

# Hartpury University REF Code of Practice

## Part 1: Introduction

Hartpury University is taking part in its first Research Excellence Framework (REF), having transferred to the Higher Education (HE) sector and attained University status in September 2018. Hartpury has delivered higher education for over 25 years, alongside its FE provision, which is now encapsulated within the subsidiary company, Hartpury College. When using the term Hartpury, we are referring to the whole organisation (both University and College).

Hartpury has strong principles and enabling policies with respect to equality, diversity and inclusion (EDI). The current policy, which applies across the whole organisation, is provided at Appendix 1. It originates from 2005, with regular updates and approval by the Corporation, as the ultimate governing body.

This Code of Practice (CoP) draws on the principles of Hartpury's policy. To quote from the EDI policy: "At Hartpury we are committed to valuing diversity and promoting equality. One of our Corporate Values is promoting respect for all and this means we create an inclusive and accessible environment that enables and promotes belonging and respect for staff, students and the wider community. We create an inclusive approach for both students and staff that promotes diversity, positive behaviours, builds effective relationships and enables all our students to develop and achieve the best possible outcomes. We value others for their contribution, irrespective of personal differences."

Hartpury's approach is to go further than legal compliance, as articulated in this commitment from the EDI policy:

"Hartpury's commitment to Equality, Diversity and Inclusivity is:

- To confirm the commitment of Hartpury to the principle of equality, diversity and inclusivity for all.
- To ensure Hartpury complies with all laws and directives relevant to equal opportunities and procedures are in place to clarify and support this intention.
- To create an inclusive environment where differences are celebrated and everyone is valued and respected.
- To ensure that Hartpury has a sound system of monitoring and review of progress so that good practice is identified, issues addressed and a culture of equality and diversity is embedded in all aspects of the work of Hartpury."

Hartpury actively monitors EDI, through a termly Equality & Diversity Forum, and a biannual Equality & Diversity Report presented to the Corporation. The Forum views all EDI action plans and relevant statistics at each meeting. The policy is reviewed annually by the Vice Principal Resources, with any changes agreed by the Equality and Diversity Forum before approval by the Corporation.

Over recent years, Hartpury has enhanced its approach to EDI by:

- Promoting E&D initiatives across campus using the existing E&D calendar, celebrating and recognising events and prominent days, including the annual E&D celebration week;
- Conducting bi-annual staff surveys to gain a better understanding of what it is to work at Hartpury, and identify areas for improvement;
- Taking the Time to Change pledge, Equality Gold Standard reaccreditation was achieved, and renewal of Disability Confident and Mindful Employer charters;
- Conducting annual equal pay audits.

The University aims to achieve transparency in its approach to the REF by close dialogue with those involved or affected by the processes. Given the small size of the University (currently <1800 FTE HE students) and the correspondingly small number of individuals involved in the REF submission, this can be achieved through direct and individual contact. The University anticipates making a single submission to one Unit of Assessment, involving fewer than ten members of staff. This also means that consistency of approach between Units is not a risk for the University.

Responsibility for the REF rests with the Dean of Research & Knowledge Exchange, overseen by the Research & Knowledge Exchange Committee and supported by the REF Steering Group (see Appendix 3 and Appendix 2 respectively for the Terms of Reference of these Committees). The Dean of Research & Knowledge Exchange is responsible to the Pro Vice-Chancellor, and thence to the Vice-Chancellor. The Research & Knowledge Exchange Committee reports to the Academic Board (see Appendix 4 for the Terms of Reference of this Committee), which is responsible to the Corporation Board (see Appendix 5 for the conditions set out in the Instruments and Articles of Government, by which Corporation is bound) and undergoes delegated challenge by the Corporation's Quality, Enhancement and Standards Committee (see Appendix 6 for the Terms of Reference of this Committee).

This Code of Practice, and any other relevant information, including any changes that are necessarily required, has been and will be communicated directly to those involved or affected. This will involve both electronic communication (e.g. email and website) and face-to-face dialogue (whether individually or as a group). The University is confident in its ability to ensure communication to those involved or affected given the small number of staff, and will ensure that those working away from the University site or who are otherwise unable to attend will receive direct communication.

As well as communication with individuals, the University, through the Dean of Research & Knowledge Exchange and the Vice Principal Resources, will consult and communicate as appropriate with all academic teams across the University and the Staff Forum, which acts as the representative body for staff at Hartpury.

The consultation process for this Code of Practice took place between 7 November 2018 and 2 May 2019. After an initial briefing consultation events were held with each academic department. The small pool of staff who will be eligible for REF 2021 (n=7) were consulted separately. Hartpury does not have a union and so the Code of Practice was consulted on with the Staff Forum (which is the only staff negotiating

body). The Code of Practice was approved by the Research & Knowledge Exchange Committee on 8 May 2019, by the Academic Board on 22 May 2019, and by the Corporation on 30 May 2019.

### **Policies and Procedures**

The policies and procedures to be used are set out in this Code, under each section as relevant. Existing structures, policies and processes have been used where possible, so that there is minimum variation from normal practice. Where new policy or process has had to be developed in order to meet the specific requirements of the REF Guidelines, this has been or will be the responsibility of the Dean of Research & Knowledge Exchange, engaging with other relevant office holders as appropriate, and with the oversight of the Research & Knowledge Exchange Committee, Academic Board and Corporation. The University is mindful to ensure that its approach to REF is both appropriate and proportionate.

### **Staff, Committees and Training**

The Dean of Research & Knowledge Exchange has lead responsibility for the REF at the University. The Dean of Research & Knowledge Exchange is responsible to the Pro Vice-Chancellor, and thence to the Vice-Chancellor. The Dean of Research & Knowledge Exchange is supported by the REF Steering Group (see Appendix 2), with oversight provided by the Research & Knowledge Exchange Committee.

The Dean's role has institutional responsibility for research and there is a formal appointment process to the role. This role has therefore been selected by the University as being the most appropriate role to have lead responsibility for REF.

The REF Steering Group will be responsible for decisions relating to research independence and selection of outputs (there being no decisions to make as part of the REF process in relation to identification of staff with significant responsibility for research, see Part 2).

The University requires all staff to undertake training in relation to EDI as a matter of course. In the context of the REF, the Dean of Research & Knowledge Exchange, Head of Research and Head of Inclusivity have received specific training on EDI in the context of the REF (delivered by Advance HE). These individuals will provide training within the University to any others, as required. This will specifically include the Pro Vice-Chancellor and the Vice Principal Resources. The Research & Knowledge Exchange Committee will be specifically briefed, as will the Academic Board, prior to any formal decisions being made about REF. The Committee and the Board will be reminded of REF-specific EDI responsibilities at the beginning of any REF item on their agenda.

### **Appeals**

Appeals against decisions may be made in relation to the determination of research independence. The process for this is covered in Part 3.

### **Equality Impact Assessment**

An initial Equality Impact Assessment and action plan were undertaken and reported to the Equality and Diversity Forum on 29 May 2019 (see Appendix 8). These will be updated as necessary in light of any changes to the Code or to the processes required.

The findings of the initial assessment were that the Code does not introduce unequal opportunities across the protected characteristics. In particular, the REF's provision for individual circumstances, the University's operation of a confidential mechanism for disclosure of such circumstances, and the provision of training for those involved in decision-making enable equality of treatment.

### **Part 2: Identifying staff with significant responsibility for research**

Part 2 need only be completed where the institution will not be submitting 100 per cent of Category A eligible staff in one or more UOA.

The University intends to include the research of all Category A eligible staff. There will therefore be no requirement for creation of criteria for or identification of staff with significant responsibility for research.

For completeness, the University confirms that the processes involved in the creation of the University and the appointment of staff to relevant contracts of employment in the University, which thus made them Category A eligible staff for the purposes of the REF, included expectations of responsibility for research. Having received award of University status in September 2018, the relevant processes of consultation and appointment took place between October 2018 and February 2019.

### **Part 3: Determining research independence**

#### **Policies and procedures**

In line with the REF guidance, the University considers an independent researcher to be an 'individual who undertakes self-directed research, rather than carrying out another individual's research programme'. The test of research independence only applies to staff on Research-only contracts; staff on Research & Training contracts are deemed by the REF to be independent researchers, subject to the other tests of eligibility. Indicators of independence are:

- Leading or acting as principal investigator or equivalent on an externally-funded research project.
- Holding an independently-won, competitively-awarded fellowship where research independence is a requirement.
- Leading a research group or a substantial or specialised work package.
- Being named as a Co-I on an externally-funded research grant/award.
- Having significant input into the design, conduct and interpretation of the research.

The University notes that each indicator may not individually demonstrate independence and that appropriate multiple factors may need to be considered.

For the avoidance of doubt, the following characteristics indicate that a researcher is not independent under the rules of the REF:

- A researcher employed on a project, howsoever funded, whose work is being directed by another person.
- A postgraduate research student.

In addition, a member of staff is not deemed to have undertaken independent research purely on the basis that they are named on one or more research outputs.

The University currently employs a small number of part-time research assistants (all being part of a scheme that employs current Hartpury part-time taught master's students) who undertake a range of research-related tasks under the direction of one or more academic members of staff. As such, they are not independent researchers as defined by the REF, and hence neither they nor their outputs are eligible to be included in the REF submission. These are the only Hartpury staff currently returned to HESA as 'research only'. As and when other staff are appointed on a research-only contract, their eligibility will be tested against these criteria by the Dean of Research & Knowledge Exchange / REF Steering Group and the individual informed by the Dean of Research & Knowledge Exchange.

The criteria for determining research independence are directly derived from the REF Guidance, and have been communicated to and discussed with relevant members of staff as part of the consultation process for this Code.

#### **Staff, committees and training**

The staff and committees involved in these processes are the Dean of Research & Knowledge Exchange, the REF Steering Group, the Research & Knowledge Exchange Committee and the Academic Board, as defined in Part 1.

#### **Appeals**

Relevant staff who have been considered for research independence will receive notice of the decision, normally from the Dean of Research & Knowledge Exchange, or from an alternative appropriate person agreed by the Dean. This will include a written statement, agreed by the REF Steering Group, explaining the reasons for the decision.

Staff who have been deemed not to be an independent researcher may appeal.

Appeals should be submitted to the Pro Vice-Chancellor within 10 working days of receiving the written statement explaining the reasons for the decision.

Appeals will be considered by an Appeals Panel consisting of the Pro Vice-Chancellor and the Vice Principal Resources. If a conflict of interest is identified with regard to the Pro Vice-Chancellor, the Vice-Chancellor will appoint an alternative chair for the Panel. The grounds for appeal must be clearly and succinctly stated in writing by the appellant and based upon the written statement explaining the reasons for the decision or on grounds of incorrect procedure.

The Appeals Panel will consider the written statement presented to the appellant explaining the reasons for the decision, the procedures undertaken, and written

evidence supplied by the appellant. No interviews or hearing will take place as part of the REF appeals process.

The Appeals Panel will notify the appellant in writing of the outcome of their appeal within 20 working days of the same being received by the Pro Vice-Chancellor. The outcome of the appeal will be reported to the REF Steering Group.

The appeal process will be confidential. The decision of the Appeals Panel will be final.

#### **Equality impact assessment**

Please see Part 1.

#### **Part 4: Selection of outputs**

##### **Policies and procedures**

Outputs for submission will be selected as follows:

- For each submitted member of staff, their most highly-rated output will be selected for submission.
- After that, the remaining number of outputs required to be submitted will be chosen on the basis of quality, up to a maximum of 5 outputs per submitted member of staff.
- If it is necessary to choose between outputs considered to be of equal quality in order to reach the required number, account will be taken of equality and diversity, and the distribution of outputs between individuals and across the subject areas of the submission.

The rating of the outputs will be undertaken by a combination of the individual, the Dean of Research & Knowledge Exchange, and an external expert against the criteria of originality, significance and rigor. All relevant outputs, including those of eligible former staff, are or will be in the University's research repository, which will thus provide the means to ensure all are duly considered.

