

APPENDIX 12 – QMU Court Delegated Authorisation Schedule

Queen Margaret University

Delegated Authorisation Schedule

This Schedule lists those people or bodies to whom authority has been delegated by the University Court to commit the University to a contractual or quasi-contractual arrangement (i.e. normally with an external body or person, such as the award of capital contracts or the offer of a place to an individual student). The people or bodies are shown under the heading “Delegated Authority”. In certain cases, the Delegated Authority will be the same individual who is authorised to sign documents. If the Delegated Authority is a body comprising two or more people, the person authorised to sign documents giving effect to the arrangement is shown under the heading “Signatory”. In some cases, such as the appointment of staff or when making offers to potential students, the individual authorised to sign documents on behalf of the University may be acting on behalf of the Delegated Authority.

The University Court may continue to exercise all authorities available to it whether or not they have been delegated. Authorities not delegated under this Schedule remain with the University Court. For the avoidance of doubt, the University’s governing statutory instrument (The Queen Margaret University, Edinburgh (Scotland) Order of Council 2007) sets nine matters which are reserved to the Court and a further four matters which the Court is prohibited from delegating. These are set out in Appendix A.

Notes applicable to this Schedule are set out in Appendix B. Where a Note is applicable to a particular arrangement, it is referred to in the column headed “Notes”.

The Delegated Authority is responsible for sub-delegating authorities granted and for adding an additional signatory or otherwise changing the Signatory. This is done by means of a written scheme. Delegated Authorities may use the suggested template for a written scheme attached as Appendix C. The Delegated Authority may continue to exercise all authorities granted to it whether or not they have been sub-delegated.

Delegation of Powers to the Principal

In accordance with the provisions of section 12(3) of The Queen Margaret University (Scotland) Order of Council 2007, the Court has made arrangements to delegate the authority for the discharge of its functions relating to the strategic direction and operational management of the University, and to discipline, to the Principal. In order to facilitate the carrying out of these delegated functions, the Court has delegated to the Principal the authority to commit the University to transactions with a value of up to £500,000.

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Categories of contractual or quasi-contractual transactions	Delegated authority	Signatory	Notes
1	Properties transactions		
	<i>Properties transactions with a value of greater than £500k and lease transactions with a duration of more than ten years are reserved to the Court.</i>		
1.1	Acquisition and disposal of an ownership interest in land and buildings with a value up to £500k.	Finance & Estates Committee	Director of Campus and Commercial Services
1.2	Acquisition and disposal of a leasehold interest in land and buildings with a value up to £500k and a lease duration of up to ten years.	Finance & Estates Committee	Director of Campus and Commercial Services
2	Goods, services and works		
	<i>Individual transactions with a value greater than £500k are reserved to the Court</i>		
	Acquiring or providing goods, services and/or works : (a) With a value up to and including £10k. (b) With a value greater than £10k up to £500k.	(a) Budget holder (b) Principal	(a) Dean / Director (b) Principal
3	Staff		
3.1	Agreement to commence recruitment process.	Vacancy Approval Panel	Head of HR
3.2	Offers of employment and contracts of employment.	Dean / Director	Head of HR
3.3	Appointment to Professorship, Reader or Senior Lecturer.	Academic Promotions Committee	Head of HR

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3.4	Promotions or offers to increase salary or make other payments to staff over and above their contracted salary entitlement for staff up to and including grade 10.	Reward and Remuneration Committee	Head of HR	
3.5	Promotions or offers to increase salary or make other payments to staff over and above their contracted salary entitlement for staff above grade 10.	Senior Management Remuneration Committee (SMRC)	Head of HR	e
3.6	Voluntary severance: (a) Senior staff. (b) All other staff.	(a) SMRC (b) Principal (up to £100k), SMRC (£100k and above)	(a) Convener of SMRC (b) Head of HR	
3.7	Other dismissal, including dismissal, redundancy and mental incapacity.	Principal	Head of HR	
3.8	Implementation of nationally negotiated pay awards	Head of HR	Head of HR	f
3.9	Authorisation of staff expenses.	Dean / Director	Dean / Director	g
3.10	Agreement to second staff from the University to third parties and vice versa.	Dean / Director	Head of HR	
4	Students			
4.1	Undergraduate student admissions	Dean	Head of Recruitment & Admissions	
4.2	Taught postgraduate student admissions	Dean	Head of Recruitment & Admissions	
4.3	Research postgraduate student admissions	Dean	Assistant Secretary, Governance and Quality Enhancement	

