



Application for university title and approval
of amendments to the University of London Statutes

<p>Outcome requested:</p>	<p>Council is asked to approve:</p> <p>[a] a recommendation from QMSE to begin the process for acquiring university title, subject to a Special Resolution of Council at a future meeting;</p> <p>[b] a recommendation from the University of London Board of Trustees to amend the University of London Statutes.</p>
<p>Executive Summary:</p>	<p>The University of London has submitted a private bill to Parliament which, if enacted, will enable constituent colleges of the University of London to become universities in their own right while remaining as 'Member Institutions' of the University of London. This paper sets out the potential benefits to QMUL of acquiring university title, as well as the process and timescales that are involved.</p> <p>The proposed changes regarding 'Member Institutions' need to be reflected in the University of London Statutes, as this is the main constitutional document of the University. Currently the University of London Board of Trustees is required to consult with the governing bodies of constituent colleges before making any changes to its Statutes. It is therefore doing this now, subject to the passage of the University of London Bill.</p>
<p>QMUL Strategy:</p>	<p>Strategic Aim 4: to embed an international dimension in all QMUL activities and further enhance our stature as a leading global university.</p>
<p>Internal/External regulatory/statutory reference points:</p>	<p>The following instruments of governance are the most relevant:</p> <ul style="list-style-type: none"> • QMUL Charter; • QMUL Ordinances; • University of London Statutes. <p>This paper also refers to the <i>Criteria and process for applying for university title and university college title</i> (Department for Business, Innovation and Skills: September 2015).</p>
<p>Strategic Risks:</p>	<p>This paper relates to item 10 (Partnerships) on the Strategic Risk Register.</p>

Confidential paper:	No
Subject to Prior and Onward Consideration by:	Considered by QMSE on 7 February 2017.
Equality Impact Assessment:	Not required (there is no potential for this process to raise equality issues).
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Date:	07 February 2017
Senior Management/External Sponsor(s):	Professor Simon Gaskell, President and Principal

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1. The University of London has submitted a private bill to Parliament which, if enacted, will enable constituent colleges of the University of London to become universities in their own right while remaining as 'Member Institutions' of the University of London. The acquisition of university title would help QMUL to consolidate its status outside the UK, where the constitutional arrangements of the University of London are less-widely understood. It therefore has the potential to assist with international collaborations and funding applications, and with the portability of our academic awards. It is anticipated that the majority of constituent colleges will acquire university title under these new arrangements.
2. Continuing membership of the University of London would require a few adjustments to the standard university model. Member Institutions will not be permitted to establish the position of Chancellor, as this right will be retained by the University of London. At QMUL this ceremonial role is already undertaken by the Chairman of Council. There is currently a Vice-Chancellor of the University and it is yet to be determined whether this title should be made available to Member Institutions.
3. For a chartered institution such as QMUL, the process of applying for university title comprises two consecutive stages: (a) an application to HEFCE; (b) an application for a Supplemental Charter through the Privy Council. The University of London is in discussion with HEFCE to identify the most efficient method for constituent colleges to acquire university title. The normal components of the application to HEFCE are as follows:
 - a letter from the Chairman of Council confirming that QMUL complies with the requirements for university title (these are the following bullet points);
 - data confirming that QMUL satisfies the criteria on minimum student numbers (HEFCE will obtain these from HESA);
 - confirmation that QMUL holds taught degree awarding powers (HEFCE already has this);
 - information about complaints made by students about QMUL to the OIA over the past three years (HEFCE will confirm whether it requires quantitative data, or a qualitative summary of issues raised and how they were resolved);
 - confirmation of QMUL's financial sustainability (HEFCE will take this from QMUL's existing assurance returns);
 - confirmation that QMUL complies with the Memorandum of Assurance and Accountability (HEFCE will also take this from QMUL's existing assurance returns);
 - confirmation that the academic standards of QMUL's awards are set and maintained appropriate (HEFCE will use existing information in liaison with the QAA);
 - QMUL's self-assessment in reference to the Higher Education Code of Governance (this work was completed earlier this academic year).
4. Following consideration of the application, HEFCE makes a recommendation to the HEFCE Board, which advises the DfE, which in turn advises the Secretary of State. Successful completion of this stage of the process would enable QMUL to petition the Privy Council for a Supplemental Charter. The dialogue with the Privy Council has the potential to become protracted, depending on the extent of the changes that are contained in the Supplemental Charter. The University of London is therefore exploring with the Privy Council whether changes that would be common to all 'Member Institutions' can be agreed in principle beforehand. The following steps will need to be followed:
 - approval of a draft Supplemental Charter by Council;
 - dialogue with the Privy Council to arrive at a final draft;
 - approval of the final Supplemental Charter by Special Resolution of Council (this requires a majority of three-quarters of Council members present at a meeting attended

