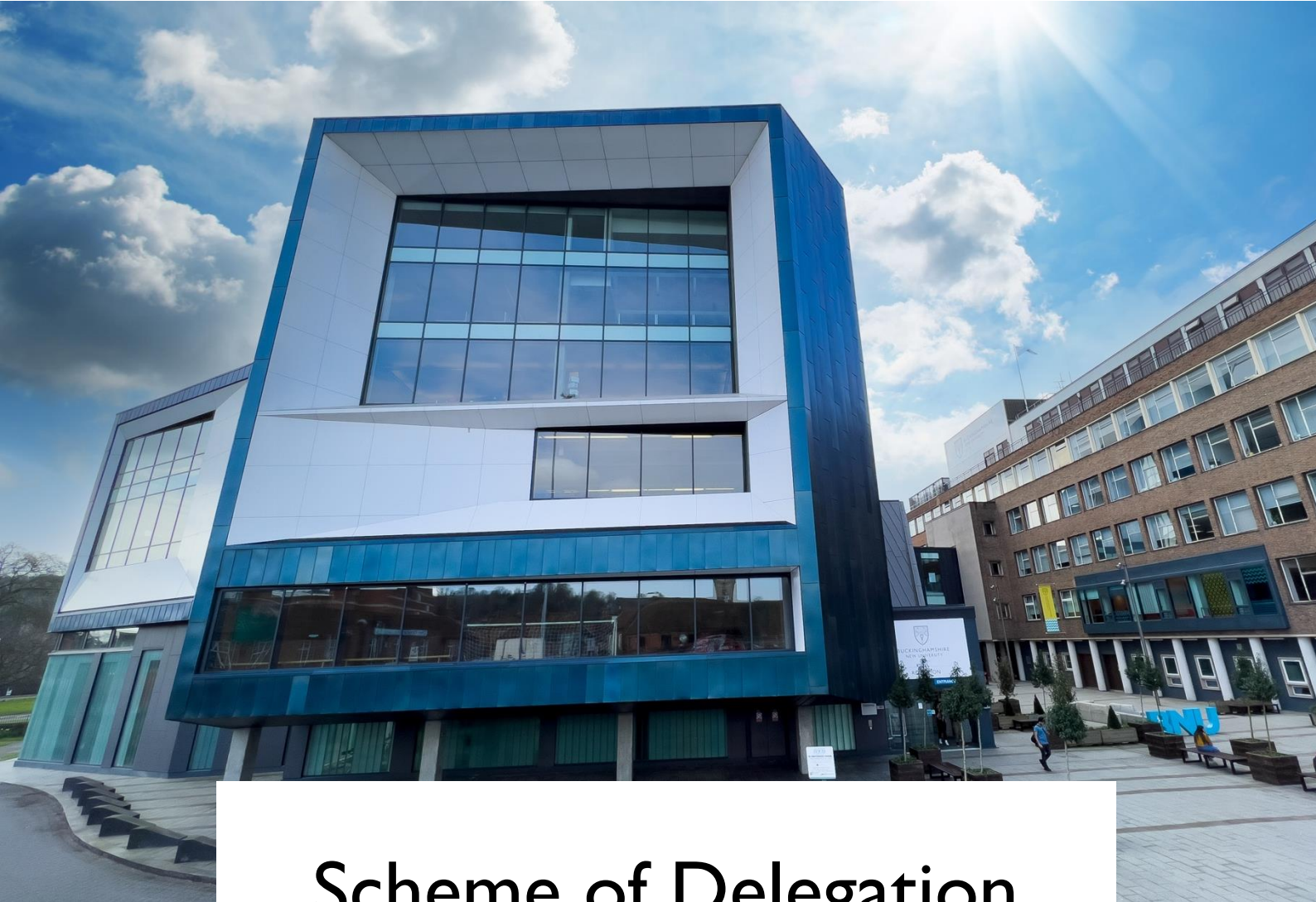




BUCKINGHAMSHIRE  
NEW UNIVERSITY

EST. 1891



# Scheme of Delegation

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## Background

1. The Scheme of Delegation, drawn up under the Instrument and Articles of Government, is part of Buckinghamshire New University's overall governance framework. It is intended to assist in efficient decision-taking and to help committees and individuals understand their roles and the limits of their powers.
2. However comprehensive the Scheme is, and however clear its principles are, some matters will still be subject to interpretation. The University Secretary and the Director of Finance will advise on matters which are not explicitly addressed in this Scheme.
3. All Council Committees have indicative business schedules to guide the business of the meeting including clarification of the extent of the Committee's authority in relation to delegated powers.
4. Confidentiality guidelines are included as a subset of this paper to demonstrate links between confidentiality and the Scheme of Delegation.