Given the timescale involved, the University will make an initial selection of outputs by the end of 2019, and will update this on a monthly basis, as new outputs are published. The final selection of outputs is anticipated to be made by the end of October 2020, recognising the potential for eligible publications beyond that date.

##### **Staff, committees and training**

The staff and committees involved in these processes are the Dean of Research & Knowledge Exchange, the REF Steering Group, the Research & Knowledge Exchange Committee and the Academic Board, as defined in Part 1.

##### **Staff circumstances**

In considering the research contribution of an individual member of staff, care and attention will be paid to individual personal circumstances. These include both career and equal opportunities issues as identified in the REF Guidance on Submissions:

- a. Qualifying as an ECR (on the basis set out in paragraphs 148 and 149 and Annex L of the Guidance).

- b. Absence from work due to secondments or career breaks outside the HE sector.
- c. Qualifying periods of family-related leave.
- d. Other circumstances that apply in UOAs 1–6, as defined in paragraphs 161 to 163 of the Guidance.
- e. Circumstances with an equivalent effect to absence, that require a judgement about the appropriate reduction in outputs, which are:
  - i. Disability: this is defined in the 'Guidance on codes of practice', Table 1 under 'Disability'.
  - ii. Ill health, injury, or mental health conditions.
  - iii. Constraints relating to pregnancy, maternity, paternity, adoption or childcare that fall outside of – or justify the reduction of further outputs in addition to – the allowances set out in Annex L of the Guidance.
  - iv. Other caring responsibilities (such as caring for an elderly or disabled family member).
  - v. Gender reassignment.
  - vi. Other circumstances relating to the protected characteristics listed in the 'Guidance on codes of practice', Table 1, or relating to activities protected by employment legislation.

The University will operate a confidential process in which members of staff may declare personal circumstances that may have affected their ability to generate research outputs over the assessment period. The University will use a form based on the template provided by the REF team (see Appendix 7). Any declared circumstances will be reviewed by the Dean of Research & Knowledge Exchange and the Vice Principal Resources, who will make a judgement as to whether and how to take account of those circumstances. Unless those circumstances are such that they are sufficient to make a case that the individual has been unable to generate the minimum requirement of one output over the period, they will not impact on the output selection process noted above; i.e. outputs will still be selected on the basis of relative quality. It is anticipated that the declaration process will be opened in Autumn 2019. Whilst the University would wish to make any requests for a reduction in the required number of outputs before the REF deadline of March 2020, the University's declaration process will remain open until the REF submission date, so that any 'late' circumstance might be taken into consideration. All eligible staff will be informed of the ability to make such declarations as part of the communication of this Code, and will be reminded once the process is open.

The University, through the REF Steering Group, will consider the appropriateness of making a request for a unit reduction, taking into account the number and severity of any declared circumstances. In doing so, the University is mindful that an individual's circumstances can have an effect on the research productivity of their colleagues as well as of the individual themselves. The University is also mindful that it is making a submission of a small number of staff to one Unit of Assessment, and hence may be

subject to a relatively constrained size of output pool, which might be more sensitive to individual circumstances as a consequence. The size of the output pool will also be affected by the very recent award of University status, and hence the shortened research career of some of the submitted staff.

The University has no specific expectation about the contribution any individual may make to the pool of outputs selected for submission. The University is mindful of the range of career paths and stages, of modes of working, and of contractual arrangements. All staff with a responsibility for undertaking research are supported to make an appropriate contribution to the research of the University.

#### **Equality impact assessment**

Please see Part 1.

#### **Part 5: Appendices**

##### **Appendix 1: EDI Policy**

##### **Appendix 2: Terms of Reference for the REF Steering Group**

##### **Appendix 3: Terms of Reference for the Research & Knowledge Exchange Committee**

##### **Appendix 4: Terms of Reference for Academic Board**

##### **Appendix 5: Instruments and Articles of Government**

##### **Appendix 6: Terms of Reference for the Quality, Enhancement and Standards Committee**

##### **Appendix 7: Form for the Declaration of Individual Circumstances**

##### **Appendix 8: Initial Equality Impact Assessment**





# **HARTPURY**

## **Equality, Diversity and Inclusivity Policy**

Hartpury is committed to achieving universal acceptance and application of a working and learning environment free from harassment, intimidation and unlawful discrimination. It is also committed to taking positive action to promote such equality & diversity of opportunity in relation to recruitment (staff and students), promotion, training, learning, benefits, procedures and all terms and conditions of employment and all requirements that govern student regulations.

At Hartpury we are committed to valuing diversity and promoting equality. One of our Corporate Values is promoting respect for all and this means we create an inclusive and accessible environment that enables and promotes belonging and respect for staff, students and the wider community. We create an inclusive approach for both students and staff that promotes diversity, positive behaviours, builds effective relationships and enables all our students to develop and achieve the best possible outcomes. We value others for their contribution, irrespective of personal differences.

It is the obligation of all staff and students to respect and act in accordance with the Equality, Diversity and Inclusivity Policy and to actively promote it throughout their life at Hartpury.

### **Hartpury's commitment to Equality, Diversity and Inclusivity is:**

- To confirm the commitment of the College to the principle of equality, diversity and inclusivity for all.
- To ensure Hartpury complies with all laws and directives relevant to equal opportunities and procedures are in place to clarify and support this intention.
- To create an inclusive environment where differences are celebrated and everyone is valued and respected.
- To ensure that Hartpury has a sound system of monitoring and review of progress so that good practice is identified, issues addressed and a culture of equality and diversity is embedded in all aspects of the work of Hartpury.

### ***Defining Equality, Diversity and Inclusivity***

Equal treatment involves much more than simply treating everyone alike; it requires a recognition that some groups and individuals have particular and specific needs that need to be met if they are to enjoy equal access to the services offered by Hartpury. We recognise that Hartpury may need to provide its services in a range of different or more flexible ways, in order to ensure genuine equality of access or opportunity for groups and individuals who approach those services from a position of persistent and longstanding disadvantage.

Valuing diversity involves an acknowledgement of the benefits and intrinsic worth derived from the range of difference within our community, and fostering it as a strength. We aim to celebrate and to value the differences between individuals' cultural, social and intellectual contribution to Hartpury and will seek to promote greater mutual understanding between groups and individuals who reflect these differences, and will seek to utilise the talents and

experiences that each and every individual can bring to the institution.

Inclusivity is the complete acceptance and integration of all students and staff regardless of diversity background that proactively leads to a sense of belonging, engagement and full participation within and across Hartpur.

## **The Legal Framework**

The Equality Act 2010 introduces the term 'protected characteristic' to refer to aspects of a person's identity explicitly protected from unlawful discrimination. Nine are identified:

- Race
- Disability
- Gender
- Age
- Sexual orientation
- Religion and belief
- Gender reassignment
- Pregnancy / maternity
- Marriage / civil partnership.

However, other aspects of a person's identity, background or circumstance can cause them to experience discrimination, for example a person's socio-economic status, class or background. The College is committed to advancing equality and eliminating discrimination on these and other grounds.

The Equality Act 2010 recognises the following types of discrimination:

- Direct discrimination, including associative and perception discrimination
- Indirect discrimination
- Harassment
- Victimisation
- Discrimination arising from a disability
- Failure to make reasonable adjustments

The Equality Act 2010 introduces a Public Sector Equality Duty, in force from April 2011, which requires the college to give due regard to:

- eliminate discrimination, harassment and victimisation
- advance equality of opportunity
- foster good relations.

## **Scope**

This policy covers all staff, current and/or prospective students and visitors irrespective of

- Age – people of any age, including older and younger people
- Disability – people with a range of impairments both visible and non-visible for example, diabetes, wheelchair users, blind or deaf people, cancer patients, dyslexia, mental health and HIV.

- Sex – men and women
- Race – people from all races and nationalities this will include Gypsies and Travellers, Migrant Workers, Asylum Seekers and Refugees, as well as white British people
- Religion or Belief – people of any religion, for example Christianity, Buddhism, Hinduism, Islam, Sikhism or Judaism, people with any similar philosophical belief for example, Humanism and people with no beliefs
- Sexual Orientation – people of any sexual orientation, for example heterosexual, gay, lesbian, bi-sexual or questioning
- Pregnancy and maternity - Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.
- Marriage and Civil Partnership - Marriage is defined as a 'union between a man and a woman'. Same-sex couples can have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters.
- Gender Reassignment – people preparing the transition from male to female (MTF) or female to male (FTM), people who are currently going through the process of transitioning or people who have transitioned. A transsexual person has the protected characteristics of gender reassignment. Protection remains for people undergoing gender reassignment from discrimination due to absence from work and studies. Transvestites are also included.

It also applies to people using the services of the college such as the college conferencing facilities, or providing a service such as contractors. All of these groups will be expected to adhere to this Policy. Where staff or students are working or studying in locations other than College campus they will still be subject to the Policy. The Policy also extends to cover behaviour in the VLE, by email and other social media.

Breaches of this policy will be taken seriously and may lead to disciplinary proceedings.

## **Purpose**

The College provides education and training across a broad curriculum which involves work based training, vocational and professional training, further and higher education, full-time, part-time, and short courses. As such our student base is diverse, bringing on to site people from all of the different equality groups as well as individuals with various educational experiences and ambitions. Likewise staff and visitors are diverse and bring their own perspectives and expectations.

The procedures enshrined within this policy will ensure that all persons involved with the College are treated with respect, courtesy, integrity and equality of opportunity in all aspects of their contact with the College.

Our policy is to ensure that no person associated with the college receives less favourable treatment on the grounds of any of the nine protected characteristics. This policy and associated procedures also provide guidance to the wider college community on the role for every individual in contributing to equality of opportunity.

In order to ensure commitment to the principles outlined in the policy and associated procedures, senior managers will liaise regularly with relevant representative bodies (e.g. Student Union, Staff Forum).

## **Responsibilities**

- The ultimate responsibility for the operation of this policy lies with the Principal. All managers have direct responsibility for the implementation of procedures relevant to their area of work.

- Every member of the Hartpury community has a responsibility for ensuring they behave in a manner consistent with equality, diversity and inclusion principles.
- Every member of the Hartpury community will ensure they understand this policy and seek guidance if there are any questions; promote equality, diversity and inclusion for others and strive to create a safe, supportive and welcoming environment; and challenge inappropriate behaviour and discrimination.
- Teaching staff will promote equality, diversity and inclusion in all learning settings and develop student understanding and realisation of equality, diversity and inclusion.
- Hartpury's Equal & Diversity Forum has responsibility for advising the Principal on equality and diversity issues and for the formal monitoring of progress with equality and diversity initiatives.
- Each formal procedure associated with this policy will clearly state the relevant manager(s) responsible for implementation.
- Statistical information will be gathered and analysed regularly as part of monitoring and reviewing progress. Information will be forwarded to relevant managers for action.
- All staff are required to complete Equality and Diversity training which is provided either online or via workshops.

## **Implementation**

The Equality, Diversity and Inclusivity Policy will be issued to all staff through the Staff Handbook and to students through the Joining information available on the College's website. The Policy is also available on the College Intranet and the College Website.

All Hartpury Procedures will be available to staff and students through the College Intranet, Operating Procedures, Policy Manuals and leaflets. Alternative formats for example large print, Braille, audio, other languages can be provided on request.

All applicants will be treated with fairness and equality regardless of their circumstances, as outlined in the Recruitment and Selection Policy.

Induction programmes for staff & students will contain Equality, Diversity and Inclusivity principles and responsibilities.

Hartpury will ensure that all CPD requests will be treated with fairness and equality as outlined in the Staff Development Policy.

Personal tutors, line managers, lecturers, trainers, and support staff will ensure that individuals are guided and supported by relevant information regarding equality and diversity procedures and principles.

Staff training programmes will incorporate general and specific matters relating to Equality, Diversity and Inclusivity with particular reference to new and developing guidance on legislation where appropriate.

All staff who are involved in a Disciplinary or Performance Improvement process will be treated with fairness and equality regardless of their circumstances, as outlined in the Disciplinary and Dismissal Policy and Procedure and the Performance Improvement Policy and Procedure.

