

Articles of Government

THE COUNCIL OF THE UNIVERSITY OF CHESTER (HEREINAFTER REFERRED TO AS “THE UNIVERSITY”) BEING THE UNIVERSITY OF THE CHARITY OF THE SAME NAME MAKES THE FOLLOWING ARTICLES OF GOVERNMENT IN ACCORDANCE WITH WHICH THE UNIVERSITY OF CHESTER SHALL BE CONDUCTED:

1. INTERPRETATION

In these Articles words and expressions shall have the meanings ascribed to them in paragraph 1 of the Instrument of Government made by the University Council on 14th July 2020 and in addition:

"Holders of Senior Posts" means the Holders of such Senior Posts as the Council Members may determine (save for the Vice-Chancellor and the Deputy Vice-Chancellor);

2. CONDUCT OF THE UNIVERSITY

The University shall be conducted in accordance with the provisions of the Scheme and in accordance with provisions of the Higher Education and Research Act 2017, all other applicable Education Acts, regulations, orders or directions and subject thereto, in accordance with the provisions of the Instrument, these Articles and any rules or bye-laws made under the Instrument or these Articles.

3. RESPONSIBILITIES OF COUNCIL, VICE-CHANCELLOR AND SENATE

3.1 The Council shall be responsible for:

- 3.1.1 the determination of the educational character and mission of the University and for oversight of its activities;
- 3.1.2 the effective and efficient use of resources, the solvency of the University and for safeguarding its assets;
- 3.1.3 approving annual estimates of income and expenditure;
- 3.1.4 the appointment, grading, suspension, dismissal and determination of the pay and conditions of service of the Vice-Chancellor and the Deputy Vice-Chancellor;
- 3.1.5 following the recommendation of the Vice-Chancellor the appointment, grading, suspension, dismissal and for setting a framework for the pay and other conditions of service of the Holders of Senior Posts;
- 3.1.6 setting a framework for the pay and conditions of service of all other Staff.

3.2 Subject to the responsibilities of the Council, the Vice-Chancellor shall be the Chief Executive of the University and shall be responsible for:

- 3.2.1 making proposals to the Council about the educational character and mission of the University, and for implementing the decision of the Council;
- 3.2.2 the organisation, direction and management of the University and leadership of the Staff;
- 3.2.3 the appointment, assignment, grading, appraisal, suspension, dismissal, and determination - within the framework set by the Council - of the pay and conditions of service of Staff other than the Holders of Senior Posts;
- 3.2.4 the assignment and appraisal of the Holders of Senior Posts subject to the approval of the Council or any Committee formed by the Council for that purpose;
- 3.2.5 the determination, after consultation with the Senate, of the University's academic activities and for the determination of its other activities;

- 3.2.6 preparing annual estimates of income and expenditure, for consideration by the Council, and for the management of budget and resources, within the estimates approved by the Council;
 - 3.2.7 the maintenance of Student discipline and, within the rules 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;
 - 3.2.8 preparing recommendations for the consideration by the Council for the appointment, assignment, grading, suspension, dismissal and the determination of the pay and conditions of the Holders of Senior Posts.
- 3.3 Subject to the provisions of these Articles, to the overall responsibility of the Council, and to the responsibilities of the Vice-Chancellor, the Senate shall be responsible:
- 3.3.1 for general issues relating to the research, scholarship, teaching and courses 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 honorary academic titles; and the procedures for the expulsion of Students for academic reasons. Such responsibilities shall be subject to the requirements of validating and accrediting bodies;
 - 3.3.2 for considering the development of the academic activities of the University and the resources needed to support them and for advising the Vice-Chancellor and the Council thereon;
 - 3.3.3 for advising on such matters as the Council or the Vice-Chancellor may refer to the Senate.
- 3.4 The Senate may establish such committees, as it considers necessary to enable it to carry out its responsibilities provided that the establishment of such a committee is first approved by the Vice-Chancellor. The number of members of any such committee and the terms on which they are to hold and vacate office shall be determined by the Senate.
- 3.5 The Senate may so far as it is practicable delegate its tasks to a specific faculty and/or department provided the terms of reference of such delegation does not affect other faculties, departments or the University as a whole.
- 3.6 The period of notice required for convening meetings of the Senate shall not be less than 5 working days;
- 3.7 The meetings referred to in clause 3.6 above may be called by the Chair or the Secretary to the Senate and the meeting shall be quorate when 15 members are present.

