

## **REGULATION III:**

### **Scheme of Council Delegation**

#### **Introduction**

The purpose of the Scheme of Delegation is to provide a summary of the powers of the University Council as set out in the Statutes and in Regulation II and then to identify in relation to those powers the responsibilities and delegated authorities for making key decisions in the name of, or on behalf of, the University. This information is contained in the table below.

The intention of the Scheme of Delegation is to provide clarity on the decision-making process and final authorities in relation to key strategic and policy matters for which the Council has the ultimate responsibility in order that the University's decision-making process is transparent and demonstrates effective accountability and good governance.

#### **How to apply the Scheme of Delegation**

The Statutes and Regulation II detail the powers of the Council that can only be exercised by the Council and cannot be delegated. These powers are set out in Section 1 of the table below.

Section 2 of the table below sets out details of the powers of Council that have been delegated and the person or committee to which the exercise of those powers has been delegated and which are therefore able to make decisions in relation to those powers on behalf of the Council. Where the Council has delegated the exercise of its powers to another person or body, the Council is still ultimately accountable for the actions taken.

The Scheme of Delegation should be used as a first point of reference for understanding where the responsibility lies for key decision-making. The Scheme of Delegation is not exhaustive as the Council is able to make decisions to delegate its powers (other than those set out at Section 1 of the table below) at any time as required in order to maintain effective governance of the University. It may also be the case that a particular project does not fall within a specified delegation in the table below; where this is the case, a common-sense approach should be taken in applying the Scheme of Delegation in order to determine the most appropriate body, committee or person to which a decision should be referred, with guidance from the University Secretary. If there is doubt as to whether there is delegated authority to make a decision, it should be assumed that no such authority is given and that the decision is reserved to Council. The University Secretary will be able to provide clarification on the application of the Scheme of Delegation.

The Scheme of Delegation is reviewed and updated on an annual basis by the Council.



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<b>SECTION 1 – POWERS OF COUNCIL THAT CANNOT BE DELEGATED</b>			
<b>ACTIVITY</b>	<b>POWER OF COUNCIL REGULATION II(4)</b>	<b>REG NO.</b>	<b>FURTHER INFORMATION AND CONTEXT</b>
Amendments to the Charter and Statutes	Subject to the approval of the Privy Council, make and amend Statutes and amend the Charter provided that the principle of every such proposal shall be communicated to the Senate in advance of the meeting of the Council at which the business is to be considered;	4.1	Subject to the approval of Privy Council
Making Regulations other than those within the control of Senate	Make Regulations governing all matters except those relating to the powers of Senate and the duties and powers of Faculties as set out in Regulation I;	4.2	Context: see Regulation I (Responsibility for Creation and Amendment of Regulations) None, other than Financial Regulations, for which authority is delegated to Council Finance Committee (see 4.10)
Appointment/removal of the Chancellor and Pro-Chancellors	Appoint and remove the Chancellor and Pro-Chancellors;	4.3	Context: see Regulation VI (The University Officers)
Appointment/ removal of the Chair of Council and the Treasurer	Appoint and remove the Chair of Council and the Treasurer;	4.4	Context: see Regulation VI (The University Officers)
Appointment/ removal of the President & Vice-Chancellor	Appoint and remove the President & Vice-Chancellor, University Secretary, Provost & Deputy Vice-Chancellor, Vice-Presidents, Heads of Departments and other University Officers as may from time to time be determined, together with Staff of the University, and to ensure that arrangements are put in place to regulate the terms and mode of appointment, tenure of and removal from office, promotion, duties, salaries, allowances, and pensions of the Officers and employees of the University;	4.5	Context: see Regulations VI (The University Officers) and VII (The Dismissal and Removal from Office of the President & Vice-Chancellor)
Appointment/removal of the University Secretary	As above	4.5	Context: see Regulation VI (The University Officers)
Appointment/removal of the Provost & Deputy-Vice-Chancellor and Vice-Presidents	As above	4.5	Context: See Regulation VI (The University Officers)

