BRUNEL UNIVERSITY OF LONDON

Council Ordinance No. 9

Financial Regulations

SEPTEMBER 2026

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A General Provisions

1. Background

1.1. Brunel University of London (the University) is a chartered corporation. This status enables it to perform legal acts in its corporate name as if it was a person, and to sue and be sued in the name of the University. Its objects, powers and framework of governance are set out in the instruments of its incorporation (Charter and Statutes). The Charter and Statutes can only be amended by the Privy Council.

1.2. The Charter and Statutes require the University to have two separate bodies, the Council and the Senate, each with clearly defined functions and responsibilities, to oversee and manage its activities.

1.3. The Council is the governing body of the institution and in exercising its role and powers undertakes to meet the obligations placed upon the institution by the founding Charter of the University. This establishes the University as both a teaching and learning institution and as an examining body providing education in various branches of scholarship as determined by the University and also as an institution making provision for research and dissemination of knowledge. Council is responsible for setting the strategic direction of the University, and for the finance, property, investments and general business of the University.

1.4. The Senate is the academic authority of the University, and draws its membership entirely from the academic staff and the students of the University. Its role, subject to the Statutes and Ordinances, is to direct and regulate the teaching and research work of the University.

1.5. The University's corporate governance overview and the University's committee structure summarise the reporting lines through which Council and the Senate discharge their duties as set out in the Statutes. Further information on both Council and Senate and University sub-committees can be found at Council Ordinances and Senate Regulations.

1.6. The University is an exempt charity as defined by the Charities Act 2011. Exempt charities are not subject to direct regulation by the Charity Commission in most respects, as the Charities Act 2011 (Principal Regulators of Exempt Charities) established that the Higher Education Funding Council for England ("HEFCE") was the principal regulator of Higher Education Institutions as exempt charities. Pursuant to the Higher Education and Research

Act of 2017 (HERA), the Office for Students ("OfS") is now the principal regulator of the University as a charitable institution, taking over from HEFCE from 1st April 2018.

1.7. This document contains the Financial Regulations of the University as approved by Council on the advice of the Finance Committee. The Financial Regulations apply to all financial business of the University, irrespective of the source of the funding. The purpose of the Financial Regulations is to set out policies and procedures which will ensure compliance with the internal and external controls of the University and also fulfil any legal and financial requirement and obligations laid down by the OfS and the Department for Education which are the funding bodies.

1.8. The OfS Regulatory Framework for Higher Education in England sets out the compliance requirements for funding. The provider must comply with any terms and conditions attached to financial support received from the OfS and UK Research and Innovation (UKRI) under sections 41(1) and/or 94(2) of HERA. A breach of such terms and conditions will be a breach of this condition of registration. (Note: See OfS Condition G2 Compliance with funding para 504 and 505).

2. Status of Financial Regulations

2.1. These financial regulations are subordinate to the University's Charter and Statutes and to any restrictions or regulatory compliance requirements of the OfS.

2.2. This document defines the University's Financial Regulations. It, together with the supporting policies and procedures, translates into practical guidance for the University and all its subsidiary identities, broad policies relating to financial control. Where applicable, separate detailed guidance is documented and linked accordingly.

2.3. The purpose of the financial regulations is to provide control over the totality of the University's resources and to provide management with assurances that the resources are being properly applied for the achievement of the University's strategy.

2.4. Compliance with the financial regulations and financial procedures is compulsory for all personnel connected with the University. A member of personnel who fails to comply with the financial regulations or financial procedures may be subject to disciplinary action under the University's disciplinary policy. Council will be notified of any such breach through the

Audit & Risk Committee. It is the responsibility of the members of the Executive Board and Heads of Departments to ensure that their personnel are made aware of the existence and content of these regulations.

2.5. The Finance Committee is responsible for maintaining and continuously reviewing the financial regulations and, through the Chief Finance Officer, for advising Council of any additions or changes that may be deemed necessary.

2.6. In exceptional circumstances, the Finance Committee or the Chair of the Finance Committee acting on behalf of the Finance Committee, may authorise a departure from the detailed provisions herein, such departure to be reported to Council at the earliest opportunity.

2.7. This document applies to the University and all its subsidiary undertakings.

B Corporate Governance

3. Overview and Structure

3.1. As noted in Section A, the University's Committee Structure summarises the reporting lines through which Council and the Senate discharge their duties as set out in the Statutes. The primary responsibilities of Council and the governance of its membership, conduct and its meetings are set out in Council Ordinances 1 to 4. This summary sets out the key elements of the University's Corporate Governance procedures as they relate to financial matters.