Any member of the Hartpury community who believes himself or herself to have been

subjected to unfair treatment as described in this policy and associated procedures should report their concern to either their personal tutor, line manager or a member of the Senior Management Team.

Hartpury staff are required to report any case of alleged discrimination or harassment to the Human Resources Department. Students are required to report any case of alleged discrimination or harassment to the Student Support and Wellbeing team.

### **Equal Pay Statement**

Hartpury supports the principle of equal pay for work of equal value and recognises the system should be free from bias and based on objective criteria. As part of our ongoing commitment to putting equal pay principles into practice, we will carry out monitoring of the impact of our pay practices in line with legislative requirements.

### **Grievances**

Hartpury's Grievance & Complaints Procedures are available to any student, member of staff or visitor who believes he or she may have been unfairly discriminated against.

The Harassment and Bullying Procedure is set out in a separate policy and is available to any student, member of staff or visitor who believes he or she may have been harassed.

Students, members of staff and visitors will not be victimised in any way for making such a complaint in good faith.

Complaints of this nature will be dealt with seriously, in confidence and as soon as possible in line with the appropriate procedures.

### **Promoting Positive Mental Health (MINDFUL EMPLOYER Charter)**

Hartpury is committed towards promoting positive mental health by working towards the MINDFUL EMPLOYER Charter. Hartpury aims to create a culture of support within the workplace where employees can talk about mental health problems without the fear of stigma or discrimination.

### ***Process for Monitoring***

The Equality & Diversity Forum meet termly and Minutes are available on the College Intranet and College website. An Equality & Diversity Report is presented to the Corporation twice yearly.

The Equality & Diversity Forum review all Equality, Diversity and Inclusivity action plans and statistics relating to staff and students termly.

The Human Resources Department will submit an annual report relating to staff matters to the Principal.

This Policy will be reviewed by the Director of HR & Residential Services on an annual basis and any changes agreed by the Equality & Diversity Forum.

The Corporation will approve the policy on an annual basis.

### **SOURCES OF FURTHER GUIDANCE**

- Equality Act 2010
- Human Rights Act (1998)

### **RELATED PROCEDURES**

- The College Charter Commitment
- The College Disability Statement
- Student Academic and Non-Academic Policy
- Child Protection and Safeguarding Policy and Procedures
- Grievance Policy
- Disciplinary & Dismissal Policy and Procedure
- Complaints Procedure
- Recruitment and Selection Policy
- Harassment and Bullying Policy

Review Schedule	
Date first approved	September 2005
Review date	October 2009
Review Date	May 2013
Review Date	May 2015
Review Date	May 2016
Review Date	April 2017



# Research Excellence Framework (REF) Steering Group

## Purpose

The Research Excellence Framework (REF) Steering Group reports directly to the Research and Knowledge Exchange Committee and exists to advise on and develop processes towards the REF 2021 submission. The REF Steering Group has a particular focus on equality, diversity and inclusivity and will develop the Code of Practice for REF 2021.

## Composition

- Dean: Research and Knowledge Exchange (Chair)
- Head of Research (Vice Chair)
- Research Centre Nominees
- Head of Inclusivity
- Library and Repository Representative

## In attendance

Officer and other members of staff and external representatives as approved by the Chair.

## Terms of Reference

1. To advise the Higher Education Executive on the University's policy and strategy in relation to REF2021.
2. To develop a Code of Practice setting out the processes to be used in making the University's submission to REF2021 in accordance with guidance provide by the Funding Bodies, taking account of the University's commitment to inclusivity by reflecting its equality and diversity policies, and including an effective process of consultation and communication with staff.
3. To oversee the dissemination and implementation of the University's Code of Practice for REF2021.
4. To oversee the development of the REF submission.
5. To advise and support the Dean and Research Centre Leads on the development of REF submissions including the communication and interpretation of published REF guidance and criteria.
6. To guide professional services as appropriate, on the preparation and administration of the REF submission.
7. To make regular reports to the Academic Board and the University Research and Knowledge Exchange Committee on progress with preparations for REF2021.
8. To make recommendations to the Research and Knowledge Exchange Committee relating to research independence and selection of outputs.
9. To ensure all REF processes are fair and transparent and compliant with the University's Equality, Diversity and Inclusivity Policy.

**Minimum number of members that must be present to constitute a valid meeting (Quorum):** One-third of the members eligible to attend.

**Reserved Business:** The Chair may require elected members of the REF Steering Group to withdraw when matters are discussed relating to individual students of the University, and may direct that papers relating to such matters shall be withheld from elected members.

**Frequency of meetings:** Meetings shall be held monthly until REF2021 submission.

**For more information, please contact:**  
[academic.services@hartpury.ac.uk](mailto:academic.services@hartpury.ac.uk)



# Research & Knowledge Exchange Committee

## Purpose

The RKE Committee incubates, innovates and invigorates RKE activities at Hartpury University. The Committee is responsible to Academic Board for the initiation, implementation and evaluation of performance in all areas of Hartpury RKE activity. Its purpose is also to provide positive synergies with the Teaching & Research Excellence Strategy. The Committee receives progress reports, as appropriate, from all areas of RKE activity and sets annual RKE targets. The Committee is responsible for allocating the RKE budget according to research centre priorities. The Committee may also be used as a consultative forum as RKE activities have a clear outward facing, industry and impact orientation.

## Composition

- Dean: Research and Knowledge Exchange (Chair)
- Head of Research (Vice Chair)
- Head of Inclusivity
- Dean: Teaching and Learning
- Research Centre Nominees
- Chair of Ethics Committee
- Library and Repository Representative
- 1 Undergraduate Taught Student Representative
- 1 Postgraduate Taught Student Representative
- One member of academic staff from each Department

## In attendance

Officer and other members of staff and external representatives as approved by the Chair.

## Terms of Reference

1. To help initiate, incubate and invigorate the key principles and processes that compromise all aspects of RKE activity at Hartpury.
2. To create positive synergies with current Hartpury strategy.
3. To monitor and evaluate RKE activities across the University and within each research centre.
4. To make reports and recommendations, to Academic Board on RKE activities and initiatives.
5. To provide an annual report of RKE activity to Academic Board.
6. To receive reports from the Research Ethics Committee.
7. To review applications from staff and PG students for RKE funding.
8. To monitor and help progress application for REF.
9. To oversee activities related to REF as undertaken by the Dean and supported by the REF Steering Group, including any new policies or processes relating to REF.
10. To be responsible for making decisions relating to research independence and selection of outputs based on the recommendations of the REF Steering Group.
11. To initiate and input into discussions on relevant RKE topics referred to it by the Dean, Academic Board, Hartpury Corporation and external persons and organisations.
12. To initiate, monitor and assess the impact of activities (including projects) supported by internal and external funds and through competitive tendering.
13. To ensure all RKE processes are fair and transparent and compliant with the University's Equality, Diversity and Inclusivity Policy.

**Minimum number of members that must be present to constitute a valid meeting (Quorum):** One-third of the members eligible to attend.

**Reserved Business:** The Chair may require elected members of Research and Knowledge Exchange Committee to withdraw when matters are discussed relating to individual members of staff or individual students of the University, and may direct that papers relating to such matters shall be withheld from elected members.

**Frequency of meetings:** Meetings shall be held four times per academic year, normally once per term prior to Academic Board.

**For more information, please contact:**  
academic.services@hartpury.ac.uk



# Academic Board

## Purpose

The Board is a deliberative forum used to consult on issues such as institutional and University strategy which would impact on Higher Education (HE), the impact of sector changes or academic developments. Through its links to Corporation and the UWE Academic Board, it is designed to improve the quality of advice available to the Vice Chancellor at the UWE Academic Board and the Principal and Governors at Hartpury Corporation. Hartpury Corporation has devolved deliberation of quality, enhancement and standards to Quality, Enhancement and Standards Committee (QuEST).

## Composition

- Vice-Chancellor, Principal & CEO (Chair)
- Pro Vice-Chancellor (Vice Chair)
- Academic Registrar
- Dean of Teaching and Learning
- Dean of Research and Knowledge Exchange
- Heads of Departments
- UWE representative
- Deputy Academic Registrar
- Head of Admissions
- Head of Learning and Teaching
- Head of Inclusivity
- Head of Employability and Enterprise
- Vice Principal (FE)
- Student Representatives: Two HE representatives nominated by Hartpury Students' Union
- HE Transitional Project Manager
- Plus one member of staff elected per each Higher Education department

## In attendance

- Officer
- Other members of staff as approved by the Chair

## Terms of Reference

1. To debate, consider and direct the Higher Education strategy, in line with both institutional strategies and the UWE Bristol strategy as appropriate.
2. To provide input into discussions on relevant academic topics referred to it by the Principal, UWE Academic Board and or Corporation.
3. To make recommendations on measures of enhancement to the student and staff experience to Academic Board. Where proposed enhancement relates to the scrutiny of quality and standards, Associate Faculty Board may refer items to Academic Standards and Enhancement Committee for consideration.
4. To promote good practice and innovation in scholarship, research and learning, teaching and assessment through the development and review of the Teaching, Learning and Scholarship Strategy.
5. To have strategic oversight of Partnership development and activity, including international and domestic collaborations.
6. To direct and promote access, widening participation and employability across the institution.
7. In-line with the validating University policy, agree admissions and fees policy and procedures.
8. To propose to UWE Academic Board relevant amendments to standard University governance, terms of reference and procedures where appropriate, and to consider the associated calendar.
9. To consider the development of Curriculum and associated activities and the resources needed to support them, and advise the University and Corporation accordingly.
10. To receive reports of the proceedings of its sub-committees and to give directions to, and consider recommendations, from such committees.
11. To highlight to UWE Academic Board and Corporation opportunities, good practice and matters of concern within the institution.

**Minimum number of members that must be present to constitute a valid meeting (Quorum):** One-third of the members eligible to attend.

**Frequency of meetings:** Meetings shall be held at least three times per academic year, normally once per term prior to QuEST and Corporation Meetings.

**For more information please contact:**  
academic.services@hartpury.ac.uk

# **HARTPURY UNIVERSITY HEC INSTRUMENT OF GOVERNMENT**

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### **1. Interpretation of the terms used**

In this Instrument of Government—

- (a) any reference to “the Vice-Chancellor” shall include a person acting as vice-chancellor or equivalent title approved by the Board of Governors;
- (b) “the Clerk” means the Clerk to the Board of Governors;
- (c) “the Corporation” means any higher education corporation to which this Instrument applies;
- (d) “the institution” means the institution (having university title) which the Corporation is established to conduct and any institution for the time being conducted by the Corporation in exercise of its powers under the Education Reform Act 1988 (“the Act”);
- (e) “this Instrument” means this Instrument of Government;
- (f)** “Board of Governors” means the members of the Corporation;
- (g) “meeting” includes a meeting at which the members attending are present in more than one room, provided that by the use of video-conferencing facilities it is possible for every person present at the meeting to communicate with each other and also includes meetings by written resolutions and by e-mail as set out in the Corporation’s Standing Orders;

- (h) "necessary skills" means skills and experience, other than professional qualifications, specified by the Corporation as appropriate for members to have;
- (i) "Vice-Chancellor" means the Principal
- (j) "staff member" and "student member" have the meanings given to them in clause 2;
- (k) "the Secretary of State" means the Secretary of State for Education;
- (l) "staff matters" means the remuneration, conditions of service, promotion, conduct, suspension, dismissal or retirement of staff;
- (m) "the students' union" means any association of students formed to further the educational purposes of the institution and the interests of students, as students;
- (n) a "variable category" means any category of members whose numbers may vary according to clauses 2 and 3.

## **2. Composition of the Board of Governors**

(1) The Board of Governors shall consist of—

- (a) not less than nine or more than fourteen members who appear to the Board of Governors to have both the necessary skills and a balance of the necessary skills to ensure that the Board of Governors carries out its functions under article 3 of the Articles of Government (of which up to thirteen shall be persons appearing to the Board of Governors to have experience of, and to have shown capacity in, industrial, commercial or employment matters or the practice of any profession);
- (b) the Vice-Chancellor of the institution;
- (c) one person co-opted by the Board of Governors who has experience of the provision of education;
- (d) one person who is a member of the institution's staff and has a contract of employment with the institution and who has been nominated and elected as set out in paragraph (3), ("staff member"); and
- (e) one person who is a student at the institution and has been nominated and elected by their fellow students, or if the Board of Governors so decides, by the students union ("student member").

