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# The Schedule

## Statutes of the University of Liverpool

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### 1 Preliminary

#### 1.1 In these Statutes:

'University' means the University of Liverpool.

'Charter' means the Charter of the University.

'Statutes' means the Statutes of the University.

'Lay Members' means individuals being neither members of the staff nor students of the University and referred to in Statute 8.1.2.

'Lay Officers' means Lay Officers as provided for in the Ordinances.

'Ordinances' means the Ordinances made pursuant to the Charter or the Statutes.

'Regulations' means Regulations made pursuant to the Charter, Statutes or Ordinances.

'Council' means the Council of the University.

'Senate' means the Senate of the University.

#### 1.2 Words defined in the Charter or the Statutes shall have the same meaning in the Ordinances and the Regulations unless the context otherwise requires.

### 2 The Chancellor and Pro-Chancellors

#### 2.1 The Chancellor and Pro-Chancellors shall be appointed by the Council in accordance with the Ordinances.

### 3 Vice-Chancellor

#### 3.1 The Vice-Chancellor shall be appointed by the Council in accordance with the Ordinances.

#### 3.2 In the event of the prolonged absence or inability of the Vice-Chancellor or during a vacancy in that office, the Council may appoint a committee to recommend to the Council the appointment, from the professorial members of the Senate, of a suitable person as Acting Vice-Chancellor for such period and on such conditions as the Council may determine.

### 4 President and Vice-President of the Council

#### 4.1 There shall be a President of the Council of the University who shall be ex officio a Pro-Chancellor and who shall be appointed by the Council in accordance with the Ordinances.

#### 4.2 There shall be a Vice-President of the Council who shall be appointed by the Council in accordance with the Ordinances and who shall deputise for the President in his/her absence.

### 5 Clerk to Council

#### 5.1 There shall be an officer appointed by the Council to act as the Clerk to the Council.

## **6 Officers**

- 6.1 There shall be such other officers of the University as the Council may from time to time determine who shall perform such functions and duties as may be decided by Council.

## **7 The Auditors**

- 7.1 The Council shall, on an annual basis, appoint an Auditor or Auditors who shall be members of a recognised supervisory body and eligible for appointment under the rules of that body, on such terms as may be determined by Council.

## **8 The Council**

- 8.1 The Council shall comprise twenty members with not less than one fifth being members of staff. The Council shall normally consist of the following members:
- 8.1.1 Ex officio members, namely: the Pro-Chancellor appointed by the Council, the Vice-Chancellor, two of the Deputy Vice-Chancellors or Pro-Vice-Chancellors, the President of the Guild of Students and the two other Lay Officers appointed by the Council in accordance with the provisions of Ordinance 8.
  - 8.1.2 Nine Lay Members (including the President and Vice-President of the Council) appointed by the Council in accordance with the Ordinances.
  - 8.1.3 Four members of the Senate, three appointed by the Council on the recommendation of the Nominations Committee and one elected from and by the Senate's elected membership.
- 8.2 The members of the Council shall be appointed for such periods of office as shall be determined by the Council and prescribed in the Ordinances.
- 8.3 Any member of the Council may resign by writing addressed to the Council.
- 8.4 The quorum for a meeting of the Council shall be at least ten members of whom a majority must be Lay Members.
- 8.5 The President of the Guild of Students shall not participate in, nor receive papers for, any business of the Council which is reserved business. Reserved business shall be the business which the Council determines shall be reserved including, but without prejudice to the generality of the foregoing, appointments, promotions and other matters affecting the personal affairs of individual members of the staff and the admission and academic assessment of individual students.

## **9 Powers and duties of the Council**

- 9.1 The Council shall exercise all the powers and authority of the University, save as otherwise provided in the Charter, Statutes, Ordinances and Regulations, and in particular shall have the following powers and duties:
- 9.1.1 To appoint a Chancellor, a Pro-Chancellor, a President who shall act as Chairman of the Council, a Vice-President of the Council and up to two other Lay Officers.
  - 9.1.2 To appoint, subject to any procedures from time to time set out in these Statutes and the Ordinances, the Vice-Chancellor, to monitor his/her performance and, if necessary, to suspend or dismiss him/her.
  - 9.1.3 To appoint such office holders and new staff having such powers and duties and upon such terms and conditions as the Council may see fit.

