

## **Memorandum of Understanding (MOU) of MK Civic Bodies and Higher Education (HE) Providers**

### **Memorandum of Understanding**

#### **Preamble**

This **Memorandum of Understanding (MoU)** sets out the purpose, and roles in delivering university level education in Milton Keynes. It complements:

- **Milton Keynes Community Interim Ambition Statement for University Level Education (owned and approved by Milton Keynes Council and Milton Keynes Higher Education Board )**
- **University College Milton Keynes Ambition Statement including Key Milestones (owned and approved by University of Bedfordshire)**
- **Milton Keynes College “HE in FE” Ambition Statement including Key Milestones (owned and approved by Milton Keynes College)**  
[and collectively known as the ***Ambition Statements*** in this **MoU**]

It is supplemented by a separate “**heads of agreement**” between Milton Keynes Council and the University of Bedfordshire on their investment in University College Milton Keynes and such lease agreements as may be agreed from time to time by Milton Keynes University Trust.

[Note. University level education is taken to include first degrees and above, HNDs, foundation degrees and any other taught provision defined as Level 4 of the national framework (FHEQ) or above]

### **Memorandum of Understanding**

Between

#### **Milton Keynes Civic Partners**

Milton Keynes Council

Milton Keynes Higher Education Board (MKHEB) (in due course Milton Keynes University Trust)

And

#### **Milton Keynes University Level Education Providers**

University of Bedfordshire on behalf of University College Milton Keynes  
Milton Keynes College

### **1. Purpose**

The parties agree to work together collaboratively and purposefully on the development of university level education in Milton Keynes with the shared aim of realising the ***Ambition Statements*** (and over the 12 month period following the

signing of this **MoU** an update of “**2020 Vision – Towards a University of Milton Keynes**” – referred to as **2020 Vision renewed** in this **MoU**). This **MoU** sets out the intent of the parties and their commitment to act in good faith: it is not a legally binding agreement, and is not intended to create legal relations. It replaces the Memorandum of Understanding between Milton Keynes Civic Partners and Milton Keynes College of July 2009. Contracts or MoUs between any two or more of the parties to this MoU may be agreed from time to time for specific purposes and, in respect of matters relating to university level education, will be in the spirit and intent of this MoU.

## **2. DELIVERING THE UNIVERSITY LEVEL EDUCATION VISION FOR MILTON KEYNES**

Milton Keynes Council, Milton Keynes Higher Education Board and Milton Keynes College have welcomed and actively supported the propositions from the University of Bedfordshire to establish University College Milton Keynes as a wholly owned subsidiary starting in September 2012 in the knowledge that Milton Keynes College (in collaboration with its HEI and professional awarding body partners) will continue to offer “HE in FE” provision. Thus Milton Keynes will have the benefit of two providers of university level education with each contributing its own distinctive and complementary provision. Collaboration between the University of Bedfordshire, an acknowledged leader in respect of student access, teaching and graduate employability, and Milton Keynes Colleges with its commitment to access, high student satisfaction and successful record in delivering vocational higher education in collaboration with the Milton Keynes community offers a unique and innovative model which will capitalise on the strengths of each party

University College Milton Keynes from September 2012 will lead on the development of a teaching and research university presence in Milton Keynes including a new flagship Faculty of Engineering and Technology. In parallel, Milton Keynes College will lead on the development of the “higher education in further education” (“HE in FE”) model concentrating on higher level apprenticeships and selective vocational progression pathways building on the successful experience of University Centre Milton Keynes in order to widen access to higher education and to contribute to local higher skills needs.

