

UNIVERSITY OF LEICESTER

SCHEDULE OF DELEGATION AND DECISION-MAKING POWERS

Structure of this Schedule

This Schedule of Delegation is in three parts:

Part 1 on pages 2-4 outlines the basic governance framework and principles for the delegation of decision making powers at the University of Leicester;

Part 2 on pages 5-7 outlines the protocol for the use of delegated decision-making powers;

Part 3 starting on page 8 contains the detailed listing of specific delegated decision-making powers as agreed by the University, as at the date given below. These powers are reviewed and updated on a regular basis and may be subject to change, for example, in the light of ongoing adjustments to the committee structure.

Governance Office
April 2016

SCHEDULE OF DELEGATION AND DECISION-MAKING POWERS

PART 1: FRAMEWORK AND PRINCIPLES

Duration of validity

1. With effect from 1 August 2015 and until such date as it may subsequently decide, the Council of the University of Leicester, as the institution's governing body, has reserved specific decision-making powers to itself and delegated others to its committees, or to individuals, as set out in this Schedule.

Purpose

2. This Schedule confirms the location of specific powers for certain decisions to be made in the name of the University of Leicester. **It is not intended to be a full and complete description of the roles, remits, responsibilities and powers of all committees and individuals.** Throughout this Schedule the term *RESERVED* is used to denote those powers that are confined to, and will not be delegated from, the body or individual in question.
3. This Schedule is concerned only with the location of power for the final approval stage of the decision-making process. It is not concerned with the location of responsibility for the original formulation of whatever proposal or recommendation requires a final decision to be made. Typically such responsibility will be set out within a specific committee's terms of reference, or rest with individual senior officers.
4. Any questions regarding this Schedule, including queries concerning the location of powers to take decisions on matters not listed in the Schedule, should be directed to the Governance Office in the first instance (nac1@le.ac.uk or vjh10@le.ac.uk).

Distinction between governance and management

5. This Schedule observes a clear distinction between the governance and management of the University. For this purpose, 'governance' is defined as the systems, structures, procedures and rules by which the University takes decisions on its affairs and is held accountable for them, and for its use of public funds. This includes setting the University's strategic aims and objectives, monitoring and measuring performance against these, ensuring accountability and effective scrutiny, and appointing and ensuring the effectiveness of the head of the institution and other senior officers.
6. Governance is distinct from the day-to-day 'management' of the University, which is concerned with the pursuit of the agreed strategic aims and objectives, the implementation of agreed policies, the preparation of new policy proposals, and the efficient and effective deployment of resources. At its simplest, therefore, governance is about the University ensuring that it is doing the right thing, and management is about the University ensuring that it is doing things right.
7. In confirming this distinction, the Schedule of Delegation recognises that there is a critical interface between good governance and effective management, upon which the academic, research and commercial success of the University is very much dependent.

Underlying framework of the Schedule of Delegated powers

8. **Council** is the supreme governing body of the University and carries unambiguous, collective responsibility for overseeing the institution's activities, and for determining its academic mission and strategic direction. Council has a majority of independent lay members who are appointed on the recommendations of the Nominations Committee and are subject to a formal recruitment and selection process.
9. Council ensures compliance with the charter, statutes, ordinances and other provisions regulating the University and its framework of governance. Subject to these, Council takes all final decisions on matters of fundamental concern to the institution. The necessary powers to take such decisions are reserved to Council and consequently they will not be delegated to any other committee or individual. Powers not so reserved may be delegated as Council deems appropriate. However, having delegated authority to other bodies or individuals to act on its behalf Council, as the University's governing body, nevertheless remains ultimately accountable and has to accept corporate responsibility for the actions taken.
10. **Senate** is the supreme academic body of the University and is responsible to the Council for all matters of academic governance. Subject to the provisions of the Statutes and Ordinances, and any powers reserved to Council, Senate has the powers to take such measures or actions as best promote the interests of the University as a place of teaching, learning and research. In general, such powers may be delegated to other committees or individuals as the Senate deems appropriate.
11. **Committees** are a key part of the University's decision-making structure and democratic process. Their general purpose in each case is to enable an appropriate group of informed individuals – the membership - to meet to discuss issues; share, monitor and review information; provide assurance; achieve consensus; make collective decisions under delegated powers; or refer recommendations to a superior body.
12. Committee constitutions and terms of reference set out in detail the membership and role of each committee, its powers and responsibilities, and which higher body it reports to (normally the Senate or the Council). Minutes form the official University record of committees' key decisions.
13. In fulfilling its remit a committee may request information on topics that are relevant to its business, engage with other committees, and hold to account those individuals to whom it has delegated authority. However, it is not the business of a committee to assume or seek to exert direct managerial control over departments, offices or individuals in the University. Committees do not have the power to amend their own terms of reference or constitution without the approval of the higher body to which they are accountable.
14. Committees must operate in a way which ensures that the University's business is dealt with efficiently, effectively and appropriately, without compromising the quality of the decisions that emerge. Comprehensive guidance aimed at committee chairs and secretaries has been issued on the standard University format for the presentation of committee reports, agendas and minutes. This guidance is updated regularly as required and must be followed at all times. Committee servicing training sessions are available on request for groups or individuals, and regular meetings are held with committee secretaries to discuss committee servicing issues.