## Powers of Council

5. As detailed in the Articles of Government (para 3.1) the University Council (and therefore its members) is responsible for:
  - a The determination of the educational character and mission of the University and oversight of its activities;
  - b The effective and efficient use of resources, the solvency of the University and the Corporation, and safeguarding their assets;
  - c Approving annual estimates of income and expenditure;
  - d The employment of those designated by the Council as Senior Employees, and their appointment, grading, assignment, appraisal, suspension, dismissal, and determination of their pay and conditions of service;
  - e Setting the framework for the employment, including pay and conditions, of all other employees and contractors;
  - f Corporate policies, regulations and procedures to assure the effective governance of the University and to meet statutory and other legal obligations, including an anti-fraud and anti-corruption policy.
6. As detailed in the Articles of Government (para 3.2d) Council **shall not** delegate the following:
  - a The determination of the educational character and mission of the University;
  - b The approval of the annual estimates of income and expenditure;
  - c Ensuring the solvency of the University and the Corporation and the safeguarding of their assets;
  - d The appointment or dismissal of the Vice Chancellor;

- e The varying or revoking of the Articles.

## **Review of the Scheme**

- 7. The Scheme of Delegation will be reviewed annually by the Governance Committee and recommendations for any changes will be made to Council.

## **Definitions and Terminology**

- 8. The names of committees and titles of posts may differ from time to time. This shall not invalidate the powers of the equivalent successor committees or post holders.
- 9. The University Executive Team (UET) comprises:
  - The Vice-Chancellor
  - The Deputy Vice-Chancellor
  - The Pro Vice-Chancellor(s)
  - The Associate Pro Vice-Chancellor
  - The Chief Financial Officer
  - The University Secretary & Clerk to Council

## Tables of Delegation

### Key:

- Quotations from the Instrument and Articles of Government are in boxes and blue text.
- Under the Articles of Government, the items shaded **and in bold** cannot be delegated by Council
- Quotations or references from other sources are in boxes and in black text.

## Decisions reserved to a quorate meeting of Council

### Educational character, mission and oversight of activities

Article 3.1 (a)	'the <b>determination of the educational character and mission</b> of the University and for oversight of its activities'.
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#### Council approves:

- University Strategic Plan, any significant variant to the Strategic Plan
- addition or deletion of a major field of work
- addition or deletion of significant levels of study e.g. Postgraduate taught, postgraduate research, further education

### Financial sustainability

Article 3.1 (b)	'the effective and efficient use of resources, <b>the solvency of the University and the Corporation and for safeguarding their assets</b> '
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#### Council approves:

- financial forecasts
- risk strategy/policy and strategic risk register
- audited financial statements and annual report
- appointment of auditors
- the purchase, use, retention and disposal of land, buildings and other property as part of its approval of the estates strategy
- any significant financial proposals above a certain financial limit, such as tuition fee policy and fee levels and the establishment of major new income streams
- annual capital programme above a certain financial limit
- incorporation of business initiatives as subsidiary companies

The 'effective and efficient use of resources' **can** be delegated.

### Budget

Article 3.1 (c)	' <b>approving annual estimates of income and expenditure</b> '
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#### Council approves:

- annual budget, in association with the financial forecasts
- major variations to the budget, above a certain financial limit

## Senior Employees

Article 3.1 (d)	'the employment of those designated... as Senior Employees and their appointment, grading, assignment, appraisal, suspension, dismissal and determination of their pay and conditions of service
Article 3.5 (d)	<b>'the appointment or dismissal of the Vice Chancellor'</b>

### Council approves:

- employment terms and severance policy for Senior Employees
- appointment and dismissal of Vice-Chancellor/Chief Executive
- dismissal of any senior post-holder

## Employees

Article 3.1 (e)	'setting the framework for the employment, including pay and conditions, of all other employees and contractors'
Article 9.1	After consultation with employees, the Council shall make and amend regulations relating to the suspension and dismissal of employees which shall provide the right of appeal and the right to be represented
Article 9.2	The Council shall make and amend regulations relating to the suspension and dismissal of the Senior Employees, including the Vice-Chancellor, which shall provide the right of appeal and the right to be represented
Article 10.1	'After consultation with employees the Council shall make procedures according to which employees may seek redress of any grievance relating to their employment'

### Council approves:

- Human Resources sub-strategy which sets many aspects of the employment framework, there is no bar to delegation of this power
- collective agreements

Employee grievance procedures and employee dismissal procedures, after consultation with the staff, can be delegated

## Governance, financial and employee procedures and legal matters

Article 3.1 (f)	'corporate policies, regulations and procedures to assure the effective governance of the University and to meet statutory and other legal obligations, including an anti-fraud and anti-corruption policy'
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### Council approves:

- Financial Regulations
- Health & Safety Strategy and Policy; receipt of annual Health & Safety reports
- Freedom of Speech, Public Order and related policies and procedures which relate to health and safety, business continuity and the security management of the campus

- Single Equality Policy and Action Plans and monitoring reports on their implementation

Other governance matters can be delegated

### The text of the Articles of Government

Article 3.5 (e)	'The Council shall not, however, delegate... <b>the varying or revoking of these Articles</b> '.
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Council can resolve to change its Articles, but such changes are subject to final approval by the Privy Council.