(2) A person who is not for the time being enrolled as a student at the institution, shall nevertheless be treated as a student during any period of authorised absence from the institution for study, travel or for carrying out the duties of any office held by that person in the institution's students' union but shall not also be a member of any Corporation subsidiary company board conducting a further education institution.

(3) The staff member may be a member of the academic staff or the non-academic staff and shall be nominated and elected by all staff but shall not also be a member of any Corporation subsidiary company board conducting a further education institution.

(4) A person (other than a person appointed in pursuance of sub-paragraphs (1)(d) or (1)(e)above) who is—

- (a) employed at the institution (whether or not as a teacher);
- (b) a full-time student at the institution; or
- (c) an elected member of any local authority,

is not eligible for appointment as a member of the Board of Governors otherwise than as a co-opted member.

- (4) The appointing authority, as set out in clause 5, will decide whether a person is eligible for nomination, election and appointment as a member of the Board of Governors under paragraph (1).

### **3. Determination of membership numbers**

(1) Subject to paragraph (2), the number of members of the Board of Governors and the number of members of each variable category shall be that decided by the Board of Governors.

(2) The Board of Governors may at any time vary the determination referred to in paragraph (1) and any subsequent determination under this paragraph provided that:

- (a) the number of members of the Board of Governors shall not be less than twelve or more than fifteen;
- (b) the Board of Governors shall secure that a majority of all members of the Board of Governors are independent members; and
- (c) the numbers of members of each variable category shall be subject to the limit which applies to that category set out in Clause 2.

(3) No determination under this clause shall terminate the appointment of any person who is already a member of the Board of Governors at the time when the determination is made.

### **4. Transitional arrangements**

(1) The appointment of the first members of the Board of Governors shall be by the Secretary of State in accordance with section 122A(2)(b) of the Act.

(2) Where, following the last determination, the membership of the Board of Governors does not conform in number to that determination—

- (a) nothing in clauses 2 and 3 of this Instrument shall require the removal of members; but
- (b) the Board of Governors shall ensure that any new appointments are made so that its composition conforms to the determination as soon as possible.

### **5. Appointment of the members of the Board of Governors**

(1) The Board of Governors shall be the appointing authority subject to paragraph (2) below. The Board of Governors shall determine the period of office of each person in the variable categories in clause 2 above not being an ex officio role.

(2) If the number of members falls below the number needed for a quorum, the Secretary of State is the appointing authority in relation to the appointment of those members needed for a quorum.

(3) The appointing authority may decline to appoint a person as a staff or student member if—

- (a) it is satisfied that the person has been removed from office as a member of a higher education corporation in the previous ten years; or
- (b) the appointment of the person would contravene any rule or bye-law made under article 23 of the Articles of Government concerning the number of terms of office which a person may serve, provided that such rules or bye-laws make the same provision for each category of members appointed by the appointing authority; or
- (c) the person is ineligible to be a member of the Board of Governors because of clause 8.

(2) Where the office of any member becomes vacant the appointing authority shall as soon as practicable take all necessary steps to appoint a new member to fill the vacancy.

## **6. Appointment of the Chair and Vice-Chair**

(1) The members of the Board of Governors shall appoint a Chair and a Vice-Chair from among those members appointed under clause 2(1)(a) above.

(2) Neither the Vice-Chancellor nor any staff or student member shall be eligible to be appointed as Chair or Vice-Chair or to act as Chair in their absence.

(3) If both the Chair and the Vice-Chair are absent from any meeting of the Board of Governors, the members present shall choose someone from among themselves to act as Chair for that meeting.

(4) The Chair and Vice-Chair shall hold office for such period as the Board of Governors decides.

(5) The Chair or Vice-Chair may resign from office at any time by giving notice in writing to the Clerk.

(6) If the Board of Governors is satisfied that the Chair is unfit or unable to carry out the functions of office, it may give written notice, removing the Chair from office and the office shall then be vacant.

(7) If the Board of Governors is satisfied that the Vice-Chair is unfit or unable to carry out the functions of office, it may give written notice, removing the Vice-Chair from office and the office shall then be vacant.

(8) At the last meeting before the end of the term of office of the Chair, or at the first meeting following the Chair's resignation or removal from office, the Board of Governors shall appoint a replacement from among themselves.

(9) At the last meeting before the end of the term of office of the Vice-Chair, or at the first meeting following the Vice-Chair's resignation or removal from office, the Board of Governors shall appoint a replacement from among themselves.

(10) At the end of their respective terms of office, the Chair and Vice-Chair shall be eligible for reappointment.

(11) Paragraph (10) is subject to any rule or bye-law made by the Board of Governors under article 23 of the Articles of Government concerning the number of terms of office which a person may serve.

## **7. Appointment of the Clerk to the Board of Governors**

(1) The Board of Governors shall appoint a person to serve as its Clerk, but the Vice-Chancellor, staff or student member may not be appointed as Clerk.

(2) In the temporary absence of the Clerk, the Board of Governors shall appoint a person to serve as a temporary Clerk, but the Vice-Chancellor, staff or student member may not be appointed as temporary Clerk.

(3) Any reference in this Instrument to the Clerk shall include a temporary Clerk appointed under paragraph (2).

(4) Subject to clause 14, the Clerk shall be entitled to attend all meetings of the Board of Governors and any of its committees.

The Clerk may also be a member of staff at the institution.

## **8. Persons who are ineligible to be members**

(1) No one under the age of 18 years may be a member, except as a student member.

(2) The Clerk may not be a member.

- (3) A person who is a member of staff of the institution may not be, or continue as, a member, except as a staff member or in the capacity of Vice-Chancellor.
- (4) Paragraph (3) does not apply to a student who is employed by the Corporation in connection with the student's role as an officer of a students' union.
- (5) Subject to paragraphs (6) and (7), a person shall be disqualified from holding, or from continuing to hold, office as a member, if that person has been adjudged bankrupt or is the subject of a bankruptcy restrictions order, an interim bankruptcy restrictions order or a bankruptcy restrictions undertaking within the meaning of the Insolvency Act 1986, or if that person has made a composition or arrangement with creditors, including an individual voluntary arrangement.
- (6) Where a person is disqualified by reason of having been adjudged bankrupt or by reason of being the subject of a bankruptcy restrictions order, an interim bankruptcy restrictions order or a bankruptcy restrictions undertaking, that disqualification shall cease—
- (a) on that person's discharge from bankruptcy, unless the bankruptcy order has before then been annulled; or
  - (b) if the bankruptcy order is annulled, at the date of that annulment; or
  - (c) if the bankruptcy restrictions order is rescinded as a result of an application under section 375 of the Insolvency Act 1986, on the date so ordered by the court; or
  - (d) if the interim bankruptcy restrictions order is discharged by the court, on the date of that discharge; or
  - (e) if the bankruptcy restrictions undertaking is annulled, at the date of that annulment.
- (7) Where a person is disqualified by reason of having made a composition or arrangement with creditors, including an individual voluntary arrangement, and then pays the debts in full, the disqualification shall cease on the date on which the payment is completed and in any other case it shall cease on the expiration of three years from the date on which the terms of the deed of composition, arrangement or individual voluntary arrangement are fulfilled.
- (8) Subject to paragraph (9), a person shall be disqualified from holding, or from continuing to hold, office as a member if—
- (a) within the previous five years that person has been convicted, whether in the United Kingdom or elsewhere, of any offence and has received a sentence of imprisonment, whether suspended or not, for a period of one day or more;; or
  - (b) within the previous twenty years that person has been convicted as set out in sub-paragraph (a) and has received a sentence of imprisonment, whether suspended or not, for a period of more than two and a half years; or
  - (c) that person has at any time been convicted as set out in sub-paragraph (a) and has received a sentence of imprisonment, whether suspended or not, of more than five years; or
  - (d) that person has at any time been disqualified for an offence against a child under Part II (Protection of Children) of the Criminal Justice and Court Services Act 2000 or is barred from a regulated activity involving children and vulnerable adults under the Safeguarding Vulnerable Groups Act 2006; or
- (9) For the purpose of this regulation there shall be disregarded any conviction by or before a court outside the United Kingdom for an offence in respect of conduct which, if it had taken place in the United Kingdom, would not have constituted an offence under the law then in force anywhere in the United Kingdom.

(10) Upon a member of the Board of Governors becoming aware that he or she should be disqualified from continuing to hold office under paragraphs (5) or (8), the member shall immediately give notice of that fact to the Clerk.

### **9. The term of office of a member**

(1) A member of the Board of Governors shall hold and vacate office in accordance with the terms of the appointment, but the length of the term of office shall not exceed four years. For the avoidance of doubt members appointed under clause 4(1) above's term of office shall start on the date of their appointment under clause 4(1).

(2) Members retiring at the end of their term of office shall be eligible for reappointment, and clause 5 shall apply to the reappointment of a member as it does to the appointment of a member. Members shall not serve for more than a maximum of eight years.

(3) Paragraph (2) is subject to any rule or bye-law made by the Board of Governors under article 23 of the Articles of Government concerning the number of terms of office which a person may serve.

### **10. Termination of membership**

(1) A member may resign from office at any time by giving notice in writing to the Clerk.

(2) If at any time the Board of Governors is satisfied that any member –

- (a) is unfit or unable to discharge the functions of a member; or
- (b) has been absent from meetings of the Board of Governors for a period longer than six consecutive months without the permission of the Board of Governors; or
- (c) has brought him or herself or the institution into disrepute or threatened to do; or
- (d) the person has breached any code of conduct applying to members of the Board of Governors from time to time,

the Board of Governors may by notice in writing to that member remove the member from office and the office shall then be vacant.

(3) Any person who is a member of the Board of Governors by virtue of being a member of the staff at the institution, including the Vice-Chancellor, shall cease to hold office upon ceasing to be a member of the staff and the office shall then be vacant.

(4) A student member shall cease to hold office—

- (a) at the end of the student's final academic year, or at such other time in the year after ceasing to be a student as the Board of Governors may decide; or
- (b) if expelled from the institution,

and the office shall then be vacant.

### **11. Members not to hold interests in matters relating to the institution**

(1) A member to whom paragraph (2) applies shall -

- (a) disclose to the Board of Governors the nature and extent of the interest; and
- (b) if present at a meeting of the Board of Governors, or of any of its committees, at which such supply, contract or other matter as is mentioned in paragraph (2) is to be considered, not take part in the consideration or

vote on any question with respect to it and not be counted in the quorum present at the meeting in relation to a resolution on which that member is not entitled to vote; and

- (c) withdraw, if present at a meeting of the Board of Governors, or any of its committees, at which such supply, contract or other matter as is mentioned in paragraph (2) is to be considered, where required to do so by a majority of the members of the Board of Governors or committee present at the meeting.

(2) This paragraph applies to a member who—

- (a) has any financial interest in—

- (i) the supply of work to the institution, or the supply of goods for the purposes of the institution;
- (ii) any contract or proposed contract concerning the institution; or
- (iii) any other matter relating to the institution; or

- (b) has any other interest of a type specified by the Board of Governors in any matter relating to the institution.

(3) This clause shall not prevent the members considering and voting upon proposals for the Board of Governors to insure them against liabilities incurred by them arising out of their office or the Board of Governors obtaining such insurance and paying the premium.

(4) Where the matter under consideration by the Board of Governors or any of its committees relates to the pay and conditions of all staff, or all staff in a particular class, a staff member—

- (a) need not disclose a financial interest; and

- (b) may take part in the consideration of the matter, vote on any question with respect to it and count towards the quorum present at that meeting, provided that in so doing, the staff member acts in the best interests of the Board of Governors as a whole and does not seek to represent the interests of any other person or body, but

- (c) shall withdraw from the meeting if the matter is under negotiation with staff and the staff member is representing any of the staff concerned in those negotiations. The Clerk shall maintain a register of the interests of the members which have been disclosed and the register shall be made available during normal office hours at the institution to any person wishing to inspect it.

