COUNCIL: 5 OCTOBER 2018

Council's membership and powers as defined in the Charter, Statutes and Ordinances of the University

Following approval of the University’s new Charter and Statutes during summer 2010 Council’s membership and powers are defined in

- Charter: Paragraphs 6-13
- Statutes: Statute 1
- Ordinances: Ordinance 2 (and Ordinances 3 and 4 refer to the election of staff and student representatives).

These are given in the attached Paper.

Attachments

KJL
21.09.2018
Council’s membership and powers as defined in the Charter, Statutes and Ordinances of the University

CHARTER

6. There shall be a council (“the Council”), which shall be the supreme governing body of the University and shall be responsible for the exercise of the University’s powers. The functions of the Council shall include, without limitation:

(a) the custody and use of the Common Seal;
(b) the oversight of the management and administration of the revenue and property of the University; and
(c) oversight of the conduct of the affairs of the University.

7. The Council may delegate all or any of its functions provided that the Council shall not delegate any of the following:

(a) the determination of the character and mission of the University, including the determination of the academic year of the University and the appointment of the Vice-Chancellor;
(b) the responsibility for ensuring the solvency of the University and for safeguarding its assets, including the appointment of auditors, the establishment of an audit committee and the approval of the University’s annual audited accounts; or
(c) the making of, alteration, amendment or addition to this Our Charter or the Statutes set out in the Schedule to this Our Charter.

8. The Council shall consist of the following persons, namely:

(a) Sixteen persons external to the University (“Lay Members”);
(b) Two persons elected from among their number by the academic staff of the University;
(c) Two persons elected from among their number by the non-academic staff of the University;
(d) One person elected from among their number by the students of the University;
(e) The Vice-Chancellor;
(f) Up to two officers of the University, appointed by Council following consultation with the Chair and the Vice-Chancellor; and
(g) The President of the University of Kent Students’ Union.\(^1\)

9. The term of office as members of Council of the Vice-Chancellor, the officer(s) of the University and the President of the Students’ Union shall be for so long as they continue to occupy their respective positions unless removed in accordance with the Ordinances.

10. The term of office of the members of Council referred to in paragraphs 8(a),(b) and (c) of this Our Charter shall be for three years and they shall be eligible for reappointment normally for one further period of up to three years, unless the provisions of paragraph 11 of this Our Charter apply.

11. The Chair and Deputy Chair of Council shall be eligible for reappointment for two

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\(^1\) In addition the Council has agreed that there shall be a postgraduate sabbatical officer of the Students’ Union. This will require the Privy Council to approve a revision to the Charter.
further periods of three years, subject always to a maximum period on Council of twelve years, with six years as Chair.

12. The term of office of the student member of Council appointed under clause 8(d) of this Our Charter shall be for one year and s/he shall be eligible for re-election once.

13. One-third of the actual membership of the Council shall constitute a quorum, of which a majority shall be Lay Members.

STATUTES

1. THE COUNCIL

1.1 There shall be a Chair of the Council who shall preside over meetings of the Council. The Chair of Council shall be appointed by the Council from among the Lay Members.

1.2 The Council may designate a Lay Member to, in the absence of the Chair of Council, preside over meetings of Council and, in the absence of the Chancellor and the Chair of Council, preside over meetings of Court.

1.3 The Council shall, on the recommendation of the Chair of the Council and the Vice-Chancellor, appoint a Secretary of the Council and the Court.

ORDINANCES

2. THE COUNCIL

2.1 In addition to its functions defined in the Charter the Council’s functions shall include, without limitation:

2.1.1 to approve Ordinances on any matters in respect of which Ordinances are required to be made by the Charter, the Statutes or these Ordinances or which in the view of the Council should be governed by Ordinance provided that no Ordinance shall be made by the Council until the Senate shall have had an opportunity of considering and reporting thereon to the Council;

2.1.2 to make Regulations for any purpose for which Regulations are or may be authorised to be made provided that no Regulation shall be made by the Council until the Senate shall have had an opportunity of considering and reporting thereon to the Council;

2.1.3 to amend or refer back any recommendation of the Senate required by these Statutes, the Ordinances and Regulations to be made to the Council, provided that any recommendation of the Senate which it is desired to adopt with an amendment shall be referred again to the Senate for consideration and report before it is finally adopted by the Council;

2.1.4 to review the teaching and instruction of the University after consultation with the Senate;

2.1.5 to entertain, adjudicate upon and, if thought fit, redress any grievances of the Officers of the University, the Professors and academic staff, the Graduates or the Students who for any reason feel
aggrieved; and

2.1.6 to provide for the welfare of the students and staff of the University.

2.2 From time-to-time the Council may adopt a statement of its Primary Responsibilities or equivalent document to assist its work.

2.3 Subject to the provisions of the Charter and the Statutes, the Council may Delegate any of its functions as it sees fit.

2.4 The Chair and the members of the Council may resign by writing addressed to the Secretary of the Council.

3. THE ELECTION OF MEMBERS OF STAFF TO THE COUNCIL

3.1 The members of the academic staff and non-academic staff of the University eligible to vote in the election of members of Council referred to in Paragraphs 8(b) and (c) of the Charter or to stand as candidates for election shall be taken to comprise the following:

3.1.1 In the case of academic staff, Professors, Readers, Senior Lecturers, Lecturers, Senior Teaching Fellows, Teaching Fellows, Teacher Practitioners, Senior Research Fellows, Research Fellows, Research Associates, Senior Experimental Officers and Experimental Officers other than those who are excluded by virtue of their appointment to the office of Vice-Chancellor, Deputy and Pro-Vice-Chancellor.

3.1.2 in the case of non-academic staff, all staff except those listed in 3.1.1 above.

3.2 The Secretary of the Council shall maintain the electoral roll of those eligible to vote in accordance with the provisions of this Ordinance. This electoral roll shall be conclusive evidence that any person whose name appears therein at the time of claiming to vote, or being elected, is entitled to vote or to be elected as the case may be, and that any person whose name does not appear therein is not so entitled.

3.3 The Secretary of the Council shall be responsible for the conduct of the election of members of Council under Paragraphs 8(b) and (c) of the Charter. The Secretary shall invite nominations, each supported by the signatures of not less than six electors and the election shall be conducted by ballot of those entitled to vote in accordance with 3.1 above.

4. THE ELECTION OF THE STUDENT REPRESENTATIVE TO THE COUNCIL

4.1 The elected student representative on the Council referred to in Paragraph 8(d) of the Charter shall be elected from and by the students of the University.

4.2 Only those students in attendance at the University at the time of holding the elections shall be entitled to vote. Only those students in attendance at the University at the time of holding the election and who will be in attendance at the University during their period of office if elected, are eligible to stand for election.

4.3 The procedure for the conduct of the election shall be as provided for the election of student members of the Senate set out in Ordinance 8.