54. Writing off bad debts in excess of £100K and up to £750K F&GPC
55. Writing off bad debts in excess of £30k and up to £100k VC
56. Writing off bad debts of £30k or less DFP
57. Ensuring insurance of premises, assets of the University UEC

58. The establishment and closure of subsidiary companies, and the arrangements for their constitution including oversight of their financial results and the impact on the University	F&GPC
59. Investment in other entities up to £3M and oversight of the financial impact on the University	F&GPC
60. Approval for the opening or closing of bank accounts	F&GPC
61. Approval of bank signatories	F&GPC
62. Appointment of the University's insurers	F&GPC
<i>HR and Staffing Matters</i>	
63. Approval of the remuneration (including levels and rates of Performance Related Pay), terms and conditions of employment and all other benefits, and severance payments for all members of University Executive Committee (with the exception of the Vice-Chancellor)	RHRC
64. Appointment of Deans	VC
65. Appointment of Professors	VC
66. Appointment of Heads of Academic Schools	VC / DVC
67. Appointment of Senior Non-Academic Staff	Exec Mbr
68. Operation of and minor changes to health & safety policy	UEC
<i>Audit and Compliance</i>	
69. To report to Council on the adequacy and effectiveness of the University's arrangements for: <ul style="list-style-type: none"> - risk management, control and governance; - economy, efficiency and effectiveness; - management and quality assurance of data submitted to HESA, and to other funding bodies 	Audit Cttee
70. The investigation of any activity within its terms of reference	Audit Cttee
71. Approval of the nature and scope of the external audit	Audit Cttee
72. Approval of the internal audit needs assessment and audit plan	Audit Cttee
73. Strategic oversight of anti-fraud and anti-money laundering policies	Audit Cttee
74. Strategic oversight of value for money policy	Audit Cttee
<i>Student Matters</i>	
75. Student Complaints procedure – operation and changes	AB
76. Student disciplinary procedures - operation	DSS
77. Determining student residence fees	UEC
<i>Media / PR Matters</i>	
78. Authorisation of media releases	DCMSR

Powers delegated to the Vice-Chancellor

80. Article 18.4 gives the VC the following powers and duties:

- a. Making proposals to the Council about the educational character and mission of the University and for implementing the decisions of the Council;
- b. The organisation, direction and management of the University and leadership of the staff;
- c. The appointment, assignment, grading, appraisal, suspension, dismissal and determination – within the framework set by the Council – of the pay and conditions of service of staff other than Senior Staff;
- d. The determination, after consultation with the Academic Board, of the University's academic activities, and for the determination of its other activities;
- e. Preparing annual estimates of income and expenditure, for consideration by the Council, and for the management of budgets and resources, within the estimates approved by the Council; and
- f. The maintenance of student discipline and, within the rules and procedures provided within the Articles, for the suspension and expulsion of students on disciplinary grounds and for implementing decisions to expel students for academic reasons.

81. The Vice-Chancellor may delegate any or all the powers in paragraph 80, other than where the Articles or the Regulations of the Council prohibit such delegation.

82. The Vice-Chancellor also has the responsibilities of the 'Accountable Officer' as set out in the Office for Students 'Terms and conditions of funding for higher education institutions', Appendix 2.

83. The Council has also delegated the following specific powers to the Vice-Chancellor:

- a. Expenditure authority up to £750k.
- b. The appointment of the University's legal advisors.

Powers delegated to the Academic Board

84. On the recommendation of the Vice-Chancellor, the Council has delegated the following powers to the Academic Board:

- a. Advising on the educational character and mission, and the strategic development of the academic work of the University;
- b. The conferral of academic awards;
- c. Oversight of the academic work and activities of the University;
- d. The making, amendment and review of academic policies and regulations, covering the admission of students; examinations and assessment; programmes of study and research; the curriculum; teaching and community-based activities (major strategic developments will be subject to Council approval);

- e. Safeguarding and enhancing academic standards through effective quality assurance processes;
- f. The termination of enrolment of students for academic reasons (Article 28);
- g. Responses to external bodies relating to the academic work of the University;
- h. Providing assurance to Council on all academic matters, including those listed above, to enable the Council to make the annual assurance statement on academic matters as part of the Annual Accountability Return.

85. A note of the abbreviations used is given in Appendix 3.

Appendix 1
University of Gloucestershire
Statement of Primary Responsibilities

Introduction

The principal responsibilities of the Council of the University of Gloucestershire are set out in this Statement of Primary Responsibilities. Article 13 of the Articles of Association, which forms the constitution of the University, stipulates that the 'affairs of the University shall be conducted by the Council who may exercise all such powers of the University as are not by the [Companies] Act or by these Articles required to be exercised by the University in General Meeting'.

The Council has also agreed a detailed Scheme of Delegation whereby it has given authority for certain areas of its responsibilities to other individuals or groups within the University. Any delegated authority is in line with the Articles of Association, in which certain powers are reserved exclusively for the Council specifically those stated in Article 14 as the following.

- The determination of the educational character and mission of the University;
- The approval of the annual estimates of income and expenditure (the budget);
- Ensuring the solvency of the University and the safeguarding of its assets;
- The appointment and dismissal of the senior staff (the Vice-Chancellor, the Deputy and Pro Vice-Chancellors, the Secretary and the Senior Chaplain); or
- The varying or revoking of the Articles of Association of the University.

