

# Royal College of Music

## Royal Charter

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*The Royal College of Music's Royal Charter and Statutes were extensively revised by the College in 2009, as set out here. Her Majesty The Queen allowed the amendments at a meeting of the Privy Council held on 8 July 2009.*

*[This version contains proposed new revisions in 2017, as highlighted](#)*

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*ELIZABETH THE SECOND* by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of Our other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith:

**TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING!**

*WHEREAS* Her Majesty the Queen Victoria did on the 23rd May 1883 grant a Charter (hereinafter referred to as "the Original Charter") constituting and founding a body corporate by the name of "The Royal College of Music" (hereinafter referred to as "the College") having perpetual succession and a common seal, with power to sue and be sued in the said name:

*AND WHEREAS* the College has by an humble Petition represented unto Us that it would conduce to the better management and direction of the College if new provision were made with respect to its purposes, proceedings and duties and has prayed that We would be graciously pleased to grant it a Supplemental Charter:

*AND WHEREAS* We have taken the said Petition into Our Royal consideration and are minded to accede thereto:

*NOW THEREFORE KNOW YE* that We have of Our especial grace, certain knowledge and mere motion granted and ordained and do by these presents for Us, Our Heirs and Successors, grant and ordain as follows:

### **Interpretation**

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1. Unless the context otherwise provides, in this Charter, the Schedule to this Charter and the Statutes words importing the singular shall include the plural and vice versa, words importing the masculine gender shall include the feminine gender and words importing persons shall include corporations.

## **Objects**

2. The objects of the College shall be to advance the Art of Music and promote the study of and education in music and musical instruction and research of the highest standard and such other related academic subjects as the College may consider appropriate in the United Kingdom of Great Britain and Northern Ireland and elsewhere throughout the world.

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## **Powers**

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3. The College shall have all the powers of a natural person to do all lawful acts whatsoever that may be conducive or incidental to the attainment of the objects for which the College has been established, which includes but is not limited to the powers:
  - (a) to award and revoke degrees and other distinctions (including without limitation, diplomas, certificates, fellowships, honorary degrees, honorary fellowships, memberships and associateships) in its own name and/or jointly with other education institutions;
  - (b) to promote original research and consultancy and be a teaching, assessment and an awarding body;
  - (c) to enter into contracts or agreements in furtherance of the Objects;
  - (d) to accept, hold, and dispose of, money or other property in furtherance of the Objects, including sums voted by Parliament for that purpose;
  - (e) to accept any trusts, whether subject to special conditions or not, in furtherance of the Objects;
  - (f) to establish scholarships, exhibitions, fellowships and bursaries;
  - (g) to form, participate in forming, or invest in a company;
  - (h) to invest any monies in the hands of the College and available for investment;
  - (i) to give guarantees to building societies, banks and other financial institutions, whether in pursuance of continuing arrangements or not;
  - (j) to take such steps as may from time to time be deemed expedient for the purpose of procuring and receiving contributions to the funds of the College;
  - (k) to raise money in such other manner as the College may determine; and
  - (l) to acquire and hold land subject to the terms of any trust applying thereto.
4. The College shall not make any dividend, gift, division or bonus in money to or between any members of Council or officers of the College, except by way of prize, special grant or reward including as payment of reasonable and proper remuneration for goods or services supplied to the College.

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## **The Council**

5. The College shall have a Council which shall be the supreme governing body of the College and shall be responsible for the exercise of the College's powers. The functions of the Council shall include, without limitation:
  - (a) ensuring the effective and efficient management, control and supervision of the College;

- (b) the appointment and payment of officers and staff;
- (c) the management and disposition of the property of the College;
- (d) making statutes, ordinances, bye laws, regulations and procedures for the regulation and management of the College and for membership of the Council; and
- (e) the custody and use of the Common Seal of the College.