15. It must be acknowledged that all committees have an associated time and cost. Committees will only be established and retained by the University if it can be demonstrated that they actively consider items of substantive business, add value to the decision-making process, and use any delegated powers to make informed decisions in a timely manner.
16. To comply with HEFCE/CUC guidelines the University is required to have an Audit Committee, a Remunerations Committee (to determine the pay and conditions of certain specified staff) and a Nominations Committee (to oversee the appointment of lay/independent members of Council).
17. As set out in the Charter and the Ordinances the two most senior **individuals** with executive authority over the business of the University are the **President and Vice-Chancellor** and the **Registrar and Chief Operating Officer**.
18. The **President and Vice-Chancellor** is the chief executive and senior academic officer of the University and is also the University's accountable officer in respect of the use of public funds received from the Higher Education Funding Council for England. S/he is responsible to Council for the organisation, direction and leadership of the University and its staff, and generally for maintaining the institution's good order and efficiency.
19. The **Registrar and Chief Operating Officer** is the senior member of the University's administrative staff and has overall responsibility for the provision of all of the University's administrative services. S/he is both an executive member of the University's senior management team and, officially, the Secretary to Council and its committees. The Registrar and Chief Operating Officer has delegated the secretariat role for Council and certain committees to other officers of the University.

Governance Office
April 2016

SCHEDULE OF DELEGATION AND DECISION-MAKING POWERS

PART 2: PROTOCOL FOR THE EXERCISE OF DECISION-MAKING POWERS

Basic principles

20. This Schedule is focused on decision-making processes for key operational and technical matters. It is not concerned with routine decisions taken by local managers as a basic part of their day-to-day duties.
21. The Schedule has the overarching objective of allowing the University to take decisions on certain operational and technical matters without wasting scarce and expensive time, or causing unnecessary delays, in a complex committee system. Whilst some decisions can only be approved at committee level, this Schedule aims to:
 - a. release the time of the standing committees to concentrate on matters of fundamental principle and strategy
 - b. allow specific matters to be examined, and responses prepared and implemented, by designated decision-makers with the relevant professional knowledge and expertise
 - c. allow the University to respond swiftly to changing circumstances, so that its well-being and sustainability is not impaired by unnecessary use of protracted decision-making processes
 - d. ensure that accountability and transparency is not compromised in decision-making, and to promote efficiency and quality in the decision-making process.
22. Whilst this Schedule identifies that certain powers have been delegated by Council, either to Senate or to specific committees or individuals, any such body or individual with delegated powers may still decide that a particular decision requires to be ratified by a higher authority.
23. Where power has been delegated to an individual it should be assumed that, unless specified to the contrary in this Schedule, a nominated deputy or alternate may exercise the same power in the absence or non-availability of the designated post-holder. For the avoidance of doubt, the Provost is authorised to exercise all unreserved powers listed under the President and Vice-Chancellor, and the Director of Finance is authorised to exercise all powers listed under the Registrar and Chief Operating Officer.