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4.4	Determining action under the University discipline procedure.	University Secretary	Dean / University Secretary	
4.5	Determining action under the Student Complaints procedure.	University Secretary	Dean / University Secretary	
4.6	Determining action under the Academic Appeals procedure.	University Secretary	Dean / University Secretary	
4.7	Determining action under the Fitness to Practise procedure.	University Secretary	Convener of FTP panel + University Secretary	
5	University awards			
5.1	Award of Honorary degrees and Fellowships	Senate	Principal / University Secretary	
5.2	Award of taught undergraduate or postgraduate awards	Senate	Principal / University Secretary	
5.3	Award of research postgraduate awards	Senate	Principal / University Secretary	
5.4	Removal of awards	Senate	Principal / University Secretary	
5.5	Confirmation of awards of the University	University Secretary	Assistant Secretary, Registry and Academic Administration	
6	Tuition fees and associated charges			
6.1	Setting of tuition fees	Executive Board	Principal	
6.2	Agreement of fees for collaborative partnerships	Executive Board	Principal	

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7	Educational contracts			
7.1	Entering into collaborative agreements for the purpose of transnational education	Senate	Principal	
7.2	Entering into collaborative agreements for the purposes of learning and teaching	Senate	Principal	
8	Financial transactions, borrowing, lending and investment			
	<i>Authority for opening bank accounts in the University's name and the associated mandates is reserved to the Court.</i>			
8.1	Borrowings of up to £5 million.	Finance & Estates Committee	Principal	h, i
8.2	Authorisation of transfers between University bank accounts (unlimited).	Head of Finance	Head of Finance	h
8.3	Changing signatories on University bank accounts.	Director of Operations and Finance	Director of Operations and Finance plus one additional authorised signatory	
8.4	Settlement of tax matters with tax authorities.	Director of Operations and Finance	Director of Operations and Finance	
8.5	Incorporation and winding up of subsidiary, quasi-sub subsidiary and associated undertakings; dealing with the University's interest in such undertakings including representing the University at meetings and appointing a proxy.	Finance & Estates Committee	Director of Operations and Finance	

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8.6	Arrangements between the University and the undertakings defined in 5.5, e.g. memoranda of understanding, member or shareholder agreements.	Finance & Estates Committee	Director of Operations and Finance	
8.7	Write-off or write-down of moneys due to the University : (a) Up to £10,000 (b) £10,000 or above	(a) Director of Operations and Finance (b) Principal	(a) Director of Operations and Finance (b) Principal	
9	Funding bids			
9.1	Funding bids in response to initiatives from the Scottish Funding Council (SFC)	Principal	Principal	
10	Research grants and contracts			
10.1	Applications for research grants	Dean	Head of Research Grants and Contracts Unit	
10.2	Acceptance of research grants	Dean	Head of Research Grants and Contracts Unit	
10.3	Contracts ancillary to research grants (including collaborative agreements, sub-awards and intellectual property agreements).	Dean	Head of Research Grants and Contracts Unit	
10.4	Confidentiality agreements.	Dean	Head of Research Grants and Contracts Unit	
10.5	Granting or receiving an assignation or license of intellectual property to facilitate research	Dean	Head of Research Grants and Contracts Unit	
11	Consultancy and service contracts			

