



At the Council Chamber, Whitehall

THE 8th DAY OF MARCH 2006

BY THE LORDS OF HER MAJESTY'S MOST HONOURABLE
PRIVY COUNCIL

The Council of the University of Bradford has duly made revised Statutes, as set out in the Schedule to this Order:

These have been submitted to the Lords of the Privy Council for approval:

Therefore, Their Lordships, having taken the said revised Statutes into consideration, are pleased to approve the same.

A.K. Galloway

SCHEDULE

REVISED STATUTES REFERRED TO IN THE FOREGOING ORDER
UNIVERSITY OF BRADFORD

STATUTES OF THE UNIVERSITY

1. Definitions

(1) In the Statutes:

"**University**" means The University of Bradford.

"**Institute**" means the Bradford Institute of Technology.

"**Charter**" means the Charter of the University.

"**Statutes**" means these Statutes and any Statute or Statutes for the time being amending or replacing the same.

"**Court**" means the Court of the University.

"**Council**" means the Council of the University.

"**Senate**" means the Senate of the University.

"**School**" means a School of the University.

"**School Board**" means a School Board of the University.

"**Assembly**" means the Assembly of the University.

Subject to Statute 26, "academic staff" means the Vice-Chancellor and Principal, the Pro-Vice-Chancellors, the person with the prime managerial responsibility across the University for learning resources, the Registrar; (except where qualified by the word "**Emeritus**" or "**Honorary**" or "**Visiting**") the Professors, the Readers, the Senior Lecturers, the Senior University Teachers, the Lecturers, the University Teachers who are members of the staff of the University, and such other persons as the Senate may resolve should have academic status.

"**Graduates**" means persons upon whom have been conferred a Degree or Degrees of the University and who shall not have been deprived of such Degree or Degrees.

"**Students**" means persons who are for the time being recognised by the Senate as following such a course or courses of study provided or approved by the University as the Senate shall think fit.

"**Ordinances**" means Ordinances made pursuant to the Charter or the Statutes.

"**Regulations**" means Regulations made pursuant to the Charter or the Statutes.

"**Joint Committee**" means a Committee, the members of which shall be appointed by the bodies referred to in the context and so that the number of members to be appointed by each of such bodies shall be determined by the Council, except where the Council is itself one of such bodies, when the members shall unless otherwise provided in the Statutes be appointed equally.

"**Year**" means a calendar year.

Words signifying the masculine shall include the feminine, words in the singular shall include the plural

and words in the plural shall include the singular unless the contrary intention appears.

- (2) Words defined in the Charter or the Statutes shall have the same meaning in the Ordinances and the Regulations unless the context be repugnant to them.

2. **THE MEMBERS OF THE UNIVERSITY**

- (1) The following persons shall be members of the University:

The Officers of the University, namely the Chancellor, the Pro-Chancellors, the Vice-Chancellor and Principal, the Treasurer and the Pro-Vice-Chancellors.

The members of the Court.

The members of the Council.

The members of the Senate.

The members of the academic staff.

The Registrar.

The person with the prime managerial responsibility across the University for learning resources.

The Honorary Professors.

The Emeritus Professors.

The Visiting Professors and Lecturers.

The Graduates of the University.

Those holding awards of the University involving not less than the equivalent of one full time academic year of study.

The students of the University.

- (2) The Council on the recommendation of the Senate shall have power to declare such other persons members of the University as the Council may deem fit.

3. **THE CHANCELLOR**

- (1) The Chancellor shall be appointed by the Court on the nomination of the Council and the Senate sitting in joint session and by a simple majority of the joint session.
- (2) The Chancellor shall hold office for life or until earlier resignation, or removal under Statute 28.
- (3) The Chancellor may resign by writing addressed to the Court.

4. **THE PRO-CHANCELLORS**

- (1) Any Pro-Chancellor other than the Pro-Chancellor referred to in paragraph (4) below shall be appointed by the Council

and shall hold office for three years, or until earlier resignation or removal under Statute 25, and shall be eligible for re-appointment provided that the Council may, on the appointment or re-appointment of any Pro-Chancellor, stipulate that the period of office shall be shorter than the period otherwise provided for such office.

- (2) If an office of Pro-Chancellor becomes vacant by death or resignation, or from any other cause before the expiration of the period of office, the vacancy shall be filled at the next meeting of the Council or at any subsequent meeting for the remainder of such period or for such shorter period as the Council may in any case determine.
- (3) A Pro-Chancellor may resign by writing addressed to the Council.
- (4) Every person appointed to the position of Chair of the Council under Statute 16 in succession to the first Chair shall *ex officio* and immediately upon such appointment become a Pro-Chancellor whether or not they already hold that office by virtue of appointment under this Statute.
- (5) Pro-Chancellors who hold office by virtue of appointment as Chair of the Council as aforesaid shall remain Pro-Chancellors only for so long as they remain Chair of the Council.
- (6) A Pro-Chancellor appointed under paragraph (2) of this Statute who is appointed to be Chair of the Council shall *ipso facto* cease to be a Pro-Chancellor under such appointment and shall become a Pro-Chancellor under paragraph (4) of this Statute.

