

Constitution of the University of Glasgow

The University of Glasgow was founded by Papal Bull¹ in 1451, however, its modern constitutional framework derives from the Universities (Scotland) Acts 1858 to 1966 and the Higher Education Governance (Scotland) Act 2016. These Acts make provision for the main statutory bodies and officers of the University: the Court, the Senate, the General Council, the Chancellor, the Principal and Vice Chancellor, the Rector and the Senior Lay Member (Convener of Court), and set out the powers and duties of the statutory bodies, as well as specifying their composition, which has been amended subsequently through a number of Ordinances. From 1858 until 1966 the instruments by which the University exercised its powers were Ordinances. These were drafted by the University but given legal authority by the Privy Council after approval by the General Councils of the other Scottish Universities. The Universities (Scotland) Act 1966 gave the power to make legal instruments to the University in many cases, using Resolutions. The University Court issues Resolutions having consulted with the University community. In a few restricted areas, mainly of constitutional import, Ordinances are still required.

The University Court

The Court is the University's governing body and is the legal persona of the University. Under the Universities (Scotland) Act, 1889, the University Court is a body corporate, with perpetual succession and a common seal. All the property belonging to the University at the passing of the Act was vested in the Court. The present powers of the Court are defined in the Universities (Scotland) Act, 1966. These include the amendment of the composition, powers and functions of bodies in the University, the creation of new bodies, the administration and management of the whole revenue and property of the University, internal arrangements of the University, appointments, review of decisions of Senate, and, on the recommendation of Senate, the regulation of degrees and admission and discipline of students. A number of these functions are delegated to committees which report to Court and which seek Court's approval for major decisions.

The Court approves any major financial decisions, such as whether or not to borrow money; it also approves the University's proposed budget. It also authorises the acquisition or disposal of University property. On the human resources side, the Court is responsible for the appointment of professors, lecturers and examiners (1889 Act), and administrators (1966 Act). It regulates their salaries and pension arrangements (1966), and can discipline them. The Court is also responsible for setting fee levels for students (1966). The Court is responsible to the Scottish Funding Council (SFC) for certain financial matters, as detailed in the Financial Memorandum with the SFC.

The Court has agreed to delegate authority to act on its behalf in urgent matters between meetings of Court to the Principal, Convener of Court and the Secretary of Court, acting together. Any action taken under delegated authority has to be reported to the next meeting of Court. Court has also given authority to the Secretary of Court to act on its behalf between meetings on matters of routine business. The Secretary of Court is answerable to Court for any action which he/she takes on its behalf and a written report is made to the next meeting of Court detailing any such action taken for endorsement by Court.

¹ a 'papal bull' is a formal document issued by the Pope (so called from the lead seal (*bull*) attached to it

Exercise of some Court powers is by Ordinance, which requires consultation with the General Council and the Senatus Academicus (Senate) and then Privy Council approval; in some cases by Resolution, which requires consultation, or by simple decision without the need for formal consultation. Examples of matters regulated under Ordinances are the foundation of the earlier Chairs/Professorships, regulation of the University Library and Museum, provisions for the execution of deeds and amendments to the composition of the main University bodies. Examples of matters regulated by Resolution are Degree regulations and amendments and the foundation of more recent Chairs/Professorships.

The Court's composition has changed a number of times over the years and currently consists of (under Ordinance 209) the Rector (who is elected by the student body), the Principal, the Chancellor's Assessor, a representative of Glasgow City Council, two assessors elected by the General Council, five Elected Academic Staff members (formerly called Senate Assessors) elected by Senate, two Trade Union nominees, one Elected Support Staff Representative, the President of the Students' Representative Council, one assessor elected by the Students' Representative Council, and nine co-opted members including the Convener of Court (senior lay member) who from 2024 will be elected under the terms of the Higher Education Governance (Scotland) Act 2016. Court members who are not members of the University staff or student body are referred to as "lay members". A quorum is seven. The current composition reflects the University's wish to have the appropriate level of expertise needed to govern a modern Higher Education institution. Meetings of the Court are normally held five times a year.