The Academic Regulations Appendix 1: Articles of Government

2019 – 2020

Edge Hill University

The Academic Regulations

Appendix 1: Articles of Government

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Summary

Appendix 1: The Articles of Government is the legal document, approved by the Privy Council, that defines the sources of authority and responsibility within Edge Hill University. In particular, this relates to the responsibilities and functions of the Board of Governors as the principal financial and business authority of the institution and the employing authority for all staff. It also sets out the Board's relationship with, and responsibilities of, the Vice-Chancellor, as Chief Executive, the Academic Board and the Students' Union.

Glossary of Terms

Term	Meaning
Quorum	The minimum number of members of a committee that must be present at any of its meetings to make the proceedings of that meeting valid.

Purpose

This policy sets out the legal framework within which Edge Hill University operates.

Regulations

ARTICLES OF GOVERNMENT FOR EDGE HILL UNIVERSITY higher education corporation

In exercise of the powers conferred upon it by section 125 of the Education Reform Act 1988, the Edge Hill University higher education corporation makes the following Articles of Government in accordance with which the Edge Hill University higher education corporation shall be conducted:

1. Interpretation

(1) In these Articles the words and expressions shall have the meanings ascribed to them in paragraph 1 of the Instrument of Government made by the Privy Council on 9th May 2007, and

"the holders of senior posts" means the Vice Chancellor, the Clerk and the holders of such other senior posts as the Board of Governors may determine and "holder of a senior post" shall be construed accordingly;

"the staff" includes both teaching and other staff of the University;

"staff governor" means a member of the Board of Governors appointed on the nomination of the Academic Board, or as a co-opted staff nominee;

"student governor" means a member of the Board of Governors appointed as a student nominee or a co-opted student nominee; and

"a students' union" means any association of the generality of students formed to further the educational purposes of the University and the interests of students as students.

2. Conduct of the University

The University shall be conducted in accordance with the provisions of the Education Acts 1944 to 1993, any subsequent Education Acts, any relevant regulations, orders or directions made by the Secretary of State, or by the Privy Council, and subject thereto, in accordance with the provisions of the Instrument, these Articles and any rules or bye-laws made under these Articles.

3. Responsibilities of Board of Governors, Vice Chancellor and Academic Board

The Board of Governors

(1) The Board of Governors shall be responsible for:

(a) the determination of the educational character and mission of the University and for oversight of its activities;

(b) the effective and efficient use of resources, the solvency of the University and the Corporation and for safeguarding their assets;

(c) approving annual estimates of income and expenditure;

(d) the appointment, grading, appraisal, suspension, dismissal and determination of the pay and conditions of service of the Vice Chancellor, members of the Directorate, Head of Finance, the Clerk to the Board of Governors and the holders of such other senior posts as the Board of Governors may determine;

(e) setting a framework for the pay and conditions of service of all other staff.

The Vice Chancellor

(2) Subject to the responsibilities of the Board of Governors, the Vice Chancellor shall be the Chief Executive of the University and shall be responsible for:

(a) making proposals to the Board of Governors about the educational character and mission of the University, and for implementing the decisions of the Board of Governors;

(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 Board of Governors – of the pay and conditions of service of staff other than the holders of senior posts;

(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 Board of Governors, and for the management of budget and resources, within the estimates approved by the Board of Governors; and

(f) the maintenance of student discipline and, within the rules 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.

The Academic Board

(3) Subject to the provisions of these Articles, to the overall responsibility of the Board of Governors, and to the responsibilities of the Vice Chancellor, the Academic Board shall be responsible for:

(a) general issues relating to the research, scholarship, teaching and courses at the University, including criteria for the admission of students; the appointment and removal of internal and external examiners; policies and procedures for assessment and examination of the academic performance of students; the content of the curriculum; academic standards and the validation and review of courses; the procedures for the award of qualifications and honorary academic titles; and the procedures for the expulsion of students for academic reasons. Such responsibilities shall be subject to the requirements of validating and accrediting bodies;

(b) 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 Board of Governors thereon; and

(c) advising on such other matters as the Board of Governors or the Vice Chancellor may refer to the Academic Board.

4. Academic Board

(1) There shall be an Academic Board comprising the Vice-Chancellor (who shall be Chair) and such other members of staff and students as may be approved from time to time by the Board of Governors

(2) In approving membership of the Academic Board the Board of Governors will ensure an appropriate balance of representation from amongst University staff as may be determined from time to time.