## **12. Meetings**

(1) The Board of Governors shall meet at least four times per year, and shall hold such other meetings as may be necessary.

(2) Meeting" includes a meeting at which the members attending are present in more than one room, provided that by the use of video-conferencing facilities it is possible for every person present at the meeting to communicate with each other and also includes meetings by written resolutions and by e-mail.

(3) Subject to paragraphs 5 and 6 and to clause 13(4), all meetings shall be called by the Clerk, who shall, at least seven calendar days before the date of the meeting, send to the members of the Board of Governors written notice of the meeting and a copy of the proposed agenda.

(4) If it is proposed to consider at any meeting the remuneration, conditions of service, conduct, suspension, dismissal or retirement of the Clerk, the Chair shall, at least seven calendar days before the date of the meeting, send to the members a copy of the agenda item concerned, together with any relevant papers.



(5) A meeting of the Board of Governors, called a "special meeting", may be called at any time by the Chair or at the request in writing of any five members.

(6) Where the Chair, or in the Chair's absence the Vice-Chair, decides that there are matters requiring urgent consideration, the written notice convening the special meeting and a copy of the proposed agenda may be given within less than seven calendar days.

(7) Every member shall act in the best interests of the Board of Governors and shall not be bound to speak or vote by mandates given by any other body or person.

(8) The Board of Governors shall determine any allowances to be paid to members of the Board of Governors or to members of its committees.

### **13. Quorum**

(1) Meetings of the Board of Governors shall be quorate if the number of members present is at least 40% of the total number of members (including a majority of members appointed under clause 2(1)(a)), determined according to clause 3.

(2) If the number of members present for a meeting of the Board of Governors does not constitute a quorum, the meeting shall not be held.

(3) If during a meeting of the Board of Governors there ceases to be a quorum, the meeting shall be terminated at once.

(4) If a meeting cannot be held or cannot continue for lack of a quorum, the Chair may call a special meeting as soon as it is convenient.

### **14. Proceedings of meetings**

(1) Every question to be decided at a meeting of the Board of Governors shall be decided by a majority of the votes cast by members present and entitled to vote on the question.

(2) Where, at a meeting of the Board of Governors, there is an equal division of votes on a question to be decided, the Chair of the meeting shall have a second or casting vote.

(3) A member may not vote by proxy or by way of postal vote.

(4) No resolution of the Board of Governors may be rescinded or varied at a subsequent meeting of the Board of Governors unless consideration of the rescission or variation is a specific item of business on the agenda for that meeting.

(5) Except as provided by procedures made pursuant to article 16 of the Articles of Government, a member of the Board of Governors who is a member of staff at the institution, including the Vice-Chancellor, shall withdraw—

(a) from that part of any meeting of the Board of Governors, or any of its committees, at which staff matters relating solely to that member of the staff, as distinct from staff matters relating to all members of staff or all members of staff in a particular class, are to be considered;

(b) from that part of any meeting of the Board of Governors, or any of its committees, at which that member's reappointment or the appointment of that member's successor is to be considered;

(c) from that part of any meeting of the Board of Governors, or any of its committees, at which the matter under consideration concerns the pay or conditions of service of all members of staff, or all members of staff in a particular class, where the member of staff is acting as a representative (whether or not on behalf of a recognised trade union) of all members of staff or the class of staff (as the case may be); and

- (d) if so required by a resolution of the other members present, from that part of any meeting of the Board of Governors or any of its committees, at which staff matters relating to any member of staff holding a post senior to that member's are to be considered, except those relating to the pay and conditions of all staff or all staff in a particular class.
- (6) A student member who is under the age of 18 shall not vote at a meeting of the Board of Governors, or any of its committees, on any question concerning any proposal—
- (a) for the expenditure of money by the Board of Governors; or
  - (b) under which the Board of Governors, or any members of the Board of Governors, would enter into any contract, or would incur any debt or liability, whether immediate, contingent or otherwise.
- (7) Except as provided by rules made under article 18 (3) of the Articles of Government relating to appeals and representations by students in disciplinary cases, a student member shall withdraw from that part of any meeting of the Board of Governors or any of its committees, at which a student's conduct, suspension or expulsion is to be considered.
- (8) In any case where the Board of Governors, or any of its committees, is to discuss staff matters relating to a member or prospective member of staff at the institution, a student member shall—
- (a) take no part in the consideration or discussion of that matter and not vote on any question with respect to it; and
  - (b) where required to do so by a majority of the members, other than student members, of the Board of Governors or committee present at the meeting, withdraw from the meeting.
- (9) The Clerk—
- (a) shall withdraw from that part of any meeting of the Board of Governors, or any of its committees, at which the Clerk's remuneration, conditions of service, conduct, suspension, dismissal or retirement in the capacity of Clerk are to be considered; and
  - (b) where the Clerk is a member of staff at the institution, the Clerk shall withdraw in any case where a member of the Board of Governors is required to withdraw under paragraph (5).
- (10) If the Clerk withdraws from a meeting, or part of a meeting, of the Board of Governors under paragraph (10), the Board of Governors shall appoint a person from among themselves to act as Clerk during this absence.
- (11) If the Clerk withdraws from a meeting, or part of a meeting, of a committee of the Board of Governors, the Board of Governors shall appoint a person from among themselves to act as Clerk to the committee during this absence.

## **15. Minutes**

- (1) Written minutes of every meeting of the Board of Governors shall be prepared, and, subject to paragraph (2), at every meeting of the Board of Governors the minutes of the last meeting shall be taken as an agenda item.
- (2) Paragraph (1) shall not require the minutes of the last meeting to be taken as an agenda item at a special meeting, but where they are not taken, they shall be taken as an agenda item at the next meeting which is not a special meeting.
- (3) Where minutes of a meeting are taken as an agenda item and agreed to be accurate, those minutes shall be signed as a true record by the Chair of the meeting.

(4) Separate minutes shall be taken of those parts of meetings from which the staff member, the Vice-Chancellor, the student member or the Clerk have withdrawn from a meeting in accordance with clause 14(5), (6), (8), (9) or (10) and such persons shall not be entitled to see the minutes of that part of the meeting or any papers relating to it.

#### **16. Public access to meetings**

The Board of Governors shall decide any question as to whether a person should be allowed to attend any of its meetings where that person is not a member, the Clerk or the Vice-Chancellor and in making its decision, it shall give consideration to clause 17(2).

#### **17. Publication of minutes and papers**

(1) Subject to paragraph (2), the Board of Governors shall ensure that a copy of—

- (a) the agenda for every meeting of the Board of Governors; and
- (b) the signed minutes of every such meeting;,,

shall be made available on the institution's website as soon as reasonably practicable.

(2) There shall be excluded from any item made available for inspection any material relating to—

- (a) a named person employed at or proposed to be employed at the institution;
- (b) a named student at, or candidate for admission to, the institution;
- (c) the Clerk; or
- (d) any matter which, by reason of its nature, the Board of Governors is satisfied should be dealt with on a confidential basis.

#### **18. Copies of the Instrument of Government**

A copy of this Instrument shall be given free of charge to every member of the Board of Governors and shall be available for inspection on the institution's website.

#### **19. Change of name of the Corporation**

The Corporation may change its name with the approval of the Privy Council.

#### **20. Application of the seal**

The application of the seal of the Corporation shall be authenticated by—

- (a) the signature of either the Chair or of some other member authorised either generally or specially by the Board of Governors to act for that purpose; and
- (b) the signature of any other member.

# HARTPURY UNIVERSITY HEC

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### 1. Interpretation of the terms used

In these Articles of Government—

- (a) any reference to “the Vice-Chancellor” shall include a person acting as Vice-Chancellor or any other title approved by the Board of Governors;
- (b) “Academic Board” means that body referred to in Article 7 below;
- (c) “the Articles” means these Articles of Government;
- (d) “Chair” and “Vice-Chair” mean respectively the Chair and Vice-Chair of the Board of Governors appointed under clause 6 of the Instrument of Government;
- (e) “the Clerk” has the same meaning as in the Instrument of Government;
- (f) “the Corporation” has the same meaning as in the Instrument of Government;
- (g) “the institution” has the same meaning as in the Instrument of Government;
- (h) “OfS” Office for Students established under The Higher Education and Research Act 2017
- (i) “staff member” and “student member” have the same meanings as in the Instrument of Government;

- (j) "the Secretary of State" means the Secretary of State for Education;
- (i) "senior post" means the post of Vice-Chancellor and such other senior posts as the Corporation may decide for the purposes of these Articles;
- (k) "the staff" means all the staff who have a contract of employment with the institution;
- (l) "the students' union" has the same meaning as in the Instrument of Government;
- (m) "Vice-Chancellor" means Principal.

## **2. Conduct of the institution**

(1) The institution shall be conducted in accordance with the provisions of the Instrument of Government, all requirements of law, orders, directions or regulations made by the Secretary of State or Privy Council, these Articles, any rules or bye-laws made under these Articles and any trust deed regulating the institution.

(2) The institution shall be conducted under the name Hartpury University.

## **3. Responsibilities of the Board of Governors, the Vice-Chancellor and the Clerk**

(1) The Board of Governors shall be responsible for the following functions—

- (a) the determination and periodic review of the educational character and mission of the institution and the oversight of its activities;
- (b) publishing arrangements for obtaining the views of staff and students on the determination and periodic review of the educational character and mission of the institution and the oversight of its activities.
- (c) approving the quality strategy of the institution;
- (d) the effective and efficient use of resources, the solvency of the institution and safeguarding its assets;
- (e) approving annual estimates of income and expenditure;
- (f) the appointment, grading, suspension, dismissal and determination of the pay and conditions of service of the holders of senior posts and the Clerk, including, where the Clerk is, or is to be appointed as, a member of staff, the Clerk's appointment, grading, suspension, dismissal and determination of pay in the capacity of a member of staff; and
- (g) setting a framework for the pay and conditions of service of all other staff.

(2) The Board of Governors shall procure that there shall be no disposal of any asset used by any subsidiary of the Corporation conducting further education without the approval of the board of directors of such subsidiary.

(3) Subject to the responsibilities of the Board of Governors, the Vice-Chancellor shall be the Chief Executive of the institution, and shall be responsible for the following functions-

- (a) making proposals to the Board of Governors about the educational character and mission of the institution and implementing the decisions of the Board of Governors;
- (b) the determination, after consultation with the Academic Board, of the institution's academic and determination of its other activities;
- (c) preparing annual estimates of income and expenditure for consideration and approval by the Board of Governors, and the management of budget and resources within the estimates approved by the Board of Governors;

- (d) the organisation, direction and management of the institution and leadership of the staff;
  - (e) the appointment, assignment, grading, appraisal, suspension, dismissal and determination, within the framework set by the Board of Governors, of the pay and conditions of service of staff, other than the holders of senior posts or the Clerk, where the Clerk is also a member of the staff; and maintaining student discipline and, within the rules and procedures provided for within these Articles, suspending or expelling students on disciplinary grounds or expelling students for academic reasons.
- (4) The Clerk shall be responsible for the following functions: -
- (a) advising the Board of Governors with regard to the operation of its powers;
  - (b) advising the Board of Governors with regard to procedural matters;
  - (c) advising the Board of Governors with regard to the conduct of its business; and
  - (d) advising the Board of Governors with regard to matters of governance practice.

#### **4. The establishment of committees and delegation of functions generally**

(1) The Board of Governors may establish committees for any purpose or function, other than those assigned in these Articles to the Vice-Chancellor or Clerk and may delegate powers to-

- (a) such committees;
- (b) the Chair, or in the Chair's absence, the Vice-Chair; or
- (c) the Vice-Chancellor.

(2) The number of members of a committee and the terms on which they are to hold and to vacate office, shall be decided by the Board of Governors.

(3) The Board of Governors may also establish committees under collaboration arrangements made with further education institutions or maintained schools (or with both), and such joint committees shall be subject to any regulations made under section 166 of the Education and Inspections Act 2006 governing such arrangements.

