

UNIVERSITY OF KENT

COUNCIL: STANDING ORDERS

(correct as at 1/09/2018)

1. INTRODUCTION

The Standing Orders set out below, which relate to the conduct of Council's business and meetings, were formally adopted by Council to take effect from 1 August 2000. (Council Minute 3741, 30 June 2000 refers). These have been amended to reflect the University's new Charter and Statutes approved in Summer 2010.

2. PREAMBLE

The membership and powers of Council are set out in the University's Charter (Paragraphs 6-13), Statutes (Statute 1) and Ordinances (Ordinance 2) [included in a separate Paper]. Procedures for the appointment of staff and student members are prescribed in Ordinances (Ordinances 3 and 4).

3. STANDING ORDERS**(i) Chair**

- (a) The Council is chaired by a lay member appointed as Chair.
- (b) The Chair is responsible for ensuring that each meeting of Council is conducted efficiently, expeditiously and properly in accordance with the requirements of the University's Charter, Statutes and Ordinances and, as he/she determines, these Standing Orders and as appropriate to the business before it.
- (c) In the Chair's absence Council will be chaired by the Deputy Chair (Chair of the Finance and Resources Committee) and in his/her absence by the Deputy Chair of the Finance and Resources Committee.
- (d) The Chair and the Vice-Chancellor and President (or in his/her absence the Deputy Chair or Deputy Chair of the Finance and Resources Committee and the Senior Deputy Vice-Chancellor and Provost, Senior Deputy Vice-Chancellor and Chief Operating Officer or a Deputy Vice-Chancellor respectively) are empowered to act on Council's behalf between meetings on any matter within Council's powers.
- (e) The Chair may be suspended from acting in such capacity at a particular meeting where the following conditions are met:
 - i. A motion that the Chair should be suspended is stated, seconded and supported by four other members of Council at the meeting.
 - ii. A Deputy Chair (following the provisions of 3.(i)(c) above) then takes the Chair.
 - iii. A vote in favour of the motion is supported by two-thirds of the members at the meeting.

The Deputy Chair then asks the Chair to withdraw and the Deputy Chair then decides whether or not to continue or to adjourn the meeting.

(ii) Ex Officio Members

- (a) *Ex officio* members comprise:
 - Vice-Chancellor and President
 - Two officers of the University
 - President of the Students' Union (Kent Union)

- (b) The procedures for the appointment of the Vice-Chancellor and President is set out in the University's Charter, Statute (2) and Ordinance (5) and the appointment of the two officers is set out in the Charter (8f). The President of the Students' Union is elected by Kent Union members in accordance with its Constitution.

(iii) External Members ("Lay Members")

- (a) External members comprise sixteen persons external to the University.
- (b) The procedures for the appointment and reappointment of appointed members are set out in the Charter (10).

(iv) Elected Staff and Student Members

- (a) Elected members comprise four staff representatives and one student representative.
- (b) The procedures for the appointment of staff and student representatives are set out, respectively, in the Charter (10) and Ordinance (3 and 4).

(v) Substitution of Members

Substitution for a member who is unable to attend a meeting is not allowed except in the case of the President of the Students' Union.

(vi) Lapses of Attendance by Members

The appointment of members who do not attend two consecutive meetings without good cause shall be deemed to have lapsed and their places refilled by appointment or election as soon as conveniently possible, as determined by the Secretary of the Council, for the unexpired portion of the original period of appointment.

(vii) Observers and Advisers

- (a) Where Council deems it appropriate one or more persons (office holders or named individuals) may be invited to attend part or all of a meeting either to observe or, where so invited by the Chair, to participate in the proceedings.
- (b) In addition the Chair may, at his/her discretion, invite one or more persons (office holders or named individuals) to attend a particular meeting in order to observe or participate in the proceedings as he/she considers it appropriate.
- (c) Observers and others invited to attend meetings of Council are not entitled to vote.

(viii) Meetings

- (a) The dates, times and venues of meetings will be published in the University Diary of Meetings and/or any other appropriate place as determined by the Secretary of the Council.
- (b) A Meeting of the Council will be held when one of the following provisions are met:
 - i. the Chair, in consultation as appropriate, decides that the business in hand justifies the holding of a meeting, whether previously timetabled or not.
 - ii. a member, supported by 12 members in writing, requests that a meeting be held to consider one or more named matters.
- (c) If the Chair, in consultation as he/she deems appropriate, decides that the business received for a timetabled meeting of Council is insufficient to justify the convening of

such a meeting, the meeting will be cancelled or not convened and any business held over until the next timetabled meeting.

(ix) Declaration of Interest

Members should declare interests as follows:

- (a) **in the Register of Interests.** Declarations should be made on an annual basis, this to include the interests concerned or that there are no interests to be declared.
- (b) **by giving notice before the meeting** concerned to the Chair.
- (c) **by declaration to the meeting** at the appropriate point.

The Chair will determine whether the member concerned should withdraw for the item concerned and/or any vote taken.