(3) The period of appointment of members and the selection or election arrangements shall be approved by the Board of Governors.

(4) The Academic Board will determine its own procedures which will be approved by the Board of Governors and may establish such committees as it considers necessary to carry out its responsibilities.

5. Delegation of Functions and Committees

(1) Subject to the following provisions of this Article, the Board of Governors shall establish an Audit Committee and may establish other committees of the University for any purpose or function, other than those assigned elsewhere in these Articles to the Vice Chancellor or to the Academic Board, and may delegate powers to such committees or to the Chairman of the Board of Governors or to the Vice-Chancellor.

(3) The Board of Governors shall not, however, delegate the following:

the determination of the educational character and mission of the University;

the approval of the annual estimates of income and expenditure;

ensuring the solvency of the University and the Corporation and the safeguarding of their assets;

the appointment or dismissal of the Vice Chancellor; or,

the varying or revoking of these Articles.

6. Appointment of Clerk to the Board of Governors

(1) The Board of Governors shall appoint a Clerk to the act as secretary to the Board of Governors.

7. Procedures for Meetings

(1) **The Board of Governors shall approve:**

(a) Procedures for the appointment of a Chairman and Deputy Chairman and their terms of office;

(b) Procedures for filling membership vacancies that arise including the conduct of elections;

(c) Standing Orders for the efficient conduct of meetings including:

(i) a requirement for members to disclose pecuniary, family or other personal interest in any matter for discussion;

(ii) a requirement for the withdrawal of staff and student governors as appropriate when considering certain staffing matters; and;

(iii) provision for the exclusion of named persons or other matters deemed to be confidential from the published minutes of meetings.

(2) The quorum for meetings of the Board of Governors shall be one third of the members of whom the majority shall be independent members.

8. Staff Terms and Conditions

(1) The Board of Governors, after appropriate consultation with staff, shall make rules, compliant with prevailing employment legislation, to govern:

(a) the appointment of staff;

(b) the conduct of staff;

(c) the suspension and dismissal of staff; and

(d) grievance procedures.

These rules shall differentiate as necessary between senior postholders, including the Vice-Chancellor, and other staff of the University.

(2) In making rules under 8(1) the Board of Governors shall have regard to the need to ensure that academic staff have freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their jobs or any privileges they may have at the University.

9. Students

(1) There shall be a Students' Union which will conduct and manage its own affairs and funds in accordance with a constitution approved by the Board of Governors and will present audited accounts annually to the Board of Governors. No amendment to or rescission of that constitution, in part or in whole, shall be valid unless and until approved by the Board of Governors.

(2) The Board of Governors, after consultation with the Academic Board and representative of the students, shall make rules for:

(a) the conduct of students, including suspension and exclusion;

(b) the exclusion of students for academic reasons; and

(c) the submission and consideration of complaints and appeals.

10. Financial Matters

(1) The Board of Governors shall keep accounts and appoint auditors in accordance with the provisions of the Act.

11. Rules and Bye-Laws

(1) The Board of Governors shall have power to make rules and bye-laws concerning such matters with regard to the government and conduct of the University as it shall think fit. Such rules and bye-laws shall be subject to the provisions of these Articles.

12. Copies of Articles, Rules and Bye-Laws

(1) A copy of these Articles, and any rules or bye-laws, shall be given to every Governor and shall be available for inspection upon request to every member of staff and every student.

13. Amendment of Articles

(1) These Articles may be amended or replaced by a resolution of the Corporation either with the approval of the Privy Council or as required by the Privy Council after consultation with the corporation, in accordance with Section 125 of the Act.

14. Date of Articles

(1) These revised Articles were approved on 9th May 2007 and will come into operation on that date.

D M TOMKINS
Chairman, Board of Governors

Key to Relevant Documents

This policy refers to the following documents and committees, which you may find useful.

- The Education Reform Act 1988
- The Education Acts
- The Audit Committee
- The Board of Governors

Annexes

There are no annexes to this policy.

End matter

Title	Appendix 1: Articles of Government
Policy Owner	Clerk to Governors
Approved by	The Privy Council
Date of Approval	9 May 2007
Date for Review	This does not apply because changes can only be made via the Privy Council