

# Vice-Chancellor Functions Rule

## Section 1 - Overview & Scope

### Overview and Scope

(1) This Rule sets out the functions and role of the Vice-Chancellor and Chief Executive Officer (herein Vice-Chancellor) and the authority delegated to the Vice-Chancellor in accordance with Section 17 of the [University of New England Act, 1993 \(NSW\)](#) (UNE Act).

(2) This Rule applies to UNE Representatives.

(3) Within this Rule:

- a. Part A - describes the role, functions and responsibilities of the Vice-Chancellor, including reporting and monitoring University performance;
- b. Part B - describes the delegates role in supporting the Vice-Chancellor; and
- c. Part C - describes the specific matters over which the Council consents to the Vice-Chancellor making Rules (and other approved policy instruments), in accordance with the UNE Act and Council Policies.

### Part A - Role, functions and responsibilities of the Vice-Chancellor

(4) The Vice-Chancellor is appointed by and reports to the Council of the University of New England (Council) as the University's Chief Executive Officer. The Vice-Chancellor is responsible to Council for the leadership, management and development of the University and the realisation of its strategic plan. The Vice-Chancellor is also the University's principal academic officer.

(5) Under the authority of Council and subject to the UNE Act, the UNE By-law, [this Rule](#), the [UNE Delegations Framework Rule](#) and any other Rules, policies, guidelines or resolutions made by Council, the Vice-Chancellor:

- a. is an ex-officio member of the University Council and its Committees (except for the Audit and Risk Committee) and carries with that role the duties and responsibilities of a Council Member;
- b. is the Chief Executive Officer responsible for the management and operations of the University, subject to the matters over which authority has been retained by Council;
- c. is responsible for directing institutional planning and development;
- d. is responsible for the implementation of University policy with respect to academic and other relevant matters, and for formulating the University's annual budget;
- e. is responsible for monitoring and evaluating the performance of the University and its constituent parts in relation to its academic, financial and organisational goals and policies;
- f. is responsible for reporting to Council and its Committees regarding the management, operations and performance of the University;
- g. is responsible for representing the University in dealings with regulatory bodies and with key Government Ministers as appropriate;
- h. has duties as a member of UNE controlled entity boards as may be provided for in their constitutions;

- i. may, consistent with the [Controlled Entity Rule and Guidelines](#) and by delegation from Council, represent Council's rights, powers or functions in respect of UNE controlled entities, including but not limited to the appointment or removal of directors and other officers.

(6) The Vice-Chancellor, in exercising the duties and powers and fulfilling the obligations of the position, has such authority as may be necessary or convenient to give effect to the provisions of UNE Act, this [Rule](#) and other Rules, policies, guidelines and resolutions of Council.

Nothing in this Rule affects the precedence or authority of Council, the Chancellor or Deputy Chancellor regarding any functions delegated to the Vice-Chancellor by the Council.

## **Part B - Delegates to the Vice-Chancellor**

(7) The Vice-Chancellor is supported and assisted by the senior executive, senior leadership team and portfolio and technical staff who provide strategic, policy and operational advice, information and support to the University aligned to their expertise.

(8) The Vice-Chancellor may authorise University officers (Delegates) to undertake any functions exercisable by the Vice-Chancellor in accordance with the Rules, policies and procedures of the University. Such delegations will be recorded in writing, including in the Delegations Register. The Delegates shall provide advice and report to the Vice-Chancellor on the performance of those delegations as may be requested.

(9) Nothing in this Rule affects the authority and precedence of the Vice-Chancellor regarding any functions delegated by the Vice-Chancellor.

## **Part C - Making of Rules**

(10) Pursuant to Section 25(2) of the [University of New England By-law 2005 \(UNE By-law\)](#), the Council consents to the Vice-Chancellor making rules (ie. Rules and/or policies, guidelines or policy instruments consistent with the [UNE Governance Framework Rule](#)) in respect of the following matters, subject to the limitations expressed in Section 29(1) of the UNE Act and subject to the [UNE Delegations Framework Rule](#):

- a. the management, good government and discipline of the University (UNE Act Section 28(1)(a));
- b. the designation of members of staff of the University as academic staff, non- academic staff, full-time staff, part-time staff or otherwise (UNE Act Section 28(1)(k));
- c. the number, stipend, manner of appointment and dismissal of officers and employees of the University (UNE Act Section 28(1)(l));
- d. admission to, enrolment in and exclusion from courses of studies (UNE Act Section 28(1)(m));
- e. the payment of such fees and charges, including fines, as the Council considers necessary (UNE Act Section 28(1)(n)), including fees and charges to be paid in respect of any of the following:
  - i. entrance to the University;
  - ii. tuition;
  - iii. lectures and classes;
  - iv. examinations;
  - v. residence;
  - vi. the conferring of degrees and the awarding of diplomas and other certificates and awards;
  - vii. the provision of amenities and services, whether or not of an academic nature; or
  - viii. an organisation of students or of students and other persons.
- f. the exemption from, or deferment of, payment of fees and charges, including fines (UNE Act Section 28(1)(o));