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<i>For information regarding the delegation of powers relating to appointment of Staff, Staff remuneration and other matters relating to the employment of Staff falling within the powers of Council conferred on it under Regulation II (7.5), please refer to Section 2 below</i>			
Approval of University’s financial statements, financial forecasts and annual budget	Govern manage and regulate all of the University's financial activities	4.11	Council Audit Committee and Council Finance Committee advise Council on various aspects
Novel and/or contentious issues	As above	4.11	Strategic policy matter for Council decision Council advised by Council Finance Committee where appropriate
Creation and amendment to the University's financial strategy	As above	4.11	Strategic policy matter for Council decision Council advised by Council Finance Committee where appropriate
Appointment of Bankers	As above	4.11	Strategic policy matter for Council decision Council advised by Council Finance Committee where appropriate
Purchase, refurbishment, development of land, property and equipment <b>with a value greater than £5,000,000</b>	Provide the buildings premises furniture and apparatus and other means needed for carrying on the work of the University	4.10.3	Council is advised by Council Finance Committee  <i>For delegated authority where value is less than £5M, please refer to Section 2 below</i>
Amendments to the internal borrowing limit in Regulation II (4.10.4)	Borrow or raise money in any manner and, in particular, by the issue of notes, bonds, loan stock, shares, stock, warrants or any other instrument or security of any kind	4.10.4	
<i>For details as to when exercise of powers under Regulation II(7.12) may be delegated, please refer to Section 2 below</i>			
Approval of mergers and acquisitions	Acquire any part of another institution or body or to merge the University with any other higher education institution	4.12	

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Entering into major strategic alliances at institutional level	Negotiate, enter into and execute all documents, deeds, instruments, agreements, securities, options, contracts and undertakings of every kind and description whatsoever relating to or incidental to the exercise of any of the Council's powers and to vary and cancel such contracts on behalf of the University	4.13	<i>For details as to when exercise of powers under Regulation II(4.13) may be delegated, please refer to Section 2 below</i>
Selection of Seal, Arms and Mace Custody of Seal	Select a Seal, Arms and Mace for the University and have the sole custody of the Seal	4.14	Custody of Seal delegated to the Chief Financial Officer with no further delegation
Dissolution of the University	Approve the dissolution of the University and apply to surrender the Royal Charter	4.15	

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<b>SECTION 2: POWERS DELEGATED BY COUNCIL</b>				
<b>ACTIVITY</b>	<b>POWER OF COUNCIL REGULATION II(4)</b>	<b>REG NO.</b>	<b>DELEGATED AUTHORITY</b>	<b>FURTHER INFORMATION AND CONTEXT</b>
<i>See Section 1 above in relation to the powers of Council conferred on it under Regulation II (4.5) to appoint and remove University Officers, which cannot be delegated</i>				
Authorisation and reporting to Council of any severance payments for Senior Staff post holders (as defined in the Office for Students Accounts Direction)	Appoint and remove the President & Vice-Chancellor, University Secretary, Provost & Deputy Vice-Chancellor, Vice-Presidents, Heads of Departments and other University Officers as may from time to time be determined, together with Staff of the University, and to ensure that arrangements are put in place to regulate the terms and mode of appointment, tenure of and removal from office, promotion, duties, salaries, allowances, and pensions of the Officers and employees of the University	7.5	Council Senior Remuneration Committee	No further delegation Context: See CUC Senior Staff Remuneration Code
Appointment of Heads of Academic Departments	As above	7.5	President & Vice-Chancellor	No further delegation
Appointment of Professors and equivalent level staff	As above	7.5	President & Vice-Chancellor	No further delegation
Appointment of all other employees of the University and issue of contracts of employment	As above	7.5	Director of HR	No further delegation
Approval of conferment of the title of Reader and promotions to Personal Chair	As above	7.5	University Reward and Recognition Panel	No further delegation
Approval of recommendations for the regrading/promotion of all other employees	As above	7.5	Director of HR	Further delegation to Vice-President & Head of Faculty or, in respect of AMRC staff, the Executive Dean of the AMRC
Termination of employment contracts and dismissal of employees	As above	7.5	Director of HR	No further delegation
Authorisation of any payments associated with ill-health and early retirements	As above	7.5	Director of HR	No further delegation Senior Staff fall within the remit of the Council Senior Remuneration Committee