### Council Membership

Instrument 4.1	'The Council shall make a determination with respect to their membership numbers'
Instrument 4.2	'Such a determination shall fix the number of members of each variable category of which the Council is to consist...'
Instrument 5.2	'The Council is the appointing authority in relation to the appointment of any member of the Council other than an independent member'
Instrument 9.1	'The Council shall determine any allowances to be paid to members of Council'

#### Council approves:

- membership size, the balance of its overall constituencies and the co-opted membership, including ratifying employee and student nominations
- the nomination of co-opted members and the appointment of an independent member (by the current independent members of Council)

Council has delegated the determination of the policy on allowances

### Senate constitution

Article 6.2	'There shall be a Senate of no more than 40 members, comprising the Vice-Chancellor (who shall be Chairman) and such other numbers of employees and students as may from time to time be approved by the Council'
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#### Council approves:

- the constitution of Senate on whose advice it relies for the non-delegable power to **determine the educational character**.

### Students' Union

Article 11.1	'A Students' Union shall conduct and manage its own affairs and funds in accordance with a constitution approved by Council...'
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1994 Act	The Governing Body is responsible for taking 'such steps as are reasonably practicable to secure that the Students' Union... operates in a fair and democratic manner and is accountable for its finances'
1994 Act	Council is responsible for approving a Code or Practice governing its relationship with the Students' Union.

Council approves:

- the Students' Union constitution and major amendments and the Code of Practice, although this can be delegated.

Council receives:

- annual audited Students' Union accounts and it delegates the approval of the annual grant from the University to the Students' Union to Resources Committee and the regular monitoring of expenditure to UET.

**Student Discipline**

Article 11.4	'After consultation with representatives of the students, the Council shall make regulations relating to the conduct of students, including procedures for suspension and expulsion, which shall provide a right of appeal and the right to be represented.'
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Council approves:

- student disciplinary procedures

**Degree awarding powers**

Education Acts + Legal advice	Degree awarding powers are held by Council and cannot be delegated
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**Decisions delegated to a quorate meeting of Senate or one of its committees**

Article 6.1 (a) (first bullet)	<p>'... general issues relating to the research, scholarship, teaching and courses at the University including:</p> <ul style="list-style-type: none"> <li>criteria for the admissions of students;</li> <li>the appointment and removal of internal and external examiners;</li> <li>policies and procedures for assessment and examination of the academic performance of students;</li> <li>the content of the curriculum;</li> <li>academic standards and the validation and review of courses;</li> </ul>
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	<ul style="list-style-type: none"> <li>• procedures for the award of qualifications and all honorary academic titles;</li> <li>• procedures for the expulsion of students for academic reasons;</li> </ul>
Article 6.1 (a) (second bullet)	'... for taking any action it considers necessary to safeguard the standards of the awards of the University and the quality of its provision'

Senate approves through its sub-committees:

- Education Strategy
- new awards/courses
- closure of courses external examiners
- academic regulations
- conferment of degrees on individual students

Senate intervenes in matters delegated to others where quality is at risk

Article 11.2	'... the Senate, after consultation with the Council and representatives of the students, shall determine procedures for the expulsion of a student, for an unsatisfactory standard of work or other academic reasons'.
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- Senate advises the Council and the Vice-Chancellor

Article 6.1 (c)	'... considering the development of the academic activities of the University and the resources needed to support them and for advising the Vice-Chancellor and the Council thereon'.
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- Senate advises Council and the Vice-Chancellor on the academic sub-strategies within the Strategic Plan and monitors implementation.
- Senate advises Council on the exercise of the University's degree awarding powers held by Council.