5. **THE VICE-CHANCELLOR AND PRINCIPAL**

- (1) The Vice-Chancellor and Principal shall be appointed by the Council. The Council, however, shall not make such an appointment except on the recommendation of the Senate and after considering a report from a Joint Committee of the Council and Senate.
- (2) The Vice-Chancellor and Principal shall by virtue of that office be a member of the Court, the Council, the Senate, each School and School Board and the Assembly and of every committee appointed by each of those bodies except any committee constituted pursuant to Statute 26 or any Ordinance or Ordinances made by virtue of Statute 28.
- (3) The Vice-Chancellor and Principal shall hold office for such period and on such conditions of appointment as shall be determined by the Council.
- (4) The Vice-Chancellor and Principal shall have a general responsibility to the Council and the Senate for maintaining

and promoting the efficiency and good order of the University. In the discharge of this function, the Vice-Chancellor and Principal shall have power to regulate the admission to all or any part of the premises or precincts of the University of any person other than a member of the Court or of the Council or of the staff or a student and may exclude any person other than those referred to above from all or any part of such premises or precincts and may delegate all or any of these powers as he or she may think fit.

- (5) The Vice-Chancellor and Principal may refuse to admit any person as a student of the University and may expel or exclude any student from the University subject to the student's right of appeal by a plea of grievance to the Council. The Vice-Chancellor and Principal shall in addition have power summarily to suspend any student from membership of the University and to exclude any student from any part of the University or its precincts or from attendance at any course of study or from entry to any examination, subject to the student's right of appeal by a plea of grievance to the Council. Subject to the provisions of Statute 28, the Vice-Chancellor and Principal shall have such additional powers of suspension and exclusion as may be conferred by Ordinance or Regulation.
- (6) The Vice-Chancellor and Principal may resign by writing addressed to the Council, provided always that this right shall not absolve the Vice-Chancellor and Principal from any of his or her obligations under any agreement relating to the conditions of his or her service.

6. **THE TREASURER**

- (1) The Treasurer shall be appointed by the Council and shall hold office for three years, or until earlier resignation or removal under Statute 25, and shall be eligible for re-appointment provided that the Council may, on the appointment or re-appointment of the Treasurer, stipulate that the period of office shall be shorter than the period otherwise provided for such office.
- (2) The powers and duties of the Treasurer shall be as prescribed by the Council.
- (3) The Treasurer may resign by writing addressed to the Council.

7. **THE PRO-VICE-CHANCELLORS**

- (1) Pro-Vice-Chancellors shall be appointed by the Council on the nomination of the Senate from among the members of the academic staff, and shall hold office for such terms as may be determined by the Council after

consultation with the Senate, or until earlier resignation or removal under Statute 26.

- (2) The Pro-Vice-Chancellors shall perform such of the duties of the Vice-Chancellor and Principal as the Vice-Chancellor and Principal or, during a vacancy in the office of Vice-Chancellor and Principal, the Council shall delegate to them or any of them.
- (3) A Pro-Vice-Chancellor may resign by writing addressed to the Council, provided always that this right shall not absolve him or her from any of his or her obligations under any agreement made in connection with his or her conditions of service.

8. **THE REGISTRAR**

- (1) The Council shall, on the recommendation of the Senate, appoint a Registrar of the University who shall act as Secretary to the Court, the Council, the Senate and the Assembly, and who shall perform, under the direction of the Vice-Chancellor and Principal, such other duties as the Council, after consultation with the Senate, shall prescribe.
- (2) The terms and conditions of appointment of the Registrar shall be determined subject to Statute 29 by the Council as it shall think fit.

9. **MANAGERIAL RESPONSIBILITY FOR LEARNING RESOURCES**

The Council shall, on the recommendation of the Senate, appoint a person to assume the prime managerial responsibility across the University for learning resources with such duties and, subject to Statute 29, upon such terms and conditions as it shall think fit.

10. **OTHER OFFICERS AND STAFF**

The Council shall appoint such other officers and staff as it may deem necessary with such duties as the Council may deem fit, provided that no members of the academic staff shall be so appointed except with the approval of the Senate.

11. **THE AUDITORS**

- (1) The Council shall appoint Internal and External Auditors. Every such Auditor shall be a member of a body of accountants established in the United Kingdom and for the time being recognised by the appropriate authority for the purpose of the recognition of accountants as auditors of public companies under the legislation in that behalf for the time being in force. No

person shall be appointed Auditor who is or any one of whose partners is a member of the Court, the Council or the staff of the University.

- (2) The Auditor or Auditors shall hold office for such period and shall receive such remuneration as may be determined by the Council, and shall be eligible for re-appointment.
- (3) The Auditor or Auditors shall have a right of access at all reasonable times to the books, records, accounts and vouchers of the University and shall be entitled to require from the officers of the University such information and explanations as may be necessary for the performance of his, her or their duties.
- (4) If the office of Auditor or Auditors shall become vacant by death or resignation or any other cause before the expiration of the period of office the Council shall forthwith appoint a replacement Auditor or Auditors for the remainder of such period.
- (5) The Auditor or Auditors shall make a report to the Council at least once in each year.
- (6) An Auditor may resign by writing addressed to the Council.

