

Primary Responsibilities of the Board of Governors of Contemporary Dance Trust Limited, known as The Place
November 2023

Date last Reviewed	November 2022
Next Review Due	November 2024
Committee	Nominations/ Board of Governors

1. Context

The Place operates in a context of

- (i) **Legislation** - in particular arising from its
 - (a) charitable status and concerning financial matters
 - (b) registered higher education provider status
 - (c) employment of staff
 - (d) company limited by guarantee status

and hence legislation concerning charities (including tax exemptions), registered higher education providers (including academic freedom), gender, disability, equal opportunities, race relations, Prevent, employment and health and safety, for example, is relevant.

- (ii) **Office for Students (OfS) requirements** –the OfS Terms and Conditions of Registration and Terms and Conditions of Funding for Higher Education Providers (the OfS Terms) concerning matters relating to funding, audit and management.

(iii) **Internal Regulations and Procedures** -- requirements laid upon it by Arts Council England (ACE), ~~the University of Kent~~ and the University of the Arts London (UAL) (or other validating bodies), and the Department for Education (such as regulations for the award of degrees; student discipline; the use of facilities such as studios, theatre and library; and procedures for the appointment and promotion of staff). The Board of Governors will consider Arts Council England’s Investment Principles, particularly in relation to dynamic governance.

(iv) **The Corporate Governance Workplan of The Place, and the School (LCDS) Academic Workplan** relate to The Place Business Plan which is reported against quarterly to Governors and annually to ACE accompanied by relevant strategy documents (e.g. for Human Resources).

(v) **other formal documents** such as The Place’s Scheme of Delegation, Financial Regulations, Health and Safety Policy and Equality, Diversity and Inclusion Action Plan.

2. The Place primary responsibilities

These may be stated, briefly, as given below, on the basis that business is conducted in accordance with best practice in the governance of the arts and higher education and with the principles of public life drawn up by the Nolan Committee on Standards in Public Life (selflessness, integrity, objectivity, accountability, openness, honesty and leadership). Other essential responsibilities are to safeguard the good name and values of The Place and its constituent parts, including London Contemporary Dance School.

(i) **The Place's Mission, Vision and Strategic Aims**

Approval of the Business Plan, key academic/artistic strategies, other strategies (such as Financial Strategy, the Estates Strategy and Human Resources Strategy) and key documents (such as for Health and Safety Policy, Equality, Inclusion and Diversity Action Plan).

(ii) **Appointments**

- Chief Executive and Accountable Officer
- Members of the Board of Governors
- Members and lay members of committees of The Place, with the exception of non-Governor appointments to the Equality, Diversity and Inclusion Committee
- Head of Governance (in the role of Secretary to the Board)
- External Auditors
- Internal Auditors

Note: The Board is the employing authority for all staff of The Place. Appointments other than those listed above are delegated to appropriate officers to be made in accordance with The Place's Human Resources policies.

(iii) **Delegation to the Chief Executive**, who also acts as Head of Institution and Accountable Officer, for the academic, corporate, financial, estate and human resource management of the organisation, and for establishing and keeping under regular review the policies, procedures and limits within such management functions as shall be undertaken by and under the authority of the Chief Executive.

(iv) **Academic Board**

The Academic Board of London Contemporary Dance School is the senior academic body of the School and is accountable to the Board of Governors of The Place and to the validating university - ~~the University of Kent and~~ University of the Arts London (UAL) - for ensuring compliance with the ~~Quality Assurance Agency for Higher Education (QAA) Quality Code for~~ quality and standards of the higher education awards made by ~~the University of Kent and~~ UAL.

(v) **Financial Matters**

- Annual Budget, including the Capital Budget
- Annual Report and Audited Annual Financial Statements
- Assets, property and estate

- Major Projects (capital or other) which are additional to annual budgetary spend
- Other matters as specified by OfS Terms (e.g. ensuring the proper use of public funds; a sound system of internal management and control, risk management, audit and solvency; designation of the 'Accountable Officer'; appointment of external auditors; and appointment of an Audit Committee).

Note: The Board of Governors is the principal financial and business authority of The Place.

- (vi) **Requirements arising from legislation** (e.g. in relation to Equality, Diversity and Inclusion, Health and Safety, Consumer Protection Law (CPL), Anti-Bribery and Corruption, Freedom of Speech, Academic Freedom; Prevent, Whistleblowing, Antislavery and financial tax avoidance) and **from legal obligations** (e.g. contracts and other commitments).
- (vii) **Performance review** concerning, for example:
- Institutional performance (e.g. against the Business Plan)
 - Institutional effectiveness and Key Performance Indicators (KPIs), benchmarked against other comparable institutions where appropriate
 - The effectiveness of the Board of Governors, its committees and of its individual members
 - Adequacy and effectiveness of the management structure
- (viii) **Staff and Student Voice** – ensure that staff and students are consulted, and involved in committees, creating opportunities to engage with the governance and management of the organisation, with student representatives invited as observers to Board meetings.
- (ix) **Grievances** from staff and students where appropriate.
- (x) **Welfare** and wellbeing of staff and students.
- (xi) **Subsidiaries** (if any) ~~Place Productions Limited~~ – appointment of directors; compliance with requirements of company law and tax and VAT law.