by at least two-thirds of the membership, of which at least 21 days' notice has been given);

- presentation of the petition for a Supplemental Charter at a Privy Council meeting;
- advertisement of the petition in the London Gazette for eight weeks;
- approval of the Supplemental Charter at a Privy Council meeting;
- printing of the Supplemental Charter on vellum and the application of the Great Seal through the Crown Office.

5. The earliest possible timescale is as follows, subject to what the University of London can negotiate with HEFCE and the Privy Council:
 - the QMUL Council approves the application to HEFCE and the draft Supplemental Charter by July 2017;
 - Parliament enacts the new University of London Act in summer 2017;
 - QMUL submits an application to HEFCE in late August 2017;
 - QMUL submits the draft Supplemental Charter to the Privy Council during early autumn 2017;
 - the QMUL Council approves the final Supplemental Charter by Special Resolution during autumn 2017;
 - the Privy Council approves the Supplemental Charter and QMUL achieves university title during spring 2018.
6. As the acquisition of university title requires the approval of a Supplemental Charter, rather than minor amendments to the existing Charter, there is an opportunity to make other changes to QMUL's governing instruments at the same time. I have instructed Mills & Reeve LLP to advise us on potential changes to the Charter and Ordinances in reference to current governance practice.
7. While there is no requirement formally to consult with Senate and QMSU, it is nonetheless the intention to involve these bodies as part of a broader plan for bringing students and members on staff on board with the changes. It will be important to provide early reassurance, for example, that QMUL intends to retain its current name and membership of the University of London, and that students' academic awards will not be affected in any way. The question of whether, when and how to announce the acquisition of university title publicly would be addressed as soon as the timescale becomes clear.

Jonathan Morgan
Academic Registrar and Council Secretary
7 February 2017



Consultation on amendments to University Statutes: January- April 2017

Introduction

Amendments to the University's Statutes are sought in order to keep them aligned with the new University of London Act, which is currently under consideration in Parliament and which should receive Royal Assent in summer/autumn 2017.

The new Act is the device by which member institutions of the federal University will be enabled to apply for University title in their own right, while remaining within the federation.

Interpretation of the proposed changes

Though numerous, most of the proposals are presentational, around nomenclature and consistency of expression *except*

3.5 now complies with Charity Commission guidance.

8.2 corrects a mis-statement.

9.4 and 9.5 allow for members of the Board of Trustees to vote in some circumstances, even if not physically present. University standing orders imply that this is permissible but it is useful to create clarity and authority on this matter.

16.4 alters a power of the Board, which presently MAY agree that a College can leave the federation should it wish to. In future it MUST agree. In practice this is of course what would happen now, but the change formalises the situation.

This is the most substantive change.

21.1 updates to comply with current legislation.