- g. without limiting the operation of paragraphs (n) and (o), the imposition and payment of penalties for parking and traffic infringements (UNE Act Section 28(1)(p));
- h. the courses of lectures or studies for, the assessments for and the granting of degrees, diplomas, certificates, awards and honours and the attendance of candidates for degrees, diplomas, certificates and honours (UNE Act Section 28(1)(q));
- i. the assessments for, and the granting of, fellowships, scholarships, exhibitions, bursaries and prizes (UNE Act Section 28(1)(r));
- j. the admission of Students and former Students of other universities and institutions of higher education to any status within the University or the granting to graduates of such universities or institutions, or other persons, of degrees or diplomas without examination (UNE Act Section 28(1)(s));
- k. the establishment and conduct of places of accommodation for Students (including residential colleges and halls of residence within the University) and the affiliation of residential colleges (UNE Act Section 28(1)(t));
- l. the affiliation with the University of any educational or research establishment (UNE Act Section 28(1)(u));
- m. the creation of Faculties, Schools, departments, centres or other entities within the University (UNE Act Section 28(1)(v));
- n. the provision of schemes of superannuation for the officers and employees of the University (UNE Act Section 28(1)(w));
- o. the form and use of academic costume (UNE Act Section 28(1)(x));
- p. the form and use of an emblem of the University or of any body within or associated with the University (UNE Act Section 28(1)(y));
- q. the use of the seal of the University (UNE Act Section 28(1)(z)); and
- r. the making, publication and inspection of rules (UNE Act Section 28(1)(aa)).

## Section 2 - Quality Assurance

(11) The Chancellor and the Vice-Chancellor will establish protocols for monitoring the implementation and performance of this Rule.

## Section 3 - Authority and Compliance

(12) The Council, pursuant to Section 29 of the [University of New England Act 1993 \(NSW\)](#) makes this University Rule.

(13) This Rule operates as and from the Effective Date.

(14) The previous Functions of the Vice-Chancellor Rule is replaced from the Effective Date.

(15) Notwithstanding the other provisions of this University Rule, the Council may approve an exception to the Rule where the Council determines the application of the Rule would otherwise lead to an unfair, unreasonable or absurd outcome. Approvals by the Council under this clause will be documented in writing and must state the reason for the exception.

## Section 4 - Definitions (specific to this rule)

(16) 'Providing information' (and variants including 'to inform' or 'provide information to' etc) is taken to be, the act of presenting facts, data, records, outcomes or other artefacts with mostly descriptive embellishment for the purpose of supporting understanding or knowledge of a matter.

(17) 'Providing support' (and variants including 'supporting' etc) means assisting with the implementation of an

activity of the University to achieve an outcome. Support implies engagement and active participation and may be in many forms from providing advice and information or actual time, communication, advocacy or assignment of resources.

(18) 'Providing advice' (and variants including 'advising', 'advice to' etc) is taken to mean providing oral or written communication which represents a person's analysis, interpretation, recommendations or observations and opinions of information or a situation, usually for the purpose of informing further action.

(19) 'Reporting to' (and variants including 'to report', 'reports to' etc) is the proactive function performed by a person with assigned roles and responsibilities to inform and advise as necessary another role or person, including the Vice-Chancellor. The reporting function may be routine (reporting schedule), and/or via opportunity (need to escalate and issue/changed risk/etc), about the conduct of those roles and responsibilities. A person may have 'reporting to' responsibilities for some functions or activities, to a role which is not their direct supervisor.

## Status and Details

<b>Status</b>	Current
<b>Effective Date</b>	2nd December 2021
<b>Review Date</b>	2nd December 2024
<b>Approval Authority</b>	Council
<b>Approval Date</b>	2nd December 2021
<b>Expiry Date</b>	To Be Advised
<b>Unit Head</b>	Susannah Warrick Director Governance and University Secretary swarrick@une.edu.au
<b>Enquiries Contact</b>	Susannah Warrick Director Governance and University Secretary swarrick@une.edu.au <hr/> Office of the Director Governance and University Secretary 0267732925

## Glossary Terms and Definitions

**"UNE Representative"** - Means a University employee (casual, fixed term and permanent), contractor, agent, appointee, UNE Council member, adjunct, visiting academic and any other person engaged by the University to undertake some activity for or on behalf of the University. It includes corporations and other bodies falling into one or more of these categories.

**"Student"** - Is an admitted student or an enrolled student, at the relevant time: 1. an admitted student is a student who has been admitted to a UNE course of study and who is entitled to enrol in a unit of study or who has completed all of the units in the UNE course of study; 2. an enrolled student is a student who is enrolled in a unit of study at UNE.

**"UNE Act"** - Is the University of New England Act 1993 (NSW).

**"Senior Executive"** - Means the Vice-Chancellor, Deputy Vice-Chancellor, Deputy Vice-Chancellor Research, Chief Financial Officer, and Chief Operating Officer.

**"Controlled Entity"** - Means a person, group of persons or body of which the University or Council has control within the meaning of a standard referred to in Section 39(1A) or 45A(1A) of the Public Finance and Audit Act 1983.

**"Entity"** - A corporation, government agency, not-for-profit organisation or other entity engaged in business activity or transacting with other entities in a business-like setting.

**"School"** - Is an organisational unit comprising academic staff in related fields of study who are responsible for teaching and research in those academic fields together with support staff. Each School also has lead management for the design and delivery of the courses within its responsibility.

**"Effective Date"** - means the Rule/Policy takes effect on the day on which it is published, or such later day as may be specified in the policy document.

**"Faculty"** - An organisational unit consisting of a group of related Schools, which is responsible for coordinating the management and quality of the teaching and research conducted by those Schools.

**"UNE By-law"** - Means the University of New England By-law 2005 (NSW).