

NEWCASTLE UNIVERSITY

COUNCIL'S DELEGATION OF POWERS AND AUTHORITY¹**Council**

The Council is the supreme governing body of the University, subject to the provisions of the University's Statutes. Its powers are set out in the University's Statutes. In ~~July 2005~~ **October 2015**, Council approved a statement of its primary responsibilities in accordance with the ~~Guide for Members of Higher Education Governing Bodies in the UK~~ **The Higher Education Code of Governance** published by the Committee of University ~~Chairmen in 2004~~ **Chairs in 2014**. **Annex I**

Council is responsible unambiguously and collectively for overseeing the University's activities, determining its future direction and fostering an environment in which the institutional mission is achieved. Council is responsible for ensuring the effective management of the University and will take all final decisions on matters of fundamental concern, being decisions that have not been delegated.

The Vice-Chancellor

The Vice-Chancellor is the chief executive and accountable officer to the Higher Education Funding Council for England. He/she is the chief academic and administrative officer of the University. He/she shall have general responsibility to Court, Council and Senate for maintaining and promoting the University's efficiency and good order.

Council recognises the need to empower the Vice-Chancellor to advance the interests of the University, maintain its efficiency, and encourage teaching, the pursuit of learning and the conduct of research. Accordingly, apart from the areas of exclusive decision listed below, the Council delegates full authority to the Vice-Chancellor to act on its behalf in all matters affecting the well-being of the University, subject to the following principles:

- The Vice-Chancellor will act within the terms of the prescribed conditions of his or her appointment.
- The Vice-Chancellor actions will be consistent with the University's strategic plans and objectives, its budget and in conformity with relevant legislation and externally prescribed conditions, including the responsibilities as the accountable officer under the HEFCE's Memorandum of assurance and accountability.
- The Vice-Chancellor's actions will be consistent with the seven principles of public life identified in the report on Standards in Public Life (the Nolan Report).
- The Vice-Chancellor will at all times act in accordance with the best interests of the University, its staff and students and with the intention of promoting the good name and values of the University.
- The Vice-Chancellor will be accountable to the Council.

¹ Some of the following is based on schedules of delegation prepared by other universities including the University of Edinburgh and the University of Sheffield. The University acknowledges that its governing structures are similar to many others found in higher education.

- The Vice-Chancellor may delegate his or her delegated authority as he/she determines in accordance with the management structure in the University. Where the Vice-Chancellor delegates his or her authority, he/she still remains accountable to the Council.
- In cases of doubt, the Vice-Chancellor shall seek clarification from the Chair of Council.

The Vice-Chancellor is responsible for:

1. The organisation, direction and leadership of the University and of the staff.
2. Preparing annual estimates of income and expenditure for consideration by Council and for the management of budgets and resources, within the estimates approved by Council.
3. Overseeing the deployment of resources in the University.
4. Stewardship of the assets of the University, both physical and intellectual.
5. Arrangements for student welfare and the maintenance of student discipline.
6. The recruitment, selection, reward, development, performance, management, health and safety, equality of opportunity, discipline and dismissal and determination of the pay and conditions of staff (within the framework approved by Council and/or specified in the Statutes) other than the remuneration of those staff whose pay is determined by the Remuneration Committee.
7. Creating or abolishing any post in the University, except those posts specifically created by the Statutes and subject to following any procedure specified in the Statutes for such actions.
8. Acting as the most senior representative of the University on all occasions save where specific powers have been reserved to Council, when the Chair of Council shall so act, or where the Chancellor is identified as the senior University representative.
9. Acting as the designated officer responsible and accountable to the Higher Education Funding Council for England, and, ultimately, to Parliament, for ensuring that the institution uses HEFCE funds in ways that are consistent with the purpose for which those funds were given and complying with the conditions attached to them.

Council areas of exclusive decision

There are areas of business that the Council reserves to itself for decision, whether directly or through authority delegated to its Committees as set out from time to time in the terms of reference for those Committees or through authority delegated to specific officers as determined by the Council from time to time. These are:

1. Approval of the University's Strategic Plan.
2. Approval of the annual budget.
3. The appointment and terms of reference of Council and joint Senate and Council Committees.
4. The appointment or removal of lay members of Council and lay officers of Council.