4. Accountable Officer

4.1. The Vice Chancellor and President is the University's Accountable Officer, whose duties are set out in the Regulatory Advice Notice issued by the OfS, and is responsible for the financial administration of the University's affairs. The Vice Chancellor and President must advise Council if, at any time, any action or policy under consideration by them appears to be incompatible with the OfS regulatory guidance.

4.2. As the Accountable Officer, the Vice Chancellor and President may be required to justify any of the University's financial affairs to the Public Accounts Committee at the House of Commons.

5. Responsibility for Financial Matters

5.1. Everyone connected with the University has a duty to ensure that the University's resources are used legitimately, wisely and effectively for the purpose and objectives of the University.

5.2. Council has ultimate responsibility for the University's financial matters. Delegation of specific powers and processes relating to financial matters is given to the Finance, Audit & Risk, and Remuneration committees. The membership of these committees and terms of reference are set out in Council Ordinance 5. The day to day responsibility for the financial affairs of the University is delegated to the Chief Finance Officer.

5.3. Chief Finance Officer

The financial administration of the University is controlled by the Chief Finance Officer, who is responsible for:

- ensuring that annual capital and revenue budgets and financial plans are prepared;
- ensuring that management information is provided, and that expenditure against budgets and financial operations is monitored and reported on;
- ensuring that the University's annual accounts and other financial statements and returns which the University is required to submit to other authorities are prepared;
- ensuring that the University maintains satisfactory financial systems;
- ensuring that professional advice on all matters relating to financial policies and procedures is provided; and,
- ensuring that efficient financial processes are achieved by liaison with internal and external auditors.

5.4. The Executive Board and Heads of Departments

The Executive Board and Heads of Departments are advised by the Chief Finance Officer in executing their financial duties. These officers are ultimately responsible for:

- the monitoring of resources within their area in line with the agreed strategic and annual plans
- taking appropriate and prompt corrective action to control budget variances
- ensuring members of staff are aware that they have a general responsibility for the security of the University's property
- immediately notifying the Chief Finance Officer whenever any matter arises that involves, or is thought to involve, irregularities concerning, *inter alia*, cash or property of the University. The Chief Finance Officer shall take such action as is considered necessary by way of investigation and report.

5.5. All Members of Staff

All members of staff should be aware that they have a general responsibility for the security of the University's property, for avoiding loss and for economic use of resources.

They should ensure that they are aware of the University's Procurement Policy, financial authority limits and values of purchases for which quotations and tenders are required.

They shall make available any relevant records or information to the Chief Finance Officer or his or her authorised representative in connection with the implementation of the University's financial policies, these financial regulations and the system of financial control.

They shall provide the Chief Finance Officer with such financial and other information as he or she may deem necessary, from time to time, to carry out the requirements of Council.

They shall immediately notify the Chief Finance Officer whenever any matter arises that involves, or is thought to involve, irregularities concerning, inter alia, cash or property of the University. The Chief Finance Officer shall take such action as he or she considers necessary by way of investigation and report.

6. Risk Management

6.1. The University acknowledges the risks inherent in its business and is committed to managing those risks that pose a significant threat to the achievement of its business objectives and financial health. The University has in place a risk management framework, including detailed procedures for managing and monitoring identified University risks.

7. Public Interest Disclosure (Whistleblowing)

7.1. Whistleblowing in the context of the Public Interest Disclosure Act is the disclosure by an employee (or other party) about malpractice in the workplace. A whistle blower can blow the whistle about crime, civil offences (including negligence, breach of contract, etc.), miscarriage of justice, danger to health and safety or the environment and the cover-up of any of these. It does not matter whether or not the information is confidential and the whistleblowing can extend to malpractice occurring in the UK and any other country or territory.

7.2. Normally, any concern about a workplace matter at the University should be raised with the relevant member of staff's immediate line manager. However, the University recognises that the seriousness or sensitivity of some issues, together with the identity of the person the member of staff thinks may be involved, may make this difficult or impossible.

7.3. A member of staff may, therefore, make the disclosure to one of the staff designated for this purpose, for example the Secretary to Council. If the member of staff does not wish to raise the matter with this person, or with the Vice Chancellor and President, or the Chair of Council, it may be raised with the Chair of the Audit & Risk Committee.

7.4. The full procedure for whistleblowing is set out in the University's Public Interest Disclosure (whistleblowing) procedure, which is available here: Policies and documents | Brunel University London

8. Public Interest Governance (Code of Conduct)

8.1. The University is committed to the highest standards of openness, integrity and accountability. The OfS Regulatory framework for higher education in England specifies the public interest governance principles which the University as a registered provider is required to comply with. Members of staff at all levels are expected to be aware of and observe, as relevant their role and responsibilities, the principles which are set out at

Appendix A. In addition, the University expects that staff at all levels will observe the code of conduct that covers:

- probity and propriety;
- selflessness, objectivity and honesty; and,
- relationships.