Consultation closes 30 April 2017

Please respond to Maureen.boylan@london.ac.uk

University of London

STATUTES

~~1. Preliminary~~

1. PRELIMINARY

- 1.1 The University of London is an incorporated body with a legal identity separate from that of the ~~Colleges of the University~~ Member Institutions.
- 1.2 In these Statutes it is called "the University" and is distinct from "the University Federation" which refers to the University and the ~~Colleges of the University~~ Member Institutions collectively.
- 1.3 In these Statutes, unless the context otherwise requires:
- 1.3.1 "the Act" means the University of London Act ~~1994~~ 2017;
- 1.3.2 "Central Academic Body" means an educational, academic or research institution established in accordance with Statute 17.1;
- 1.3.3 "Central Activities" means those activities, operations and services which the University carries out and provides centrally for the benefit of the ~~Colleges~~ Member Institutions and of Students registered with the University itself;
- ~~1.3.4 "College" means an institution holding the status of College of the University;~~
- ~~1.3.5 Dean and Chief Executive of the School of Advanced Study means the person who is the Head of the School of Advanced Study;~~
- 1.3.4 ~~1.3.6~~ "Chief Executive University of London International Programmes" means the person who is the Head of the University of London International Programmes;
- 1.3.5 ~~1.3.7~~ "Dean and Chief Executive of the School of Advanced Study" means the person who is the Head of the School of Advanced Study;
- 1.3.6 "Deputy Vice-Chancellor" means the person in the role and with the responsibilities defined in Ordinance 13;
- 1.3.7 "Head of ~~College~~ Member Institution" means the person who is under its instrument of government the chief academic and administrative officer or executive head of that ~~College~~ Member Institution;
- ~~1.3.8 "Deputy Vice-Chancellor" means the person in the role and with the responsibilities defined in Ordinance 13;~~
- 1.3.8 "Member Institution" means an educational, academic or research institution which is a constituent member of the University as listed in Appendix 1 and which has for the time being:
- (a) the status of a college (being any institution listed in Appendix 1 which is not a university); or
- (b) the status of a university;
- 1.3.9 ~~Words~~ words in the singular include the plural and vice versa.
- 1.4 Words defined in these Statutes shall have the same meaning in Ordinances and Regulations of the University.

~~2. — Objects of the University~~

2. OBJECTS OF THE UNIVERSITY

- 2.1 The objects of the University, carried out through the ~~Colleges~~ Member Institutions primarily, and also through the Central Academic Bodies and Central Activities, are, for the public benefit, to promote education of a university standard and the advancement of knowledge and learning by teaching and research; and to encourage the achievement and maintenance of the highest academic standards.
- 2.2 In pursuit of these objects, the University will serve and support the interests of the ~~Colleges~~ Member Institutions.

3. POWERS OF THE UNIVERSITY

~~3. — Powers of the University~~

- 3.1 The University has the power to grant degrees and other awards and to do all things permitted by law which are necessary or desirable to promote its objects.
- 3.2 In pursuit of its objects and in carrying out its functions, the University may act alone or in co-operation with other bodies whether based in the United Kingdom or abroad.
- 3.3 In the exercise of its powers, the income and property of the University shall be applied solely towards the promotion of its objects as set out in these Statutes.
- 3.4 As a chartered corporation, the University has the general power to make any form of investment and enter into any form of borrowing, and it shall in addition have the authority to enter into any financial instrument which is ancillary to the exercise of such investment or borrowing powers.
- 3.5 ~~3.5~~ Within the limits applicable to a charity, the University shall have the power to pay remuneration to a member or members of the Board of Trustees in respect of his, her or their services ;-pursuant to sections 185 and 187 of the Charities Act 2011 (as amended from time to time).

4. MEMBERS

~~4. — Members~~

- 4.1 The members of the University shall be the Chancellor, the members of the Board of Trustees, all staff employed by the University and the ~~Colleges~~ Member Institutions, all students, graduates and Emeritus Professors and Readers of the University and the ~~Colleges~~ Member Institutions.

5. VISITOR

~~5. — Visitor~~

- 5.1 The Visitor of the University shall be the Sovereign acting through the Lord President of the Privy Council.

~~6. — Chancellor~~

6. CHANCELLOR

- 6.1 There shall be a Chancellor of the University, appointed by the Board of Trustees, ;- who shall be the Head of the University.

~~7. — Vice-Chancellor~~

7. VICE-CHANCELLOR

- 7.1 There shall be a Vice-Chancellor of the University who shall assume the role of principal officer of the University.
- 7.2 The Vice-Chancellor shall be responsible to the Board of Trustees for the organisation and conduct of the business of the University.
- 7.3 The Vice-Chancellor's duties may be delegated, with the concurrence of the Board of Trustees.