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6. The Council may establish committees or sub-committees from among its own number or otherwise appointed for the purpose and delegate all or any of its functions to them or to the Director or to the Chairman or, in his absence, to the Deputy Chairman, provided that the Council shall not delegate any of the following functions:

- (a) the determination of the educational character and mission of the College;
- (b) the approval of the College's annual estimates of the income and expenditure;
- (c) the responsibility for ensuring the solvency of the College and for safeguarding its assets;
- (d) the appointment or dismissal of the Director of the College, following consultation with the President;
- (e) the appointment or removal of the Chairman, other independent members of Council and the Vice-Presidents, in each case after the consent of the President has been obtained;
- (f) the appointment or removal from among the independent members of a Deputy Chairman ~~and of an Honorary Treasurer;~~
- (g) the appointment of auditors, the establishment of an Audit Committee and the approval of the College's annual audited accounts; or
- (h) the alteration, amendment or addition to this Charter or the making of statutes, ordinances, bye laws, regulations and procedures.

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7. The Council shall consist of not more than twenty five persons of whom:

- (a) one shall be the President for the time being of the College;
- (b) one shall be the Director for the time being of the College;
- (c) one shall be the Deputy Director for the time being of the College;

~~(e)~~(d) one shall be the elected President for the time being of the Students' Association ~~Union~~ of the College;

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~~(e)~~(e) two shall be elected by the academic staff of the College from amongst their number;

~~(e)~~(f) one shall be elected by the non-academic staff of the College from amongst their number; and

~~(f)~~(g) a majority, and at least 10, shall be persons who are neither students nor members of staff of the College ("independent members") and who shall be appointed by the independent members after the consent of the President has been obtained.

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8. Council members shall hold office for the following periods:

(a) the President and the Director of the College and the Deputy Director of the College and the President of the Students' Association Union shall be members of the Council for so long as such persons remain respectively the President and the Director of the College and the Deputy Director of the College and the President of the Students' Association Union;

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(b) the terms of office of other members of the Council shall be set out in the Statutes.

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9. Meetings of the Council shall be quorate if the number of members present at such meetings is at least a third of the total number of members of whom a majority shall be independent members.

#### The Officers of the College

10. The officers of the College shall ~~comprise~~ include but not be limited to:

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(a) the President, who may be the Sovereign for the time being or any such person as shall for the time being be appointed by the Sovereign;

~~(b)~~ the Chairman who shall, if present, chair meetings of the Council or general meetings of the College and shall be appointed by the Council, after the consent of the President has been obtained, either:

(i) from among the Council's independent members; or

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(ii) from among people who are eligible to be an independent member of the Council.

~~(b)~~

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(c) the Deputy Chairman, who shall be appointed by the Council from among the Council's independent members;

(d) the Vice-Presidents, who shall be appointed by the Council after the consent of the President has been obtained and whose number shall not be less than four and shall not exceed fifteen;

~~(e) the Honorary Treasurer, who shall be appointed by the Council from among the Council's independent members;~~

~~(f)~~(e) the Director, who shall be appointed by the Council following consultation with the President;

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(f) the Deputy Director, who shall be appointed by the Council;

(g) the Clerk to the Council, who shall be appointed by the Council.

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#### The Senate

11. The College shall have a Senate which shall advise the Council on all academic matters affecting the educational policy of the College and related matters.

#### Academic Freedom

12. Academic staff have freedom within the law to question and test received wisdom and to put forward new ideas and controversial or unpopular opinions, without putting themselves at risk of losing their jobs or any privileges which they may enjoy at the College.

#### The Students' ~~Association~~ Union

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13. The Students' ~~Association~~ Union shall conduct and manage its own affairs and funds in accordance with a constitution approved by the Council, and no amendment to or rescission of that constitution in part or whole shall be valid unless approved by the Council.