(4) Any committee established by the Board of Governors, other than the committee referred to in Article 10, may include persons who are not members of the Board of Governors.

#### **5. The Search and Governance Committee**

(1) The Board of Governors shall establish a committee, to be known as the "Search and Governance Committee", to advise on—

- (a) the appointment of members (other than as a staff or student member); and
- (b) such other matters relating to membership and appointments as the Board of Governors may ask it to.

(2) The Board of Governors shall not appoint any person as a member (other than as a staff or student member) without first consulting and considering the advice of the search committee.

(3) The Board of Governors may make rules specifying the way in which the search committee is to be conducted. A copy of these rules, together with the search committee's terms of reference and its advice to the Board of Governors, other than any advice which the Board of Governors is satisfied should be dealt with on a confidential basis, shall be published on the institution's website.

## **6. The Audit Committee**

(1) The Board of Governors shall establish a committee, to be known as the "Audit Committee", to advise on matters relating to the Board of Governor's audit arrangements and systems of internal control.

The Audit Committee shall consist of at least three persons and may include members of staff at the institution with the exception of the Vice-Chancellor and any other senior post holder, and shall operate in accordance with any requirements of OfS from time to time.

## **7. Matters relating to Higher Education**

### **Academic Board**

(1) The Board of Governors shall establish a body to be known as the "Academic Board".

(2) The Academic Board shall be comprised of no more than 30 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 Board of Governors. The Vice-Chancellor may nominate a Deputy Chair from among the members of the Academic Board to take the chair in his or her place. The period of appointment of members and the selection or election arrangements shall be subject to the approval of the Board of Governors.

(3) The constitution of the Academic Board and its terms of reference from time to time shall be as approved by the Board of Governors.

(4) The Vice-Chancellor shall appoint a person to act as secretary to the Academic Board.

(5) Any member of the Academic Board may be reappointed provided he or she remains qualified for appointment.

(6) A member of the Academic Board appointed to fill a casual vacancy shall hold office only for the unexpired term of office of the member in whose place he or she is appointed.

(7) The Academic Board shall hold a meeting whenever necessary and in any event at least three times in every year.

(8) The Academic Board shall make rules relative to the convening of meetings and the conduct of proceedings.

(9) Subject to the provision of these Articles, to the overall responsibility of the Board of Governors, and to the responsibilities of the Vice-Chancellor, the Academic Board shall be responsible for:

- (a) general issues relating to the research, scholarship, teaching and courses of higher education at the institution, including in that regard 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 where appropriate;
- (b) considering the development of the higher education academic activities of the institution and the resources needed to support them and for advising the Vice-Chancellor and the Board of Governors thereon; and

- (c) advising on such other matters relating to the institution as the Board of Governors or the Vice-Chancellor may refer to the Academic Board.

(10) The Academic Board may establish such committees as it considers necessary to enable it to carry out its responsibilities provided that each establishment is first approved by the Board of Governors. 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 Academic Board.

### **The Vice-Chancellor**

(11) In the event of a vacancy in the position of a Vice-Chancellor the Board of Governors shall appoint a person to the role of Vice-Chancellor as an interim measure for an initial period of no more than six months, any reappointment for one or more periods of up to six months will require the prior approval of the Board of Governors.

(12) The Vice-Chancellor shall cease to be the Vice-Chancellor upon:

- (a) resigning from the position of the Vice-Chancellor; or
- (b) upon the designation of a successor as Vice-Chancellor; or
- (c) upon loss of confidence vote by the Board of Governors or the Academic Board; or
- (d) in accordance with the terms of the appointment of the Vice-Chancellor.

### **Closure of higher education programmes**

Any proposal to withdraw a programme of study leading to an award of the institution shall be subject to the approval of the Academic Board. Before implementing such proposal, the institution must demonstrably safeguard the interests and rights of students registered on the programme and the standards of the relevant award.

### **8. Access to committees by non-members and publication of minutes**

The Board of Governors shall ensure that:—

- (e) a written statement of its policy regarding attendance at committee meetings by persons who are not committee members; and
- (f) a written statement of its policy regarding the publication of minutes of committee meetings

are published on the institution's website.

### **9. Delegable and non-delegable functions**

The Board of Governors shall not delegate the following functions-

- (a) the determination of the educational character and mission of the institution;
- (b) the approval of the annual estimates of income and expenditure;
- (g) the responsibility for ensuring the solvency of the institution and for safeguarding their assets;
- (h) the appointment or dismissal of the Vice-Chancellor or holder of a senior post;



- (i) the appointment or dismissal of the Clerk, (including, where the Clerk is, or is to be, appointed as a member of staff the Clerk's appointment in the capacity of a member of staff); and
- (j) the modification or revocation of these Articles.

**10.** The Board of Governors may not delegate –

(1) (a) the consideration of the case for dismissal, and

(b) the power to determine an appeal in connection with the dismissal

of the Vice-Chancellor, the Clerk or the holder of a senior post, other than to a committee of members of the Board of Governors.

(2) The Board of Governors shall make rules specifying the way in which a committee having functions under paragraph (1) shall be established and conducted.

**11.** The Vice-Chancellor may delegate functions to the holder of any other senior post or any other senior manager other than any functions that have been delegated to the Vice-Chancellor by the Board of Governors.

## **12. Appointment and promotion of staff**

(1) Where there is a vacancy or expected vacancy in a senior post, the Board of Governors shall—

(a) unless it resolves otherwise advertise the vacancy nationally; and

(b) appoint a selection panel consisting of—

(i) at least five members of the Board of Governors including the Chair or the Vice-Chair or both, where the vacancy is for the post of Vice-Chancellor; or

(ii) the Vice-Chancellor and at least two other members of the Board of Governors, where the vacancy is for any other senior post.

(2) The members of the selection panel shall—

(a) decide on the arrangements for selecting the applicants for interview;

(b) interview the applicants; and

(c) where they consider it appropriate to do so, recommend to the Board of Governors for appointment one of the applicants they have interviewed.

(3) If the Board of Governors approves the recommendation of the selection panel, that person shall be appointed.

(4) If the members of the selection panel are unable to agree on a person to recommend to the Board of Governors, or if the Board of Governors does not approve their recommendation, the Board of Governors may make an appointment itself of a person from amongst those interviewed, or it may require the panel to repeat the steps specified in paragraph (2), with or without first re-advertising the vacancy.

(5) Where there is a vacancy in a senior post or where the holder of a senior post is temporarily absent, until that post is filled or the absent post holder returns, a member of staff—

(a) may be required to act as Vice-Chancellor or in the place of any other senior post holder; and

(b) if so required, shall have all the duties and responsibilities of the Vice-Chancellor or such other senior post holder during the period of the vacancy or temporary absence.

**13.** The Vice-Chancellor shall have responsibility for selecting for appointment all members of staff other than –

- (a) senior post holders; and
- (b) where the Clerk is also to be appointed as a member of staff, the Clerk in the role of a member of staff.

**14. Rules relating to the conduct of staff**

After consultation with the staff, the Board of Governors shall make rules relating to their conduct.

**15. Academic freedom**

In making rules under article 14, the Board of Governors shall have regard to the need to ensure that academic staff at the institution have freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without putting themselves at risk of losing their jobs or any privileges which they may enjoy at the institution.

**16. Grievance, suspension and disciplinary procedures**

(1) After consultation with staff, the Board of Governors shall make rules setting out

- (a) grievance procedures for all staff;
- (b) procedures for the suspension of all staff; and
- (c) disciplinary and dismissal procedures for
  - (i) senior post-holders, and
  - (ii) staff other than senior post-holders

and such procedures shall be subject to the provisions of Articles 3(1)(e), 3(2)(e), 9(d), 9(e), 10(1) and 17.

(2) Any rules made under paragraph (1)(b) shall include provision that where a person has been suspended without pay, any appeal against such suspension shall be heard and action taken in a timely manner.

(3) Any rules made under paragraph (1)(c)(i) shall include provision that where the Board of Governors considers that it may be appropriate to dismiss a person, a preliminary investigation shall be conducted to examine and determine the case for dismissal.

**17. Suspension and dismissal of the Clerk**

(1) Where the Clerk is also a member of staff at the institution, the Clerk is to be treated as a senior post holder for the purposes of article 16(c).

(2) Where the Clerk is suspended or dismissed under article 16, that suspension or dismissal shall not affect the position of the Clerk in the separate role of Clerk to the Board of Governors.

**18. Students**

(1) Any students' union shall conduct and manage its own affairs and funds in accordance with a constitution approved by the Board of Governors and no amendment to, or rescission of, that constitution, in part or in whole, shall be valid unless approved by the Board of Governors.

(2) The students' union shall present audited accounts annually to the Board of Governors.

(3) After consultation with representatives of the students, the Board of Governors shall make rules concerning the conduct of students, including procedures for their

suspension and expulsion (including expulsion for an unsatisfactory standard of work or other academic reason).

### **19. Financial matters**

The Board of Governors shall set the policy by which the tuition and other fees payable to it are determined, subject to any terms and conditions attached to grants, loans or other payments paid or made by the Office of Students.

### **20. Co-operation with OfS**

The Board of Governors shall co-operate with any person who has been authorised by the Office of Students to audit any returns of numbers of students or claims for financial assistance and shall give any such person access to any documents or records held by the Board of Governors, including computer records.

### **21. Internal audit**

(1) The Board of Governors shall, at such times as it considers appropriate, examine and evaluate its systems of internal financial and other control to ensure that they contribute to the proper, economic, efficient and effective use of the Board of Governor's resources.

(2) The Board of Governors may arrange for the examination and evaluation mentioned in paragraph (1) to be carried out on its behalf by internal auditors.

(3) The Board of Governors shall not appoint persons as internal auditors to carry out the activities referred to in paragraph (1) if those persons are already appointed as external auditors under article 22.

### **22. Accounts and audit of accounts**

(1) The Board of Governors shall

- (a) keep proper accounts and proper records in relation to the accounts; and
- (b) prepare a statement of accounts for each financial year of the institution.

(2) The statement shall—

- (a) give a true and fair account of the state of the institution's affairs at the end of the financial year and of its income and expenditure in the financial year; and
- (b) comply with any directions given by the Office of Students as to the information to be contained in it, the manner in which the information is to be presented, the methods and principles according to which it is to be prepared and the time and manner of publication.

(3) The accounts and the statement of accounts shall be audited by external auditors appointed by the Board of Governors in respect of each financial year.

(4) The Board of Governors shall not appoint persons as external auditors in respect of any financial year if those persons are already appointed as internal auditors under article 21.

(5) Auditors shall be appointed and audit work conducted in accordance with any requirements of OfS.

(6) The "financial year" means the first financial year and, except as provided for in paragraph (8), each successive period of twelve months.

(7) The "first financial year" means the period from the date the Corporation was established up to the second 31st July following that date, or up to some other date which has been chosen by the Board of Governors with OfS approval.

(8) If the institution is dissolved—

- (a) the last financial year shall end on the date of dissolution; and

- (b) the Board of Governors may decide, with OfS approval, that what would otherwise be the last two financial years, shall be a single financial year for the purpose of this article.

### **23. Rules and bye-laws**

The Board of Governors shall have the power to make rules and bye-laws relating to the government and conduct of the institution and these rules and bye-laws shall be subject to the provisions of the Instrument of Government and these Articles.

### **24. Copies of Articles of Government and rules and bye-laws**

A copy of these Articles, and of any rules and bye-laws, shall be given free of charge to every member of the Board of Governors and shall be available for inspection at the institution upon the institution's website.

### **25. Modification or replacement of the Instrument and Articles of Government**

(1) subject to paragraph (2), and the prior approval of the Privy Council in accordance with the Act, the Board of Governors may by resolution of the members modify or replace its instrument and articles of government, after consultation with any other persons who, in the Board of Governors view, are likely to be affected by the proposed changes.

(2) The Board of Governors shall not make changes to the instrument and articles of government that would result in the body ceasing to be a charity.

### **26. Dissolution of the Corporation**

(1) The Board of Governors may by resolution dissolve the Corporation and provide for the transfer of its property, rights and liabilities.