(x) Quorum

- (a) The quorum is defined in the Charter (13), as “one third of the actual membership of the Council, of which a majority shall be Lay Members”.
- (b) The question of whether Council is quorate is relevant when decisions are taken or when Council’s quoracy is challenged. At such point Council will only be quorate if the majority of members present are Lay members.
- (c) When Council is inquorate, the following will apply:
 - i. no business shall be transacted other than the adjournment of the meeting.
 - ii. at the adjourned meeting, the business for which the original meeting was called may be completed in the absence of quorum.
 - iii. the adjourned meeting should be held at the same day and time in the following week or on another day and time as determined by the members present at the inquorate meeting.

(xi) Conduct of Meetings

- (a) It should be assumed that members have read all the circulated papers in advance of the meeting.
- (b) All members who speak should address the Chair and give precedence to the Chair.
- (c) All members should obey any instructions concerning the conduct of the meeting and the timing of agenda items given by the Chair.
- (d) With the exception of motions from the Chair, all motions put should have a proposer and a seconder and where a seconder cannot be found, the motion should fall.
- (e) Any amendment to a motion put to Council should have a proposer and a seconder and be put to a vote before the main motion.
- (f) Provided a motion is properly proposed and seconded, the Chair is obliged, after due discussion, to put it to the vote (unless Council votes that the motion should not be put or votes to proceed to the next item of business).
- (g) A motion “That the motion now be put.” must, if properly proposed and seconded, be immediately voted on taking precedence over other business including (h) below.

- (h) A motion to move to the next item of business must, if properly proposed and seconded, be immediately voted on taking precedence over other business except (g) above.

(xii) Voting

- (a) Only members of Council present at a meeting are entitled to vote.
- (b) Voting at meetings should be by a show of hands of those for and against a motion and of those who wish to abstain. A simple majority of votes in favour of the motion put is required to approve a motion.

Note: In the case of, for example, appointments to sub or standing committees or other exceptional case, as determined by the Chair or by a decision of Council, voting may be conducted by a secret postal ballot.

- (c) The Chair should be entitled to have a vote if he/she wishes to use this.
- (d) Where there is an equality of votes the Chair may use a casting vote if he/she wishes (i.e. an **additional** vote to that specified in (c) above). If the Chair chooses not to exercise this power the motion will fall.
- (e) The numbers of votes and abstentions should be counted by the Secretary of the Council or his/her representative and announced to the meeting by the Chair.

(xiii) Agenda

- (a) The agenda for meetings should be divided into non-reserved and reserved items as prescribed in Ordinance (12). Reserved areas of business include matters affecting the appointment, promotion and personal affairs of members of staff of the University and matters affecting the admission, academic assessment or conduct of individual students.
- (b) Items will be included on the agenda as determined by the Chair, in consultation as appropriate, or by decision of Council.
- (c) No additional business to the items on the agenda will be allowed after the deadlines which may be specified on the agenda paper or as given in (xiv) below except with the permission of the Chair.

(xiv) Notice of Business and Circulation of Papers

- (a) That the following deadlines should be set:
 - i. Submission of reports of Standing or Sub-Committees or items of business: the Secretary of the Council to be notified at least two weeks before the date of the meeting and the actual Paper(s) given to the Secretary of the Council at least 10 days prior to the date of the meeting.
 - ii. Any other business: items to be submitted in writing not later than one week before Council's meeting.
- (b) The agenda should be published and circulated no later than 7 days before the meeting of Council. If necessary a second circulation of papers should be made as early as possible before the meeting.
- (c) No paper should be laid on the table at Council except with permission of the Chair and as arranged by the Secretary of the Council or his/her representative.
- (d) Papers should not be published or discussed outside the University except with the express approval of Council or of the Chair of the Council or the Vice-Chancellor and President on its behalf.

(xv) Deferment of Items

An item of business may be deferred where one of the following conditions are met:

- (a) Council receives a request to this effect from the Chair of the Committee or the individual from whom the item originated; or
- (b) a vote in favour of deferring the item is taken by Council; or
- (c) the Chair makes such a ruling subject to deferment being for not more than one meeting.

In the last case the Chair's decision is final.

(xvi) Reconsideration of Items

Except where specifically decided otherwise by Council or with the permission of the Chair, decisions reached by Council should not be reconsidered for at least one term.

(xvii) Interpretation and Operation of these Standing Orders

- (a) The Chair's interpretation of these Standing Orders shall be final.
- (b) One or more of these Standing Orders may be suspended where one of the following conditions is met:
 - i. The Chair makes such a ruling.
Note: This provision excludes Section 3(i)(e) above.
 - ii. A vote in favour of a motion to this effect is supported by two-thirds of the members of Council present at the meeting to which the motion is put.

In the first case the Chair's decision is final.

(xviii) Amendment of Standing Orders

The procedure for amending these Standing Orders is as follows:

- i. Council receives a written request (submitted to the Secretary of the Council at least one month before Council's meeting) setting out the proposed change(s) and the reasons for the proposal(s);
- ii. a vote in favour of the proposal is supported by two-thirds of the members of Council present at the meeting to which the proposal is put.

Note: The following Statutes & Ordinances refer:

1. Charter: Paragraphs 6-13
2. Statutes: Statute 1
3. Ordinance 2: The Council
4. Ordinance 3: The Election of Members of Staff to the Council
5. Ordinance 4: The Election of the Student Representative to the Council

KJL
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