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Reaching settlements, including statutory, contractual and non-contractual payments, in line with employment legislation and approved internal procedures	As above	7.5	Director of HR	No further delegation Senior Staff fall within the remit of the Council Senior Remuneration Committee
Issuing of agreements for services with contractors/workers	As above	7.5	Director of HR	No further delegation
Requesting criminal activity reports from the Disclosure and Barring Service for relevant post holders in line with approved procedures	As above	7.5	Director of HR	No further delegation
Negotiation and agreement of collective terms and conditions of employment	As above	7.5	Director of HR and UEB Human Resources Group	No further delegation
Negotiation and agreement of individual contracts of employment	As above	7.5	Director of HR	No further delegation
Conferment of appointments for staff following successful probationary period	As above	7.5	Director of HR following approved recommendation of Vice-President & Head of Faculty	No further delegation
Conferment of visiting, honorary, emeritus and other academic titles on non-employees in line with agreed procedures	As above	7.5	Director of HR following approved recommendation of Vice-President & Head of Faculty	No further delegation
Hearing of concerns raised by aggrieved staff in accordance with the University of Sheffield Grievance Policy and Procedure	Consider, adjudicate upon and if thought fit redress any grievances of the Officers, staff or students of the University	4.6	Director of HR	No further delegation Context: see Grievance Policy and Procedure
Consideration of protected disclosures made in the public interest: investigation and hearing of related matters	As above	7.6	Director of HR	No further delegation Context: see Public Interest Disclosure Policy

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Consider matters of research misconduct: investigation and determining of matters of research misconduct	As above	7.6	Director of HR	No further delegation Context: see Policy and Procedures for investigating and responding to allegations of research misconduct
Grievances submitted by students or graduates of the University:  (a) decision as to whether or not a substantive case exists  (b) review of grievance, if held to be substantive	As above	7.6	a) a Vice-President other than that of the student's or graduate's Faculty  b) Case Review Panel	No further delegation Context: see Student Complaints Procedure
Overall responsibility, subject to the Charter and Statutes and to Regulation III 4.7 below, for learning, teaching and academic standards	Review the learning, teaching and academic standards of the University	4.7	Senate	Further delegation to Senate Learning and Teaching Committee and its sub-committees
Overall responsibility, subject to the Charter and Statutes and to Regulation III 4.7 below, for research	Promote and make provision for research within the University and to require reports from time to time on such research	4.8	Senate	Further delegation to Senate Research and Innovation Committee and its sub-committees and to Research Ethics Committee
Provision of services to support the welfare of students	Provide for the welfare of the students	4.9	The President & Vice-Chancellor	Further delegation to the Executive Director of Academic Services
Banking activities such as bank signatories	Govern, manage and regulate all of the University's financial activities	4.10	Council Finance Committee	Further delegation of activities and authority levels detailed within the Financial Regulations

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Creation and amendment to the Financial Regulations. Amendments to the Supplementary Information Appendices or Financial Advice Notes (where specifically indicated)	As above	4.10	Council Finance Committee	No further delegation  Council receives retrospective reporting on changes from Council Finance Committee  Changes to supplementary information and financial advice notes detailed within the Financial Regulations
Other amendments to the Supplementary Information Appendices of Financial Advice Notes which support the Financial Regulations	As above	4.10	Council Finance Committee	Further delegation detailed within the Financial Regulations
Commercialisation of Intellectual Property	As above	4.10	Council Finance Committee	Further delegation detailed within the Financial Regulations
Agreement of tuition fees where the University has discretion to determine the fee levels	As above	4.10	The President & Vice-Chancellor, advised by UEB	Further delegation detailed within the Financial Regulations (SIA 9) Further delegation to UEB Strategic Advisory Group - Student Numbers and Fees
Agreement of student accommodation fees	As above	4.10	Council Finance Committee	Further delegation detailed within the Financial Regulations
Investment of funds and the management of endowments	Invest any monies belonging to the University	4.10.1	Council Finance Committee	Further delegation detailed within the Financial Regulations Council receives retrospective reporting on activities through Council Finance Committee
Leases of land and property	Sell buy exchange lease and accept leases of real and personal property on behalf of the University;	4.10.2		Details of delegation and any further delegation to be confirmed. However, approval will mirror tiered approach adopted for Capital Project approval (see 4.10.3)