## Decisions delegated to a quorate meeting of Resources Committee

Terms of Reference	<p><u>Finance</u></p> <p>a To recommend to Council for approval the policy in relation to fees and bursaries and the proposed levels of fees and bursaries set by the University.</p> <p>b To recommend to Council the Financial Plan and budgets and to Audit Committee, the annual audited accounts of the University. To receive the annual audited accounts of its subsidiary companies and five year forecasts.</p> <p>c To approve the Students' Union budget and to receive or obtain assurance the Union's expenditure is effectively monitored. To receive the annual audited accounts of the Students' Union prior to their presentation to Council.</p>
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	<p>d To approve variations to the Financial Plan within the limits of delegated authority of the committee.</p> <p>e To recommend to Council the University's Business plans for new and current subsidiary companies unless Council has delegated consideration of these individually to the Senior Management Team.</p> <p>f To approve the Procurement strategy and policy.</p> <p>g To approve the Hospitality and Gifts policy.</p> <p><u>Estate and Physical Resources Matters</u></p> <p>h To recommend to Council approval of Capital Projects.</p> <p><u>Human Resources Matters (Note: not in relation to Senior Employees – see Remuneration Committee)</u></p> <p>i To approve employment-related policies pursuant to the Human Resources Strategy and to recommend to Council for approval the framework of pay and conditions of service of employees</p> <p>j To approve regulations relating to the conduct of employees and procedures relating to grievances, dismissal on grounds of misconduct, capability, medical incapacity, redundancy and procedures on appointment, promotion and public interest disclosure</p> <p>k To receive or obtain assurance that the framework and procedures for pay and conditions and for grievance and dismissal are appropriate and effective.</p> <p><u>General Matters</u></p> <p>l To recommend to Council for approval the core resource strategies of the University (including Estates Strategy, Finance Strategy, Human Resources Strategy and Information Strategy).</p> <p>m To undertake such work related to the University's resources as the Council may from time to time delegate to it.</p> <p>n To receive or obtain assurance that the resource strategies are being implemented effectively through the consideration of progress reports and exception reports from the Director and/or responsible member of Directorate and to report any substantive issue to Council for consideration, action or decision.</p>
Articles 8.1; 9.1; 9.2; 10.1	Approval of employee regulations: e.g. discipline, suspension, dismissal, capability, medical incapacity, redundancy, grievance and appointment and promotion, public interest disclosure

#### Advice to Council from Resources Committee

- the development of the sub strategies: finance, estates, human resources, information
- recommendation of the financial forecasts
- recommendation of the draft audited financial statements (to Audit Committee in the first instance)
- recommendation of the draft budget
- recommendation of the capital programme

- recommendation on tuition and hostel fee strategy and policy
- recommendations for the establishment of new major income streams including subsidiary companies
- recommendations on the formulation of an overall employment framework

## Decisions delegated to a quorate meeting of Remuneration Committee

Terms of Reference	<p><u>Senior Post Holders' Remuneration</u></p> <p>a To ensure the University has a clear policy on senior staff remuneration and associated procedures approved by the Council, which clearly aligns to the institutional strategic plan, and is aligned to the University's commitment to equality and diversity. The policy should address the remuneration, benefits and terms &amp; conditions of those designated as senior post holders of the University taking account of affordability, equality of pay issues, comparative information on the remuneration, benefits and conditions of employment in the University sector and elsewhere as appropriate.</p> <p>b To determine and oversee on behalf of Council terms for those designated as senior post holders in accordance with any University policy on appointment, salary, benefits in kind, pension provisions, terms and conditions, dismissal, severance or redundancy in line with external guidance from regulators.</p> <p>c To agree and oversee the annual pay reward applied to those designated as senior post holders.</p> <p>d To determine the arrangements for the expenses or honoraria for any non-salaried positions – such as Chancellor – designated as senior post holders of the University appointed by the Council.</p> <p><u>Other University Staff</u></p> <p>e To agree and oversee UET's recommendations regarding the annual pay reward applied employees outside of the national pay and conditions agreements (i.e. non-JNCHES, Spot salaries).</p> <p>f To advise Council on other matters with respect to staff remuneration and employment matters as required, where the Committee's recommendations in respect of senior post holders and senior managers have implications for other employees.</p> <p><u>Other Matters</u></p> <p>g To endorse the Vice-Chancellor's objectives as proposed by the Chair of Council and monitor performance against objectives.</p> <p>h To receive interim and end of year reviews of the performance against objectives of the Vice-Chancellor carried out by the Chair of Council and, of the performance of the senior post holders carried out by the Vice-Chancellor and, to make a confidential report to Council as appropriate.</p>
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	<p>i To gather information on and pay due regard to the pay and conditions of other staff in the University, the position across the Higher Education Sector and in similar posts in other sectors, when making its decisions on senior post holders and reviewing other decisions on remuneration.</p> <p>j To consider and note matters of strategic significance concerning remuneration and other employment matters. This includes the recruitment, promotion and retention of senior staff as well as sector and/or legal aspects of HR practice.</p> <p>k To approve and recommend to Council the remuneration parameters for the reward package of the Vice-Chancellor &amp; Chief Executive when required.</p> <p><b>Governance</b></p> <p>l To undertake an annual review of the terms of reference, delegated powers and membership of the Remuneration Committee to ensure compliance with the CUC HE Remuneration Code</p> <p>m To approve the University Remuneration Policy including the Remuneration of Senior Staff</p> <p>n To publish a list of comparator institutions</p> <p><b>Reporting</b></p> <p>o To prepare an annual report to Council in line with the CUC HE Remuneration Guidance. The report to be made publicly available and included in the University's annual Financial Statement.</p> <p>p To agree what information about the work of the Remuneration Committee and executive award arrangements should be published on the University's Governance webpages (in addition to the annual report incorporated into the Financial Statement)</p> <p><b>General</b></p> <p>q To undertake work related to remuneration which the Council may from time to time delegate to the Remuneration Committee.</p> <p>r Monitor activity in relation to succession planning and talent management of the senior post holders.</p> <p><b>Subsidiary Companies / Joint Ventures</b></p> <p>s To approve salaries and all other aspects of the remuneration packages of employees of the University's subsidiary companies and joint ventures where they are not employees of the University.</p>
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#### Advice to Council from Remuneration Committee

