

THE UNIVERSITY OF KENT

Council's Primary Responsibilities current for 2011/2012

1. Introduction

Council originally adopted a Statement of its Primary Responsibilities from 1 August 2004 following consideration of the suggestion in the Lambert Review that an "institution's governing body should adopt a Statement of Primary Responsibilities."

The Statement which follows below was updated in Summer 2008 and approved by the Council at its meeting held on 27 November 2008 to take immediate effect. This update takes account of points arising in the review of the Council's effectiveness undertaken during 2008 and the Model Statement of Primary Responsibilities included in the CUC's Guide for Members of HE Governing Bodies in the UK (February 2009).

2. Context

The University operates in a context of

- (i) **Legislation** (national and EU) - in particular arising from its
 - (a) charitable status and concerning financial matters
 - (b) employment of staff and
 - (c) student membership -

and hence legislation concerning gender, disability, equal opportunities, race relations, employment, health and safety and the Students' Union, for example, is relevant.

- (ii) **HEFCE requirements** – in particular the Financial Memorandum concerning matters relating to funding, audit and management.
- (iii) **its Royal Charter, Statutes and Ordinances.**
- (iv) **internal Regulations and Procedures** (such as Regulations for the award of degrees, student discipline, the use of facilities such as the library; procedures for the appointment and promotion of staff).
- (v) **the University Plan** and relevant Strategy documents (e.g. for Human Resources).
- (vi) **other formal documents** such as Policy Documents (e.g. for Equality and Diversity and Health and Safety), Standing Orders (e.g. for Council and for Senate), Codes of Practice (e.g. for Academic Quality Assurance and the Students' Union), Charters (e.g. the Student Charter).

Council has in the past had a role in approving many items arising from the above but in recent years many such items have been delegated to University officers or bodies.

3. **Council's primary responsibilities**

These may be stated, briefly, as given below, on the basis that business is conducted in accordance with best practice in higher education corporate governance and with the principles of public life drawn up by the Nolan Committee on Standards in Public Life (selflessness, integrity, objectivity, accountability, openness, honesty and leadership). Other essential responsibilities are to safeguard the good name and values of the University and to ensure that the University's Charter, Statutes and Ordinances are complied with and, where necessary, appropriate advice is available to ensure this.

(i) **Appointments**

- Chancellor
- Lay officers and members of the Court and the Council
- Lay members of Council committees
- Vice-Chancellor*
- Deputy Vice-Chancellor(s)*
- Secretary of the Council**
- External Auditors

Note: Council is the employing authority for all University staff. Appointments other than those listed above are delegated to appropriate officers to be made in accordance with the University's Human Resources policies.

* and to have in place suitable arrangements for monitoring performance.

+ and to ensure that if the person appointed has managerial responsibilities in the institution, there is an appropriate separation in the lines of accountability.

(ii) **University's Royal Charter, Statutes and Ordinances**

- Approval of amendments following consideration by Senate.
- Requirements arising from the above not referred to either in (i) above or below (e.g. from Statute 7 concerning Redundancy, Discipline and Grievances and Ordinance 27 concerning the award of Honorary Degrees).

(iii) **University's Mission, Vision and Strategic Aims**

Approval of the University Plan, key non-academic strategies (such as Financial Strategy, the Estates Strategy, Human Resources Strategy and the Medway Strategy) and key policy documents (such as for Health and Safety, Equality and Diversity).

(iv) **Delegation to the Vice-Chancellor**, as chief executive, for day-to-day management of the University.

- (v) **Financial Matters**
- Annual Budget, including the Capital Budget
 - Audited Annual Accounts
 - Assets, property and estate
 - Major Projects (currently £2m+) approval
 - Other matters as specified by HEFCE in the Financial Memorandum (e.g. ensuring the proper use of public funds, a sound system of internal management and control, risk management, audit and solvency; designation of a 'principal officer'; appointment of external auditors and an Audit Committee).

Note: Council is the principal financial and business authority in the University.

- (vi) **University Companies:** appointment of Chairs, Directors and Members, as appropriate (Paper C2002/46(v), July 2003 refers).
- (vii) **Requirements arising from legislation** (e.g. in relation to Equality and Diversity, Health and Safety, the Students' Union and Whistleblowing) and legal obligations (e.g. contracts and other commitments made in the University's name).

Note: Council is the University's legal authority and has to ensure that systems are in place to ensure that the University's legal obligations are met.

- (viii) **Performance review** concerning, for example:
- Institutional performance (e.g. against the University Plan)
 - Institutional effectiveness and KPIs (Key Performance Indicators, benchmarked against other comparable institutions where appropriate)
 - Council's effectiveness
 - Adequacy and effectiveness of the management structure
- (ix) **Grievances** from staff and students under Ordinance 2.
- (x) **Welfare** of staff and students.

KRG/KAB
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