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11.1	Contracts for the provision by the University of consultancy services.	Dean	Head of Research Grants and Contracts Unit	
11.2	Contracts for the provision by the University of goods and services; access to equipment and facilities	Dean	Head of Research Grants and Contracts Unit	
12	Technology transfer agreements			
12.1	Registration and all subsequent dealings with patents, design rights, trademarks and all other intellectual property rights, including licensing and outright transfer of such rights.	Dean	Head of Research Grants and Contracts Unit	
12.2	Dealings with copyright, know-how and all other unregistered intellectual property rights (including in relation to software and teaching materials), and licensing and outright transfer of such rights.	Dean	Head of Research Grants and Contracts Unit	
12.3	Dealings with goods and materials embodying intellectual property rights including licensing and outright transfer of such items.	Dean	Head of Research Grants and Contracts Unit	
13	University accommodation			
13.1	Allocation of student residential accommodation	Depute Director of Commercial Services	Depute Director of Commercial Services	
13.2	Allocation of student residential accommodation for commercial purposes.	Depute Director of Commercial Services	Depute Director of Commercial Services	
13.3	Room hire (leases, conferences, group bookings, etc.).	Depute Director of Commercial Services	Depute Director of Commercial Services	
13.4	Authorisation of reduction or waiver of student rent amount.	Depute Director of Commercial Services	Depute Director of Commercial Services	
14	Use of facilities			

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14.1	Agreement to allow a third party to enjoy the use of University premises or facilities, including the use of office space and laboratories	Director of Campus and Commercial Services	Director of Campus and Commercial Services	
15	Donations			
	<i>Over £500k, authority remains with the Court.</i>			
15.1	Acceptance of donations to the Development Fund.	Deputy Principal	Deputy Principal	j
15.2	Utilisation of donations to the Development Fund : (a) Value up to £100k (b) Value above £100k up to £500k	(a) Deputy Principal (b) Principal	(a) Deputy Principal (b) Principal	j
16	International agreements			
	<i>Authority remains with Court for significant commercial activities.</i>			
16.1	Agreements involving agencies and equivalent bodies for the recruitment of international students.	University Secretary	University Secretary	
16.2	EU and international schemes for student exchanges.	Dean	University Secretary	
16.3	Agreements and arrangements relating to the education and learning of undergraduate, postgraduate taught or postgraduate research students having an international character.	Senate	Principal	
17	Legislative compliance			
	Classification of information under the Freedom of Information (Scotland) Act and Environmental Information Regulations.	University Secretary	University Secretary	

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	Ensure data is processed in compliance with the data protection principles contained in the Data Protection Act 1998	University Secretary	University Secretary	
	Ensure compliance with the Counter-Terrorism & Security Act 2015 (Prevent Duty in Scotland).	University Secretary	University Secretary	
	Ensure the University’s compliance with the public sector equality duty contained in the Equality Act 2010	University Secretary	University Secretary	
18	Learning Resource Centre			
	Access to the Learning Resource Centre and library facilities by non-members of the University community	Head of Learning Services	Head of Learning Services	
19	Disputes			
	Documents relating to the settlement of court actions or other disputes not falling within the ambit of other parts of this Schedule	University Secretary	University Secretary	

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Appendix A

Extract from “The Queen Margaret University, Edinburgh (Scotland) Order of Council 2007”, Article 4

(11) 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 this Order;
- (e) the approval of an annual business plan and annual budget;
- (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.

(12) The Court shall not delegate any matter it considers to be material relating to–

- (a) safeguarding the property, assets or undertaking of the University;
- (b) approving any significant commercial activities involving the University;
- (c) establishing and monitoring systems of control and accountability within the University; or
- (d) strategy for establishing and monitoring of any entity with which the University is involved.

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Appendix B

THIS IS APPENDIX A OF THE DELEGATED AUTHORISATION SCHEDULE ADOPTED BY THE UNIVERSITY COURT OF QUEEN MARGARET UNIVERSITY, EDINBURGH ON 17 OCTOBER 2012

NOTES

Applicability of Notes

The Delegated Authorisation Schedule (“DAS”) to which these Notes are attached lists those people or bodies to whom authority has been delegated by the University Court to commit the University to a contractual or quasi-contractual arrangement (i.e. normally with an external body or person, such as the award of capital contracts or the offer of a place to an individual student).