8.2. Additionally, members of Council, senior management or those involved in procurement are required to disclose interests in the University's register of interests maintained by the Secretary to Council. They will also be responsible for ensuring that entries in the register relating to them are kept up to date regularly and promptly, as prescribed in the financial procedures.

8.3. In particular, no person shall be a signatory to a University contract where he or she also has an interest in the activities of the other party.

9. Receiving Gifts or Hospitality

9.1. The Bribery Act 2010 has significant consequences for higher education institutions which make the following criminal offences:

- bribing another person;
- being bribed;
- bribing foreign public officials;
- failing to prevent bribery.

9.2. In order to address the implications of the Act, the University has developed an Anti Bribery and Corruption policy which details the principles that it will adhere to and includes guidance for staff concerning specific activities.

C Financial Management

10. Financial Planning

10.1. The Chief Finance Officer is responsible for preparing annually a financial plan for approval by Council on the recommendation of the Finance Committee, and for preparing financial forecasts for submission to the OfS as may be required from time

to time. Financial plans should be consistent with the strategic plans and estates strategy approved by Council.

11. Budget Preparation

11.1. The Chief Finance Officer is responsible for preparing each year an annual revenue budget and capital programme for consideration by the Finance Committee before submission to Council. The budget should also include cash flow forecasts for the year and a projected year-end balance sheet. The Chief Finance Officer must ensure that detailed budgets are prepared in order to support the resource allocation process, and that these are communicated to the members of the Executive Board and Heads of Departments as soon as possible.

11.2. During the year, the Chief Finance Officer is responsible for submitting revised forecasts to the Finance Committee for consideration before submission to Council for approval.

12. Capital Programme

12.1. The capital programme includes all expenditure on land, buildings, equipment, furniture and associated costs whether or not they are funded from capital grants or capitalised for inclusion in the University's financial statements. Expenditure of this type can only be considered as part of the capital programme approved by Council.

12.2. The Capital Expenditure Budget is prepared annually which incorporates all planned spend on land, buildings and equipment. This is formally approved by the University's Finance Committee, and Council.

12.3. Protocols for the inclusion of major capital projects in the capital programme for approval by Council are summarised in the University's Scheme of Delegation. These set out the information that is required for each proposed project as well as the financial criteria that they are required to meet.

12.4. The Chief Finance Officer is responsible for providing regular statements concerning all capital expenditure to the Finance Committee for monitoring purposes. The Finance Committee will review interim reports of actual and forecast outturns against the approved budgets and draw Council's attention to any materially significant variations.

13. Other Major Developments

13.1. Any new aspect of business, or proposed establishment of a company or joint venture, whether or not it will require an investment in buildings, resources or staff time should be presented for approval to the Finance Committee.

13.2. The OfS regulatory framework, monitoring requirements and conditions placed upon a provider may require that, in certain circumstances such as where the provider has had financial sustainability issues which have resulted in a dip in its surpluses, the OfS is to be informed before large financial commitments which require additional external borrowing are entered into (see the OfS Regulatory Framework paragraph 175 here: OfS 2018.01 Securing student success: Regulatory framework for higher education in England (officeforstudents.org.uk)These circumstances and requirements will be considered by the Finance Committee.

13.3. The protocols for these major developments to enable them to be considered for approval by Council are set out at Appendix C of these financial regulations. These summarise the information that is required for each proposed development as well as the financial criteria that they are required to meet.

D Financial Control

14. Budgetary Control

14.1. Allocations are made annually to Colleges and Departments. Within each College and Department, the control of income and expenditure within an agreed budget is the responsibility of the designated budget holder, who must ensure that day-to-day monitoring is undertaken effectively. Budget holders are responsible to the Provost, members of the Executive Board or the relevant Head of Department for the income and expenditure appropriate to their budget.

14.2. Significant departures from agreed budgetary targets must be reported to the Chief Finance Officer and, if necessary, corrective action taken.

14.3. The Chief Finance Officer is responsible for supplying budgetary reports on all aspects of the University's finances to the Finance Committee on a basis determined by the Finance Committee, but subject to any specific requirements of the OfS.

14.4. The relevant extracts from the overall position are reported to designated budget holders so that they are aware of their own financial performance against budget. The budget holders are assisted in their duties by additional management information provided on a monthly basis by the Chief Finance Officer.

14.5. Changes proposed to the approved budget will be considered by the Finance Committee, which will report such changes to Council.

15. Accounting Arrangements

15.1. The University's financial year will run from 1st August until 31st July the following year.

15.2. The financial statements are prepared in accordance with the current Statement of Recommended Practice Accounting for Further and Higher Education, and applicable United Kingdom Accounting Standards.