Statement of Primary Responsibilities

1. To approve the mission and strategic vision of the University, long-term academic and business plans and key performance indicators, and to ensure that these meet the interests of stakeholders.
2. To delegate authority to the Vice-Chancellor, as chief executive, for the academic, corporate, financial, estate, and people management of the University. And to establish and keep under regular review the policies, procedures, and limits within such management functions as shall be undertaken by and under the authority of the Vice-Chancellor.
3. To ensure the establishment and monitoring of systems of control and accountability, including financial and operational controls and risk assessment, and procedures for handling internal grievances and for managing conflicts of interest.
4. To ensure processes are in place to monitor and evaluate the performance and effectiveness of the University against the plans and approved key performance indicators, which should be, where possible and appropriate, benchmarked against other comparable institutions.
5. To establish processes to monitor and evaluate the performance and effectiveness of the Council itself as the governing body of the University.
6. To conduct its business in accordance with best practice in higher education corporate governance and with the principles of public life drawn up by the Committee on Standards in Public Life.
7. To safeguard the good name and values of the University.
8. To appoint the Vice-Chancellor, as chief executive, and to put in place suitable arrangements for monitoring their performance.
9. To appoint the Secretary of the University and to ensure that, if the person appointed has managerial responsibilities in the University, there is an appropriate separation in the lines of accountability.
10. To appoint other senior staff as described in the Articles of Association.
11. To be the employing authority for all staff in the institution and to be responsible for employment policy, including such provision as it thinks fit for the general welfare of staff and the promotion of diversity, equality, and inclusion.
12. To be the principal financial and business authority of the institution, to ensure that proper books of account are kept, to approve the annual budget and financial statements, and to have overall responsibility for the University's assets, property, and estate.

13. To be the University's legal authority and, as such, to ensure that systems are in place for meeting all the University's legal obligations, including those arising from contracts and other legal commitments made in the University's name.
14. To ensure that processes are established to maintain the University's legal and regulatory compliance.
15. To make such provision as it thinks fit for the general welfare of students, in consultation with the Academic Board, and the promotion of equality, diversity, and inclusion.
16. To act as trustee for any property, legacy, endowment, bequest or gift in support of the work and welfare of the University.
17. To ensure that the University's Articles of Association are followed at all times and that appropriate advice is available to enable this to happen.

Appendix 2

Office for Students: Terms and conditions of funding for higher education institutions, for the period to 31 July 2019

NB: The OfS terms and conditions should be read in conjunction with the terms and conditions of Research England grant. Together, these documents superseded the 'Memorandum of assurance and accountability between HEFCE and institutions' (HEFCE 2017/08) wherein this statement of the duties of the Accountable Officer were previously recorded.

Accountable officer

23. The head of an HEI is first and foremost responsible for leadership of the academic affairs and executive management of the HEI. The appointment (or dismissal) of the head of an HEI is governed by employment law, and this is clearly the responsibility of the governing body. The OfS has no role, rights or responsibilities in relation to the appointment (or dismissal) of the head of an HEI. We presume that in a case where a head of an HEI does not discharge their duties or acts improperly the governing body will take appropriate action.

24. Under these terms and conditions, the governing body is responsible for the use of public funds. To assist and enable it to discharge this responsibility and to provide clear accountability, the governing body will designate a senior officer, normally the head of the HEI, as the 'accountable officer': that is, the officer who reports to the OfS on behalf of the HEI.

25. The accountable officer is personally responsible to the governing body for ensuring compliance with the terms and conditions of funding and for providing the OfS with clear assurances to this effect.

26. The accountable officer is also required to report to the OfS on behalf of the HEI in relation to the requirements in relation to accountability for funding and the quality of data. In exceptional circumstances the OfS may take the view that the accountable officer is failing to meet these responsibilities.

27. If, in the judgement of the OfS's chief executive, there is evidence of serious failure in relation to the oversight and management of public funds, they will raise this as appropriate with the accountable officer concerned, the chair of the governing body or both; provide the relevant evidence; and seek and consider a response.

28. In extremis, and after all due process has been exhausted, the OfS's chief executive may conclude that the accountable officer is unable or unwilling to meet their responsibilities under these terms and conditions. The OfS may then ask the governing body to appoint someone else to report to the OfS and Research England on behalf of the HEI. In taking this action the OfS will not seek to influence the employment relationship between the governing body and the head of the HEI. The governing body is clearly entitled to maintain the head of the HEI in post. However, the governing body would then have to designate another senior officer as the accountable officer, and adjust the roles and responsibilities of the head of the HEI accordingly.

29. The HEI's accountable officer, the chair of the governing body or both may be required to appear before the Public Accounts Committee alongside the chief executive of the OfS in their role as accounting officer, on matters relating to grants to the HEI.

30. In the event of a prolonged absence from work or a sudden departure by the accountable officer, the governing body must ensure that the OfS is made aware immediately of the identity of the interim accountable officer.

The University of Gloucestershire
Scheme of Delegations
Appendix 3 – Abbreviations Used in the Scheme

AB	Academic Board
DCMSR	Director of Communications, Marketing, and Student Recruitment
DFP	Director of Finance and Planning
DSS	Director of Student Support
DVC	Deputy Vice-Chancellor
Exec Mbr	Appropriate member of Executive Team
F&GPC	Finance and General Purposes Committee
PABs	Progression and Award Boards
RHRC	Remuneration and Human Resources Committee
UEC	University Executive Committee
Univ Sec	University Secretary
URDC	University Research Degrees Committee
VC	Vice-Chancellor