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#### The Academic Year

14. The academic years of the College shall be as specified in the statutes.

#### Amendments, alterations or additions to the Charter and the Schedule

~~15. The Council may at any time alter, amend or add to this Charter by a special resolution and such alteration, amendment or addition shall when allowed by Us, Our Heirs or Successors in Council become effective so that the Charter as so amended, revoked or added to shall thenceforth continue and operate as if it had been originally granted and made as so altered, amended or added to in this manner. A special resolution means a resolution passed by a majority of not less than three fourths of the members of Council present and voting in a general meeting of which not less than twenty eight days notice shall have been given.~~

~~16.~~ 15. The Council may at any time alter, amend or add to the Schedule to the Charter by a special resolution and such alteration, amendment or addition shall, when approved by the Privy Council, become effective so that the Schedule as so amended, revoked or added to shall thenceforth continue and operate as if it had been originally granted and made as so altered, amended or added to in this manner. A special resolution means a amend, add to, or repeal this Charter or the Schedule by resolution passed by a majority of not less than three fourths of the members of Council present and voting ~~in a~~ at a ~~general~~ Council meeting of which not less than twenty eight ~~days~~ days, notice shall have been given. Such amendment, addition or repeal shall, when allowed by Us, Our Heirs or Successors in Council, have effect so that this Our Charter or the Schedule shall operate as though it had been originally granted and made as so amended, added to or repealed.

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**Construction of the Charter**

~~17~~16. Our Royal Will and Pleasure is that this Charter shall always be construed and adjudged in the most favourable and beneficial sense for the best advantage of the College and the promotion of its objects.

*IN WITNESS whereof We have caused these Our Letters to be made Patent.*

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*WITNESS Ourselves at Westminster the 12<sup>th</sup> day of December 1994 in the 43<sup>rd</sup> year of Our Reign.*

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*BY WARRANT UNDER THE QUEEN'S SIGN MANUAL*

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# Schedule - Provisions Relating to Staff

## General Principles of Construction and Application

1. Except where indicated to the contrary, this Schedule applies to all staff.
2. Any reference in this Schedule to a provision in an Act of Parliament shall be taken to be a reference to that provision as it may have been amended or superseded from time to time.
3. This Schedule will override any provision in any contract, term or condition of employment which is inconsistent with this Statute, whether dated before or after the commencement of this Schedule.
4. For the purposes of this Schedule the following terms shall bear the following meanings:
  - (h) “dismissal” shall bear the same meaning as in section 95 of the Employment Rights Act 1996;
  - (i) “dismissal by reason of redundancy” shall bear the same meaning as in section 139 of the Employment Rights Act 1996.

## Suspension

5. The Director, or other designated person or persons, may suspend from duty, with pay, any member of staff for alleged misconduct or other good or urgent cause.

## Discipline and other actions

6. The Director, or other person or persons designated by the Director, may discipline any member of staff.
7. Where a staff member has been disciplined pursuant to paragraph 6 that staff member may appeal against that decision.
8. The Director, or other designated person or persons, may take other actions to manage the employment of any member of staff.

## Dismissal

9. The Director, or other designated person or persons, may dismiss any member of staff either with or without notice, depending on the circumstances of the case.
10. Where a staff member has been dismissed pursuant to paragraph 9 that staff member may appeal against the dismissal.

## Grievances

11. Any member of staff may seek redress of any grievances relating to his or her employment.
12. If the member of staff is dissatisfied with the outcome of a grievance, he or she may appeal against that decision.

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## **Procedures**

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13. The Council shall from time to time ensure that procedures are in place specifying designated persons to be appointed and procedures to be followed in the exercise of the powers and duties contained in this Schedule. These procedures, which may be amended or replaced from time to time, shall differentiate as necessary between the senior staff and other staff of the College.

