

APPENDIX 20 - QMU COURT STATEMENT OF PRIMARY RESPONSIBILITIES

QUEEN MARGARET UNIVERSITY

UNIVERSITY COURT

STATEMENT OF PRIMARY RESPONSIBILITIES

This Statement sets out the functions and duties that the University Court derives from its Statutory Instrument and Articles of Association.

The Court is the governing body of the University. The Court is responsible for carrying out the objects of the University and has all powers necessary to carry out those objects. These powers are exercised by the Court on behalf of and in the name of the University either in the Court's sole capacity or with others.

The Court and its individual members (members) shall at all times conduct themselves in accordance with accepted standards of behaviour in public life which embrace selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

The powers of the Court include (without imposing any limitation on those powers) power to:

- (a) admit students to, and manage all aspects of their education at and relationship with, the University;
- (b) establish a Senate to discharge functions delegated to it by the Court in accordance with article 14 of the Statutory Instrument relating to the academic work of the University; conferring on any person higher and other education awards including degrees, diplomas, certificates and other academic awards or distinctions and honorary degrees; and depriving the recipient of an award of that award;
- (c) create and maintain fellowships, scholarships, studentships and other prizes;
- (d) create and maintain codes of conduct and regulations required for the maintenance of standards and good order within the University;
- (e) enter into contracts;
- (f) form and maintain arrangements with any person;
- (g) acquire, hold or dispose of any legal entity or business;
- (h) acquire, hold and dispose of any of the undertakings, rights, assets or liabilities of the University;
- (i) charge fees for any service provided by the University;

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- (j) 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 or take security of all types;
- (k) invest University monies and assets as it sees fit;
- (l) approve student bodies or entities or associations;
- (m) create and own intellectual property or any discovery or invention of any type and to exploit these commercially;
- (n) establish and maintain an alumni association;
- (o) make pension arrangements for staff and to provide benefits to staff, their spouses, partners, dependents and others; and others.

Consistent with Article 4(9) of the University's Statutory Instrument and the Scottish Code of Good Higher Education Governance (2017), the University Court is responsible for:

- (a) protecting the reputation and values of the University, and overseeing its activities;
- (b) ensuring, in conjunction with Senate, the quality of institutional educational provision and adequate provision for the general welfare of students;
- (c) ensuring adherence to the funding requirements specified by the Scottish Funding council in its Financial Memorandum and other funding documents;
- (d) determining its mission and strategic vision, its strategic plan, key performance indicators (KPIs) and annual budgets, fostering an environment in which the objects of the University are achieved with due regard to the interests of students, staff, and other stakeholders, and providing strategic input on all material policy or other matters affecting the University (including the adoption and publication of a statement of primary responsibilities of the Court);
- (e) appointing and regulating committees of its own members or committees of its own members and other persons;
- (f) setting up within the University such departments, schools, faculties and other units of organisation and delegating to them, in accordance with paragraphs (10) to (12) of the SI, such functions, duties and powers as it sees fit;
- (g) employing staff and other contractors and regulating their engagement;

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- (h) appointing a Chancellor;
- (i) appointing a Principal and Vice-Chancellor of the University, including the terms and conditions attaching to such appointment, and putting in place suitable arrangements for reviewing their performance;
- (j) appointing one or more Vice-Principals, a Secretary and other office holders to have such powers as the Court may see fit, and putting in place suitable arrangements for reviewing their performance;
- (k) making regulations, byelaws and standing orders for the exercise of the functions and duties of the Court acting on behalf of the University;
- (l) providing facilities to carry on any activities which are necessary or desirable to enable the University to fulfil its objects;
- (m) establishing and monitoring systems of control and accountability including financial and operational controls and risk assessment, risk management, means of evaluating the governing body's own performance and clear procedures for handling internal grievances and "whistleblowing" complaints and for managing conflicts of interest.
- (n) ensuring the University has in place effective arrangements for the management of its obligations in respect of the health and safety of students, staff and any other persons affected by the University's operations;
- (o) ensuring that non-discriminatory systems are in place to provide equality and diversity of opportunity for staff and students;
- (p) reviewing and monitoring the management of the University and its performance against approved plans and key performance indicators;
- (q) approving changes to University Statutes, ensuring that the University's constitution is followed at all times and that appropriate advice is available to enable this to happen.

The following matters are reserved to the Court

- (a) the solvency of the University;
- (b) the determination of strategic direction or policy matters affecting the University;
- (c) the employment arrangements and monitoring of performance of the Principal;
- (d) the consideration of the amendment or revocation of the Statutory Instrument;
- (e) the approval of an annual business plan and annual budget;

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- (f) the strategy for risk management;
- (g) the review and the monitoring of the management of the University and its performance;
- (h) the appointment and terms of engagement of a Secretary; and
- (i) the approval of the University's annual audited accounts;
- (j) Any matter the Court considers to be material relating to safeguarding the property, assets or undertaking of the University; approving any significant commercial activities involving the University; establishing and monitoring systems of control and accountability within the University; or strategy for establishing and monitoring of any entity with which the University is involved.