Notes

- a. Goods means corporeal movable items irrespective of how they are treated in the University’s accounts
- b. Examples of goods, services or works covered by section 2 are computing equipment; software; books, journals and other written or electronic material; professional services such as solicitors, accountants, architects and surveyors. These examples are without prejudice to the generality of section 2.
- c. Section 2 applies irrespective of whether the goods, services and/or works are purchased or obtained on hire-purchase, lease or other financial arrangement.
- d. The acquisition of goods, services and works by the University is subject to statutory requirements, including EU procurement regulations. Procedures regarding procurement may be amended or replaced in the future and if so it is the amended or replacement procedures which apply. Delegated Authorities are responsible for ensuring that such requirements and procedures are complied with and should consult the Director of Finance for assistance with these matters.
- e. In cases where the arrangement concerned relates to the Principal, the Principal shall withdraw from the Remuneration Committee and take no part in the discussions or any decisions. Any severance package for the Principal would require formal approval of the Court.
- f. Although this authority is delegated to the Principal, the Principal is expected to consult the University Court before committing to the implementation of nationally negotiated annual pay awards.

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- g. Staff expenses of Deans and Directors shall be authorised by the Deputy Principal or Principal. Staff expenses of the Deputy Principal shall be authorised by the Principal and staff expenses of the Principal shall be authorised by the Chair of the University Court and the Convener of the Audit Committee.
- h. All borrowing, lending and investment transactions are subject to the University's Treasury Management Policy approved by Finance Committee in June 2012. This Policy may be amended or replaced in the future. If so it is the amended or replacement policy which applies.
- i. The Director of Finance can authorise borrowing within existing facilities approved by the Court.
- j. The Deputy Principal will consult with the relevant Dean depending on which School is to receive a donation with particular regard to terms which a donor may wish to attach to a donation. Acceptance of any donation with restricted academic purposes must be approved by the relevant Dean. If the donation involves land and buildings, acceptance must be approved by the Director of Campus Services in addition to the Dean.

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Appendix C

THE UNIVERSITY COURT OF QUEEN MARGARET UNIVERSITY, EDINBURGH DELEGATED AUTHORISATION SCHEDULE FORMAL SCHEME OF SUB-DELEGATION BY *[INSERT NAME OF DELEGATED AUTHORITY]*

Introduction

This Formal Scheme of Sub-delegation is intended to authorise *[INSERT NAME OF DELEGATED AUTHORITY]* to commit the University to certain contractual or quasi-contractual arrangements and to sign documents giving effect to such arrangements, on behalf of the University Court of Queen Margaret University, Edinburgh.

Background – Delegation of Powers by the University Court to *[INSERT NAME OF DELEGATED AUTHORITY]*

At its meeting on 17 October 2012, the University Court of Queen Margaret University, Edinburgh approved a Delegated Authorisation Schedule in terms of which people or bodies holding specified positions in the University (referred to as the “Delegated Authority”) were authorised to commit the University to contractual or quasi-contractual arrangements. The University also authorised the Delegated Authorities to approve formal schemes of sub-delegation whereby the authority granted to the Delegated Authority could be sub-delegated and/or the signature arrangements changed. This document is such a Formal Scheme of Sub-delegation by *[INSERT NAME OF DELEGATED AUTHORITY]*.

A copy of the Delegated Authorisation Schedule (including the Notes to the Schedule) is attached to this Formal Scheme.

Sub-delegation to *[INSERT NAME OF DELEGATEE]*

[INSERT NAME OF DELEGATED AUTHORITY] hereby sub-delegates authority to the individual named below to commit to contractual or quasi-contractual arrangements and/or to sign documents to give effect to such arrangements on behalf of The University Court of Queen Margaret University, Edinburgh.

Extent of Formal Scheme

This Formal Scheme applies to all/some of arrangements and documents giving effect to these which *[INSERT NAME OF DELEGATED AUTHORITY]* is entitled to commit to under the Delegated Authorisation Schedule being those described in the following sections in the Delegated Authorisation Schedule:

[E.G. SECTION 1. PROPERTIES TRANSACTIONS]

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Position and Name of Individual	Specimen Signature of Individual