



Governance Committee Report

Outcome requested:	Council is asked: [a] to note the executive summary of the meeting of Governance Committee held on 15 June 2017; [b] to approve amendments to Ordinance A12 and Ordinance B.
Executive Summary:	[a] Council and Committee Membership Two vacancies for external members of Council will arise when Simon Linnett and John Yard complete their second terms of office on 28 October 2017 and 31 August 2018 respectively. Advertisements will be placed during Summer 2017 to invite candidates with experience in the following areas: <ul style="list-style-type: none">• the financial sector;• the engineering, science or technology sectors;• marketing, communications or brand development;• delivering major strategic projects. The following external members have agreed for their terms of office to be extended for a further four years: <ul style="list-style-type: none">• Bushra Nasir (31 August 2017);• Luke Savage (31 January 2018);• David Willis (31 December 2017). Elections will be held during Summer 2017 for academic staff member vacancies arising at the end of this academic year. Professor Paul Anderson (School of Medicine and Dentistry) is eligible for a further term of office and Professor Geraint Wiggins (Faculty of Science and Engineering) will step down in order to take sabbatical leave during 2017–18. The Council membership for 2017–18 is provided in appendix 1. [b] Amendments to Ordinance A12 and Ordinance B Governance Committee recommends approval of changes to Ordinance A12 and Ordinance B. An explanation of the changes requested is provided in appendix 2.

	<p>[c] Update on QMUL's application for university title</p> <p>Governance Committee received an update on the process and timescale for QMUL's application for university title. There was a discussion on whether any provisions of the Charter might usefully be changed as part of the process. One such example relates to the issue of quorum at Council meetings where there is not a majority of external members present. The Committee agreed to retain the existing quorum and to make greater use instead of the practice of confirming decisions via email circulation after the meeting.</p> <p>[d] Annual Council effectiveness survey</p> <p>Governance Committee noted that that the annual survey on the effectiveness of Council and its committees would be conducted during the Summer and the results considered by Governance Committee at its meeting in Autumn 2017.</p>
QMUL Strategy:	Effective governance supports the achievement of all strategic aims.
Internal/External regulatory/statutory reference points:	QMUL Charter QMUL Ordinances
Strategic Risks:	13. Maintain effective and constructive governance.
Equality Impact Assessment:	<p>The recruitment process for new Council members will seek to encourage applications from women, disabled people and those from ethnic minority backgrounds.</p> <p>All employment policies have an individual assessment to identify, address and mitigate equality issues.</p>
Subject to prior and onward consideration by:	Governance Committee on 15 June 2017
Confidential paper under FOIA/DPA:	No.
Timing:	The amendments to Ordinances A12 and B will take effect from the date of Council approval unless otherwise specified.
Author:	Sian Marshall, Assistant Registrar (Council and Governance)
Date:	27 June 2017
External Sponsor:	Sir Nicholas Montagu, Chairman of Council

Council Membership 2017–18

EX OFFICIO MEMBERS

The President and Principal:	Professor Colin Bailey
The President of the Students' Union 2017–18:	Yasir Yeahia

NOMINEES OF THE PRESIDENT AND PRINCIPAL

	<i>Tenure ends</i>
Professor Bill Spence, Vice-Principal (Research)	26 October 2020†
Professor Steve Thornton, Vice-Principal (Health)	16 February 2020†

ELECTED MEMBERS [STAFF]

4 persons elected by the academic staff of the College, one from each Faculty and one from all academic staff:

	<i>Tenure ends</i>
Professor Richard Ashcroft – Cross faculty	30 September 2018†
Professor Jane Wills – Humanities and Social Sciences	26 September 2020†
Vacancy – Science and Engineering	30 September 2021†
Vacancy – School of Medicine and Dentistry	30 September 2021†

One person elected by staff other than academic staff from amongst their number:

	<i>Tenure ends</i>
Sarah Cows	01 September 2020†

EXTERNAL MEMBERS

Period of tenure: 4 years

12 persons, comprising a majority of the Council membership, who are neither staff nor students of QMUL, co-opted by the Council:

	<i>Tenure ends</i>
Kath Barrow	31 December 2020
Dr Veronique Bouchet	31 December 2019
Monica Chadha	04 February 2020†
Lord Clement-Jones CBE (Chair)	30 April 2021†
Dr Annette Doherty	01 October 2019†
Celia Gough (Drapers' nominee)	01 September 2020†
Stella Hall	06 July 2019†
Simon Linnett (Treasurer until October 2017)	28 October 2017
Bushra Nasir	31 August 2021
Luke Savage (Treasurer from October 2017)	31 January 2022
David Willis	31 December 2021
John Yard (Vice-Chair)	31 August 2018

† indicates provision for renewal of term of office for one further period of four years following the end of the current tenure.

Appendix 2 – Updates to Ordinances A12 and B

Ordinance A12

1. The School of Business and Management is currently seeking accreditation in order to strengthen its international reputation and the recognition of its graduates overseas. It is a common expectation internationally and a requirement of accreditation that a business school is led by an academic dean. It is therefore proposed that the Head of the School of Business and Management should be known as the 'Dean of Business and Management'. Senate has given its assent to this proposal on the basis that this change in nomenclature implies no actual change to the role, or to the academic organisation of QMUL.
2. Council is therefore asked to **approve** the following change to paragraph 3 of Ordinance A12:

Each School shall be headed by a Head of School. Each Institute shall be headed by a Head of Institute (the major capital schools of Medicine and Dentistry) or Institute Director. The Director of the Institute of Dentistry shall be known as the 'Dean of Dentistry' and the Head of the School of Business and Management shall be known as the 'Dean of Business and Management'. Each school or institute shall have a Director for Taught Programmes and a Director for Research.