- 9.1.4 To appoint an Auditor or Auditors who shall receive such remuneration as may be determined from time to time by the Council.
- 9.1.5 To make proposals to add to, amend or alter the Charter.
- 9.1.6 Subject to the provisions of the Charter, to make or amend the Statutes.
- 9.1.7 To make Ordinances for any matters for which Ordinances are authorised to be made.
- 9.1.8 To make Regulations for any purposes for which Regulations are authorised to be made, except Regulations governing the courses of study and examinations, which shall be made by the Senate.
- 9.1.9 To oversee the academic endeavours of the University; to ensure that there is an effective framework in place to manage the quality of learning and teaching and to maintain academic standards; and to ensure that the welfare of students is secured.
- 9.1.10 To govern, manage and regulate the finances, accounts, investments, property, business and all the affairs of the University so as to ensure solvency and sustainability and for that purpose to appoint bankers and any other officers or agents whom it may seem expedient to appoint.
- 9.1.11 To invest any moneys of the University in accordance with all relevant laws and for those purposes the Council shall have the authority to enter into any financial instrument which is ancillary or incidental to the exercise of such powers.
- 9.1.12 To give guarantees or other appropriate undertakings.
- 9.1.13 To sell, buy, exchange, lease and accept leases of real and personal property on behalf of the University.
- 9.1.14 To provide the buildings, premises, furniture and equipment and other means needed for carrying on the work of the University.
- 9.1.15 To borrow money on behalf of the University, and for that purpose, if the Council thinks fit, to mortgage all or any part of the property of the University or to give such other security whether upon such property or otherwise as the Council thinks fit and for those purposes the Council shall have the authority to enter into any financial instrument which is ancillary or incidental to the exercise of such powers.
- 9.1.16 To enter into, vary, carry out and cancel contracts on behalf of the University.
- 9.1.17 To approve the strategic direction of the University.
- 9.1.18 To approve the annual budget.
- 9.1.19 To monitor performance against plans/budgets and, for this purpose, to identify and utilise key performance indicators.
- 9.1.20 To ensure the establishment and monitoring of systems of control and accountability, including financial and operational controls and risk assessment, and clear procedures for handling internal grievances and for managing conflicts of interest.
- 9.1.21 To fulfil statutory and regulatory responsibilities.

- 9.1.22 To conduct its affairs in an open and transparent fashion subject only to the consideration of certain matters as reserved business as defined in 8.5 above.

## **10 Delegation**

- 10.1 Subject to Statute 10.2 below and any other provision preventing delegation, the Council shall be entitled to delegate all or any of its functions, powers and duties to any person or body.
- 10.2 The Council shall not delegate its powers to:
  - 10.2.1 amend, vary or revoke the Charter and the Statutes;
  - 10.2.2 appoint the Vice-Chancellor and to approve the Vice-Chancellor's terms and conditions of appointment;
  - 10.2.3 ensure the solvency of the University and safeguard its assets;
  - 10.2.4 appoint the Auditors; or
  - 10.2.5 make material amendments to Ordinances.

## **11 The Senate**

- 11.1 Subject to the oversight of the Council, the Senate shall be responsible for promoting research; for promoting and regulating learning and teaching; and for maintaining the quality and standards of the University's academic provision.
- 11.2 The Senate shall consist of such members and shall have such powers and duties as shall be prescribed in the Ordinances which shall include the power to make Regulations governing courses of study and examinations and to discuss and declare an opinion on any matter relating to the University.

## **12 The Guild of Students**

- 12.1 In accordance with the Education Act 1994, Part II, the Council is responsible for taking such steps as are reasonably practicable to ensure that the Guild of Students operates fairly and democratically and is accountable for its finances.
- 12.2 The constitution, functions, privileges and all other matters relating to the Guild of Students shall be prescribed and regulated as set out in the Ordinances.
- 12.3 The constitution of the Guild of Students must be reviewed by the Council every five years, and any changes to the constitution must be approved by the Council.