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Leases of equipment	As above	4.10.2	Follows capital project approvals route (see 4.10.3) where significant equipment lease  Council Finance Committee for other items	Details of delegation and any further delegation to be confirmed. However, approval will mirror tiered approach adopted for Capital Project approval (see 4.10.3)
Purchase, refurbishment, development of land, property and equipment	Provide the buildings premises furniture and apparatus and other means needed for carrying on the work of the University	4.10.3	>£5m: no delegation  £1m to £5m: Council Finance Committee (Council on request and for information)  £250k to £1m: Council Finance Committee  £50k to £250k: Council Finance Committee	Council is advised by Council Finance Committee  No further delegation within these parameters Council receives retrospective reporting from Council Finance Committee  Further delegation within these parameters to the President & Vice-Chancellor, advised by UEB and UEB Estates and Capital Sub-Group or UEB IT Sub-Group in the case of IT capital expenditure  Further delegation to two signatories: Chief Financial Officer or an Authorised Financial Officer and one of the Provost & Deputy Vice-Chancellor or Director of Infrastructure

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Purchase, refurbishment, development of land and property  <b>Offline approval route in exceptional circumstances</b>	As above	4.10.3	Council and Council Finance Committee Chair approval	No further delegation  Initial approval through UEB Estates Capital Sub-Group or UEB IT Sub-Group in the case of IT capital expenditure and University Executive Board.  Business cases provided to the next meetings for formal notification of approval route taken
Acquisition of management information systems	As above	4.10.3	Follows capital project approvals route (see 4.10.3)	Follows capital project approvals route (see 4.10.3)
Sale of land and property	As above	4.10.3	Council Finance Committee	Further delegation detailed within the Financial Regulations  Council receives retrospective reporting from Council Finance Committee
Disposal of Furniture and Equipment (other than for recycling or scrap)	As above	4.10.3	Council Finance Committee	Further delegation detailed within the Financial Regulations
Ability to borrow money and give security:  (a) Amendments to the internal borrowing limit  (b) Authority to borrow up to the internal borrowing limit	Borrow or raise money in any manner and, in particular, by the issue of notes, bonds, loan stock, shares, stock, warrants or any other instrument or security of any kind	4.10.3	(a) Council  (b) Council Finance Committee	(a) No further delegation of the internal borrowing limit  (b) Council receives retrospective reporting from Council Finance Committee

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As indicated by the Regulation	Refinance, replace or reorganise any capital, finance or credit previously raised or obtained by the University	4.10.5	As per borrowing ability at 4.10.4 above	As per borrowing ability at 4.10.4 above
As indicated in the Regulation	Guarantee, support or secure (whether or not receiving any consideration or benefit) the payment, repayment or discharge of any monies, debts or liabilities, or the performance or observance of any obligations, by any person or undertaking (whether incorporated or unincorporated) in relation to any transaction whatsoever	4.10.6	Council Finance Committee	No further delegation Council powers articulated to cover a wide range of potential situations Specific process and authority to be defined depending on the nature of the transaction
As indicated in the Regulation	Create or grant a mortgage, charge, pledge, lien or encumbrance of any kind over, or enter into any type of transaction (including accepting options) in relation to, all or any of the undertaking, property or assets of the University (present and future)	4.10.7	Council Finance Committee	No further delegation Council Powers articulated to cover a wide range of potential situations Specific process and authority to be defined depending on the nature of the transaction
As indicated in the Regulation	Provide indemnities in respect of every kind of claim, proceeding, tax, liability, loss, expense, failure, default or contingency, with or without securing the indemnity by a mortgage charge, pledge, lien or other encumbrance	4.10.8	Council Finance Committee	No further delegation Council Powers articulated to cover a wide range of potential situations. Specific process and authority to be defined depending on the nature of the transaction
As indicated in the Regulation	Enter into any agreement or arrangement as to the subordination or priority of any debts, liabilities or encumbrance (of any kind) incurred at any time either by, or in favour of, the University;	4.10.9	Council Finance Committee	No further delegation Council Powers articulated to cover a wide range of potential situations. Specific process and authority to be defined depending on the nature of the transaction