Exercising delegated powers

24. In exercising their delegated powers under this Schedule decision-makers (a decision-maker may either be an individual or a committee) MUST:
 - a. act in the best interests of the University, its staff and students, and not under the direction of a third party
 - b. act in accordance with the University's strategic objectives; its rules, regulations and procedures; and within any budgetary or legal constraints
 - c. act within the scope of their powers – no decision-maker holds unfettered authority to make decisions on matters outside the scope of this Schedule
 - d. act reasonably, impartially and in good faith when reaching a decision
 - e. decline to handle matters in which they have an actual or perceived (whether fairly or not) conflict of interest

- f. exercise procedural fairness by consulting appropriately with other officers, individuals or groups who have a legitimate interest in the matter at hand, and keeping them informed of developments
- g. make their final decision having given fair weight to all available evidence, feedback and advice
- h. inform all parties of the outcome, and be prepared to give reasons
- i. report to Council, Senate or the relevant Committee, as appropriate, on all significant decisions taken.

Consultation requirements

- 25. The use of delegated powers involves the exercise of discretion on the part of the decision-maker, who can choose to do or not do something, to approve or not approve something, or to approve something with conditions attached. The essential obligation placed on the decision-maker is that they must come to their final decision having properly considered all relevant information and evidence. To this end they are expected to actively consult and seek the suggestions and opinions of all the interested parties and to take these into account when making their decisions.
- 26. In all cases the scale and type of the consultation process must be in proportion to the scale and impact of the proposal or decision being taken. It must also take account of any external deadlines or other compliance requirements, and the level of resources available to support the consultation.
- 27. At its lowest level, for example, where the University is subject to changes in external legislative or statutory regulatory requirements, there may be little scope for deciding how to implement the requirements and the priority will be informing the interested parties of the required changes to University policies.
- 28. In the case of the development of internal policies and procedures, or in cases where the University can exercise more discretion and control over the implementation of national legislative changes, the scope for consultation is likely to be much broader. In line with section 25 above, decision-makers are expected to actively seek the suggestions and opinions of all the interested parties and to take these into account when making their decisions. Depending on the circumstances of each case there may be consultation, for example, with:
 - Academic Directors
 - Research Directors
 - Admissions Tutors
 - Other academic staff with specified departmental or College-wide responsibilities
 - Heads of Department
 - Heads of College
 - Thematic Pro-Vice-Chancellors
 - College Leadership Teams
 - Trades Unions
 - Professional Services Management Team
 - Senate
 - University Executive Board
 - University Leadership Team
- 29. Information provided to the interested parties as part of the consultation must be presented in an easily understandable format, use plain language and clarify all the key issues. Where

appropriate and feasible, various means of consultation should be considered – e-mail or web-based forums, open meetings, focus groups and surveys – rather than always reverting to a written consultation.

30. The consultation might be conducted through dedicated Task and Finish Groups, drawing together disciplinary and professional expertise in order to synthesize and integrate competing opinions, and to assess the risks and costs of particular courses of action before consulting further with, for example, College Leadership Teams.
31. The purpose of the consultation process must be clearly stated, as should the stage of the development that the policy has reached. To avoid creating unrealistic expectations, it should be apparent what aspects of the policy being consulted on are open to change and what decisions have already been taken, and why. Sufficient information should be made available to stakeholders to enable them to make informed comments. Being clear about the areas of policy in which views are being sought will help to increase the usefulness of responses.
32. Decision-makers must make it clear when consulting that although they do welcome and encourage the input of the interested parties, they still retain responsibility for taking the final decision and in some cases this may not reflect the suggestions or advice received. The reasons for taking all decisions (and for not acting on suggestions or advice received) must be properly communicated and explained to the interested parties.

Referral back to a higher authority

33. A decision-maker is not *required* to exercise a delegated power in any particular case, and must not do so if the matter appears to involve matters of public controversy, major questions of policy not yet determined by the University or its committees, or any significant change from previous practice. In such cases any Officer or Committee to whom power to act has been delegated should refer the decision back to Council or Senate, or the relevant Committee, for the final decision to be made.