12. **THE COURT**

The membership of the Court shall be determined by Ordinance.

13. **MEETINGS OF THE COURT**

- (1) An Annual General Meeting of the Court shall be held within fifteen months of the preceding meeting at such day and hour as shall be determined by the Council and at this meeting a Report by the Vice-Chancellor and Principal on the working of the University during the previous year together with an audited Statement of the Accounts shall be presented. Any vacancies among the members of the Court to be filled by the Court shall be filled at this Meeting.
- (2) An Extraordinary Meeting of the Court may be held at such day and hour as may be determined by the Council.
- (3) Notice of each Annual General Meeting or Extraordinary Meeting shall be sent by the Secretary of the Court to all members of the Court at least twenty-eight days before the date of such Meeting. A further notice setting out the business to be transacted at the Meeting, and, in the case of the Annual General Meeting, accompanied by copies of the Statement of Accounts and Report referred to in

paragraph (1) above, shall be sent by the Secretary to all members of the Court at least seven days before the date of the Meeting.

14. **POWERS OF THE COURT**

The powers of the Court shall be:

- (1) To appoint the Chancellor on the joint nomination of the Council and the Senate.
- (2) To receive from the Vice-Chancellor and Principal an Annual Report on the working of the University and to receive the annual audited Statement of Accounts of the University and to comment thereon.
- (3) To appoint members of the Council under Statute 15(1)(vi).
- (4) To resolve that a humble Petition be presented to Her Majesty the Queen in Council for the appointment of a Visitor pursuant to Article 10 of the Charter.
- (5) To discuss any matters relating to the University.

15. **THE COUNCIL**

- (1) The Council shall consist of the following members:
 - (i) The Chancellor, the Pro-Chancellors, and the Vice-Chancellor and Principal.
 - (ii) Of the Pro-Vice-Chancellors and Deans of the Schools, six appointed in such a manner as may from time to time be determined by the Council.
 - (iii) The Treasurer.
 - (iv) One person appointed in such manner as the Council may from time to time determine to represent the Graduates.
 - (v) One person appointed (in such manner as the Council may from time to time determine) by the City of Bradford Metropolitan Council.
 - (vi) Three persons not being members of staff of the University to be appointed by the Court.
 - (vii) One person to be appointed in such manner as the Council may from time to time determine by and from the members of staff of the University other than the academic staff.
 - (viii) Four members of the Senate appointed by the Senate.

- (ix) Such other persons not exceeding eight in number, not being members of the staff of the University, as may be co-opted by the Council.
 - (x) Not more than one student who may be co-opted by the Council after considering nominations from the Students' Union.
- (2) (A) The members of the Council included in Classes (i), (ii) and (iii) shall hold office as long as they continue to occupy the positions by virtue of which they became members.
- (B) The members of the Council included in Classes (iv), (v), (vi), (vii), (viii) and (ix) shall hold office for a period of three years, or such shorter period in any case as may be necessary to effect rotation and as the Council may before or at the time of appointment or co-option determine, commencing on the first day of August in the year in which they are appointed or co-opted, and shall be eligible for re-appointment or co-option.
- (C) Any member of the Council who may be included in Class (x) shall hold office for such period, not exceeding three years, as the Council may from time to time determine.

16. **THE CHAIR OF THE COUNCIL**

- (1) The Council shall appoint from among its members or otherwise the Chair of the Council, who shall not be a member of the staff of the University.
- (2) The Chair shall hold office for three years from the date of appointment and shall be eligible for re-appointment.
- (3) The Council may appoint from among its lay members, a Vice-Chair not being a member of the staff of the University. The Vice-Chair shall preside at the meetings of the Council in the absence of the Chair. The Vice-Chair shall hold office for three years from the date of appointment or until he or she shall cease to be a member of the Council whichever shall first occur. The Vice-Chair shall be eligible for re-appointment if then a member of the Council.

17. **POWERS OF THE COUNCIL**

Subject to the Charter and the Statutes, the Council shall, in addition to all other powers vested in it, have the following powers and functions:

- (1) Subject to the provisions of the Charter, to make Statutes and Ordinances.