~~8. Board of Trustees and Collegiate Council~~

8. BOARD OF TRUSTEES AND COLLEGIATE COUNCIL

- 8.1 There shall be a Board of Trustees and a Collegiate Council of the University.
- 8.2 The Board of Trustees shall be the governing ~~and executive~~ body of the University, ~~within the meaning of the Act~~. It shall promote the objects of the University and shall have general control over the conduct of its affairs. It shall have no powers and duties in respect of the affairs of the ~~Colleges~~ Member Institutions save as specifically provided in these Statutes.
- 8.3 The Collegiate Council shall be the body responsible for determining and advising the Board of Trustees of the collective view of the ~~Colleges~~ Member Institutions in respect of all matters concerning the University including its strategic direction.

~~9. Membership of the Board of Trustees~~

9. MEMBERSHIP OF AND DECISION MAKING BY THE BOARD OF TRUSTEES

- 9.1 The Board of Trustees shall consist of the following members:
- 9.1.1 eleven independent members appointed by the Board of Trustees (meaning members who are neither employed by nor students of either the University or a CollegeMember Institution, and who are considered by the Board to be independent and impartial);
- 9.1.2 the Vice-Chancellor (ex officio);
- 9.1.3 the Deputy Vice-Chancellor (ex-officio); and
- 9.1.4 four Heads of CollegeMember Institutions, to be chosen by the Collegiate Council.
- 9.2 The Board of Trustees shall appoint a Chair who shall be an independent member of the Board of Trustees.
- 9.3 Period of office of members:
- 9.3.1 Members of the Board of Trustees, apart from the Vice-Chancellor and the Deputy Vice-Chancellor, may hold office for a period of up to four years and may not normally be re-appointed for more than one further consecutive term of up to four years.
- 9.3.2 A member of the Board of Trustees who has served two consecutive four year terms may be eligible for a further term of up to four years after an interval of at least one year.
- 9.3.3 A member of the Board of Trustees who is appointed to serve as Chair of the Board shall automatically begin a new term of membership linked to the term of that office.
- 9.4 The quorum for conducting business of the Board of Trustees shall be seven members. Independent members must form a majority of those present. The quorum shall be made up of

those attending in person, by telephone or such other electronic or virtual means in which all participants may communicate simultaneously with all other participants.

9.5 ~~40.Functions~~ Subject to any conditions prescribed in the Ordinances, resolutions of the Board of Trustees approved in writing or by email shall be as valid as a resolution actually passed at a meeting of the Board of Trustees.

10. FUNCTIONS OF THE BOARD OF TRUSTEES

- 10.1 The functions of the Board of Trustees which it shall exercise itself and may not delegate shall be:
- 10.1.1 to consider and approve the strategic direction of the University, and a plan for its implementation, having received the advice of the Collegiate Council;
 - 10.1.2 to exercise guardianship over and ensure the effective management, control and use of the University's assets and resources;
 - 10.1.3 to appoint the Chancellor;
 - 10.1.4 to appoint the Vice-Chancellor;
 - 10.1.5 to appoint the Deputy Vice-Chancellor
 - 10.1.6 to ensure that financial accounts are kept and that an annual statement of the University's finances is prepared, audited and approved;
 - 10.1.7 to ensure the effective management of the University's Central Academic Bodies and Central Activities;
 - 10.1.8 to consider and approve an annual budget for the University;
 - 10.1.9 jointly with the Collegiate Council, to publish an annual report for the University;
 - 10.1.10 to appoint the University's auditors;
 - 10.1.11 to consider and approve the admission of ~~Colleges~~ Member Institutions and their continuing status as ~~Colleges~~ Member Institutions;
 - 10.1.12 to consider and approve the establishment or disestablishment of Central Academic Bodies;
 - 10.1.13 to make or amend Statutes and Ordinances;
 - 10.1.14 to ensure the satisfactory discharge of the University's responsibilities under legislation.
- 10.2 The functions of the Board of Trustees which it shall normally delegate to the Collegiate Council shall be:
- 10.2.1 to ensure the proper discharge of the academic affairs of the University;
 - 10.2.2 to ensure the implementation of the strategic plan of the University.
- 10.3 Other functions of the Board of Trustees may be set out in Ordinances which shall indicate whether they are to be exercised by the Board itself or through delegation.

