POLICY NOTE

THE ROYAL CONSERVATOIRE OF SCOTLAND ORDER OF COUNCIL 2014

SSI 2014/268

1. The above instrument was made in exercise of the powers conferred upon the Lords of Her Majesty's Most Honourable Privy Council by sections 45 and 60(3) of the Further and Higher Education (Scotland) Act 1992. The instrument is subject to negative resolution procedure.

Policy objectives

2. Royal Conservatoire of Scotland ("Royal Conservatoire"), along with the majority of other post-1992 universities and designated higher education institutions in Scotland, has a Governance Order, The Royal Scottish Academy of Music and Drama (Scotland) Order of Council 1995 (S.I. 1995/2261) ('the 1995 Order'), made by the Privy Council.

3. The purpose of this instrument is to update and modernise the provisions in the 1995 Order, particularly to reflect senior management and Board structure changes at Royal Conservatoire (including the removal of the 70 years age limit for governors) and a change of name from The Royal Scottish Academy of Music and Drama to Royal Conservatoire of Scotland, agreed by a resolution of its members on 25th July 2011. Provision concerning the interests of Governors is also expanded in line with the requirements of the Companies Act 2006 to allow Governors to act, where authorised, despite having an interest that might otherwise conflict with the interests of Royal Conservatoire.

4. The Order makes provision about the membership of the Board of Governors (the governing body of the institution) that is slightly different to that of the 1995 Order. In particular, all ordinary Governors will be appointed rather than some appointed and some co-opted. The Deputy Principal and an additional (second) student member will now be members of the Board. The Order also provides that the Board may appoint more than one Vice-Chair, to assist in ensuring that the work of the Board is adequately presided over in the absence of both the Chair and the nominated Vice-Chair.

5. The composition of the Academic Board is altered by the Order so that the Deputy Principal and the Senior Academic Managers (removing the obsolete post of School Director) are now included as members ex officiis of the Academic Board.

6. The Order replaces the 1995 Order, which is revoked, subject to savings and transitional provisions to preserve the position of those holding office under the 1995 Order.

Commencement

7. The Order will come into force on 1st December 2014.

Consultation

8. The Scottish Government consulted the Privy Council Office, Royal Conservatoire of Scotland and the Scottish Further and Higher Education Funding Council during the preparation of the instrument.

Impacts

9. A Regulatory Impact Assessment has not been prepared as this instrument has no financial effects on the Scottish Government, local government or on business.

Scottish Government
Higher Education and Learner Support Division

October 2014