- (2) To appoint a Chair and, at its discretion, a Vice-Chair.
- (3) To co-opt members of the Council as provided for under Statute 15(1)(ix).
- (4) To nominate jointly with the Senate persons for appointment as Chancellor.
- (5) To appoint, subject to the Charter and the Statutes, the Pro-Chancellors, the Vice-Chancellor and Principal, the Treasurer, the Pro-Vice-Chancellors, the Deans, the Registrar and the person with the prime managerial responsibility across the University for learning resources.
- (6) To authorise, on the recommendation of the Senate, the creation of academic posts in the University.
- (7) To set up or to dissolve, on the recommendation of the Senate, Consultative Panels to act as consultants to the Senate; the School Boards; the Vice-Chancellor and Principal; and such other members of the academic staff as may be determined by the Senate and with such constitution and terms of reference as may be determined by the Senate.
- (8) To institute Degrees on the recommendation of the Senate.
- (9) To grant, after report from the Senate, the title of Emeritus Professor or other University distinctions.
- (10) To suspend or abolish, on the recommendation of the Senate, any academic post except any post named in paragraph (5) hereof.
- (11) To determine the conditions of appointment of all staff of the University.
- (12) To appoint, subject to the provisions of the Statutes and on the recommendation of the Senate, all members of the academic staff of the University.
- (13) To regulate the appointment of all other members of the University staff, and to supervise the salaries and conditions of tenure of posts to which it appoints.
- (14) To review the work of the University and, subject to the powers of the Senate, to take such steps as it thinks proper for the purpose of advancing the interests of the University, maintaining its efficiency, encouraging teaching, the pursuit of learning and the prosecution of research therein,

and providing for the recreation and welfare of students and staff.

- (15) To oversee the University's strategic planning processes; to approve the University's corporate plan.
- (16) To determine, after consulting the Senate, all University fees.
- (17) To institute, after consulting the Senate and subject to any conditions made by the founders, Fellowships, Scholarships, Studentships, Prizes, Exhibitions and Bursaries and other aids to study and research.
- (18) To govern, manage and regulate the finances, accounts, investments, property, business and all affairs whatsoever of the University, and for that purpose to appoint Bankers and any other officers or agents whom it may seem expedient to appoint, provided that before determining any question of finance which directly affects the educational policy of the University the Council shall take into consideration any recommendation or report by the Senate.
- (19) To invest any moneys belonging to the University in such stocks, funds, fully paid shares or securities as the Council shall from time to time think fit, whether within the United Kingdom or not, or in the purchase of freehold or leasehold hereditaments in the United Kingdom including rents, provided that in the case of moneys held by the University as trustee, the powers conferred in this paragraph shall be exercised subject to the provisions of the law relating to investment by trustees.
- (20) To sell, buy, exchange, lease and accept leases of real and personal property on behalf of the University.
- (21) To provide and maintain the buildings, premises, furniture and apparatus and other means necessary for carrying out the work of the University.
- (22) To borrow money on behalf of the University and for that purpose, if the Council thinks fit, to mortgage or charge all or part of the property of the University, whether real or personal, and to give such other security as the Council shall think fit.

- (24) To enter into, vary and discharge contracts on behalf of the University.
- (25) To provide for the welfare of all persons in the employment of the University or formerly in the employment of the University (or of the Institute) and the wives, widows and dependants of such persons including the payment of money, pensions, or other payments and to subscribe to benevolent and other funds for the benefit of such persons.
- (26) By Regulation to establish committees including representatives of the students and representatives of the Council and such other persons as the Council may determine and to prescribe the method of appointment of such representatives and the functions of such committees.
- (27) To select a Seal and a Mace for the University and to have the sole custody and use of the Seal.
- (28) To regulate and superintend the conduct of the students of the University, and to determine by Regulation in what manner disciplinary powers shall be exercised.
- (29) Except in cases for which other provision is expressly made or the Chair of Council takes the view that no grievance falling within the purview of the Council is evident, to consider, adjudicate upon and if thought fit redress any grievance of the officers of the University, the staff of the University, whether academic or not, the graduates and the students who may for any reason feel aggrieved otherwise than by an act of the Court.
- (30) Subject to the provisions of the Charter, to make Ordinances with regard to all such matters as are directed by the Charter and the Statutes and such other matters as the Council shall think fit.
- (31) To exercise all the powers which by the Charter or the Statutes are conferred upon the University but which are not conferred specifically upon any other body or person within the University.

18. **MEETINGS OF THE COUNCIL**

- (1) The Council shall hold a Meeting at least three times during each year. Notice of each Meeting setting out the business to be transacted shall be sent by the Secretary of the Council to each Member of the Council at least seven days before the date of the Meeting.

- (2) There shall be a quorum when at least one-third of the Members of the Council are present at a Meeting, of whom a majority shall be lay members. In the absence of a quorum no business shall be transacted other than the adjournment of the Meeting. At the adjourned Meeting, the business for which the original Meeting was called may be completed in the absence of a quorum. The manner of summoning the adjourned Meeting and the period of notice to be given shall be prescribed by the Council by Regulation.

19. **THE SENATE**

- (1) The Senate shall consist of the following members:
- I. *Ex-officio* members:
 - (A) The Vice-Chancellor and Principal, the Pro-Vice-Chancellors.
 - (B) The person with the prime managerial responsibility across the University for learning resources.
 - (C) The Deans of the Schools.
 - (D) The person with the prime responsibility across the University the welfare of the students of the University.
 - II. Up to thirty five representatives of the Schools and other units of the University as determined by Ordinance.
 - III. Eight students, as determined by Ordinance.
- (2) (A) *Ex-officio* members of the Senate shall hold office for as long office for as long as they continue to occupy the positions by virtue of which they become members.
- (B) Other members of the Senate shall hold office for a period of three years or such shorter period in any case as may be necessary to effect rotation and as the Senate may before or at the time of such appointment or election determine, commencing on the first day of August in the year in which they were elected or appointed.
- (C) The Senate may by Regulation prescribe the manner of the election of each class of the elected members.