~~11.~~ **Membership of the Collegiate Council**

11. MEMBERSHIP OF THE COLLEGIATE COUNCIL

- 11.1 –The Collegiate Council shall consist of the Vice-Chancellor, the Deputy Vice-Chancellor, all the Heads of the ~~Colleges~~Member Institutions, the Dean and Chief Executive of the School of Advanced Study and the Chief Executive of the University of London International ~~programmes~~Programmes.
- 11.2 The Vice-Chancellor shall chair the Collegiate Council.

~~12. Functions of the Collegiate Council~~

12. FUNCTIONS OF THE COLLEGIATE COUNCIL

- 12.1 The functions of the Collegiate Council shall be those delegated to it by the Board of Trustees and the following additional functions:
- 12.1.1 to make recommendations to the Board of Trustees on the strategic direction of the University and on a plan for its implementation;
 - 12.1.2 to make recommendations to the Board of Trustees on the admission of ~~Colleges~~Member Institutions and their continuing status as ~~Colleges~~Member Institutions;
 - 12.1.3 to make recommendations to the Board of Trustees on the establishment or disestablishment of Central Academic Bodies;
 - 12.1.4 to make proposals and recommendations to the Board of Trustees regarding resources and services either provided or to be provided by the University to the ~~Colleges~~Member Institutions, and on the funding of those services;
 - 12.1.5 to make recommendations to the Board of Trustees on amendments to Statutes and Ordinances.
- 12.2 To undertake or advise on such other matters as the Board of Trustees may request and which may be set out in Ordinances.

13. RELATIONSHIP BETWEEN THE BOARD OF TRUSTEES AND THE COLLEGIATE COUNCIL

~~13. Relationship between the Board of Trustees and the Collegiate Council~~

- 13.1 The Collegiate Council shall regularly submit to the Board of Trustees for its consideration reports on its proceedings and its decisions on matters for which it is responsible.
- 13.2 In making any decision on any matter the Board of Trustees shall give proper weight to the views and expertise of the Collegiate Council.
- 13.3 If the Board of Trustees rejects a recommendation of the Collegiate Council, or refers a matter back to the Council for further consideration, it shall give its reasons in writing for doing so, within a reasonable time.

~~14. Committees of the Board of Trustees and of the Collegiate Council~~

14. COMMITTEES OF THE BOARD OF TRUSTEES AND OF THE COLLEGIATE COUNCIL

- 14.1 There shall be a committee of the Board of Trustees with responsibility for audit and risk.
- 14.2 The Board of Trustees and the Collegiate Council may from time to time establish additional standing, special and advisory committees, sub-committees or boards.

~~15. Auditors~~

15. AUDITORS

- 15.1 The Board of Trustees shall appoint an auditor or auditors of the University ~~who~~. Every such auditor shall be ~~members~~ a member of a recognised supervisory body ~~(as defined in Part II of the Companies Act 1989)~~ and eligible for appointment under the rules of that body.

~~16. Colleges~~

16. MEMBER INSTITUTIONS

- 16.1 Each ~~College~~ Member Institution is a self-governing incorporated body with its own legal identity separate from that of the University and the other ~~Colleges~~ Member Institutions.
- 16.2 Each ~~College~~ Member Institution shall be entitled to award degrees of the University, and (provided it has power to do so) may award its own degrees subject to any protocols that the Board of Trustees may establish.
- 16.3 The Board of Trustees, having ~~received~~ regard to any recommendations received from the Collegiate Council, ~~may~~:
- 16.3.1 may admit as a ~~College~~ Member Institution any educational, academic or research institution; and
- 16.3.2 may withdraw from a ~~College~~ Member Institution the status of ~~College~~ Member Institution, having considered any representations by that ~~College~~ Member Institution;
- 16.4 The Board of Trustees shall, 16.3.3 at the request of a ~~College~~ Member Institution, withdraw from it the status of ~~College~~ Member Institution.
- 16.5 ~~16.4~~ An institution from which the status of ~~College~~ Member Institution has been withdrawn by the Board of Trustees without that institution's consent may appeal against that decision to the Visitor.
- 16.6 ~~16.5~~ The ~~Colleges~~ Member Institutions are listed in Appendix 1. On the admission or withdrawal of a ~~College~~ Member Institution to or from the University, the list shall automatically be amended to reflect the change.