Ordinance B

3. At its meeting in July 2014, Council approved principles to be taken forward in formal negotiations with the trade unions on the core staff employment procedures (Discipline, Grievance, Capability and Attendance). This included proposals to limit Council involvement in appeal hearings and to delegate the authority to approve employment procedures in future to the President and Principal. The negotiations commenced in December 2014 and were concluded by QMSE on 23 May 2017.
4. The negotiations concluded with an endorsement from the trade unions to implement the Capability, Grievance and Discipline Policies and Procedures. However, the trade unions have raised equalities issues with regards to an aspect of the Attendance Policy and Procedure, and in particular how it may be implemented in one department. QMSE are aware of this and have agreed to progress with implementation while the Human Resources Directorate works to put effective safeguards in place. After discussion, Governance Committee concluded that it was satisfied with the approach being taken.
5. The revised procedures limit Council members' direct involvement in staff procedures to participating in panels to hear dismissal appeals of academic staff or Grade 8 professional staff. All other decisions will be taken by managers.
6. Part B of the Ordinances has been revised to reflect the delegation of responsibility for approving employment procedures to the President and Principal. Procedural aspects in relation to the formation of dismissal appeal panels which were contained in the current Ordinance have been removed and inserted into the relevant employment policies:
 - Discipline
 - Grievance
 - Capability
 - Attendance (in relation to sickness absence management)
 - Fixed term contracts
 - Dismissal for 'some other substantial reason'
 - Probation
 - Non-substantive post renewal.

7. Legal advice and drafting support has been provided by Chris Mordue, Employment Partner, of Eversheds Sutherland LLP, who is an expert in the field having advised a range of universities on similar ordinance amendment.
8. The revised policies and procedures will be considered for approval by QMSE during Summer 2017.
9. Council is therefore asked to **approve** a revision of Part B of the Ordinances.

QUEEN MARY UNIVERSITY OF LONDON

ORDINANCES

PART B – STAFF OF QMUL

1. This Ordinance is made pursuant to Council's responsibilities and powers to set the framework for determining the conditions of service of staff under Article 8 (e) of the QMUL Charter. It applies to all staff employed by QMUL, other than the President and Principal.
2. Council has delegated to the President and Principal the authority to approve and adopt from time to time procedures for:
 - 2.1 the handling of disciplinary cases, including the dismissal of members of staff (following confirmation in post after any probationary period) by reason of misconduct and for appeals against disciplinary action;
 - 2.2 the dismissal of members of staff by reason of redundancy and appeals against such dismissals;
 - 2.3 the dismissal of members of staff (following confirmation in post after any probationary period) by reason of unsatisfactory performance and appeals against such dismissals;
 - 2.4 the review of performance and progress of members of staff during any probationary period to which their appointment or employment is subject, and for the dismissal of such staff during or at the end of the probationary period in the event of unsatisfactory progress or performance; and for appeals against such dismissals;
 - 2.5 the dismissal of members of staff on the grounds of ill health or medical incapacity and appeals against such dismissals;
 - 2.6 the dismissal of members of clinical academic staff in circumstances where their registration with the General Medical or Dental Council or similar body, or their honorary or substantive contract or status with a National Health Service Trust or similar body, is terminated, withdrawn or revoked, and for the suspension of such members of staff from employment with QMUL (without pay where registration, contract or status has been suspended as a substantive disciplinary measure) where the registration, contract or status referred to above is suspended.
 - 2.7 the dismissal of members of staff for any reason other than those specified in 2.1 to 2.6 above and appeals against those dismissals;
 - 2.8 the handling of grievances raised by members of staff;
 - 2.9 the removal of staff, for any reason, from any role that is not defined within the member of staff's substantive contract of employment.
3. This Ordinance as amended from time to time will override any provision in any contract, term or condition of employment which is inconsistent with it, whether dated before or after the commencement of this Ordinance, but:
 - 3.1 it will not affect the validity of any settlement agreement under section 203 of the Employment Rights Act 1996 or any subsequent legislation or any similar agreement permitted by law;
 - 3.2 it will not preclude any member of staff deciding or agreeing to terminate their employment with QMUL, on whatever terms have been agreed.
4. Any procedure in force from time to time pursuant to this Ordinance shall take account of, and shall be construed in every case to give effect to, the following guiding principles:

- 4.1 to ensure, in order to give effect to Article 4 of the QMUL Charter, that staff whose contract of employment with QMUL requires them to be personally responsible for the intellectual content of elements of teaching and/or research shall have freedom within the law to question and test accepted ideas, and to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their jobs or privileges. For these purposes, regard shall be had to Sections VI and VII of the Recommendation concerning the Status of Higher-Education Teaching Personnel adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organisation (UNESCO) in Paris on 11 November 1997;
- 4.2 to enable QMUL to provide education, promote learning and engage in research efficiently and economically;
- 4.3 to apply the principles of justice and fairness;
- 4.4 to apply the highest standards of academic and professional integrity, honesty and probity;
- 4.5 to allow members of staff to be accompanied by a QMUL work colleague or trade union representative at all formal stages of procedures;
- 4.6 to apply procedures so that complaints may be resolved at as early a stage as possible and within a reasonable timescale.