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As indicated in the Regulation	Enter into any contract with any party the purpose or purported purpose of which is to protect the University and its assets: (a) against any fluctuation in rates of exchange, interest or an index of stocks, bonds or commodity prices; (b) in order to secure a profit or avoid a loss in respect of the value or price of property of any description; or (c) any similar or comparable contract; provided that any monies borrowed, raised or guaranteed by the University or value of assets charged shall not at any time exceed in aggregate the sum of £330,000,000	4.10.10	Council Finance Committee	Further delegation detailed within the Financial Regulations Council receives retrospective reporting from Council Finance Committee concerning treasury management
<b><i>See Section 1 above in relation to the powers of Council conferred on it under Regulation II (7.12) which cannot be delegated</i></b>				
University companies: creation, investment, alteration, disposal of rights held by the University	Carry on any of the University's activities by or through any body corporate or unincorporated, and whether or not a subsidiary within the meaning of such term in the Companies Act 2006 (as amended from time to time) or in collaboration or by way of joint venture with such body corporate or unincorporated	4.11	Council Finance Committee	Council receives retrospective reporting from Council Finance Committee Council approval should be sought for creation of a major subsidiary Covered within Policy document for the Creation, Disposal and Governance of University Companies – Appendix E to Financial Regulations. Policy approved by Council Finance Committee
Contracts for the supply of goods and services to third parties	Negotiate, enter into and execute all documents, deeds, instruments, agreements, securities, options, contracts and undertakings of every kind and description whatsoever relating to or incidental to the exercise of any of the Council's powers and to vary and cancel such contracts on behalf of the University	4.13	Council Finance Committee	Further delegation detailed within the Financial Regulations Where a contract is material in terms of financial value, risk, term or the nature of the activity (informed by a risk/benefit analysis), approval should be sought from Council Finance Committee and/or Council

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Contracts for the purchase of goods and services from third parties (non- capital)	As above	4.13	Council Finance Committee	Further delegation detailed within the Financial Regulations Where a contract is material in terms of financial value, risk, term or the nature of the activity (informed by a risk/benefit analysis, approval may be sought from Council Finance Committee and/or Council
Executing documents by deed	As above	4.13	Any member of Council and one of: <ul style="list-style-type: none"> <li>• the President &amp; Vice-Chancellor;</li> <li>• the Provost &amp; Deputy Vice-Chancellor;</li> <li>• a Vice-President;</li> <li>• an Authorised Financial Officer</li> </ul>	No further delegation Context: see Regulation XIII for the procedure for executing deeds Council receives retrospective reporting on its application
Major funding applications and acceptance of research grants	As above	4.13	The President & Vice-Chancellor	Detailed within the Financial Regulations (Regulation 10.3 and SIA 10)
Decisions relating to non-financial commitments (e.g. confidentiality agreements, material transfer agreements, not-for-money research contracts)	As above	4.13	The President & Vice-Chancellor	Further delegation to the Vice-President for Research & Innovation, in accordance with principles and process detailed in the Financial Regulations
Memoranda of Agreement	As above	4.13	The President & Vice-Chancellor	Further delegation to the Director, Sheffield International and (if financial implications) the Authorised Financial Officer
Memoranda of Understanding	As above	4.13	The President & Vice-Chancellor	Further delegation to the Director, Global Engagement