20. **POWERS OF THE SENATE**

The Senate shall be the supreme academic authority of the University and shall, subject to the powers reserved to

the Council by the Statutes, take such measures and act in such a manner as shall appear to it best calculated to promote the academic work of the University both in teaching and research and shall regulate and superintend the education of the students of the University. The Senate shall, subject to the Charter and the Statutes, in addition to all other powers vested in it, have the following powers:

- (1) To regulate and control, after considering the views of such School Board or Boards as the Senate may consider shall be concerned in any particular case, all teaching, courses of study and the conditions qualifying for admission to the various titles, degrees and other awards offered by the University.
- (2) To regulate the admission of persons to courses of study or research and their continuance therein.
- (3) To recommend to the Council the establishment or discontinuation of Schools and other academic sections of the university and to allocate the academic work and the members of the academic staff to and amongst them and subject to the power of the Council to review, amend, refer back or disallow any act of any School Board or Dean.
- (4) Jointly with the Council to nominate persons for appointment as Chancellor.
- (5) To appoint members of the Senate to be members of the Council as provided for under Statute 15(I)(viii).
- (6) To advise the Council on the appointment a Dean of each School as provided in Statute 22(1).
- (7) To recommend to the Council the establishment of new academic posts in the University.
- (8) To recommend to the Council the suspension or abolition of academic posts in accordance with Statute 17(10).
- (9) To make recommendations or nominations to the Council concerning the appointment of the Vice-Chancellor and Principal, the Pro-Vice-Chancellors, the Registrar, Professors, the person with the prime responsibility across the University for learning resources, Readers, Senior Lecturers and Lecturers and all other members of the academic staff of the University.
- (10) To regulate all University examinations and to appoint examiners, whether internal or external,

provided that there shall be at least one external examiner for the final examinations prescribed for any Degree of Bachelor and also for the examination for any higher Degree.

- (11) To prescribe the requirements of the University for matriculation.
- (12) To advise the Council in relation to all University fees.
- (13) To recommend to the Council the institution of Degrees and to approve the names of persons upon whom the Council proposes to confer an Honorary Degree pursuant to Statute 31.
- (14) To make recommendations to the Council on the conferment of the title Emeritus Professor and other distinctions.
- (15) To confer and grant Degrees and other academic awards on and to persons who shall have pursued in the University a course of study approved by the Senate and shall have passed the examinations of the University under the conditions laid down in the Regulations and as prescribed by Ordinance.
- (16) To grant Diplomas, Licences or Certificates to persons who have pursued a course of study approved by the Senate under conditions laid down by it.
- (17) To accept such examinations and periods of study at such Universities and places of learning including the Institute as the Senate may approve as equivalent to such examinations and periods of study in the University as the Senate may determine.
- (18) To accept courses of study in any other institution which in the opinion of the Senate possesses the means of affording the proper instruction for such courses as equivalent to such courses of study in the University as the Senate may determine.
- (19) To appoint examiners on the recommendations of the School Boards.
- (20) To determine what formalities shall attach to the conferment and grant of Degrees and other awards.
- (21) On what the Senate shall deem to be good cause, to deprive any person of any Degree, Diploma, Certificate or other award conferred upon or granted to him or her by the University.

- (22) To advise the Council on the allocation of resources for teaching and research.
- (23) To oversee the general administration of the University's learning resources.
- (24) To advise the Council on the institution of Fellowships, Scholarships, Studentships, Prizes, Exhibitions and Bursaries and other aids to study and research.
- (25) To make recommendations to the Council on any matter of interest to the University.
- (26) To establish committees composed of representatives of the students and of the academic staff for the School Boards and for the Senate and to prescribe the method of the appointment of such members and the functions of such committees.
- (27) To recommend to the Council the setting up or dissolution of the Consultative Panels referred to in Statute 17(7).
- (28) To express an opinion on any matter pertinent to the University and its affairs.
- (29) To prescribe the academic dress to be worn by the various officers and members of the University, and the occasions on which it shall be worn.
- (30) To exercise all such powers as are or may be conferred on the Senate by the Charter and the Statutes including the power to make Regulations in the exercise of the powers hereinbefore expressly set out in this Statute and of all the other powers of the Senate.
- (31) To do such other acts as the Council shall authorise.

21. SCHOOLS AND SCHOOL BOARDS

- (1) The undergraduate and postgraduate studies and research of the University shall be organised by the Senate through Schools which shall be established by Council on the recommendation of the Senate for that purpose. The Senate shall determine the members of the academic staff who shall constitute the members of each School provided that each member of the academic staff (other than those filling university offices prescribed by the Statutes) shall be a member of at least one School.
- (2) For each School there shall be a School Board, the constitution of which shall be determined by the Senate.