# Royal College of Music Statutes

## Members of the Council

1. Independent members shall be appointed for a term of five years and shall be eligible for reappointment by the Council. An independent member retiring after two consecutive terms shall not be eligible for reappointment unless there are, in the view of the Chairman, special circumstances justifying recommendation for his re-appointment.
2. Independent members shall be deemed to have offered their resignation if they shall have been absent from three consecutive Council meetings and the Council shall then exercise its discretion as to whether to accept such resignation.
3. Independent Members shall be persons who are neither students nor members of staff of the College and who shall be nominated by an appointment committee, established by the Council for this purpose and comprising a majority of independent members of the Council. Independent Members shall be appointed by the Council, after the consent of the President has been obtained.
4. The Chairman shall be nominated ~~from among the Council's Independent Members~~, by an appointment committee, established by the Council for this purpose and comprising a majority of independent members of the Council. The Chairman shall be appointed by the Council, after the consent of the President has been obtained.
5. The elected members shall be appointed for a term of three years following an election conducted by secret ballot under the supervision of the Clerk to the Council in accordance with such regulations as may from time to time be laid down by the Council. Elected members shall be capable of re-election for a second term but their appointment shall not exceed six consecutive years.
6. In the event that the employment by the College of an elected member terminates during his term of office as an elected member, his appointment shall cease automatically and a new representative shall be elected.
7. Any member of the Council may resign at any time by notifying the Chairman in writing.
8. If at any time the Council is satisfied that any member of the Council (other than the Director) is unfit or unable to discharge the functions of a member the Council may by notice in writing to this member, remove the member from office and the office shall then be vacant.
9. Every member of the Council, and members of any committee of the Council, shall be indemnified by the College against all costs, expenses and losses for which they may become liable by reason of any act or thing done by them in the proper

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discharge of their office or duty. Without prejudice to the generality of the foregoing or to any indemnity to which a member of the Council or of any committee may be otherwise entitled, every such member shall be indemnified out of the assets of the College against any liability incurred by him in defending any proceedings, whether civil or criminal, in which judgment is given in favour of such member or in which such member is acquitted or in connection with any application in which relief is granted to such member by the Court from liability for negligence, default, breach of duty or breach of trust in relation to the affairs of the College.

10. Members of the Council may be reimbursed for reasonable travelling and other expenses necessarily incurred in the course of their duties.

#### **Proceedings of the Council**

11. Subject to the provisions of the Charter and the Statutes, the Council may regulate its proceedings as it thinks fit.
12. An Annual General Meeting of the Council shall be held once in every year. The business to be transacted at any general meeting shall be that specified in the notice of the meeting and, in the case of an Annual General Meeting, the notice shall specify the meeting as such.
13. The Council shall meet at least twice in every calendar year at such time and place as may be determined by the Chairman. At least seven clear days' written notice of Council meetings shall be given to each Council member. An agenda, minutes of the previous meeting and any other relevant papers shall be circulated to Council members with the notice of the meeting.
14. Questions arising at a Council meeting shall be decided by a majority of votes save that a resolution to amend, revoke or add to these Statutes shall be decided by a majority of not less than two thirds of those present and voting. Unless otherwise stated every member present shall be entitled to one vote. Votes may not be given by proxy. In the case of an equality of votes the person presiding at such meeting shall have a second or casting vote.
15. The Council shall appoint the Chairman after the consent of the President has been obtained and may at any time remove him from that office.
16. The Council shall appoint one of its members as Deputy Chairman and may at any time remove him from that office. The Deputy Chairman shall, in the absence of the Chairman, preside at all general meetings of the College and meetings of the Council at which he may be present.
17. If at any meeting neither the Chairman nor the Deputy Chairman is present within thirty minutes of the time appointed for the meeting, the Council members present shall choose one of their number to be chairman of the meeting.
18. A Council member may count in the quorum but shall not vote at a meeting of the Council or of a committee of the Council on any resolution concerning a matter in which he has, directly or indirectly, a financial interest or an interest or duty which is

material and which conflicts or may conflict with the interests of the College and he shall declare any such interest at the meeting.

19. If a question arises at a Council meeting or a committee meeting concerning a named member of staff, or prospective member of staff, or student, or the position of the Director, the Council or committee shall at its discretion require the withdrawal from the meeting or part thereof of the staff or student elected member(s), or the Director or the Deputy Director, as appropriate.