## **3. GOVERNANCE**

The **Milton Keynes University Trust** is being established as an independent trust by Milton Keynes Council with the advice of the Milton Keynes Higher Education Board (MKHEB), which will eventually be dissolved to be superseded by the University Trust. It will have three main powers: to own, promote and refresh from time to time, the vision and ambition for university level education in Milton Keynes; to hold community assets for the provision of local university level education in Milton Keynes for lease to the University of Bedfordshire on behalf of University College Milton Keynes (and in principle to any other provider(s) of university level education in Milton Keynes recognised by Milton Keynes University Trust and Milton Keynes Council for this purpose and subject to prior formal consultation with the University of Bedfordshire) on beneficial terms at its sole discretion; and to review at least annually progress towards meeting the terms of the **Ambition Statements**. It is intended that the Trust will lead on the full review and updating of 2020 Vision over the next 12 months in cooperation with University College Milton Keynes and Milton Keynes College. The membership of the Trust will be independent of those involved in the governance or management of the University of Bedfordshire and Milton Keynes College (or any other potential provider of university level education in Milton Keynes). The Dean, University

College Milton Keynes and Principal, Milton Keynes College will normally be in attendance at meetings of the Trustees.

University College Milton Keynes will have its own **Local Board**. The precise remit of the Board is yet to be fully determined and is dependent upon the legal formulation of the University College itself. However, the concept is clear, namely that the Local Board, membership of which will include significant representation drawn from the Milton Keynes community, will work closely with the University's Executive and Governors to direct the growth and development of the University College, to shape the curriculum offer to optimise its fit with the Milton Keynes context, to influence the R&D portfolio, and to seek to optimise the synergy between the University College and the city. It is envisaged that normally at least one member of the UoB Governing Body will also be drawn from the Milton Keynes community. The Dean, University College Milton Keynes, will be a member of the Vice Chancellor's Management Group.

**Milton Keynes College Board of Governors** responsible for the strategic direction of the College including its "HE in FE" provision.

A **Memorandum of Understanding** between Milton Keynes civic interests (MK Council, MKHEB and in due course Milton Keynes University Trust) and the providers of local university level education in Milton Keynes (i.e. the University of Bedfordshire and Milton Keynes College) (this **MoU**).

A **Memorandum of Understanding** between the University of Bedfordshire and Milton Keynes College setting out areas for collaboration and partnership.

**Heads of Agreement** between Milton Keynes Council and the University of Bedfordshire covering such matters as the terms for their respective matched investment funding in University College Milton Keynes.

These governance arrangements are based on four key principles: the interests of the Milton Keynes community as a whole in maintaining the vision for university level education in Milton Keynes; the longer term protection of Milton Keynes provided assets for the provision of university level education in Milton Keynes; the formal involvement of Milton Keynes community interests in the governance of University College Milton Keynes as a wholly owned subsidiary of the University of Bedfordshire; and the ultimate authority of the governors of the University of Bedfordshire and Milton Keynes College in respect of their institutions.

#### 4. ROLES

##### University of Bedfordshire

The University of Bedfordshire will lead on the establishment of University College Milton Keynes to provide a substantive teaching, and research university presence in Milton Keynes through the provision of undergraduate, postgraduate and research degree programmes and related knowledge exchange and research activity including a new flagship Faculty of Engineering and Technology as set out in the **University College Milton Keynes Ambition Statement**. It will plan and manage assets provided by the community through Milton Keynes University Trust. It undertakes to:

- Take the necessary steps for the establishment of University College Milton Keynes as a wholly owned constituent university college under a local board with delegated powers from its governing body and academic board
- Develop and adopt the **University College Milton Keynes Ambition Statement** in collaboration with the parties to this **MoU** and use its best endeavours to achieve its relevant Key Milestones with investment consistent with these Milestones

- Collaborate with the parties to this MoU in the updating and subsequent adoption of **2020 Vision renewed**
- Collaborate with MKHEB/University Trust in updating and realising the **University College Milton Keynes Ambition Statement** including an annual report on progress
- Collaborate with Milton Keynes College through adoption of a MoU covering such matters as access from local schools, complementarity of curriculum, progression opportunities to third year full degrees, and shared use of facilities and services
- Collaborate with other HEIs in the South East Midlands Enterprise Partnership area
- Promote R&D and knowledge exchange working closely with MK Gateway
- Provide leadership and management capacity consistent with this role
- Enter into a **MoU (this MoU)** with Milton Keynes civic interests and Milton Keynes College to formalise the understandings of the parties