(2) The Board of Governors shall ensure that a copy of the draft resolution to dissolve the Corporation on a specified date shall be published at least one month before the proposed date of such resolution.

### **27. Administrative Arrangements**

#### **27(1) Means of communication to be used**

(a) Subject to the Articles, anything sent or supplied by or to the Corporation under the Articles may be sent or supplied in any way in which the Companies Act 2006 provides for documents or information which are authorised or required by any provision of that Companies Act to be sent or supplied by or to the Corporation.

(b) Subject to the Articles, any notice or document to be sent or supplied to a member of the Board of Governors in connection with the taking of decisions by Board of Governors may also be sent or supplied by the means by which that person has asked to be sent or supplied with such notices or documents for the time being.

(c) A member of the Board of Governors may agree with the Corporation that notices or documents sent to that person in a particular way are to be deemed to

have been received within a specified time of their being sent, and for the specified time to be less than 48 hours.

### **27(2) When a communication from the Corporation is deemed received**

(a) Any document or information, if sent by first class post, shall be deemed to have been received on the day following that on which the envelope containing it is put into the post, or, if sent by second class post, shall be deemed to have been received on the second day following that on which the envelope containing it is put into the post and in proving that a document or information has been received it shall be sufficient to prove that the letter, envelope or wrapper containing the document or information was properly addressed, prepaid and put into the post.

(b) Any document or information not sent by post but left at a registered address or address at which a document or information may be received shall be deemed to have been received on the day it was so left.

(c) Any document or information, if sent or supplied by electronic means, shall be deemed to have been received on the day on which the document or information was sent or supplied by or on behalf of the Corporation.

(d) If the Corporation receives a delivery failure notification following a communication by electronic means in accordance with Article 27(2)(c), the Corporation shall send or supply the document or information in hard copy or electronic form (but not by electronic means) to the governor either personally or by post addressed to the person at his or her registered address or by leaving it at that address. This shall not affect when the document or information was deemed to be received in accordance with Article 27 (2)(c).

### **27(3) Provision for employees on cessation of operations**

The Board of Governors may decide to make provision for the benefit of persons employed or formerly employed by the Corporation or any of its subsidiaries (other than as a member of the Board of Governors or former member thereof) in connection with the cessation or transfer to any person of the whole or part of the undertaking of the Corporation or that subsidiary.

## **28. GOVERNORS' INDEMNITY AND INSURANCE**

### **Indemnity**

(1) Subject to Article 28 (5), a relevant member of the Board of Governors may be indemnified out of the Corporation's assets against:

(a) any liability incurred by that person in connection with acting as a member of the Board of Governors otherwise than in respect of any negligence, default, breach of duty or breach of trust by that person in relation to the Corporation;

(b) any liability incurred by that person in connection with the activities of the Corporation in its capacity as a trustee of an occupational pension scheme (as defined in section 235(6) of the Companies Act);

(c) any other liability incurred by that person as an officer of the Corporation.

(2) The Corporation may fund the expenditure of a relevant member of the Board of Governors for any purpose permitted under the Companies Act and may do anything to enable such relevant person to avoid incurring such expenditure as provided in the Companies Act.

(3) No relevant member of the Board of Governors shall be accountable to the Corporation for any benefit provided pursuant to this article and the receipt of any such benefit shall not disqualify any person from being or becoming a member of the Board of Governors.

(4) The powers given by this article shall not limit any general powers of the Corporation to grant indemnities, purchase and maintain insurance or provide funds (whether by way of loan or otherwise) to any person in connection with any legal or regulatory proceedings or applications for relief.

(5) This article does not authorise any indemnity which would be prohibited or rendered void by any provision of the Companies Act or by any other provision of law or any provision of charity law for so long as the Corporation is a charity.

(6) In this article and in **Article 28(7)** a relevant member of the Board of Governors means any current or former member thereof.

### **Insurance**

(7) The Board of Governors may decide to purchase and maintain insurance, at the expense of the Corporation, for the benefit of any relevant member of the Board of Governors in respect of any relevant loss which insurance shall whilst the Corporation be a charity comply with all applicable charities law.

(8) In Article 28(7) a **relevant loss** means any loss or liability which has been or may be incurred by a relevant governor in connection with that member of the Board of Governor's duties or powers in relation to the Corporation, any associated company or any pension fund or employees' share scheme of any associated company.



**HARTPURY**  
UNIVERSITY

**QUALITY, ENHANCEMENT and STANDARDS  
COMMITTEE (QuEST)  
Terms of Reference**

**Governor Members**

Three independent governor members  
Staff Governor  
Student Governor  
Vice-Chancellor

**Co-opted Member**

One co-opted member

**In Attendance**

Vice-Principal (FE)  
Pro-Vice-Chancellor (HE)

Representatives from other areas of the University and College to be invited to attend for consultation as the agenda dictates.

**Quorum**

Four members (including a minimum of two independent governors).  
The Vice-Chancellor or nominated representative.

**Purpose**

To be responsible to the Corporation for the oversight of the enhancement of the University's approach to learning, teaching and assessment, the student experience and the maintenance of the University's academic standards. Academic Board will report to this committee in line with the delegated responsibility discharged by Corporation.

**Terms of Reference**

**1. Objectives**

- 1.1. To advise the Corporation on the educational character of the University and, in particular, major curriculum changes and enhancements that affect the educational character of the University.

- 1.2. Challenge and hold the Vice-Chancellor and senior staff to account for the enhancement of the quality of learning, the effectiveness of performance management systems and maintaining high standards.
- 1.3. To ensure that there are in place procedures: -
  - For the continuous review of the curriculum offered by the University.
  - For the analysis of market needs
  - For the analysis and follow-up of any scrutiny of academic standards and quality by external agencies
  - The adjustment of the curriculum and its delivery to match and anticipate the needs of students, local employers and statutory regulations.
- 1.4. To enhance standards by setting targets and agreeing key performance indicators and by other measures which the Committee determines, such as benchmarks, each year for:
  - Student outcomes and performance
  - Student progression
  - Teaching and learning
  - Graduate employment and progression to further study
- 1.5. To scrutinize the performance of different groups of learners and to ensure that action is taken to address any differences in outcomes among them.
- 1.6. To ensure that there is sufficiency of information about teaching, learning and assessment including lesson observation. To agree strategies and targets to enhance teaching, learning and assessment and the whole learner experience by sharing good practice.
- 1.7. To undertake critical engagement through monitoring the performance of the University as shown in the annual HE Quality Report, and the action taken in response to the resultant action plans therein, and to recommend for approval by the Corporation.
- 1.8. To consider summary reports from teaching and learning observations, external examiners and verifiers, external agencies scrutinising academic quality and standards, and professional statutory regulatory bodies.
- 1.9. To consider reports on the effectiveness of staff appraisal and professional development and to recommend for approval by the Corporation an Annual Staff Development Report (including a summary of training and development undertaken and its impact)
- 1.10. To monitor the views of students about teaching, learning and assessment and University life from student surveys, student associations and meetings with students and to monitor the



performance of actions taken to remedy identified weaknesses.

- 1.11. To recommend for approval by the Corporation the relevant reports and statements to meet with statutory requirements.
- 1.12. To ensure that there are procedures for students and others to record complaints and opinions about any aspect of the University's services, and effective processes within the University for examining any such complaints
- 1.13. To review brief details of such complaints and their resolution.
- 1.14. To review and advise the Corporation on the range and effectiveness of cross-institutional activities and support functions.
- 1.15. To advise on other matters as requested by the Corporation e.g. opportunity for enhancement, areas of outstanding or weak performance.

## **2. Attendance at Meetings**

- 2.1. All Corporation members shall have the right of attendance.

## **3. Frequency of Meetings**

- 3.1. Meetings shall be held at least three times per academic year, normally once per term prior to Corporation Meetings.
- 3.2. Should it be considered necessary, the Chairman may ask the Clerk to the Corporation to convene a Committee Meeting at short notice.

## **4. Reporting Procedures**

- 4.1. The Clerk to the Corporation will circulate action points from the meeting to members of the Committee.
- 4.2. A summary report will be presented to each meeting of the Corporation highlighting the key aspects of the preceding Quality Enhancement and Standards Committee Meeting.

**Terms of Reference Approved by the Corporation 18<sup>th</sup> October 2000**

**Terms of Reference Approved by the Quality and Standards Committee 13<sup>th</sup> May 2002**

**Terms of Reference Approved by the Corporation 6<sup>th</sup> June 2002**

**Terms of Reference Approved by the Quality and Standards Committee 17<sup>th</sup> February 2003**

**Terms of Reference Approved by the Corporation 26<sup>th</sup> June 2003**

**Terms of Reference Approved by the Quality and Standards Committee 18<sup>th</sup> November 2004**

**Terms of Reference Approved by the Corporation 9<sup>th</sup> December 2004**

**Terms of Reference Approved by the Quality and Standards Committee 13<sup>th</sup> December 2007**

**Terms of Reference Approved by the Corporation 6<sup>th</sup> March 2008**  
**Terms of Reference Approved by the Quality and Standards Committee 2<sup>nd</sup> July 2009**  
**Terms of Reference Approved by the Corporation 14<sup>th</sup> July 2009 Membership**  
**Approved by Corporation 14<sup>th</sup> October 2010**  
**Terms of Reference Approved by the Quality and Standards Committee 23<sup>rd</sup> November 2010**  
**Terms of Reference Approved by the Corporation 3<sup>rd</sup> March 2011 Co-opted Member**  
**approved by Corporation 8<sup>th</sup> March 2012**  
**Terms of Reference Approved by the Quality and Standards Committee 6<sup>th</sup> February 2013**  
**Terms of Reference Approved by the Corporation 7<sup>th</sup> March 2013**  
**Terms of Reference Approved by Quality and Standards Committee 17<sup>th</sup> September 2014**  
**Terms of Reference Approved by Corporation 9<sup>th</sup> October 2014**  
**Membership Approved by Search and Governance Committee 5<sup>th</sup> March 2015**  
**Membership Approved by Corporation 25<sup>th</sup> March 2015**  
**Membership Approved by Corporation 9<sup>th</sup> July 2015**  
**Amendments recommended by Search and Governance Committee 3<sup>rd</sup> March 2016**  
**Terms of Reference Approved by Corporation 30<sup>th</sup> March 2016.**  
**Membership Approved by Corporation 13<sup>th</sup> October 2016**  
**Terms of Reference Approved by Quality, Enhancement and Standards Committee on 15<sup>th</sup>**  
**November 2018**  
**Membership approved at Search and Governance Committee on 16<sup>th</sup> January 2019**  
**Terms of Reference Approved by Corporation 31 January 2019**

## **Declaration of Individual Staff Circumstances**

This document is being sent to all Category A staff whose outputs are eligible for submission to REF2021 (see ['Guidance on submissions'](#), paragraphs 117-122). As part of the University's commitment to supporting equality and diversity in REF, we have put in place safe and supportive structures for staff to declare information about any equality-related circumstances that may have affected their ability to research productively during the assessment period (1 January 2014 – 31 July 2020), and particularly their ability to produce research outputs at the same rate as staff not affected by circumstances. The purpose of collecting this information is threefold:

- To enable staff who have not been able to produce a REF-eligible output during the assessment period to be submitted to REF without the minimum requirement of one output where they have;
  - circumstances that have resulted in an overall period of 46 months or more absence from research during the assessment period, due to equality-related circumstances (see below)
  - circumstances *equivalent* to 46 months or more absence from research due to equality-related circumstances
  - two or more qualifying periods of family-related leave.
- To recognise the effect that equality-related circumstances can have on an individual's ability to research productively, and to adjust expectations in terms of expected workload / production of research outputs.
- To establish whether the proportion of declared circumstances is sufficiently high to warrant a request to the higher education funding bodies for a reduced required number of outputs to be submitted.