Governance Office
April 2016

SCHEDULE OF DELEGATION AND DECISION-MAKING POWERS

PART 3: DETAILED LISTING OF DELEGATED POWERS

Important Note

With the exception of any specific powers included on the list below, this Schedule is generally not concerned with the location of authority for the approval of financial decisions such as the authorisation of purchase orders, invoices and expenses claims; or for decisions regarding the deployment of resources available within approved college plans. Authorisation levels for such transactions are set out in the University's [Financial](#) and [Procurement](#) regulations, and in the statement of authority for financial decision making in the management of approved College budgets.*

*(*under development in 2015-16)*

POWERS OF COUNCIL

34. Powers to:

- a. approve the University's corporate strategy and relevant supporting strategies *RESERVED*
- b. approve the University's financial forecasts, financial statements and annual budget *RESERVED*
- c. approve variations of more than £5 million against the annual budget (including the capital programme) *RESERVED*
- d. appoint or remove the President and Vice-Chancellor, the Registrar and Chief Operating Officer, and the Librarian *RESERVED*
- e. appoint or remove lay members of Council, including the Chair and Treasurer *RESERVED*
- f. appoint or remove the external and internal auditors *RESERVED*
- g. approve proposals regarding the desirability of a reduction in the staff of the University by way of redundancy *RESERVED*
- h. approve changes to the Charter or Statutes, subject to ratification by the Privy Council *RESERVED*
- i. approve changes to the Ordinances *RESERVED*
- j. approve the constitution of the Students' Union *RESERVED*
- k. designate one of the pro-vice-chancellor posts as that of the Provost
- l. approve borrowing and related external funding arrangements, and the details of their terms
- m. approve the terms and conditions of employment of University staff as prescribed by Ordinances
- n. take such steps as it thinks proper for the purpose of ensuring the efficiency and effectiveness of the University in the provision of teaching, the pursuit of learning and the prosecution of research
- o. amend, refer back, control or disallow any act of the Senate that is required to be reported to the Council, and to give directions thereon to the Senate
- p. award honorary degrees and deprive, with good cause, any recipient of an honorary degree
- q. delegate specified powers to individuals or committees accountable to the Council, such delegations to be set out in an approved Schedule of Delegation.

Powers to take urgent decisions on behalf of Council between meetings of Council

35. Council has delegated authority to an Urgency Committee comprised of the Chair of Council, the President and Vice-Chancellor, the Treasurer and the Registrar and Chief Operating Officer, or their designated deputies, to act on its behalf between meetings of the Council. Any such action must be reported to the next Ordinary Meeting of the Council, and may be taken only where it would be inappropriate to wait for the matter requiring consideration to be brought to a scheduled meeting of the Council. Before reaching a decision on any such matter the Urgency Committee shall normally meet to consider written details of the matter requiring a decision, and must first determine whether it is of such significance that a special meeting of Council should be called.

POWERS OF SENATE

36. Powers to:
- a. elect or appoint the members of the Senate *RESERVED*
 - b. elect or appoint four members of the Senate to be Members of the Council *RESERVED*
 - c. recommend for approval by Council the University's academic strategies for teaching and research
 - d. approve *Senate Regulations* for teaching and learning
 - e. approve the organisation of the Colleges, Schools, Institutes, Boards, Departments or Centres of the University and to assign to them their respective subjects
 - f. suspend or remove examiners for negligence, misconduct or any other good cause
 - g. approve policy for the admission of students to the University
 - h. amend, refer back, control or disallow any act of any College, School or Institute, or of any Board or Department, and to give directions to any such body
 - i. deny admission to any applicant, exclude or expel any current student, and deprive of any award any current or former student
 - j. regulate the use of academic dress in the University

POWERS OF COURT

37. Powers to:
- a. appoint the Chancellor *RESERVED*
 - b. appoint four members of the Court to be members of the Council *RESERVED*

POWERS OF COMMITTEES AND PANELS OF COUNCIL

Audit Committee

38. Powers to:

- a. approve internal audit strategy and annual plan
- b. approve external audit strategy and annual plan
- c. approve the University's policies in respect of public interest disclosure ('whistleblowing') and the registration/declaration of interests
- d. approve the Committee's own annual report for submission to Council and HEFCE

Equality and Diversity Committee

39. Powers to:

- a. approve appropriate policies for the University in matters pertaining to equal opportunities and diversity for staff and students

