

General Principles

In accordance with the provisions of the 1988 Act, KU is an exempt charity for the purposes of the Charities Act 1960. The Charities Act 2006 makes some changes to this for the HE sector. The Higher Education Funding Council for England (HEFCE, about which more details are included on the following page) acts for the Charity Commissioner as the “principal regulator” for the sector. The University has to provide additional information to HEFCE and there are also significant changes for the way Students’ Unions operate.

The Board is responsible for the proper use of KU’s resources ensuring they are used effectively and efficiently and that KU is both solvent and is safeguarding its assets.

Therefore, good governance is essential for KU and its performance is measured in part by the seven principles of public life set out by the Nolan Committee, which are also included in this Guide (See Section 6).

Good governance is not only a question of stating principles; it also implies appropriate procedures and methods of doing business. Therefore, the ethos of KU places great emphasis on regular conduct or compliance of business carried out by KU with the appropriate internal and external standards, and with the propriety needed to act in a fit and proper manner. The Treasury Officer of the accounting team of HM Treasury defines regularity as “the requirement for all items of expenditure and receipts to be dealt with in accordance with the legislation authorising them, any applicable delegating authority and the rules of Government Accounting”. The Officer adds that propriety encompasses “not only financial rectitude, but a sense of the values and behaviour appropriate to the public sector”.

As part of the above principles and to conform to legislation the Board of Governors is responsible for promoting equality legislation. The Race Relations Act requires that the Board:

- Ensures that the University complies with legislative requirements and with the General Duty and Specific Duties.
- Establishes and maintains an overview on what is being done to challenge racism, institutional racism, and to promote race equality and good race relations.
- Ensures that appropriate procedures are in place, and that briefing and training are provided, which enable all those responsible to undertake their responsibilities.
- Monitors, evaluates and reviews the effectiveness of the Policy and Codes.

Whilst KU is not a public body, it is often deemed to be in the public sector for particular pieces of legislation. In terms of EU law, directives of the Commission apply directly as they do for mainstream public sector organisations such as the NHS. Therefore, acts carried out in its name should be within the ambit of the legislation establishing KU as an institution. However, propriety goes further than this and is concerned with fairness and integrity and covers such matters as the avoidance of personal profit when carrying out KU’s business, even-handedness in the appointment of staff, the transparent transaction of KU’s business, open competition in the letting of contracts and the avoidance of waste and extravagance. The last point is closely linked with the notion of ‘value for money’, which is regularly examined by the Audit Committee.

KU conducts its business under many other rules and regulations. Many of these can be found in the Staff Handbook, a copy of which governors may obtain from the Secretariat and can also be found on *Staffspace* in the HR Department section.