
SCOTTISH STATUTORY INSTRUMENTS

2010 No. 198

The Glasgow Caledonian University Order of Council 2010

PART 3

Functions and Powers of the University Court

Functions of the University Court

4.—(1) The University Court is to conduct the University, carry out and promote its objects and ensure the well-being of the University.

(2) In so doing, the University Court's responsibilities include—

- (a) overseeing the University's activities, determining its vision, mission and future direction, fostering an environment in which the University's objects are achieved and providing strategic input on all material policy or other matters affecting the University (including the adoption and publication of a statement of the primary responsibilities of the University Court);
- (b) appointing and regulating committees of Governors and, where appropriate, others;
- (c) setting up departments, schools, faculties and other units of organisation within the University;
- (d) employing staff and regulating their employment and engaging contractors;
- (e) appointing a Chancellor as the titular head of the University;
- (f) appointing a Principal and Vice-Chancellor as the chief academic and executive officer of the University;
- (g) appointing one or more Vice-Principal and Pro-Vice-Chancellors, a Secretary to the University Court and other office holders to have such powers as the University Court considers appropriate;
- (h) providing facilities to carry on any activities which are necessary or desirable to enable the University to fulfil its objects;
- (i) establishing and monitoring systems of control and accountability including financial and operational controls and risk assessment; and
- (j) reviewing and monitoring the management of the University and its performance.

General powers of the University Court

5.—(1) The University Court has all the rights, powers and privileges necessary or expedient to conduct the University, to carry out or promote its objects and to ensure its well-being.

(2) Without prejudice to the foregoing generality it is in the power of the University Court for the advancement of the objects of the University—

- (a) to form relationships, associations or affiliations with other educational institutions, and such other public and private bodies;

- (b) to initiate, establish, maintain, acquire or dispose of any companies or any other legal entities, whether charitable or commercial, alone or in association with any other persons or entities;
 - (c) to provide research, design, development, testing, laboratory, consultancy and such other services, in such manner and on such terms and conditions as the University Court may determine;
 - (d) to undertake, acquire or dispose of any trade or business whatsoever;
 - (e) to create and maintain codes of conduct required for the maintenance of standards and good order within the University;
 - (f) to enter into contracts;
 - (g) to acquire, hold and dispose of any undertakings, rights, assets or liabilities;
 - (h) to buy, hold, lease, construct and sell any heritable or moveable property (including stocks, shares, loans and intellectual property rights) and to borrow and to give and take security of all types;
 - (i) to invest University monies and assets as it considers appropriate;
 - (j) to approve student bodies, entities and associations;
 - (k) to create and own intellectual property, and make and own discoveries and inventions of any type and to exploit these commercially;
 - (l) to establish and maintain an alumni association;
 - (m) to employ staff;
 - (n) to sue and be sued in the name of the University;
 - (o) to admit persons to, and manage all aspects of their education at and relationship with, the University and prescribe in its rules the requirements for matriculation and the conditions under which students shall be admitted to the University or to any particular course of study;
 - (p) subject to consultation with the Senate, to grant degrees, diplomas, certificates and other academic awards pursuant to section 48(2) and (3) of the Act to persons who have met the prescribed conditions;
 - (q) subject to consultation with the Senate, to grant fellowships, scholarships, studentships and other distinctions as it deems appropriate provided that all fellowships, scholarships, studentships and other distinctions so granted shall be granted and held subject to prescribed conditions; and
 - (r) subject to consultation with the Senate, to deprive persons of any degrees, diplomas, certificates, fellowships, scholarships, studentships or other awards granted to them by the University Court.
- (3) The University Court shall exercise its powers—
- (a) in accordance with the provisions of this Order; and
 - (b) solely to conduct the University, carry out or promote its objects and ensure its well-being.

Financial control and arrangements

6.—(1) The University Court is to make such arrangements as it considers appropriate for the conduct of the financial affairs of the University.

(2) The University Court must comply with any conditions imposed by the Scottish Further and Higher Education Funding Council for the payment of grant to it.

(3) The University Court may receive donations, legacies, annuities, subscriptions and other gifts to further the objects of the University.

(4) All donations, legacies, annuities, subscriptions and other gifts must be applied in accordance with the directions of the respective testators or donors but in the absence of any specific directions, the University Court may determine the manner in which any such donation, legacy, annuity, subscription or other gift in whole or in part shall be used to further the objects of the University.

(5) The University Court may receive and expend recurrent and capital funds, lend money (with or without security), borrow or raise money, guarantee and give security for the payment of money by the University, the University Court, or any other person, firm, company or body corporate (including any such person or entity associated with the University or University Court).

(6) The University Court must cause accounts to be kept of income and expenditure and shall appoint external auditors to audit these annually.

(7) The University Court may make any borrowing of money or other financial arrangements subject to ancillary contracts, instruments, agreements and other arrangements (including without limitation, any contracts, instruments or agreements relating to hedging arrangements for borrowed monies) intended to protect the University against adverse movements in inflation, interest or currency rates.

(8) The University Court may levy and receive fees for all services, including the provision of courses (whether or not leading to a degree or other academic distinction).

(9) The University Court may reimburse any member of the University Court for their reasonable travel and subsistence expenses.

(10) The University Court must make provision for the remuneration of staff appointed in accordance with articles 27 and 28.

(11) The University Court may make provision for the superannuation of staff and the provision of benefits to them, their spouses, dependants and others.

(12) The University Court must approve a business plan and budget for the University for each 12 month financial period.

Delegation

7. Subject to article 8, the University Court may delegate any of its functions, powers and duties to any person or body that it considers appropriate, provided that such delegation is approved by a two-thirds majority of the University Court members present at the meeting.

8. The University Court may not delegate—

- (a) its responsibility for ensuring the University remains solvent;
- (b) the approval of strategic direction or significant policy matters affecting the University;
- (c) the employment arrangements and monitoring of performance of the Principal;
- (d) its role in relation to the variation, amendment or revocation of this Order;
- (e) the approval of an annual business plan and annual budget;
- (f) the approval of the strategy for risk management;
- (g) the review and the monitoring of the management of the University and its performance;
- (h) the approval of the University's annual audited accounts; or
- (i) any matter which is material to—
 - (i) safeguarding the property, assets or undertaking of the University;
 - (ii) approving any significant commercial activities involving the University;

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- (iii) establishing and monitoring systems of control and accountability within the University; or
- (iv) strategy for establishing and monitoring of any entity with which the University is involved.

University rules

9.—(1) The University Court may make rules (including those designed as standing orders or regulations) regulating its own procedures and the conduct of the University.

(2) The University Court may vary, revoke and replace such rules.