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20. The President or the Chairman of the Council or any five independent members of the Council may by notice in writing to the Clerk to the Council requisition a meeting of the Council. The requisition must state the objects of the meeting.

21. Upon receipt of such a requisition the Clerk to the Council shall forthwith proceed to convene a meeting upon at least seven days' notice in the normal way by circulating a notice to each member of the Council.

22. A resolution in writing signed or by electronic means approved by at least a third of the independent members of the Council for the time being ~~as confirmed by electronic signature~~, including the Chairman or in his absence the Deputy Chairman shall be as valid and effectual as if it had been passed at a meeting of the Council duly convened and constituted and may consist of several documents in the like form each ~~signed~~approved by one or more members of Council.

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23. Any member of Council may participate in any meeting of the Council or any of its committees of which he is a member by means of a conference telephone or similar communications equipment including video and telephone conferencing facilities whereby all persons participating in the meeting can hear each other and shall be deemed to be present and shall be entitled to vote and be counted in a quorum.

24. No act or proceeding of the Council, or of a committee of the Council shall be questioned on account of any vacancy or vacancies in the Council or committee.

25. No defect in the qualification, election or appointment of any person or persons acting as member or members of the Council, or of a committee of the Council, shall be deemed to vitiate any proceedings of such Council or committee in which he or they has or have taken part, in cases where the majority of members who are party to such proceedings are duly entitled to act.

26. Any minute made of proceedings at a meeting of the Council or of a committee of the Council shall be sufficient evidence of such proceedings in all legal proceedings without further proof; and, until the contrary is proved, every meeting of the Council or of any committee of the Council where minutes have been made of the proceedings shall be deemed to have been duly convened and held, and all members thereof to have been duly qualified.

27. The Council shall cause minutes of all proceedings at meetings of the College, and of the Council, and of committees of the Council to be kept in minute books maintained by the Clerk to the Council.

28. Copies of minutes of meetings of the Council, or at the discretion of the Clerk to the Council, excerpts thereof, shall be made available on request to staff and students.

**General Meetings of the College**

29. All general meetings other than Annual General Meetings shall be called Extraordinary General Meetings.
30. A general meeting may be called at any time by the President or the Chairman of the Council or at the request in writing of any five independent members of the Council.
31. An Annual General Meeting and an Extraordinary General Meeting called for the passing of a special resolution shall be called by at least twenty-one clear days' notice. All other Extraordinary General Meetings shall be called by at least fourteen days' notice. The notice shall specify the time and place of the meeting and the general nature of the business to be transacted and, in the case of an Annual General Meeting, shall specify the meeting as such.
32. The accidental omission to give notice of a general meeting to, or the non-receipt of notice of a meeting by, any person entitled to receive notice shall not invalidate the proceedings at that meeting.
33. The proceedings for general meetings shall be conducted under the same rules as those for meetings of the Council, as set out in these Statutes.

### **Committees of the Council**

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34. The Council shall establish and disband committees and sub-committees to support its work and may delegate all or any of its powers to committees or sub-committees except those listed in paragraph 6 of the Royal Charter. The committees of the Council will include an audit committee, a nominations committee, and a finance & general purposes committee (which will include responsibilities as a remuneration committee).

### **The Senate**

35. The Senate shall consist of such members of the senior, academic and administrative staff as may from time to time be determined by the Council on the recommendation of the Director. The Senate shall have terms of reference approved by the Council.
36. The maximum number of members of the Senate shall be thirty. The Senate shall include members elected by the academic staff, appointed following an election conducted by secret ballot under the supervision of the Clerk to the Council. The terms of office of elected members shall be three years and elected members may serve no more than two consecutive terms of office.
37. The Chairman of the Senate shall be the Director or, in his absence, a member of the senior staff of the College to be appointed by the Director or the Clerk to the Council.
38. Meetings of the Senate shall be held at the request of the Director and shall be held at least once in every term of the College.
39. A resolution of the Senate shall be decided by a simple majority of those present and voting.
40. If a resolution of the Senate is in contravention of the opinion of the Director, such resolution shall not be binding on the Director unless it is confirmed by the Council or a committee designated by the Council. The Director shall, if he thinks it expedient so to do, submit any resolution containing any matter of difference between him and the Senate to the Council and the Council may confirm, disallow, or modify the same as it thinks fit.
41. A member of the Senate may communicate personally or in writing with the Chairman of the Council. Members of the Senate shall copy any correspondence with the Chairman to the Director or to the Clerk to the Council.