- Recommendation of all policies and procedures relating to senior employees

## Decisions delegated to a quorate meeting of Audit Committee

Terms of Reference	<ul style="list-style-type: none"> <li>a To advise the Council on the appointment of the external auditors, the audit fee, the provision of any non-audit services by the external auditors and any questions of resignation or dismissal of the external auditors.</li> <li>b To discuss, if necessary, with the external auditors, before the audit begins, the nature and scope of the audit.</li> <li>c To discuss with the external auditors problems and reservations arising from the interim and final audits, including a review of the management letter incorporating management responses, and any other matters the external auditors may wish to discuss (in the absence of management where necessary).</li> <li>d To consider and advise the Council on the appointment and terms of engagement of the internal audit service (and the head of internal audit, if applicable), the audit fee, the provision of any non-audit services by the internal auditors and any questions of resignation or dismissal of the internal auditors.</li> <li>e To review the nature and scope of internal auditors' audit plan; to consider major findings of internal audit investigations and management's response; to monitor the implementation of agreed audit-based recommendations, to promote co-ordination between the internal and external auditors and to discuss with the internal auditors any problems and reservations arising from their audit. The committee will ensure that the resources made available for internal audit are sufficient to meet the institution's needs (or make a recommendation to the Council as appropriate).</li> <li>f To monitor and review the effectiveness of risk management, control and governance arrangements and, in particular, to review the external auditors' management letter, the internal auditors' annual report and management responses.</li> <li>g To ensure that all significant losses have been properly investigated and that the internal and external auditors and, where appropriate, the OfS Accountable Officer, have been informed.</li> <li>h To approve and oversee the institution's policy on fraud and irregularity, including being notified of any action taken under that policy.</li> <li>i To approve the strategy and policy on Value for Money and satisfy itself that satisfactory arrangements are in place to promote economy, efficiency and effectiveness.</li> <li>j To receive any relevant reports from the National Audit Office, the OfS and other organisations.</li> <li>k To monitor annually the performance and effectiveness of external and internal auditors, including any matters affecting their independence and</li> </ul>
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	<p>objectivity, and to make recommendations to the Council concerning their re-appointment, where appropriate.</p> <p>l To consider elements of the annual financial statements in the presence of the external auditor, including the auditor's formal opinion, the statement of members' responsibilities, and the statement of internal control in accordance with OfS Accounts Directions.</p> <p>m In the event of a merger or dissolution of the institution, to ensure that the necessary actions are completed, including arranging for a final set of financial statements to be completed and signed.</p> <p>n To prepare an annual report covering the institution's financial year and any significant issues up to the date of preparing the report, addressed to the Council and OfS Accountable Officer summarising the activity for the year.</p> <p>o To monitor the governance, risk management and financial controls of the University's subsidiary companies by means of reports from the Resources Committee, internal and external auditors and Senior Management Team.</p> <p>p to gain assurance on the University's management and quality of data submitted to HESA, OfS and other funding bodies</p>
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#### Advice to Council from Audit Committee

- recommendation on the effective and efficient use of resources
- recommendation of the draft audited financial statements
- recommendation of appointment of internal and external auditors
- monitoring actions recommended by the internal and external auditors and OfS
- recommendation of the Financial Regulations
- recommendation of the risk strategy/policy and Strategic Risk Register
- annual report to Council on financial, governance and risk controls
- recommendation of external auditors' annual management letter