5. The appointment of the Trustees of the Retirement Benefits Plan and variation in the Trust provisions and contributions to the plan.
6. The appointment of Council representatives on other bodies.
7. The appointment of senior officers, namely the Vice-Chancellor, Deputy Vice-Chancellor, Pro-Vice-Chancellors and Registrar.
8. The remuneration of the Vice-Chancellor, Deputy Vice-Chancellor, Pro-Vice-Chancellors, Registrar and Executive Director of Finance.
9. Tenure and terms and conditions for the Vice-Chancellor, Deputy Vice-Chancellor, Pro-Vice-Chancellors and Registrar.
10. In accordance with the 1994 Education Act, to take such steps as are reasonably practical to ensure the Students' Union operates in a fair and democratic manner and is accountable for its finances, including the review and approval of the Students' Union's constitution at intervals of not more than five years and approval of the Students' Union's budget and monitoring of its expenditure.
11. Acquisition and disposal of property, and commitments to other major capital projects, where the value of the transaction, or of a group of linked transactions of which it is part, exceeds £2,000,000.
12. Formation, acquisition and disposal of subsidiary companies or trusts.
13. The appointment of the External and Internal Auditor.
14. Treasury management policy, authority and limitations.
15. Risk Management Policy.
16. Statement of Accounts, accounting policies, and the Annual Report.
17. Indemnities for members of Council.
18. The insurance arrangements for the University.
19. This schedule of exclusive decision.

Delegated authorisation schedule

This schedule lists the authorisations delegated from Council.

POWER	DELEGATED AUTHORITY
Acquiring and disposing of land and buildings: Transactions of up to £2,000,000	Executive Board
Formation, acquisition and disposal of subsidiary companies or trusts.	Executive Board
Leasing of properties: (a) Value under £100,000 or duration less than five years. (b) Value of less than £1,000,000 or duration less than ten years.	(a) Director of Estates (b) Executive Board advised by Director of Estates
Investment of monies belonging to the University.	Finance Committee as advised by the Executive Director of Finance
Power to borrow money and give security on behalf of the University.	Finance Committee as advised by the Executive Director of Finance
The regulation of the University's finances	The Executive Director of Finance, as set out in the University's Financial Regulations approved by Council
The power to approve the application of the seal of the University to particular documents	A member of Court and the Executive Director of Finance, Director of Estates or Registrar
The appointment of professors, readers and the Librarian and equivalent level staff	Chair of Council
The appointment of all other employees of the University	Vice-Chancellor
The promotion of staff: (a) Professors and Readers (b) Other academic staff (c) Other staff	(a) Chair of Council (b) Chair of Council (c) Vice-Chancellor
In accordance with the 1994 Education Act, to take such steps as are reasonably practical to ensure the Students' Union operates in a fair and democratic manner and is accountable for its finances, including the review and approval of the Students' Union's constitution at intervals of not more than five years and approval of the Students' Union's budget and monitoring of its expenditure.	University/Students' Union Partnership Committee
Approval of the University's insurance arrangements	Finance Committee
Energy purchasing decisions under an agreed energy price risk management strategy	The Executive Director of Finance
The regulation of research, teaching and	Executive Board

POWER	DELEGATED AUTHORITY
<p>other activities to ensure that the University complies with the requirements of a charity as specified from time to time by the HEFCE and the Charity Commission.</p>	
<p>Delegation of authority to the Chair to act on behalf of Council</p>	<p>The Chair shall be empowered to take action on behalf of Council between meetings on routine matters and specific matters where authority is required immediately and provided that in such urgent cases he/she must obtain the approval of at least two other officers (Vice-Chair(s) or Treasurer) or, if unavailable, two other lay members of Council. The powers of the Chair to take such action shall be limited, in the case of capital schemes, to £5m. Where Chair's action is taken, a written report shall be made to the next meeting of Council.</p>

John Hogan
Registrar

February 2011

Amended by Council Minute 126, 6.6.2011
 Editorial amendments 22.08.13
 Editorial amendment 12.08.14
 Editorial amendments 19.10.15