

# **ARTICLES OF GOVERNMENT FOR BOURNEMOUTH UNIVERSITY**

## **HIGHER EDUCATION CORPORATION**

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

### **1. INTERPRETATION**

1.1 In these Articles, words and expressions shall have the meanings ascribed to them in paragraph 1 of the Instrument of Government made by the Privy Council 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 academic and other staff of the University;

“policies and procedures” includes policies, procedures, regulations, rules, bye laws and codes of practice; 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.

1.2 The Interpretation Act 1978 shall apply for the interpretation of these Articles as it applies for the interpretation of an Act of Parliament.

### **2. CONDUCT OF THE UNIVERSITY**

The University shall be conducted in accordance with the provisions of the Education Acts 1944 to 2004, 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 policies or procedures made under these Articles.

### **3. THE CHANCELLOR AND PRO-CHANCELLORS**

The Board of Governors shall have the power to appoint a suitable individual as Chancellor of the University and one or more suitable individuals as Pro-Chancellors of the University, and may determine the duration and other terms of such office and the functions and duties to be carried out by the Chancellor and Pro-Chancellors.

### **4. RESPONSIBILITIES OF BOARD OF GOVERNORS, VICE-CHANCELLOR AND SENATE**

#### **The Board of Governors**

4.1 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 or dismissal of the Vice-Chancellor and of the Clerk to the

Board;

- (e) approving policies and procedures relating to the appointment, grading, assignment of duties to, appraisal of, suspension, dismissal and determination of the pay and conditions of the holders of senior posts;
- (f) approving the framework for employing all other staff and regulating their employment;
- (g) ensuring that there are in place policies and procedures for the government and conduct of the institution, including, for all other staff, staff performance, staff capability, discipline, dismissal and grievance, and for dealing with student discipline, complaints and academic appeals.

#### **The Vice-Chancellor**

4.2 Subject to the responsibilities of the Board of Governors, the Vice-Chancellor shall be the chief executive of the University and shall be responsible to the Board of Governors for the conduct of the University, including responsibility 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 of duties, 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 Senate, 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 policies 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.

#### **Senate**

4.3 There shall be a Senate of the University, whose membership and procedures for meetings shall be set out in policies and procedures. The Vice-Chancellor shall be the Chairman of the Senate and will appoint a Deputy Chairman and a Secretary. Senate may establish such committees as it considers necessary to enable it to carry out its responsibilities, subject to the approval of the Vice-Chancellor and the Board of Governors.

Subject to the provisions of these Articles, to the overall responsibility of the Board of Governors, and to the responsibilities of the Vice-Chancellor, Senate shall be responsible for:

- (a) general issues relating to research, education and professional practice 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 the procedures for the expulsion of students for academic reasons. Such responsibilities shall be subject to the requirements of validating and accrediting bodies;

- (b) jointly with the Board of Governors, the procedures for the award of honorary academic titles;
- (c) considering both 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 on those matters; and
- (d) advising on such other matters as the Board of Governors or the Vice-Chancellor may refer to the Senate.

## **5. DELEGATION OF FUNCTIONS AND COMMITTEES**

5.1 Subject to the following provisions of this Article, the Board of Governors may establish committees for any purpose or function, other than those assigned elsewhere in these Articles to the Vice-Chancellor or to Senate, and may delegate powers to such committees or to the Chairman of the Board of Governors or to the Vice-Chancellor.

5.2 The Board of Governors or any relevant committee of the Board may co-opt as members of the committee any appropriate individual who is not a member of the Board of Governors except that the majority of the membership of the committee shall always comprise members of the Board of Governors.

5.3 The Board of Governors shall establish an audit committee. It may establish such other committees as it deems appropriate. The membership of committees and their terms of reference shall be as determined by the Board of Governors.

5.4 The Board of Governors shall not, however, delegate the following:

- (a) the determination of the educational character and mission of the University;
- (b) the approval of the annual estimates of income and expenditure;
- (c) ensuring the solvency of the University and the Corporation and the safeguarding of their assets;
- (d) the appointment or dismissal of the Vice-Chancellor and of the Clerk to the Board;
- (e) the varying or revoking of these Articles;
- (f) the appointment of members of the Board of Governors;
- (g) the approval of the Scheme of Delegation setting out the delegations made by the Board of Governors.

## **6. APPOINTMENT OF CLERK TO THE BOARD OF GOVERNORS**

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

## **7. PROCEDURES FOR MEETINGS**

7.1 The Board of Governors shall make policies and procedures for the conduct of meetings of the Board and its committees.

7.2 The Board of Governors shall make policies and procedures for the appointment of officers who shall include a Chairman and Deputy Chairman; and for the appointment of members.

7.3 The Board of Governors shall determine the quorum for the Board and Board Committees with due regard to the determination of membership numbers made by it under the Instrument of Government.

7.4 Members of the Board of Governors have the duties of a Charity Trustee of the University and shall not be bound in their speaking and voting by mandates given to them by other bodies or persons, except where the Board of Governors has approved the use of proxy for other members of the Board of Governors.

## **8. ACADEMIC FREEDOM**

In making policies and procedures under these Articles, the Board of Governors, Senate and the Vice-Chancellor shall have regard to the need to ensure that academic staff of the University 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 or losing their jobs or any privileges they may have at the University.

## **9. STUDENTS**

9.1 A Students' Union shall conduct and manage its own affairs and funds in accordance with a constitution approved by the Board of Governors and shall 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.

9.2 The Board of Governors, after consultation with Senate and representatives of the students, shall ensure that there are procedures allowing students to raise matters of proper concern to them at all the appropriate levels in the University.

## **10. FINANCIAL MATTERS**

10.1 The Board of Governors shall determine the tuition and other fees payable to the Corporation (subject to any terms and conditions attached to grants, loans or other payments paid or made by any appropriate funding authority). The Board of Governors may delegate the determination of some or all of these tuition and other fees provided that the delegation is recorded and approved by the Board of Governors.

10.2 The Board of Governors shall keep accounts and records and appoint auditors.

## **11. AMENDMENT OF ARTICLES**

These Articles may be amended or replaced by a resolution of the Corporation, provided that a proposed alteration of the Articles shall be approved only if supported by not less than three quarters of members present and voting, either with the approval of the Privy Council or as required by the Privy Council, after consultation with the Corporation.