Finance Committee

40. Powers to:

- a. approve variations of between £1 million and £5 million against the annual budget (including the capital programme)
- b. approve treasury management strategy
- c. approve significant changes to *Financial Regulations* and *Procurement Regulations*
- d. approve accounting policies
- e. approve such changes to pensions arrangements which do not impact on the overall terms of conditions of employment of staff
- f. approve authorised signatories for the University's bank mandates
- g. approve the formation of University spin-out and subsidiary companies
- h. approve proposals for borrowing and capital financing structures and related external funding arrangements, and the details of their terms

Health and Safety Committee

41. Powers to:

- a. approve health and safety policy
- b. approve reports of health and safety audits and reviews

Nominations Committee

42. Powers to:

- a. approve the appointment of lay members to serve on University committees
- b. approve appointments to external bodies upon which the University has a right of nomination

Remuneration Committee

43. Powers to:

- a. approve the remuneration of the President and Vice-Chancellor, Registrar and Secretary, Director of Finance, Provost and Pro-Vice-Chancellors
- b. approve the level of responsibility payments to specified office holders

Senior Staff Pay Committee

44. Powers to:

- a. approve the remuneration of Grade 10 staff, non-clinical professorial staff and non-professorial heads of department

Strategic Fundraising Committee

45. Powers to:

- a. take decisions to accept or refuse offers of gifts or donations to the University, at values exceeding £1 million
- b. approve grant applications for funding from the DARO Development Fund

University Leadership Team

46. Powers to:

- a. approve processes by which strategic and operational planning is undertaken across the University
- b. approve the University's overall academic, operational and financial targets, ensuring their alignment with the agreed strategic plan and financial forecasts
- c. approve and take action in respect of significant variances between the University's academic, operational and financial performance and agreed objectives, targets and budgets
- d. approve the action to be taken in response to external opportunities and initiatives
- e. approve policies and practices covering staff leave, appraisal, development and training, and welfare; and industrial relations
- f. approve contracts or amendments/cancellation of contracts for building and maintenance works and service contracts with a value over £0.5m
- g. approve appointment of contractors for building and maintenance works for contracts with a value over £1m
- h. approve the University's overall framework and rules for the award of student fee discounts, scholarships and bursaries

University Appointment Panels

47. Powers to:

- a. approve the appointment of all staff in the University (Chair has casting vote in split decisions), except those posts reserved for approval by Council

University Promotions Panels

48. Powers to:

- a. approve cases for promotion not delegated to College Staffing Committees (see below).

POWERS OF COMMITTEES OF SENATE

Academic Policy Committee

49. Powers to:

- a. approve policies to assure and enhance teaching and learning quality and standards
- b. approve policies to enhance the student experience
- c. approve Codes of Practice and associated supporting policies for teaching and learning

- d. approve introduction of new UG and PGT programmes (business case requires prior approval of FSPDC)
- e. approve reports of academic reviews
- f. approve external examiner appointments (except PGR – see section 61)

Enterprise Strategy, Policy and Performance Committee

- 50. Power to:
 - i. approve policy in respect of preparations for external assessment and evaluation of University enterprise activities

Fee Setting and Programme Development Committee (FSPDC)

- 51. Power to:
 - i. approve the business case for the introduction of new UG and PGT programmes

International Strategy Committee

- 52. To be determined - predecessor was an advisory group and had no powers.

Research Strategy, Policy and Performance Committee

- 53. Power to:
 - a. approve the allocation of resources from the Research Development Fund

College Staffing Committees

- 54. Power to:
 - a. approve cases for senior lecturer promotions
 - b. approve cases for research promotions (Grades 7 and 8)

POWERS OF INDIVIDUALS

President and Vice-Chancellor

- 55. The President and Vice-Chancellor exercises powers on behalf of Council in all matters affecting the good name and well-being of the institution, including powers to:
 - a. determine the allocation of duties between the pro-vice-chancellors
 - b. act as Chair of the Senate
 - c. act as the University's most senior representative on all occasions and in all matters, except where powers are reserved to Council
 - d. approve variations of up to £1 million against the Annual Budget, including the capital programme, in conjunction with the Director of Finance
 - e. approve any contract, purchase order or invoice, with no limit on value
 - f. take decisions to accept or refuse offers of gifts or donations to the University, up to a value of £1 million
 - g. to exclude temporarily a student from the University
 - h. authorise the closure of the University campus in the event of extreme weather or other emergency situations
 - i. approve returns to HEFCE and HESA (*RESERVED* power for those returns requiring approval by the accountable officer)