15.3. A statement of the principal accounting policies that the University applies is set out within the annual financial statements.

15.4. The Chief Finance Officer is responsible for the retention of financial documents. These should be kept in a form that is acceptable to the applicable authorities. The University is required by law to retain prime documents for six years. The Chief Finance Officer will make appropriate arrangements for the retention of electronic records.

15.5. Members of staff should ensure that retention arrangements comply with any specific requirements of applicable funding organisations. Additionally, for auditing and other purposes, other financial documents should be retained for three years or as determined by the funder.

15.6. The Chief Finance Officer is responsible for advising Colleges, Institutes and Departments, in the light of guidance issued by the appropriate bodies and relevant legislation as it applies to the University, on all taxation issues. Therefore, the Chief Finance Officer will issue instructions as required on compliance with statutory requirements including those concerning VAT, PAYE, national insurance, corporation tax and import duty.

15.7. The Chief Finance Officer is responsible for maintaining the University's tax records, making all tax payments, receiving tax credits and submitting tax returns

by their due date as appropriate.

16. Audit

Requirements

External Audit

16.1. External auditors and internal auditors shall have authority to:

- access all assets, records, documents and correspondence relating to any financial and other transactions of the University;
- require and receive such explanations as are necessary concerning any matter under examination;
- require any employee of the University to account for cash, stores or any other University property under his or her control; and
- access records belonging to third parties, such as contractors, when required.

16.2. The Chief Finance Officer is responsible for drawing up a timetable for financial statements purposes and will advise staff and the external auditors accordingly.

16.3. Following consideration by the Finance Committee, the financial statements should be reviewed by the Audit & Risk Committee. On the recommendation of the Audit & Risk Committee they will be submitted to Council for approval.

16.4. The appointment of external auditors will take place in line with agreed contract expiry dates and is the responsibility of Council, advised by the Audit & Risk Committee.

16.5. The primary purpose of the external audit is to report on the University's financial statements and to carry out such examination of the statements and underlying records and control systems as are necessary for the auditors to reach their opinion on the statements and to report on the appropriate use of funds.

Internal Audit

16.6. The arrangements for the provision of an internal audit service are approved by Council on the recommendation of the Audit & Risk Committee.

16.7. The OfS will assess the extent to which a provider's governance arrangements are adequate and effective and the University meets the requirement that it has an effective internal audit function.

16.8. The main responsibility of internal audit is to provide Audit & Risk Committee, Council, the Vice Chancellor and President, and senior management with assurances on the adequacy of the internal control system.

16.9. The internal audit service remains independent in its planning and operation but has direct access to Council, the Vice Chancellor and President, and Chair of the Audit & Risk Committee.

Fraud and Corruption

16.10. It is the duty of all members of staff, management and Council to notify the Chief Finance Officer immediately whenever any matter arises which involves, or is thought to involve, irregularity, including fraud, corruption or any other impropriety. In any such instance, the Chief Finance Officer shall immediately invoke the Fraud Response Plan.

16.11. If the suspected fraud is thought to involve the Chief Finance Officer and/or the Vice Chancellor and President, the member of staff shall notify the Chair of the Audit & Risk Committee directly of their concerns regarding irregularities.

Regularity, propriety and value for money

16.12. The OfS Regulatory framework for Higher Education in England which applies to providers in receipt of financial support from the OfS or from UK Research Innovation (UKRI) details the public interest governance principles applicable to providers (see Annex B of the regulatory framework). It requires that the governing body ensures that there are adequate and effective arrangements in place to ensure public funds are managed appropriately, in line with the conditions of grant and the principles of regularity, propriety and value for money, and to protect the interests of taxpayers and other stakeholders. This also applies to any funds passed to another entity for the provision of facilities or learning and teaching, or for research to be undertaken.

16.13. The University should therefore keep under review its arrangements for managing all the resources under its control, taking into account guidance on good practice issued from time to time by the OfS, the National Audit Office, the Public Accounts Committee or other relevant bodies.

16.14. To fulfil this responsibility, Council will develop and revise each year a plan for value for money work that will provide evidence of compliance with OfS requirements. It will be used to enable the Audit & Risk Committee to report on value for money in their annual report.

Other Auditors

16.15. The University may, from time to time, be subject to audit or investigation by external bodies such as the OfS, the National Audit Office and HM Revenue and Customs. They have the same rights of access as external and internal auditors.

17. Treasury Management

Treasury Management Policy

17.1. The University has adopted and will maintain, as the cornerstones for effective treasury management:

- a Treasury Management policy statement stating the policies and objectives of its treasury management activities;
- appropriate treasury management practices (TMPs), setting out the manner in which the organisation will seek to achieve those policies and objectives, and prescribing how it will manage and control those activities.