22. **DEANS OF THE SCHOOLS**

- (1) The Council shall appoint a Dean of each School in accordance with a process determined by Ordinance.
- (2) The Council shall determine the responsibilities and functions of the Deans of the Schools after consultation with the Senate.
- (3) Each Dean of a School shall hold office for such period and upon such conditions as to re-appointment or otherwise as may be prescribed from time to time by Ordinance.
- (4) The Dean of a School shall be *ex-officio* a member of every committee of that School Board.

23. **THE ASSEMBLY**

- (1) There shall be an Assembly of the University consisting of:
The Vice-Chancellor and Principal.
The Pro-Vice-Chancellors.
All members of the full-time staff.
- (2) The Assembly shall be chaired by one of its members elected for a period of three years.
- (3) There shall be at least one ordinary meeting of the Assembly during each year, such meeting to be held not later than fifteen months after the previous meeting.
- (4) The Assembly may discuss and declare an opinion on any matter whatsoever relating to the University, including any matters referred to it by the Council or the Senate and if it so decides submit resolutions to the Council or the Senate.
- (5) The Vice-Chancellor and Principal may at any time at his or her discretion, and shall upon the requisition in writing of not fewer than twenty-five members of the Assembly stating the purpose for which the meeting is to be called, summon an Extraordinary Meeting of the Assembly.
- (6) The procedure for summoning and conducting meetings of the Assembly and the business to be transacted at each ordinary meeting of the Assembly shall be as prescribed by Regulation of the Senate.

24. **CONGREGATION**

- (1) For the purpose of conferring Degrees of the University, there shall be held a meeting of members of the University which shall be called a Congregation.

- (2) A Congregation shall be held at least once every year at such time and place as shall be determined by the Senate, and shall be presided over by the Chancellor, or in his or her absence, the Vice-Chancellor and Principal or other lay officer or senior member of staff designated by the Chancellor or Vice-Chancellor for that purpose.
- (3) The procedure for summoning a Congregation, for the presentation of graduands and diplomates and for the conferring of Degrees *in absentia*, and all other matters relating to Congregations, shall be determined by the Senate.

25. **REMOVAL OF OFFICERS AND MEMBERS**

- (1) The Chancellor and any member of the Court (other than an *ex-officio* member or a member who is also a member of the academic staff to whom Statute 26 applies) may be removed from their respective offices for good cause by the Court, provided that the resolution for such removal be passed by a majority of not less than two-thirds of those present and voting, and provided that no person shall be so removed until that person shall have been given a reasonable opportunity of being heard by the Court or by a committee appointed by the Court.
- (2) The Pro-Chancellors, the Treasurer and any member of the Council (other than a member of the academic staff to whom Statute 26 applies) may be removed from office by the Council for what the Council after due consideration shall deem to be good cause, provided that the resolution for such removal be passed by a majority of not less than two-thirds of those present and voting. The Council may appoint, and, if so requested by the person concerned, or by any three members of the Council, shall appoint before such removal a committee to examine the case and report to the Council thereon.
- (3) No person shall be removed by the Court or by the Council (as the case may be) under this Statute unless he or she shall have been given a reasonable opportunity of being heard by the Court or by the Council or by a committee appointed under this Statute (as the case may be) and of being accompanied by one other person of his or her own choosing and to nominate such a person to address the Court, the Council or the committee on his or her behalf.
- (4) A person appearing before the Court, the Council or a committee under this Statute shall have the right to call witnesses and to question the witnesses upon whose evidence the case against him or her is based.

- (5) "**Good cause**" in this Statute shall mean:
- (a) conviction for an offence which may be deemed by the Court or the Council or by a committee appointed under this Statute, as the case may be, to be such as to render the person convicted unfit for the execution of the duties of the office; or
 - (b) conduct of an immoral, scandalous or disgraceful nature incompatible with the duties of the office; or
 - (c) conduct constituting failure or persistent refusal or neglect or inability to perform the duties or comply with the conditions of office whether such failure results from physical or mental incapacity or otherwise.

26. **ACADEMIC STAFF**

Part I Construction, Application and Interpretation

1. **CONSTRUCTION**

This Statute and any Ordinance or Regulation made under this Statute shall be construed in every case to give effect to the following guiding principles, that is to say -

- (a) to ensure that 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 placing themselves in jeopardy of losing their jobs or privileges;
- (b) to enable the University to provide education, promote learning and engage in research efficiently and economically; and
- (c) to apply the principles of justice and fairness.

2. **REASONABLENESS OF DECISIONS**

No provision in Part II or Part III shall enable the body or person having the duty to reach a decision under the relevant Part to dismiss any member of the academic staff unless the reason for his or her dismissal may in the circumstances (including the size and administrative resources of the University) reasonably be treated as a sufficient reason for dismissing him or her.

3. **APPLICATION**

- (1) This Statute shall apply -
- (a) to the persons who are described as "**academic staff**" in paragraph (1) of Statute 1;
 - (b) to the Vice-Chancellor to the extent and in the manner set out in the Annex to this Statute.

- (2) In this Statute any reference to "**academic staff**" is a reference to persons to whom this Statute applies.