Registrar and Chief Operating Officer

56. Power to:

- a. determine the allocation of budgets to the Divisions of Corporate Services, within the total allocated by Council for this purpose
- b. approve any contract, purchase order or invoice with no limit on value
- c. take or instruct to be taken any emergency action needed to safeguard the safety or welfare of staff or students
- d. approve creation of new posts, filling of vacant posts and extension of existing posts within the agreed budget for the Corporate Services (all grades of posts)

College, PVC and Heads of

57. Power to:

- a. approve the overall strategy and supporting strategies for the College, ensuring alignment with the University's corporate objectives
- b. approve the deployment of the College's allocated pay and non-pay budgets, in line with the delegated budgetary authority scheme and the strategic objectives of the College plan as agreed with the University
- c. approve the transfer of resources from pay to non-pay (but not in the reverse direction) in the year, provided that total costs remain within those in the agreed College plan
- d. confirm probationary appointments for academic staff in their College
- e. approve flexible working, study leave and leave of absence for academic staff in their College
- f. approve award of honorary titles
- g. approve the award of fee discounts, scholarships and bursaries to students in their College, in line with the University's agreed framework and rules for such awards

Academic Registrar

58. Power to:

- a. rule upon the registration/tuition fee status of individual students
- b. rule upon the application of specific regulations to individual students in the University
- c. approve the waiving of fees for individual students in cases of hardship and in accordance with University guidelines
- d. give such instructions as may be necessary to ensure the University's compliance with external regulations for student-related data returns
- e. approve exceptions to *Senate Regulations*

Development, Director of

59. Power to:

- a. decide to accept or refuse offers of gifts or donations to the University, up to a value of £100,000.

Estates and Facilities Management, Director of

60. Power to:

- a. approve property leases (as lessor or lessee)
- b. approve any contract for building and maintenance works and services with a value up to £0.5m

- c. approve appointment of contractors for building and maintenance works for contracts with a value up to £1m
- d. approve amendments to individual long term maintenance capital project budgets, up to a total of 20% of the individual project value and within the total overall budget provided for this purpose
- e. approve the acquisition or disposal of land and buildings within the agreed budget (or for disposals, as dictated by prevailing market conditions) for the University's approved capital programme
- f. approve the acquisition or disposal of land and buildings for which agreed additional budgets have been provided (or for disposals, as dictated by prevailing market conditions) over and above the approved capital programme

Finance, Director of

61. Power to:

- a. approve variations of up to £1 million against the Annual Budget, including the capital programme, in conjunction with the President and Vice-Chancellor
- b. approve any purchase order or invoice with no limit on value
- c. approve and implement treasury risk management arrangements in line with agreed Treasury Management Policy
- d. approve the changing of authorised signatories for University bank accounts, within the schedule prepared by the Finance Committee
- e. sign audit engagement letters on behalf of the University, and representation letters in respect of grants claimed on behalf of the University
- f. settle tax matters with the tax authorities
- g. open or close University bank accounts
- h. approve administrative arrangements and security arrangements relating to University investments and bank accounts
- i. approve basic changes to *Financial Regulations* and *Procurement Regulations*
- j. exercise all of the powers of the Registrar and Chief Operating Officer, in the event of his/her absence or non-availability
- k. act on behalf of the University (as employer) at meetings of the Pension and Assurance Scheme Trustees.

Graduate Dean

62. Power to:

- a. approve the appointment of PGR external examiners

Heads of Divisions/College Directors of Operations

63. Power to:

- a. confirm probationary appointments for professional services staff in their areas
- b. approve flexible working, study leave and leave for professional services staff in their areas

Provost

64. Power to:

- a. exercise all of the unreserved powers of the President and Vice-Chancellor, in the event of his/her absence or non-availability.

University Librarian

65. Power to:

- a. determine and impose fines and charges for the use of the Library.

Use of the University Seal

66. Requires approval by one of:

- a. Registrar and Chief Operating Officer
- b. Director of Finance
- c. Director of Estates
- d. University Legal Adviser

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