## Decisions delegated to a quorate meeting of Governance Committee

Terms of Reference	<ul style="list-style-type: none"> <li>a To keep under review the membership, recruitment strategy and policy (including the skills matrix and target membership profile) of the Council and to make recommendations to Council for changes as appropriate.</li> <li>b To monitor and review the implementation of the governance arrangements under the scheme of delegation to ensure they remain current and appropriate.</li> <li>c To evaluate and to report at least annually to the Council on the effectiveness of the Council.</li> <li>d To receive reports from the Secretary's office on the status of memberships and terms of office and to monitor the retirements schedule.</li> <li>e To receive proposals regarding changes to the terms of reference and membership of Committees of Council and Senate and make recommendations to Council.</li> <li>f To review annually Council members' attendance at Council and its Committees and approve individual Council members as members of Council's Committees.</li> <li>g To approve the policy for allowances and expenses for members of Council.</li> <li>h To undertake work related to governance which the Council may from time to time delegate.</li> <li>i To be responsible for the timely management of succession planning in respect of Chair and Deputy Chair.</li> <li>j To recommend to Council nominations for new members.</li> <li>k To recommend to Council changes to procedure and process in respect of the management of Council business.</li> <li>l To recommend to Council proposed changes to the Instrument and Articles of Government.</li> <li>m To approve minor amendments to the Students' Union Constitution.</li> <li>n On behalf of Council as shareholder, to nominate as Directors at least one member of Council and at least one member of the University Executive Team to each of the University's subsidiary companies' Boards of Directors. To have the right of approval, on Council's behalf, of all other Directors of subsidiary companies and to nominate the shareholder's representatives at Annual General Meetings of subsidiary companies.</li> <li>o To approve the Single Equality Scheme and action plan. To recommend to Council the University's policies on equality and diversity and receive</li> </ul>
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	<p>assurance that appropriate strategies are in place to manage equality and diversity issues effectively.</p> <p>p To recommend to Council the Health and Safety policy and receive assurance that the Health and Safety issues are pro-actively managed in line with Health and Safety policy and relevant legislation through an annual report and periodic exception reports as appropriate.</p>
Procedures 2.8	Co-option of non-Council members to Council committees (with relevant Chair)

#### Advice to Council from Governance Committee

- monitoring governance arrangements and scheme of delegation and recommending changes
- recommendation of the recruitment strategy for Council members
- recommendation of independent and co-opted membership of Council
- succession planning for Chair and Deputy Chair posts
- recommendation of changes to committees' constitutions
- recommendation of changes to Instrument and Articles
- recommendation for renewal of Council members' terms of office, within Articles
- recommendation on health and safety policy

### **Decisions delegated to the Honorary Awards Committee**

*(Note: the text detailed in the following boxes is a summary or paraphrase of the approved Terms of Reference or other reference document)*

Terms of Reference	Setting criteria for honorary awards
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#### Advice to Council from Honorary Awards Committee

- recommendation of individuals for honorary awards to Council and Senate

### **Decisions delegated to a Student Disciplinary Appeals Panel**

*(Note: the text detailed in the following boxes is a summary or paraphrase of the approved Terms of Reference or other reference document)*

Student Disciplinary Procedures	(1) Judgement on student misconduct and a penalty where appropriate
Student Disciplinary Procedures	(2) The hearing of and decision on an appeal against a judgement and/or penalty



## Decisions delegated to an Employees Appeals Panel

(Note: the text detailed in the following boxes is a summary or paraphrase of the approved Terms of Reference or other reference document)

Staff Disciplinary Procedures	The hearing of and resolution of an appeal by an employee against dismissal
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## Decisions delegated to an Employee Grievance Panel

(Note: the text detailed in the following boxes is a summary or paraphrase of the approved Terms of Reference or other reference document)

Employee Grievance Procedures	The hearing at Stage 3 and resolution of a grievance raised by an employee
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## Decisions delegated to a Senior Employee Special Committee

Article 9.2	The Council shall make and amend regulations relating to the suspension and dismissal of the Senior Employees, including the Vice-Chancellor, which shall provide the right of appeal and the right to be represented.
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## Decisions delegated to an Appointments Panel including a Council member

Article 3.1 (d)	'... the employment of those designated by the Council as Senior Employees... '
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## Decisions delegated to the Vice-Chancellor/Chief Executive advised by University Executive Team

Article 5.1 (b)	'... the organisation, direction and management of the University and leadership of employees'
Article 5.1 (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 employees other than Senior Employees'
Article 5.1 (d)	'... the determination, after consultation with the Senate, of the University's academic activities and for the determination of its other activities'

Article 5.1 (f)	'... the maintenance of student discipline...'
Article 11.3	'...to establish and monitor an academic appeals procedure and, after consultation with students and employees, a formal complaints procedure...'

**The Vice Chancellor, advised by UET, is responsible for:**

Articles 5.1 a)	<p>Subject to the responsibilities of the Council, the Vice-Chancellor shall be the Chief Executive of the University and shall be responsible for:</p> <ul style="list-style-type: none"> <li>• making proposals to the Council about the educational character and mission of the University and for implementing the decisions of the Council;</li> <li>• the organisation, direction and management of the University and leadership of employees;</li> <li>• the appointment, assignment, grading, appraisal, suspension, dismissal and determination, within the framework set by the Council, of the pay and conditions of service of employees other than Senior Employees;</li> <li>• the determination, after consultation with the Senate, of the University's academic activities and for the determination of its other activities;</li> <li>• preparing annual estimates of income and expenditure, for consideration by the Council and for the management of budget and resources, within the estimates approved by the Council;</li> <li>• and the maintenance of student discipline and, within the regulations and procedures provided for within these Articles, for the suspension or expulsion of students on disciplinary grounds and for implementing decisions to expel students for academic reasons</li> </ul>
OfS	management of all legal and financial obligations. As Accountable Officer the Vice-Chancellor/Chief Executive has authority and is accountable to OfS
UET Terms of Reference	<p>UET is the principal leadership group of the University, and will support and advise the Vice-Chancellor as the University's Chief Executive Officer, within the delegation framework of the University. It is responsible for developing and delivering the strategic plans of the University and for the effective management of the University, including oversight of legal and regulatory compliance and agreeing core University policies. This group will have a focus around:</p> <ul style="list-style-type: none"> <li>• University strategy</li> <li>• University performance, including agreeing targets</li> <li>• University risks</li> <li>• Processes by which strategic and operational planning is undertaken by Schools and Professional Services, including business planning and budget setting</li> <li>• Consideration of papers and items put before Council and its subcommittees</li> <li>• Consideration of papers and items put before Senate and its subcommittees</li> </ul>