Interpretation

4. MEANING OF "DISMISSAL"

In this Statute "**dismiss**" and "**dismissal**" mean dismissal of a member of the academic staff and -

- (a) include remove or, as the case may be, removal from office; and
- (b) in relation to employment under a contract, shall be construed in accordance with section 55 of the Employment Protection (Consolidation) Act 1978.

5. MEANING OF "GOOD CAUSE"

- (1) For the purposes of this Statute "**good cause**" in relation to the dismissal or removal from office or place of a member of the academic staff, being in any case a reason which is related to conduct or to capability or qualifications for performing work of the kind which the member of the academic staff concerned was appointed or employed to do, means -

- (a) conviction for an offence which may be deemed by a Tribunal appointed under Part III to be such as to render the person convicted unfit for the execution of the duties of the office or employment as a member of the academic staff; or
- (b) conduct of an immoral, scandalous or disgraceful nature incompatible with the duties of the office or employment; or
- (c) conduct constituting failure or persistent refusal or neglect or inability to perform the duties or comply with the conditions of office; or
- (d) physical or mental incapacity established under Part IV.

- (2) In this paragraph -

- (a) "**capability**", in relation to such a member, means capability assessed by reference to skill, aptitude, health or any other physical or mental quality; and
- (b) "**qualifications**", in relation to such a member, means any degree, diploma or other academic, technical or professional qualification relevant to the office or position held by that member.

6. **MEANING OF “REDUNDANCY”**

For the purposes of this Statute dismissal shall be taken to be a dismissal by reason of redundancy if it is attributable wholly or mainly to -

- (a) the fact that the University has ceased, or intends to cease, to carry on the activity for the purposes of which the member of the academic staff concerned was appointed or employed by the University, or has ceased, or intends to cease, to carry on that activity in the place in which the member concerned worked; or
- (b) the fact that the requirements of that activity for members of the academic staff to carry out work of a particular kind, or for members of the academic staff to carry out work of a particular kind in that place, have ceased or diminished or are expected to cease or diminish.

7. **INCIDENTAL, SUPPLEMENTARY AND TRANSITIONAL MATTERS**

- (1) In any case of conflict, the provisions of this Statute shall prevail over those of any other Statute and over those of the Ordinances and Regulations and the provisions of any Ordinance made under this Statute shall prevail over those of any other Ordinance:

Provided that Part III of and the Annex to this Statute shall not apply in relation to anything done or omitted to be done before the date on which the instrument making these modifications was approved under subsection (9) of section 204 of the Education Reform Act 1988.

- (2) Nothing in any appointment made, or contract entered into, shall be construed as over-riding or excluding any provision made by this Statute concerning the dismissal of a member of the academic staff by reason of redundancy or for good cause:

Provided that nothing in this sub-paragraph shall prevent waivers made under section 142 of the Employment Protection (Consolidation) Act 1978 from having effect.

- (3) Nothing in any other Statute or in any Ordinance or Regulation made thereunder shall authorise or require any officer of the University to sit as a member of any Committee, Tribunal or body appointed under this Statute or to be present when any such Committee, Tribunal or body is meeting to arrive at its decision or for the purpose of discussing any point of procedure.

- (4) In this Statute references to numbered Parts, paragraphs, and sub-paragraphs are references to Parts, paragraphs, and sub-paragraphs so numbered in this Statute.

Part II Redundancy

8. PURPOSE OF PART II

This Part enables the Council, as the appropriate body, to dismiss any member of the academic staff by reason of redundancy.

9. EXCLUSION FROM PART II OF PERSONS APPOINTED OR PROMOTED BEFORE 20TH NOVEMBER 1987

- (1) Nothing in this Part shall prejudice, alter or affect any rights, powers or duties of the University or apply in relation to a person unless -
- (a) his or her appointment is made, or his or her contract of employment is entered into, on or after 20th November 1987; or
 - (b) he or she is promoted on or after that date.
- (2) For the purposes of this paragraph in relation to a person, a reference to an appointment made or a contract entered into on or after 20th November 1987 or to promotion on or after that date shall be construed in accordance with subsections (3) to (6) of section 204 of the Education Reform Act 1988.

10. THE APPROPRIATE BODY

- (1) The Council shall be the appropriate body for the purposes of this Part.
- (2) This paragraph applies where the appropriate body has decided that it is desirable that there should be a reduction in the academic staff -
- (a) of the University as a whole; or
 - (b) of any faculty, school, department or other similar area of the University
- by way of redundancy.

11. (1) Where the appropriate body has reached a decision under paragraph 10(2) it shall appoint a Redundancy Committee to be constituted in accordance with sub-paragraph (3) of this paragraph to give effect to its decision by such date as it may specify and for that purpose -
- (a) to select and recommend the requisite members of the academic staff for dismissal by reason of redundancy; and

- (b) to report their recommendations to the appropriate body.
- (2) The appropriate body shall either approve any selection recommendation made under subparagraph (1), or shall remit it to the Redundancy Committee for further consideration in accordance with its further directions.
- (3) A Redundancy Committee appointed by the appropriate body shall comprise -
 - (a) a Chairperson; and
 - (b) two members of the Council, not being persons employed by the University; and
 - (c) two members of the academic staff nominated by the Senate.