18. Income

General

18.1. The Chief Finance Officer is responsible for ensuring that appropriate procedures are in operation to enable the University to receive all income to which it is entitled. All receipt forms, invoices, tickets or other official documents in use and electronic collection systems must have the prior approval of the Chief Finance Officer.

18.2. The Chief Finance Officer is responsible for the prompt collection, security and banking of all income received. It is the responsibility of all staff to ensure that revenue to the University is maximised by the efficient application of agreed procedures for the identification, collection and banking of income.

Management of Debtors

18.3. The University has a debt management policy which it uses to assist with the collection of debts.

Receipt of Cash, Cheques and Other Negotiable Instruments

18.4. All monies received within Colleges and Departments from whatever source must be recorded by the College or Department together with the form in which they were received, for example cash, cheques and other negotiable instruments.

18.5. Guidance for the receipt, storage, record keeping and banking of cash is included within the University's cash handling procedures. The University has a policy of keeping cash transactions on campus to a minimum and no longer accepts cash payments from students.

Debit and Credit Cards

18.6. All staff taking payments from customers using credit or debit cards are under a duty of care to ensure that card details are only retained where the taking of future payments from the card has been agreed by the customer, in accordance with the requirements of the General Data Protection Regulation and Data Protection Act 2018.

18.7. Partial card details are printed on the University's copy of the card voucher. These copy vouchers must be retained in the till along with cash and cheques pending delivery to the Income Team with the cash and cheques (see cash handling procedures).

Money Laundering Provisions

18.8. The University has put in place an Anti-Money Laundering policy to meet its obligations under the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017. The policy includes procedures for staff whose responsibilities include the recording of income

receipts.

19. Research Grants and Contracts

19.1. Research grants and contracts shall be accepted on behalf of the University by the Director of the Research Support and Development Office. The Chief Finance Officer shall maintain all financial records relating to research grants and contracts and shall initiate all claims for reimbursement from sponsoring bodies by the due date, with appropriate assistance from the lead investigator of the research.

19.2. Each grant or contract will be assigned to a specific budget holder, normally the lead investigator. Control of pay and non-pay expenditure for a project will be the clear responsibility of the budget holder.

19.3. More detailed information and guidance on policy and procedures for research activities is available in the Research and Development Office web pages

20. Other Income-Generating Activity

Private Consultancies and Other Paid Work

20.1. Unless otherwise stated in a member of staff's contract, outside consultancies or other paid work, including additional paid work undertaken for the University, may not be accepted without the consent of the Deputy Vice Chancellor or relevant member of the Executive Board or Head of Department, and in the case of:

- the Head of Department – the Executive Dean;
- the Executive Dean, or Director of Institute – the Deputy Vice Chancellor;
- the Deputy Vice Chancellor, the Pro Vice Chancellors, the Chief Finance Officer, the University Secretary and General Counsel and the Chief Operating Officer - the Vice-Chancellor and President; and
- the Vice Chancellor and President - the Chair of Council.

20.2. Detailed guidance regarding consultancy work undertaken on behalf of the University is available on the Research and Development Office web pages

Short Course Income and Services Rendered

20.3. Short course income is defined as income generated within academic areas for seminars or short courses outside of the normal degree programmes. It will also include any conferences organised by the Department.

20.4. Any member of staff wishing to run a short course must have the permission of their Executive Dean. The course organiser will be responsible to the Executive Dean or Head of Department for day-to-day management of the course.

20.5. Short courses or conferences organised by members of staff must be costed and priced on a basis agreed with the Chief Finance Officer before any public commitments are made.

20.6. All courses must be self-financing or surplus generating except in situations where the Chief Finance Officer and Deputy Vice Chancellor approve the launching of a new programme as a loss leader. In considering such a situation, the Chief Finance Officer, along with the Chief Operating Officer, will consider the provisions of the applicable Finance Acts that relate to the administration of Corporation Tax law in respect of universities. These provisions address the applicability of general corporation tax exemptions for universities' primary purposes and situations where such exemptions do not apply due to the activity being commercial in nature.

20.7. Any deficits incurred on short courses will be charged to the budget of the sponsoring College, Institute or Department.

Off-site Collaborative Provision (Franchising)

20.8. Any contract or arrangement whereby the University provides education to students away from University premises, or with the assistance of persons other than the University's own staff or with independent contractors (partner organisations), must be subject to the following procedure:

- There will be a contract signed by the Vice Chancellor and President, and on behalf of any partner organisation, in place before any provision is made.
- The form of the contract shall be scrutinised in advance of its operation by the Executive Board.
- The impact of the contract(s) shall be subject to scrutiny by the

Executive Board and the Finance Committee. They shall consider the risk factors associated with the proposed partnership and agree an appropriate entry in the University's financial forecast.