4. COMPOSITION OF THE SENATE

The Senate shall consist of no more than 40 members, comprising the Vice-Chancellor (who shall be Chair) and such other numbers of Staff and Students as may from time to time be approved by the Council, subject to the proviso that a majority of members shall be drawn from Holders of Senior Posts, heads of academic and related departments. The Vice-Chancellor may nominate a Deputy Chair from among the members of the Senate to take the Chair in her or his place.

5. APPOINTMENT AND PROMOTION OF STAFF

- 5.1 Each member of Staff shall serve under a contract of employment with the University.
- 5.2 Upon the occurrence of a vacancy or expected vacancy for the post of Vice-Chancellor, the post shall be advertised nationally.

6. CONDUCT OF STAFF

6.1 After consultation with the Staff, the Council shall make rules relating to the conduct of the Staff.

6.2 Academic Freedom

The University was originally established by law as a Diocesan Training School for the training of schoolmasters of the Church of England. The Trust Deed of the Institution, made by the Lord Bishop of Chester, the Lord Bishop of Manchester and the Reverend Chancellor Thurlow dated the 29th October 1870 as modified by the Scheme states that the trust fund must be applied for the benefit of the purpose of the training of schoolmasters of the Church of England.

Staff and Students are, therefore, reminded that they must at all times be aware of the ethos of the University in that it was established as a Church of England Institution and continues to be so. Consequently, and subject to section 43 of the Education (No. 2) Act 1986 regarding freedom of speech in universities and other institutions, they must not undermine this ethos or the code of conduct and social values which are based on that ethos.

6.3 Subject to the above qualification, in making rules under Article 6.1, the Council shall have regard to the need 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 their contracts of employment being terminated or any privileges they may have at the University curtailed.

7. SUSPENSION, DISCIPLINE AND DISMISSAL OF STAFF

Following consultation with the Staff and any relevant Staff organisation the Council shall put in place rules and regulations relating to the suspension, discipline and dismissal of Staff.

8. GRIEVANCE PROCEDURES

After consultation with the Staff, the Council shall make rules specifying procedures according to which Staff may seek redress of any grievance relating to their employment.

9. STUDENTS' UNION

9.1 The Students' Union shall conduct and manage its own affairs and funds in accordance with a constitution approved by the Council and shall present audited accounts annually to the Council. No amendment to or rescission of that constitution, in part or in whole, shall be valid unless and until approved by the Council.

9.2 The Council, after consultation with the Senate and representatives of the Students' Union, shall make rules with respect to the Students, including procedures for suspension and expulsion.

9.3 In exercise of their responsibilities under Article 3.3, the Senate, after consultation with the Council and representatives of the Students' Union, shall determine procedures for the expulsion of a Student for an unsatisfactory standard of work or other academic reasons.

9.4 The Council Members shall make arrangements whereby matters of proper concern to the Students of the University may be submitted by the Students' Union to the Council, the Senate or the Vice-Chancellor as may be appropriate.

10. UNIVERSITY CHAPLAIN

The University shall appoint a University Chaplain who shall be an ordained priest of the Church of England.

11. FINANCIAL PROCEDURES

Fees

11.1 The Council shall determine the tuition and other fees payable to the University (subject to any terms and conditions attached to grants, loans or other payments paid or made by the appropriate funding or other body).

Accounts Estimates and Audit

11.2 The Council shall keep accounts and records, and appoint auditors in accordance with the requirements of all applicable legislation.

11.3 Annual estimates of income and expenditure shall be prepared by the Vice-Chancellor for the consideration and approval of the Council.

12. RULES AND BYE-LAWS

The Council shall have power to make rules and bye-laws concerning such matters with regard to the government and conduct of the University as it shall think fit. Such rules and bye-laws shall be subject to the provision of these Articles.

13. COPIES OF ARTICLES, RULES AND BYE-LAWS

A copy of these Articles, and any rules or bye-laws, shall be given to every Council Member and shall be available for inspection upon request to every member of Staff and every Student.

14. AMENDMENT OF ARTICLES

These Articles may be amended or replaced by resolution of the Council with consent from whatever authority or statutory power is required for such change, if any.

15. DATE OF ARTICLES

These Articles shall come into operation on 1st September 2020.