	<ul style="list-style-type: none"> <li>• Scenario planning</li> <li>• Co-ordination and oversight of University-wide initiatives.</li> <li>• Monitoring and responding to external opportunities, including new academic developments</li> </ul> <p>It will review and consider commercially sensitive as well as internally sensitive information, and matters which require executive consideration and decisions.</p>
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### **Advice to Council from the Vice-Chancellor/Chief Executive advised by the University Executive Team**

Article 5.1 (a)	'... making proposals to the Council about the educational character and mission of the University and implementing the decisions of Council'
Article 5.1 (e)	'... preparing annual estimates of income and expenditure... and for the management of budget and resources, within the estimates approved by Council'

The scope of the Vice-Chancellor's advice to Council in practice is too wide to be usefully listed here.

### **Decisions delegated to the Chair of Council or Chair of one of its committees/ panels**

Instrument 10.1	'The application of the seal... shall be authenticated by the signature of the Chairman of the Council... together with that of any other member of the Council' <i>(subject to detailed approved procedures)</i>
Article 9.2	'The Council shall make and amend regulations relating to the suspension... of the Senior Employees'
CUC guide	Review of performance of Council members

### **The following other categories of business are those where authority is delegated to the Chair of Council or one of its committees**

- Business which is unfinished at Council or one of its committees for lack of information, but on which a clear steer is given to guide the decision when the information becomes available.
- Business which is approved by Council or a committee subject to certain conditions to be met by the management and signed off by the Chair.
- Business involving signature(s) to the detailed formal paperwork associated with a prior decision of Council or a committee, such as the sale of a building.

These three delegations above are minuted and reported back.

- The signing of routine contracts that commit the institution above a certain level of expenditure.
- Routine decisions on Senior Employees where such delegation is mentioned in their terms and conditions.
- Urgent business between meetings, ensuring the support of the Vice-Chancellor, canvassing members where possible and reporting back to Council. Such decisions should not involve changes to Council policy and should be taken only where there is material risk to the University.

These three delegations are requested in writing by officers, supported by background information and notified to the University Secretary or secretary to the committee after Chair's action has been taken.

In addition, the Chair and Deputy Chair and other Committee Chairs meet the Vice-Chancellor/Chief Executive and other senior staff for agenda planning and committee briefing purposes.

The relevant Committee will monitor the use made of Chair's action.

## Financial Delegated Authorities

These tables are to be read in conjunction with the Financial Regulations, specifically Appendix A: Delegated Authority Limits. In case of any discrepancy between the two, the Financial Regulations should be followed.

### Revenue

<b>Budget process</b>	<b>Approver</b>	<b>Notes</b>
Approval of budget	Council	On recommendation of CFO and Resources Committee
Allocation of budget between Schools and Directorates	CFO	Following discussion at UET; within the overall budget approved by Council
Viring between budgets	Budget holder, where both budgets are held by them	Only with agreement of Finance
<b>Spending</b>		
<b>Amount</b>	<b>Approver</b>	<b>Notes</b>
<=£2.5k	Sub-budget holder	Delegation must be evidenced in line with agreed procedures Authorisation must be by a different person to order
<=£5k	Budget holder other than HoS or Director	Delegation must be evidenced in line with agreed procedures Authorisation must be by a different person to order
<=£25k	Budget holder (HoS or Director) Must be reviewed by Head of Procurement	Authorisation must be by a different person to order
<=£50k	Financial Controller or Senior Financial Planning and Analysis Manager	Authorisation must be by a different person to order Contract must be negotiated by Head of Procurement
<=£250k	Senior /-Pro- Vice Chancellor	Authorisation must be by a different person to order Contract must be negotiated by Head of Procurement
<=£500k	Deputy Vice-Chancellor/CFO	Authorisation must be by a different person to order Contract must be negotiated by Head of Procurement

<= £2m	Vice-Chancellor	Contract must be negotiated by Head of Procurement
>=£2m	Council	Contract must be negotiated by Head of Procurement

## Capital

Budget process	Approver	Notes
Approval of budget	Council	On the recommendation of CFO and Resources Committee. Implied future revenue spend must be flagged.
Allocation of budget to projects	Capital Projects Group	Within the overall budget and in line with Council's initial budget approval
Amendment of budgets in year	Capital Projects Group	Within the overall budget
Allocation of new capital budget out-of-cycle (e.g. for large building project)	Council	On the recommendation of CFO and Resources Committee, backed by business case
<b>Spending</b>		
Amount	Approver	Notes
As for Revenue		CFO/Finance Directorate must be aware of and agree that expenditure is capital

## Land and Buildings

Leasing includes all agreements such as tenancies, wayleaves, easements, licenses and occupancy agreements.