## **13 Staff**

- 13.1 This Statute shall apply to all staff employed by the University.
- 13.2 The Council shall ensure that, in respect of staff other than the Vice-Chancellor (in respect of whom separate provision is made below), there are in place procedures for:
  - 13.2.1 the handling of disciplinary cases, including the dismissal of such members of staff by reason of misconduct, and for appeals against disciplinary action;
  - 13.2.2 the dismissal of members of staff by reason of redundancy, and appeals against such dismissals;

- 13.2.3 the dismissal of members of staff (following confirmation in post after his or her probationary period) by reason of unsatisfactory performance, and appeals against such dismissals;
  - 13.2.4 the dismissal of members of staff on the grounds of ill health or medical incapacity, and appeals against such dismissals;
  - 13.2.5 the review of performance and progress of staff during any probationary period to which their appointment or employment is subject, and for the dismissal of such staff during or at the end of their probationary period in the event of unsatisfactory progress or performance, and appeals against such dismissals;
  - 13.2.6 the dismissal of such members of staff for any reason other than the reasons specified in clauses 13.2.1-13.2.5 above, and appeals against such dismissals;
  - 13.2.7 the removal of staff from any role that is not defined within a member of staff's substantive contract of employment by reason of unsatisfactory performance or misconduct, and appeals against such removal;
  - 13.2.8 the handling of grievances raised by members of staff.
- 13.3 Appeals against the dismissal of a member of staff shall be heard by a panel which includes members of Council not employed by the University. The appeals process for other procedures will be set out in those procedures.
- 13.4 The Council shall ensure that meaningful consultation and negotiation takes place with the University's recognised trades unions, with a view to seeking agreement on the procedures under this Statute and any subsequent amendments to them. Topics for negotiation will be those matters specified in section 178 (2) of the Trade Union and Labour Relations (Consolidation) Act 1992, covering the pay and conditions of employment of staff. Other matters relating to the employment of staff will be subject to consultation with the recognised trades unions with a view to seeking agreement. The Council will ensure that any Ordinance made or procedure established under this Statute shall be construed in every case to give effect to the guiding principles in clause 13.6 of this Statute and will give final approval to such procedures. Procedures/Ordinances approved by the Council under this Statute, which have been agreed between the University and the recognised trades unions, may only be amended in line with the principles set out in this paragraph.
- 13.5 The Council shall ensure that there are in place procedures for the removal from office and dismissal of the Vice-Chancellor.
- 13.6 In determining the procedures to be adopted under clauses 13.2-13.5, Council shall apply the following guiding principles:
- 13.6.1 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 privileges;
  - 13.6.2 to enable the University to provide education, promote learning, engage in research and other activities associated with the University's mission, efficiently and economically;
  - 13.6.3 to apply the principles of justice and fairness;

- 13.6.4 to avoid unlawful discrimination and promote equality of opportunity, dignity at work and good relations within the University;
- 13.6.5 to apply procedures so that complaints may be resolved at as early a stage as possible and within a reasonable timescale.
- 13.7 For the purposes of this Statute academic staff shall include any employee of the University who is employed to engage in, or carry out, teaching, academic research or scholarly activity.
- 13.8 Any Ordinance made under this Statute shall be construed in every case to give effect to the guiding principles in clause 13.6.
- 13.9 For the avoidance of doubt, any procedure adopted by Council for the dismissal of academic staff by reason of redundancy shall not prejudice, alter or affect any rights, powers or duties of the University in respect of, or apply to, any member of academic staff whose appointment was made, or contract of employment entered into, on or before 19 November 1987, and who has not been promoted after that date. For the purpose of this clause, a reference to an appointment made or a contract entered into on or after that date shall be construed with sub-sections (3) to (6) of section 204 of the Education Reform Act.

#### **14 Validity of Decisions**

- 14.1 Decisions taken at a meeting of Council or Senate shall not be invalidated by reason of:
  - 14.1.1 a procedural defect;
  - 14.1.2 a technical defect in the appointment of a member of Council or Senate of which the relevant body is unaware at the time;
  - 14.1.3 a technical defect in the giving of notice of which the Council or Senate is unaware at the time; or
  - 14.1.4 a vacancy in the membership of the Council or Senate.

#### **15 Interpretation of Statutes**

- 15.1 These Statutes shall be interpreted in such manner as not to conflict with the Charter.