20.9. Where the partnership would represent a significant departure from the University's Strategy, Council shall approve the departure and, where necessary in accordance with the Regulatory Framework of the OfS, the University will inform the OfS.

21. Intellectual Property Rights

21.1. Intellectual property may include inventions whether patentable or not, registered and unregistered designs and design rights, computer software, commercially exploitable knowledge and all copyrights including copyright in literary, musical, dramatic and artistic works and software.

21.2. Arrangements for the ownership, publication, protection and commercialisation of intellectual property created by University staff in the course of their employment and by University students in the course of their studies or research are set out in the University's Intellectual Property Policy.

22. Expenditure

22.1. Scheme of Delegation/Financial Authorities

Members of the Executive Board and Heads of Departments are responsible for purchases within their College, or Department. Purchasing authority may be delegated to named individuals within the College or Department. In exercising this delegated authority, budget holders are required to observe the University's Procurement Policy.

Members of the Executive Board and Heads of Departments are not authorised to commit the University to expenditure without first reserving sufficient funds to meet the purchase cost.

22.2. Procurement

The University requires all budget holders, irrespective of the source of funds, to undertake all procurement in accordance with the University's Procurement Code.

The Associate Director of Procurement will provide the framework within which procurement and contract management activity is performed, including policy, process, governance, performance and systems.

The University will utilise appropriate Conditions of Contract for the purchase of goods, works and services. The Associate Director of Procurement in conjunction with the University Secretary and General Counsel is responsible for ensuring that these are up to date and that they protect the University's interests.

22.3. Staff Expenses

The University's purchasing and payments procedures are in place to enable the majority of non-pay supplies to be procured through the creditors system without staff having to incur any personal expense. However, on occasion, staff may incur expenses, most often in relation to travel, and are entitled to reimbursement, in accordance with the University's Travel and Expenses policy.

It is the University's policy that no cash advances for expenses should be made and that there should be no petty cash floats in use.

23. Pay Expenditure

23.1. Remuneration Policy

All University staff will be appointed to the salary scales approved by the Executive Board and in accordance with appropriate conditions of service. All letters of appointment must be issued by the Human Resources Department. Full details of procedures to be followed during the recruitment process are accessible from the Human Resources intranet site.

Salary and other benefits of the Vice Chancellor and President and other named senior posts will be determined by the Remuneration Committee set up by Council. The Vice Chancellor and President does not sit on the Remuneration Committee. Decisions of the Remuneration Committee will be reported to Council.

23.2. Salaries and Wages

The Chief People and Culture Officer is responsible for all payments of salaries to all staff including payments for all allowances including overtime or services

rendered. All timesheets and other pay documents, including those relating to fees payable to external examiners, visiting lecturers or researchers, will be in a form prescribed or approved by the Chief People and Culture Officer.

The Chief People and Culture Officer will be responsible for keeping the Chief Finance Officer informed of any exceptional circumstances relating to personnel for payroll purposes. In particular these might include any irregularities that apply to:-

- appointments, resignations, dismissals, supervisions, secondments and transfers;
- absences from duty for sickness or other reason, apart from approved leave;
- changes in remuneration including normal increments and pay awards; and,
- information necessary to maintain records of service for pensions, income tax and national insurance.

The Chief People and Culture Officer shall be responsible for keeping all records relating to payroll including those of a statutory nature.

All payments must be made in accordance with the University's detailed payroll financial procedures and comply with HM Revenue and Customs regulations.

The Chief Finance Officer will retain responsibility for all statutory approvals.

23.3. Pension Schemes

Council is responsible for undertaking the role of employer in relation to appropriate pension arrangements for employees. The Chief People and Culture Officer is responsible for day-to- day pension matters, including preparing the annual return to various pension schemes. The Chief People and Culture Officer is responsible for administering eligibility for pension arrangements.

The Chief Finance Officer is responsible for paying contributions to various authorised superannuation schemes, using information supplied by the Chief People and Culture Officer.

23.4. Redundancy, Severance and Other Termination Payments

The University has a redundancy and a voluntary severance policy which is approved by the Executive Board. The Executive Board has the authority to vary the redundancy and severance policies and approach as required. Any payments that are not in line with the University's redundancy policy or voluntary severance policy require approval from the Vice Chancellor and President or their nominee.

Approval must be sought from the Remuneration Committee for any severance payments outlined in that Committee's terms of reference contained within Council Ordinance 5.

