

# **BATH SPA UNIVERSITY : HIGHER EDUCATION CORPORATION**

## **RULES & BYELAWS**

**Made pursuant and subject to the Corporation's Articles of Government.**

### **0.0 INTRODUCTION:**

- 0.1 These Rules are approved by the Board of Governors in the spirit of wishing to offer all constituencies of the University a predictable, stable and rational environment in which to fulfil our "mission" of serving the needs of our students.
- 0.2 In establishing these Rules, the Board of Governors acknowledges its role as the employer of all the staff. The Board of Governors will strive consistently to be a fair employer and it will incorporate best possible practice into its dealings under the Articles of Government, with Corporation employees.
- 0.3 These Rules may be amended or augmented by the Board of Governors from time to time.

### **1.0 THE ACADEMIC BOARD**

- 1.1 The Academic Board is constituted and derives its authority from Articles 3.3., 3.4., and 4 of the Articles of Government.
- 1.2 Standing Orders for the Academic Board and its sub-structures are appended to these Rules at Annex A.
- 1.3 In tendering its advice on resources matters, under Article 3.3.6 of the Articles of Government, the Academic Board shall in particular:
  - 1.3.1 have regard to the available finance as well as to the Academic Board's considered academic requirements; the Academic Board may from time to time be required to accept that the Board of Governors \ Vice Chancellor may have to pare down the Board's requests;
  - 1.3.2 at all times conform to definitions, formulae and methods required by the Board of Governors \ Vice Chancellor which shall normally be those which have national currency and legitimacy. Consideration of non-standard alternatives proposed by the Academic Board shall have the prior consent of the Board of Governors \ Vice Chancellor in order that the Board of Governors \ Vice Chancellor may properly carry out the fiduciary functions vested in them by the Articles of Government;
  - 1.3.3 submit its estimated academic resource requirements in the form and to a timetable prescribed from time to time by the Board of Governors \ Vice Chancellor.
- 1.4 Pursuant to a request from the Academic Board, the Board of Governors \ Vice Chancellor may permit the Academic Board to give advice on matters outside its formal remit under the Articles of Government; alternatively, the Board of Governors \ Vice Chancellor may exercise their option to seek such advice from the Academic Board by means of a remit to it.

1.5 For the avoidance of doubt, it is hereby declared that there is no implied “contract” between any previous Board of Governors and the Academic Board with respect to assurances given to the Council for National Academic Awards (CNAAs).

1.5.1 No such contract, expressed or implied, exists.

1.5.2 Even if it did, it would be null and void insofar as it infringed any of the Articles of Government

1.5.3 Articles of Government are part of the Law of England and are applied by the Courts in the same way as Statute.

1.6 So far as is practicable, the Academic Board shall delegate its functions to Schools \ Departments in matters not affecting other Schools \ Departments or the University as a whole.

## 2. **DELEGATION OF ACADEMIC BOARD’S POWERS DURING THE VACATIONS**

To avoid delay and to expedite urgent business, all the powers of the Academic Board shall be vested in the Vice Chancellor during the academic vacations.

## 3. **COMMUNICATION WITH THE BOARD OF GOVERNORS**

### 3.1 On matters within the formal remit of Academic Board

All communication between the Academic Board and the Board of Governors on matters vested in the Academic Board by the Articles of Government shall proceed exclusively through the Clerk to the Governors (Corporation Secretary) and \ or the Chairman of the Academic Board as appropriate.

### 3.2 On matters outside the formal remit of the Academic Board

Subject to Article 3(17) of Standing Orders, which makes express provision for the Board of Governors to receive deputations, the Academic Board may, with the consent of its Chairman, communicate with the Board of Governors on a matter on which it has no formal locus; provided always that such communication shall proceed through the Vice Chancellor of the Corporation.

## 4. **LEAVE OF ABSENCE**

4.1 Subject to the Conditions of Service, no member of staff shall, save in sickness or emergency, absent him \ herself without prior approval of the person to whom he \ she reports. In all cases, such absence will be notified on Form ABS (Annex B hereto) which will serve two purposes:

4.1.1 the obtaining of prior approval to incur any expenditure connected with that absence;

4.1.2 where the absence imposes on financial obligations on the Corporation, the granting of permission for the applicant to be absent such that, e.g., any insurance over provided by the employer to the Corporation is not thereby invalidated.

4.2 For academic staff other than Heads of Schools, applications on Form ABS are to be submitted through, and authorised by, the relevant Head of School in respect of each absence to attend courses, conferences, meetings, visits, or to act as an external examiner \ assessor or for any other official business of the University (whether or not the Corporation is to be involved in the payment of expenses). In respect of support staff, the relevant authorising officer for Form ABS shall be the Corporation Secretary who may delegate this function as he deems appropriate.

- 4.3 Applications shall also be submitted as in 4.2 above but shall require the approval, additionally, of the Vice Chancellor in respect of:
- 4.3.1 all leave of absence exceeding five days;
  - 4.3.2 all leave of absence involving travel outside UK;
  - 4.3.3 any leave of absence for Heads of Schools;
  - 4.3.4 all requests for compassionate leave.
- 4.4 Normally, no arrangements shall be made to attend courses, conferences, meetings, visits or to pursue any other official business of the University until the application has been approved by the relevant University Officer.
- 4.5 Applications shall be lodged as far in advance as possible so that approval can be obtained in good time and, in any event, at least 24 hours before the event.
- 4.6 In all cases where the Corporation is involved in payment of expenses, claims for such expenses should be made as soon as possible on the official claim form in accordance with the regulations set out thereon and submitted, together with a report, to the Head of School and the Vice Chancellor.
- 4.7 Any variation on the details shown on the face of form ABS, including, e.g., subsequent cancellation, shall be notified to the Finance Officer.

Approved by the Board of Governors  
8 June 1989  
Updated 25 September 2006