INDEPENDENT ADVICE PROCEDURE

June 2018

Procedure on obtaining independent professional advice for members of the Corporation

1.1 Corporation members shall have, within the financial limits set by the Director of Finance and Resources, the right to take advice from:-

- the College's advisers; or
- if necessary, at the Corporation's expense, independent advisers

on any matters concerning the exercise of their powers, procedures, conduct of business and governance practice.

1.2 Such matters shall:-

- include advice on their legal, accounting and regulatory duties, but
- exclude advice to individual Corporation members concerning their own respective personal interests in relation to the Corporation.

2.1 Corporation members who intend to seek advice under this procedure shall give prior written notice to the Clerk to the Corporation and such notice must contain:-

- a summary of issues on which advice is sought; and
- if independent advice is sought (i.e. not from the College's advisers), the name(s) of the advisers whom the Corporation members propose to instruct together with a short explanation of the reasons why consultation with the College's advisers on the particular issues(s) is considered to be inappropriate.

2.2 The Clerk shall forward a copy of the notice given under paragraph 2.1 to the Chair of the Corporation and the Principal.

2.3 Wherever practicable, Corporation members shall first enquire of the Clerk whether professional advice has already been obtained by the College, before giving notice under paragraph 2.1.

3.1 The Clerk is hereby authorised by the Corporation to commission, at the Corporation's expense, professional advice under this procedure, provided that:

- the cost of such advice shall not exceed £3,000 on each and every occasion, or £15,000 in the aggregate in any period of 12 months, exclusive of Value Added Tax;

- advice shall be commissioned by the Clerk on his or her own initiative after consultation with the Chair, or by the Clerk at the request of the Chair, or by the Clerk on receiving written notice from at least five Corporation members under paragraph 2 after consultation with the Chair;

- where advice is commissioned by the Clerk on receiving written notice under paragraph 2, the Chair shall decide whether to authorise payment of the whole or part only of the costs of such advice as soon as practicable after receiving a copy of the written notice and in any event within ten working days and following consultation with the Principal.

4. The Clerk will notify in writing the Corporation members who have given written notice under paragraph 2 whether the costs for the professional advice are payable by the Corporation and, if they are not, brief reasons shall be stated in support of the decision.

5. Any advice which is obtained under this procedure shall, on request, be made available to all Corporation members, save where such advice relates to a named Corporation member, and the Chair, after consultation with the Clerk, is satisfied that it should be dealt with on a confidential basis.

6. References in this procedure to the Chair shall include, in his or her absence or where he or she is seeking independent advice under this procedure, references to the Vice-Chair.

Author:	*Clerk*
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