23.5. Employment Dispute and Litigation

In the event that the University or any of its staff are named as a respondent in an employment tribunal, the Chief People and Culture Officer will notify the Deputy Vice Chancellor and the Chief Operating Officer.

It is important that the Vice-Chancellor and President is not involved in decisions relating to sections 23.4 and 23.5, so that in the event of any legal challenge the Vice-Chancellor and President remains impartial and can hear an appeal.

24. Assets

24.1. Land, Buildings, Fixed Plant and Machinery

The purchase of land, buildings or fixed plant with a value exceeding £1 million can only be undertaken with authority from Council and the OfS must be notified of material events with possible financial viability or sustainability implications, in accordance with the Regulatory Framework.

The protocols summarised at Appendix B and C will also apply to major items of a capital nature.

24.2. Fixed Asset Register

The Chief Finance Officer is responsible for maintaining the University's register of land, buildings, fixed plant and machinery. Colleges, Institutes and

Departments will provide the Chief Finance Officer with any information needed to maintain the register.

24.3. Safeguarding Assets

Members of the Executive Board and Heads of Departments are responsible for the care, custody and security of the buildings, stock, stores, furniture, cash, etc under their control. They will consult the Chief Finance Officer in any case where security is thought to be defective or where it is considered that special security arrangements may be needed.

Assets owned by the University shall, so far as is practical, be effectively marked to identify them as University property.

24.4. Personal Use

Assets owned or leased by the University shall not be subject to personal use without proper authorisation.

24.5. Asset Disposal

Disposal of land and buildings must only take place with the authorisation of Council, which must consider the OfS Regulatory Framework and the potential requirement to notify the OfS of material events with possible financial viability or sustainability implications including, but not limited to, the sale of significant assets.

Members of the Executive Board and Heads of Departments are responsible for establishing adequate arrangements for the custody and control of all other assets owned by the University, whether tangible or intangible (such as intellectual property – see section on Intellectual Property Rights and Patents), including electronic data.

25. Funds Held on Trust

25.1. Gifts, Benefactions and Donations

The Chief Finance Officer is responsible for maintaining financial records in

respect of gifts, benefactions and donations made to the University and initiating claims for recovery of tax where appropriate.

25.2. Trust Funds and Endowments

The Chief Finance Officer is responsible for maintaining a record of the requirements for each trust fund and for advising the Finance Committee on the control and investment of fund balances. A register of endowments analysed between capital and income, and by category (e.g. scholarships, chairs and lectureships, prize funds and other) will be maintained by the Chief Finance Officer.

The Finance Committee is responsible for ensuring that all the University's trust funds are operated within any relevant legislation and the specific requirements for each trust. They will also be responsible for monitoring the investment of fund balances.

26. Other

26.1. Insurance

The Chief Finance Officer is responsible for the University's insurance arrangements, including the provision of advice on the types of cover available. As part of the overall risk management strategy, all risks will have been considered and those most effectively dealt with by insurance cover will have been identified. This is likely to include important potential liabilities and provide sufficient cover to meet any potential risk to all assets.

The Chief Finance Officer is responsible for effecting appropriate insurance cover in accordance with the University's risk management policy, which is approved by Council on the advice of the Audit & Risk Committee. He or she is therefore responsible for obtaining quotes, negotiating claims and maintaining the necessary records. The Chief Finance Officer will keep a register of all insurances effected by the University and the property and risks covered. He or she will also deal with the University's insurers and advisers about specific insurance problems.

Detailed guidance on insurance matters is available on the University's intranet.

26.2. Companies and Joint Ventures

In certain circumstances it may be advantageous to the University to establish a company or a joint venture to undertake services on behalf of the University. Any member of staff considering the use of a company or a joint venture should first seek the advice of the Chief Finance Officer who should have due regard to guidance issued by the OfS.

Council is responsible for approving the establishment of all companies or joint ventures and the procedure to be followed in order to do so. This will have regard to any guidance provided by the OfS.

It is the responsibility of the Vice Chancellor and President, acting for Council, to appoint directors of companies wholly or partly owned by the University.

The directors of companies where the University is the majority shareholder must submit, via the Finance Committee, an annual report to Council. They will also submit business plans or budgets as requested to enable the Committee to assess the risk to the University. The University's internal and external auditors shall also be appointed to such companies.

Where the University is the majority shareholder in a company, that company's financial year shall be consistent with that of the University.

26.3. Security

Information Technology and Data Security

The Deputy Chief Operating Officer shall be responsible for maintaining proper security and privacy of information held on the University's computer networks. Appropriate levels of security will be provided, such as passwords for networked PCs, together with restricted physical access for network servers. Information relating to individuals held on computer will be subject to the provisions of the General Data Protection Regulation and Data Protection Act 2018. A Data Protection Officer shall be nominated to ensure compliance with the Act and the safety of documents.