~~17. Central Academic Bodies~~

17. CENTRAL ACADEMIC BODIES

- 17.1 The Board of Trustees, having received any recommendations from the Collegiate Council, may make Ordinances under which educational, academic or research institutions (known as the Central Academic Bodies) may be established or disestablished and given such titles as the Board of Trustees shall determine.
- 17.2 The Central Academic Bodies are listed in Appendix 2. On the establishment or disestablishment of a Central Academic Body, the list shall automatically be amended to reflect the change.

~~18. Students~~

18. STUDENTS

- 18.1 The Board of Trustees shall ensure that there are in place procedures for dealing with disciplinary matters, academic appeals and complaints in relation to students registered with the University itself.
- 18.2 Each ~~College~~ Member Institution shall have responsibility for all matters in relation to students registered with it.

~~19. Staff of the University~~

19. **STAFF OF THE UNIVERSITY**

- 19.1 The Board of Trustees shall be responsible for prescribing the conditions of service of staff employed by the University.
- 19.2 In relation to staff of the University, the Board of Trustees shall ensure that there are in place procedures for the management of performance, for dealing with discipline and dismissal, and for hearing grievances.
- 19.3 The Board of Trustees shall have no role in relation to staff employed by the [CollegesMember Institutions](#).

20. **ACADEMIC FREEDOM**

~~20.~~ **Academic freedom**

- 20.1 Academic staff employed by the University shall 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.

~~21.~~ **Anti-discrimination**

- ~~21.1 The University shall not discriminate against any person on the grounds of race, nationality, ethnic origin, gender, sexual orientation, marital status, disability, age, religion, social background or political belief.~~

~~22.~~ **Amendment**

21. **EQUAL OPPORTUNITIES**

- 21.1 The University shall promote equal opportunities and shall ensure that no unlawful discriminatory test be imposed on any person to enable them to become a holder of office at, member of staff, student or graduate of the University, or to receive any advantage or privilege by reason of such position.

22. **AMENDMENT**

- 22.1 The Board of Trustees, having received any recommendations from the Collegiate Council, may make new Statutes in accordance with the Act; and may make and revise Ordinances and Regulations on such matters as it considers necessary or desirable.
- 22.2 Appendix 1 (the list of [CollegesMember Institutions](#)) and Appendix 2 (the list of Central Academic Bodies) shall not be treated as part of these Statutes for the purposes of amendment, but shall be amended automatically in accordance with Statutes 16.5 and 17.2 respectively on the admission or withdrawal of a [CollegeMember Institution](#), or the establishment or disestablishment of a Central Academic Body.

~~22.3 Appendix 3 (the first members of the Board of Trustees and their respective terms of office) shall cease to have effect upon the expiry of the initial terms of office of all those named in it.~~

~~23. Transitional provisions~~

~~23.1 The first members of the Board of Trustees shall be those named in Appendix 3. Appendix 3 also sets out the initial terms of office of the first members~~

Appendix 1 – Member Institutions

[Birkbeck College](#)

[City, University of London](#)

[Courtauld Institute of Art](#)

[Goldsmiths' College](#)

[Heythrop College](#)

[The Institute of Cancer Research: Royal Cancer Hospital](#)

[King's College London](#)

[London Business School](#)

[The London School of Economics and Political Science](#)

[London School of Hygiene and Tropical Medicine](#)

[Queen Mary University of London](#)

[Royal Academy of Music](#)

[The Royal Central School of Speech and Drama](#)

[Royal Holloway and Bedford New College](#)

[The Royal Veterinary College](#)

[St George's Hospital Medical School](#)

[The School of Oriental and African Studies](#)

[University College London](#)

Appendix 2 – Central Academic Bodies

The University of London International Academy (formerly 'The External System')

The School of Advanced Study

The University of London Institute in Paris