### **Applicable circumstances**

- Qualifying as an ECR (started career as an independent researcher on or after 1 August 2016)
- Absence from work due to secondments or career breaks outside the HE sector
- Qualifying periods of family-related leave
- Disability (including chronic conditions)
- Ill health, injury or mental health conditions
- Constraints relating to family leave that fall outside of the standard allowances
- Caring responsibilities
- Gender reassignment

If your ability to research productively during the assessment period has been constrained due to one or more of these circumstances, you are requested to complete the attached form. Further information can be found paragraph 160 of the Guidance on Submissions (REF 2019/01). Completion and return of the form is voluntary, and individuals who do not choose to return it will not be put under any pressure to declare information if they do not wish to do so. This form is the only means by which the University will be gathering this information; we will not be consulting HR records, contract start dates, etc. You should therefore complete and return the form if any of the above circumstances apply and you are willing to provide the associated information.

## **Ensuring Confidentiality**

Returned forms will be sent to Human Resources. The information provided will be shared only with the Vice Principal Resources and the Dean of Research and Knowledge Exchange (Prof Steve Draper). Prof Draper chairs the REF Steering Group and will provide that Group only with details that relate to the output requirements. No names or personal details will be shared with the Group. If you have given your permission to do so (see permissions at the end of the attached form) the information will be shared with your Head of Department. This will only be used to assist in making reasonable adjustments to expectations. Feedback on this process will be provided to you by the Dean of Research and Knowledge Exchange, and where appropriate (and only if you have given your permissions to share the information) the Head of Department.

In the event that Hartpury decides to apply to the funding bodies for either form of reduction of outputs (removal of 'minimum of one' requirement or unit circumstances), we will need to provide UKRI with data that you have disclosed about your individual circumstances, to show that the criteria have been met for reducing the number of outputs. Please see the ['Guidance on submissions'](#) document (paragraphs 151-201) for more detail about reductions in outputs and what information needs to be submitted.

Submitted data will be kept confidential to the REF team, the REF Equality and Diversity Advisory Panel, and main panel chairs. All these bodies are subject to confidentiality arrangements. The REF team will destroy the submitted data about individuals' circumstances on completion of the assessment phase.

## **Changes in circumstances**

The University recognises that staff circumstances may change between completion of the declaration form and the census date (31 July 2020). If this is the case, then staff should contact their HR partner to provide the updated information.

To submit this form you should send directly to Human Resources [hr@hartpury.ac.uk](mailto:hr@hartpury.ac.uk)

**Name:** Click here to insert text.

**Department:** Click here to insert text.

Do you have a REF-eligible output published between 1 January 2014 and 31 July 2020?

Yes

No

Please complete this form if you have one or more applicable equality-related circumstance (see above) which you are willing to declare. Please provide requested information in relevant box(es).

Circumstance	Time period affected
<p><b>Early Career Researcher (started career as an independent researcher on or after 1 August 2016).</b></p> <p><i>Date you became an early career researcher.</i></p>	Click here to enter a date.
<p><b>Career break or secondment outside of the HE sector.</b></p> <p><i>Dates and durations in months.</i></p>	Click here to enter dates and durations.
<p><b>Family-related leave;</b></p> <ul style="list-style-type: none"> <li>• statutory maternity leave</li> <li>• statutory adoption leave</li> <li>• Additional paternity or adoption leave or shared parental leave lasting for four months or more.</li> </ul> <p><i>For each period of leave, state the nature of the leave taken and the dates and durations in months.</i></p>	Click here to enter dates and durations.
<p><b>Disability (including chronic conditions)</b></p> <p><i>To include: Nature / name of condition, periods of absence from work, and periods at work when unable to research productively. Total duration in months.</i></p>	Click here to enter text.
<p><b>Mental health condition</b></p> <p><i>To include: Nature / name of condition, periods of absence from work, and periods at work when</i></p>	Click here to enter text.

<p><i>unable to research productively. Total duration in months.</i></p>	
<p><b>Ill health or injury</b></p> <p><i>To include: Nature / name of condition, periods of absence from work, and periods at work when unable to research productively. Total duration in months.</i></p>	<p>Click here to enter text.</p>
<p><b>Constraints relating to family leave that fall outside of standard allowance</b></p> <p><i>To include: Type of leave taken and brief description of additional constraints, periods of absence from work, and periods at work when unable to research productively. Total duration in months.</i></p>	<p>Click here to enter text.</p>
<p><b>Caring responsibilities</b></p> <p><i>To include: Nature of responsibility, periods of absence from work, and periods at work when unable to research productively. Total duration in months.</i></p>	<p>Click here to enter text.</p>
<p><b>Gender reassignment</b></p> <p><i>To include: periods of absence from work, and periods at work when unable to research productively. Total duration in months.</i></p>	<p>Click here to enter text.</p>
<p><b>Any other exceptional reasons e.g. bereavement.</b></p> <p><i>To include: brief explanation of reason, periods of absence from work, and periods at work when unable to research productively. Total duration in months.</i></p>	<p>Click here to enter text.</p>

Please confirm, by ticking the box provided, that:

- The above information provided is a true and accurate description of my circumstances as of the date below
- I realise that the above information will be used for REF purposes only and will be seen by Human Resources and the Dean of Research and Knowledge Exchange
- I realise it may be necessary to share the information with the REF team, the REF Equality and Diversity Advisory Panel, and main panel chairs.

I agree

**Name:** Print name here

**Signed:** Sign or initial here

**Date:** Insert date here

I give my permission for an HR partner to contact me to discuss my circumstances, and my requirements in relation this these.

I give my permission for the details of this form to be passed on to the relevant contact within my department. (Please note, if you do not give permission your department may be unable to adjust expectations and put in place appropriate support for you).

I would like to be contacted by:

Email  Insert email address

Phone  Insert contact telephone number



### **HARTPURY UNIVERSITY REF 2021 – EQUALITY IMPACT ASSESSMENT**

Under the University's Code of Practice for the REF 2021, the University is committed to producing an equality profile in relation to ethnicity, disability, gender, age and employment status, for all academic staff who were eligible for inclusion in the REF on the census date together with the same analysis for those not eligible. The equality profile will be considered by the REF Steering Group, and thereafter by the Senior Management Team (SMT) together with any recommendations arising from the REF Steering Group's review of information. This paper sets out a summary of the relevant information that will be considered in relation to the University's decision-making on its REF 2021 submission.

As a starting point, the University conducted an Equality Impact Assessment (EIA) which will be subject to continual review by the REF Steering Group. The EIA includes an Action Plan with specific tasks to be undertaken in order to ensure the promotion of equality, fostering good relations and the elimination of possible discrimination in relation to decision-making on the University's REF 2021 submission.

As an early action arising from the EIA, and in order to assess whether any noticeable imbalances or anomalies were present in terms of proportions of staff in the above equality categories who would or would not be included in the REF submission, an initial working profile of eligible staff was produced in May 2019 to act as a reference point. This will be updated in July 2019, and finalised in July 2020. The REF Steering Group will consider this equality information at each of these three stages.

The finding of the initial assessment of equalities data was that the REF Code did not introduce unequal opportunities across the equality characteristics of staff. In particular, the University's design and operation of a confidential mechanism for disclosure of individual circumstances and the provision of equality training for those involved in decision-making will enable equality of treatment.

A summary of the initial equality profile of staff eligible to REF 2021 is set out below:

- The pool of staff that will be eligible for REF is small (n=7) therefore the statistical comparisons are limited
- The proportion of male staff eligible was slightly higher (43%, n=4) than that for all academic staff (30%, n=25).
- There are currently no academic staff with a declared disability that is either eligible or ineligible for REF. However, the number of academic staff is small (n=82).
- The proportion of part-time staff eligible is small (14%, n=1) in comparison to 26% for all University academic staff.
- Of the small pool of eligible staff five are over 45 and two are under 45.
- Hartpury University has a low proportion of BME academic staff, however a relatively high proportion within the eligible staff pool. The proportion of BME staff eligible is 14% (n=1) in comparison to 1% (n=1) for all University academic staff.
- Hartpury University employs very few academic staff on fixed term contracts; none of the Category A staff eligible for REF are on fixed term contracts.

Linda Greening Head  
of Inclusivity

Prof Steve Draper  
Dean of Research and Knowledge Exchange

03/05/2019



## New policies / proposals

### Equality analysis - staff

1. Give the name of the policy/proposals being analysed and a brief description of its/their aim or purpose.

Submission to Research Excellence Framework (REF).

2. Give the person or group with authority to make changes to the policy/proposals

Senior Management Team (SMT).

3. Who is affected by or associated with the policy/proposals, and in what ways?

Academic staff who are eligible for submission to the REF.

4. What are the equality **risks** (possible negative impacts) and **opportunities** (to promote equality/foster good relations) associated with this policy/proposals?

	<b>Risks</b>	<b>Opportunities</b>
Age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation.	Staff may be excluded from the REF due to circumstances related to a protected characteristic that has affected their research productivity.	Opportunity to raise awareness of and promote equality issues during the REF process, through training.

5. How will the risks and opportunities that have been identified impact on the **development/implementation** of this policy/ proposals?

1. REF Code of Practice to be drawn up and implemented.
2. Fair, transparent and consistent selection for the REF to be applied, in accord with the Code of Practice and University Equality, Diversity and Inclusivity Policy.
3. Staff involved in making recommendations and/or decisions for the REF need to be equality aware.
4. All staff eligible for inclusion in the REF will need to understand that personal and special circumstances may be disclosed for consideration relative to their research productivity.

6. What **evidence** will be required to establish the **actual impact** of this policy / proposals?

1. Statistics of all staff eligible for submission to the REF will be monitored by gender, disability, ethnicity, age and contract status.
2. Statistics of the staff ineligible for submission to REF will be monitored by gender, disability, ethnicity, age and contract status for comparison purposes.
3. Statistics of the staff proposed for exclusion will be monitored by gender, disability, ethnicity, age and contract status.
4. Statistics of staff from the appeals process (applications and outcomes) will be monitored by gender, disability, ethnicity, age and contract status.
5. Statistics of staff submitted to the REF will be monitored by gender, disability, ethnicity, age and contract status.

7. How will members of equality target groups be able to be involved in this equality analysis?

Through the confidential disclosure process for disclosing individual or special circumstances.

8. This equality analysis was carried out by:

Linda Greening, Head of Inclusivity

9. This equality analysis was approved by:

Steve Draper, Dean of Research and Knowledge Exchange

Date: 03/05/2019

**Also see Action Plan attached.**

<b>Action Plan developed from the EIA</b>	<b>Responsibility</b>	<b>Status</b>
1. Draw up REF Code of Practice for approval by Research England, to include a confidential disclosure procedure for individual or special circumstances.	Dean RKE	Approved by RKEC, AB and Corporation. Submitted to Research England.
2. Draw up relevant documents and timetable for implementing the confidential disclosure process.	Head of Inclusivity, Dean RKE	Documents completed and timetable to be completed.
3. Provide equality training to SMT, Human Resources and the REF Steering Group	Head of Inclusivity	Head of Inclusivity, Dean of RKE and Head of Research have completed Advance HE training and will provide training to these groups.
4. Carry out internal equality training session for all eligible staff.	Head of Inclusivity	Head of Inclusivity, Dean of RKE and Head of Research have completed Advance HE training and will provide training to all eligible staff.
5. Establish list of eligible staff denoting contract status and early career status.	RKE Administrator	Initial list completed and will be reviewed at regular intervals.
6. Establish list of staff on sick leave, maternity leave etc. for communication purposes.	RKE Administrator	Initial list completed (currently no staff) Will be reviewed at regular intervals.
7. Invite all eligible staff to make a confidential disclosure for consideration by the Dean RKE and VP Resources, with support from HR, in relation to individual or special circumstances.	Dean RKE	Ongoing.

<p>8. Prepare and review equality profile of all eligible staff by proposed and actual inclusion/exclusion in comparison to all HE academic staff:</p> <ul style="list-style-type: none"> <li>• May 2019 (initial working profile);</li> <li>• July 2019 (HESA return);</li> <li>• July 2020 (census date).</li> </ul>	<p>Head of Inclusivity</p>	<p>Initial profile done.</p>
<p>9. Revise action plan throughout process.</p>	<p>Dean RKE, Head of Inclusivity</p>	<p>Ongoing.</p>

Last revised 03/05/2019