The University Secretary and General Counsel is responsible for the University's arrangements in relation to Data Protection and the Freedom of Information Act. The University's policy and procedures relating to Data Protection and Freedom of

Information Act issues are set out here.

Document Storage and Security

The Secretary to Council is responsible for the safekeeping of official and legal documents relating to the University. Signed copies of deeds, leases and similar agreements must, therefore, be forwarded to the Secretary to Council. All such documents shall be held in an appropriately secure, fireproof location and copies held at a separate location.

For procurement contracts, a contract register will be maintained by the Procurement Department, and details of applicable contracts for the University (with total value exceeding
£30,000) should be communicated to the Procurement Department.

26.4. Students' Union

The Union of Brunel Students (UBS) is a separate legal entity from the University but is recognised to fulfil a valuable role in relation to the University's students. It is an unincorporated charity established under the Education Act 1994.

Subject to any regulatory or other guidance from the OfS, Council shall determine the level of grant to be paid annually to UBS. Council requires UBS to provide for information details of its proposed budget to assist in determining the appropriate level of grant.

UBS is responsible for maintaining its own bank account and financial records and preparing its own annual financial statements.

At year end the UBS financial statements will be audited by an appropriately qualified firm of auditors and will be presented to the Finance Committee for information.

26.5. Use of the University's Seal

Where a deed or document requires the University's seal, it must be sealed by the Secretary to Council or, in his or her absence, the Chief Operating Officer, in the presence of a member of Council. The seal may be applied either physically in person or electronically – if it is applied electronically then it must be witnessed by a member of the Council using appropriate software and digitally timestamped. The

Secretary to Council is responsible for the safe keeping of the University's seal. The Secretary to Council is responsible for submitting a report to each meeting of Council detailing the use of the University's seal since the last meeting.

26.6. Provision of Indemnities and Guarantees

For non-research contracts, staff should not sign any disclaimer, form of indemnity or other document having the effect of creating legal liabilities for the University without consulting with the Chief Finance Officer in regard to insurance cover, and if necessary, the Chief Operating Officer.

Research and consultancy contracts are addressed in section 20; guidance on such contracts and the content of clauses relating to indemnities and guarantees is available on the Research Support and Development Office intranet pages.

APPENDIX A

The Seven Principles of Public Life from the Report of the Parliamentary Committee for Standards in Public Life (The Nolan Report)

SELFLESSNESS

Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their families or their friends.

INTEGRITY

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that may influence them in the performance of their official duties.

OBJECTIVITY

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

ACCOUNTABILITY

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

OPENNESS

Holders of public office should be as open as possible about all their decisions and the actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

HONESTY

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

LEADERSHIP

Holders of public office should promote and support these principles by leadership and example.

APPENDIX B – SUMMARY OF PROTOCOLS FOR PROPOSED CAPITAL EXPENDITURE

Proposed capital projects with budgets, including VAT, in excess of £1 million should be supported by:

- A statement that demonstrates the project's consistency with the strategic plans and estates strategy approved by Council;

- An initial budget for the project for submission to the Finance Committee. The budget should include a breakdown of costs including professional fees, VAT and funding sources;

- A financial evaluation of the plans together with their impact on revenue plus analysis on the impact of alternative plans;

- An investment appraisal in an approved format which complies with regulatory guidance on option and investment appraisal;

- A demonstration of compliance with normal tendering procedures. This will require careful consideration where partnership arrangements are in place; and,

- A cash flow forecast.

APPENDIX C – SUMMARY OF PROTOCOLS FOR PROPOSED MAJOR DEVELOPMENTS

Proposed major developments are defined as any new aspect of business, or proposed establishment of a company or joint venture, whether or not an investment in buildings, resources or staff time is required.

The proposal should be supported by a business plan for at least three years which sets out:

- a demonstration of the proposal's consistency with the strategic plans approved by Council and with the University's powers under current legislation;
- details of the market need and the assumptions (based on reference data) of the level of business available;
- details of the business and what product or service will be delivered;
- an outline plan for promoting the business to the identified market and achieving planned levels of business;
- details of the staff required to deliver, promote and manage the business, together with any re-skilling or recruitment issues;
- details of any premises and other resources required;
- a financial evaluation of the proposal together with its impact on revenue and surplus, plus advice on the impact of possible alternative plans and sensitivity analyses in respect of key assumptions;
- contingency plans for managing adverse sensitivities;
- consideration of taxation and other legislative or regulatory issues;
- a carbon impact analysis of the proposal (if applicable); and
- a three-year (or longer) financial forecast for the proposal including a cash flow forecast and details of the impact on the University cash flow forecast for the financial years impacted.