### **Milton Keynes College**

Milton Keynes College with its HEI and professional awarding body partners will lead on the provision of “HE in FE” through Foundation Degree, HND/HNC, and equivalent professional awards. It undertakes to:

- Develop and adopt **Milton Keynes College “HE in FE” Ambition Statement** in collaboration with the parties to this **MoU** and use its best endeavours to achieve its relevant Key Milestones with investment consistent with these Milestones
- Collaborate with the parties to this **MoU** in the updating and subsequent adoption of **2020 Vision Renewed**
- Collaborate with MKHEB/Milton Keynes University Trust in updating and realising its **Milton Keynes College “HE in FE” Ambition Statement** including an annual report on progress
- Collaborate with University of Bedfordshire through adoption of a MoU covering such matters as access from local schools, complementarity of curriculum, progression opportunities to third year full degrees, and shared use of facilities and services
- Provide leadership and management capacity consistent with this role
- Enter into a **MoU (this MoU)** with civic interests and UoB to formalise the understandings of the parties

### **Civic partners will:**

- actively support the University of Bedfordshire and Milton Keynes College in their roles as set out in this **MoU**. This support includes their recognition as the means for providing locally based university level education provision in Milton Keynes
- collaborate in maximising development funding for the benefit of University College Milton Keynes and Milton Keynes College “HE in FE” provision either from their own resources or from other agencies subject to normal business case conditions being met and no conflict of interest with other areas of the business of civic partners
- facilitate through Milton Keynes University Trust the lease of land, buildings and other assets for university level education purposes under favourable terms where resources, policy requirements and the law allow
- use best endeavours to influence Milton Keynes, regional, and national policy as it relates to university level education provision in Milton Keynes
- offer *pro bono* in kind expertise within available resources wherever practically possible

- collaborate with each other in plans to support the Key Milestones of the **Ambition Statements**
- Enter into a **MoU** (this **MoU**) with University of Bedfordshire and Milton Keynes College

**Civic partners, University of Bedfordshire and Milton Keynes College will:**

- Contribute to the development and periodic review of the **Ambition Statements** (and over the next 12 months **2020 Vision renewed**) through their collaboration with MKHEB/Milton Keynes University Trust
- promote University College Milton Keynes and Milton Keynes College within the Milton Keynes community, the South East Midlands Local Enterprise Partnership, nationally, and internationally in all appropriate ways
- evaluate the success of this MoU in achieving the outcomes of the **Ambition Statements** (and in due course **2020 Vision Renewed**) at least annually through self-evaluation by the four parties to this agreement and externally from time to time as agreed by the parties to this MoU.

**4. REVIEW**

- This Memorandum of Understanding is for four years in the first instance and is renewable by agreement of the parties. (Possible alternative wording for this first sentence "This Memorandum of Understanding is open ended") [Note. This alternative wording arose from a discussion at the MK Higher Education Board meeting on 4<sup>th</sup> July 2012. The Board did not endorse either of the options but suggested the alternatives be considered further by governance bodies involved in its approval]. It can be reviewed at any time at the request of one or more of the parties to it. The parties agree to act in good faith in considering proposed changes.
- Each party has the right to withdraw from this MoU subject to a notice period of 12 months
- Where the University of Bedfordshire and/or Milton Keynes College is unable to agree to change or decides to withdraw from the MoU, the MoU will automatically lapse at the end of the 12 month notice period.
- If one of the civic partners withdraw from the MoU this MoU will lapse at the end of the 12 month notice period and it will be for the remaining civic partner to decide whether or not to seek to agree a new MoU with the University of Bedfordshire and Milton Keynes College.

Note. Subject to legal advice the intention is that the Milton Keynes University Trust will inherit the responsibilities of MKHEB as set out under this MoU. It will of course be open to the Trust to initiate a review of the MoU under the process as set out above.

**Signed for and behalf of:**

**Civic Partners:**

**Milton Keynes Council**.....

**Milton Keynes Higher Education Board (and in due course Milton Keynes University Trust)** .....

**University Level Education Providers:**

**University of Bedfordshire**.....

**Milton Keynes College** .....

**Date**.....