### **The Director**

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42. The Director shall be nominated by an appointment committee, established by the Council for this purpose and comprising a majority of independent members of the Council. The Director shall be appointed by the Council, following consultation with the President. Upon the occurrence of a vacancy or expected vacancy for the post of Director, the post shall be advertised.

43. Subject to the responsibilities of the Council, the Director shall be responsible for the organisation, direction and management of the College and for the leadership of its staff and students and for such other functions as the Council may assign to him.

44. The Director shall serve under a contract of employment with the College. Such contract shall be made upon such terms and conditions and shall contain such duties as the remuneration committee determines and the remuneration committee may remunerate the Director for his services as it thinks fit.

### **Appointment of Staff**

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45. The staff shall comprise all academic and administrative staff engaged under a contract of employment and shall be appointed by the Director.
46. The senior staff shall comprise the Director, the Clerk to the Council and such other members of staff as the Council shall designate. The senior staff, other than the Director, shall be selected and appointed by a committee established by the Director for the purpose. The Committee shall include at least one independent member of the Council.
47. The salaries and terms and conditions of the senior staff shall be determined by the remuneration committee. The salaries and terms and conditions of other staff shall be determined by the Director within a framework approved by the Council.
48. All staff shall be provided with written terms and conditions of employment.

### **The Students**

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49. The Council, after consultation with the Senate, shall make rules for the conduct of students including procedures for suspension and expulsion (whether for an unsatisfactory standard of work or any other reason) and rights of appeal.
50. The Director shall be responsible to the Council for the maintenance of student discipline and for the suspension or expulsion of students for academic reasons or on disciplinary grounds.

### **The Academic Year**

51. The Director shall be responsible for determining and publishing dates for the academic year.

### **Honorary awards, personal chairs, readers**

52. The Council shall establish procedures for the conferment of honorary awards, personal chairs, and readerships.

### **The Vice-Presidents**

53. There shall be no more than fifteen Vice-Presidents. Any vacancy in the office of Vice-President may be filled by the Council, after the consent of the President has been obtained, but it shall not be incumbent on the Council to fill any such vacancy so long as the number of Vice-Presidents holding office is not less than four.
54. Vice-Presidents may be nominated by the Council in recognition of outstanding service to the College or ex officio. Their functions are honorific unless otherwise authorised by the Council and agreed with the individual Vice-President. The Council may at any time remove all or any Vice-President or Vice-Presidents from office where the Council is satisfied that it is appropriate to do so.

**Financial Matters**

55. The Council shall keep true records of the College's income and expenditure. Annual estimates and accounts of income and expenditure, including a balance sheet, shall be prepared by the Director for the consideration and approval of the Council.
56. External auditors shall be appointed and other audit work conducted in accordance with any requirements of the Council.

### **The Seal of the College**

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57. The Seal shall only be used by the authority of the Council or of a committee of the Council authorised by the Council. The Council may determine who shall sign any instrument to which the Seal is affixed. All instruments shall be signed by at least two persons. Those authorised to sign degrees, diplomas and certificates shall be the Director, the Clerk to the Council, and independent members of the Council. Unless otherwise so determined, other instruments shall be signed by:

- (a) an independent member of Council and
- (b) the Director, the Clerk to the Council, or another independent member of the Council.

### **Amendment of the Statutes**

58. The Council may make Statutes for the College which may add to, amend or revoke the Statutes for the time being in force, provided that such Statutes shall not be inconsistent with the provisions of the Charter.

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