Item	Approver	Notes
<b>Freehold Purchase</b>		
<= £2m	Vice-Chancellor	Must be reported to Council
>= £2m	Council	On the recommendation of Resources Committee
<b>Leasehold purchase</b>		
<= £2m	Vice-Chancellor	Leasehold Value: Calculated as minimum contract cost, up to any break clauses. e.g., a 20 year lease at £190k per annum, with a break clause at ten years (minimum total commitment £1.9m) The VC is permitted to approve and then reported to Resources Committee; without the break clause it would need to go to Council on recommendation of Resources Committee
>= £2m	Council	

## Subsidiary companies

Amount	Approver	Notes
Revenue and Capital <=£25k	General Manager	Budgeted revenue spend and authorisation must be by a different person to order

>= £25k	Follows University Approval	Budgeted revenue and capital spend and authorisation must be by a different person to order
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### Debt write-off

Item	Approver	Notes
<= £10k	CFO	For example, Student-related debt
<= £500k	UET	For example, Student-related debt, small partnership debt
<= £1m	Resources Committee	For example, midsize partnership or commercial contract related debt
>=£1m	Council	For example, larger partnership or commercial contract related debt

### Approval of posts and dismissal of employees

(This excludes Senior Employees who are dealt with by delegated authority from Council)

Category	Approval by
Approval of ALs and casuals	Heads of School
Approval of posts and extensions of contract of fixed-term employees	Vacancy Review Group via requisition from the appropriate line manager
Approval of posts of permanent employees	
Dismissal of ALs and casuals, unless long-standing	Head of School / Director
Dismissal of fixed-term, permanent and long-standing ALs and casuals	Vice-Chancellor or nominee, under the Articles
Approval of extra payments to employees	University Executive Team
Approval of employees appointed as employees of subsidiary companies	Subsidiary company board in the case of 'senior employees' and managing director in the case of other employees

## Confidentiality guidelines and links to scheme of delegation

Article 4.9	‘The following papers of the Council or its committees shall be open to inspection by employees and students of the institution except where material relates to named employees or students, or to prospective employees or students, or to commercial matters or matters under negotiation which the Council or any committee thereof, as appropriate, have resolved should be dealt with on a confidential basis: agenda; draft minutes, if they have been approved by the Chairman of the meeting; signed minutes; and papers considered at meetings.’
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10. The University’s policy and culture is to work in an open and transparent manner, accountable to all internal and external parties, within the Freedom of Information and General Data Protection legislation. Council papers are public documents and are open to all as a norm; thus confidentiality rules are needed by way of exception. For the consistent definition of ‘confidential’ business, there are three main criteria:
- Are individual current or prospective employees, students or governors, or small groups of them, identifiable in Council papers (as in the Article quoted above)?
  - Does a paper treat matters of commercial sensitivity?
  - Does a paper treat early work in progress on a sensitive matter, such as matters for formal negotiation either with employees, students or external bodies? Such a paper would be expected to be published later.
11. In addition, on rare occasions, some decisions may be ‘reserved’ to certain categories of Council member, for example:
- In the Instrument of Government, the appointment of independent Council members is reserved to current independent Council members
  - Agreement of a negotiated document between the employees and the employer – reserved to Council members who are not employees or students
  - Initiation of a sensitive policy, procedure or contract – reserved to a small working group of Council members in the first instance
12. Otherwise, all members of Council are equal. Members must abide by the rules in Article 4.4, which means they should make a declaration and exclude themselves from decision-taking where a conflict of interest arises.

### How do the rules of delegation fit with the rules of confidentiality?

13. The main link between ‘delegation’ and ‘confidentiality’ (the two sections of this paper) is that subcommittees (such as the Audit Committee or Resources Committee) or dedicated panels (such as those for disciplinaries, Fitness to Practice or appeals) deal with confidential issues involving identifiable individual employees or students. Thus, they are delegated in an explicit manner, not by ad hoc means.



14. The Resources Committee can advise on progress on general employee issues without staff being involved, although the documents will certainly be published to employees for consultation at a later stage. Again, this is where delegation meets confidentiality and it is explicitly and consistently managed.
15. Campus development discussions are confidential on grounds of commercial sensitivity. But many of these major decisions are also about 'solvency' and 'safeguarding assets'. Therefore, under the Articles they are not, and cannot be, delegated.