12. **NOTICES OF INTENDED DISMISSAL**

- (1) Where the appropriate body has approved a selection recommendation made under paragraph 11(1) it may authorise an officer of the University as its delegate to dismiss any member of the academic staff so selected.
- (2) Each member of the academic staff selected shall be given separate notice of the selection approved by the appropriate body.
- (3) Each separate notice shall sufficiently identify the circumstances which have satisfied the appropriate body that the intended dismissal is reasonable and in particular shall include -
 - (a) a summary of the action taken by the appropriate body under this Part;
 - (b) an account of the selection processes used by the Redundancy Committee;
 - (c) a reference to the rights of the person notified to appeal against the notice and to the time within which any such appeal is to be lodged under Part V (Appeals); and
 - (d) a statement as to when the intended dismissal is to take effect.

Part III Discipline, Dismissal and Removal from Office

13. **DISCIPLINARY PROCEDURES**

- (1) Minor faults shall be dealt with informally.
- (2) Where the matter is more serious but falls short of constituting possible good cause for dismissal the following procedure shall be used -

Stage 1 - Oral Warning

If conduct or performance does not meet acceptable standards the member of the academic staff will normally be given a formal ORAL WARNING. The member will be advised of the reason for the warning, that it is the first stage of the disciplinary procedure and of the right of appeal under this paragraph. A brief note of the oral warning will be kept but it will be spent after 12 months, subject to satisfactory conduct and performance.

Stage 2 - Written Warning

If the offence is a serious one, or if a further offence occurs, a WRITTEN WARNING will be given to the member of the academic staff by the Head of Department. This will give details of the complaint, the improvement required and the timescale. It will warn that a complaint may be made to the Registrar seeking the institution of charges to be heard by a Tribunal appointed under paragraph 16 if there is no satisfactory improvement and will advise of the right of appeal under this paragraph. A copy of this written warning will be kept by the Head of Department but it will be disregarded for disciplinary purposes after 2 years subject to satisfactory conduct and performance.

Stage 3 - Appeals

A member of the academic staff who wishes to appeal against a disciplinary warning shall inform the Registrar within two weeks. A Pro-Vice-Chancellor shall hear all such appeals and his or her decision shall be final.

14. **PRELIMINARY EXAMINATION OF SERIOUS DISCIPLINARY MATTERS**

- (1) If there has been no satisfactory improvement following a written warning given under Stage 2 of the procedure in paragraph 13, or in any other case where it is alleged that conduct or performance may constitute good cause for dismissal or removal from office, a complaint seeking the institution of charges to be heard by a Tribunal appointed under paragraph 16 may be made to the Registrar who shall bring it to the attention of the Vice-Chancellor and Principal.
- (2) To enable the Vice-Chancellor and Principal to deal fairly with any complaint brought to his or her attention under sub-paragraph (1) he or she shall institute such investigations or enquiries (if any) as appear to him or her to be necessary.

- (3) If it appears to the Vice-Chancellor and Principal that a complaint brought to his or her attention under sub-paragraph (1) relates to conduct or performance which does not meet acceptable standards but for which no written warning has been given under paragraph 13 or which relates to a particular alleged infringement of rules, regulations or byelaws for which a standard penalty is normally imposed in the University or within the faculty, school, department or other relevant area, or is trivial or invalid he or she may dismiss it summarily, or decide not to proceed further under this Part.
- (4) If the Vice-Chancellor and Principal does not dispose of a complaint under sub-paragraph (3) he or she shall treat the complaint as disclosing a sufficient reason for proceeding further under this Part and, if he or she sees fit, he or she may suspend the member on full pay pending a final decision.
- (5) Where the Vice-Chancellor and Principal proceeds further under this Part he or she shall write to the member of the academic staff concerned inviting comment in writing.
- (6) As soon as may be following receipt of the comments (if any) the Vice-Chancellor and Principal shall consider the matter in the light of all the material then available and may:-
 - (a) dismiss it himself or herself; or
 - (b) refer it for consideration under paragraph 13; or
 - (c) deal with it informally himself or herself if it appears to the Vice-Chancellor and Principal appropriate to do so and if the member of the academic staff agrees in writing that the matter should be dealt with in that way; or
 - (d) direct the Registrar to prefer a charge or charges to be considered by a Tribunal to be appointed under paragraph 16.
- (7) If no comment is received within 28 days the Vice-Chancellor and Principal may proceed as aforesaid as if the member concerned had denied the substance and validity of the alleged case in its entirety.

15. **INSTITUTION OF CHARGES**

- (1) In any case where the Vice-Chancellor and Principal has directed that a charge or charges be preferred under paragraph 14(6)(d), he or she shall request the Council to appoint a Tribunal under paragraph 16 to hear the charge or charges and to determine whether the conduct or performance of the member of the academic staff

concerned constitutes good cause for dismissal or otherwise constitutes a serious complaint relating to the member's appointment or employment.

- (2) Where the Council has been requested to appoint a Tribunal under paragraph 16 the Registrar or, if he or she is unable to act, another officer appointed by the Vice-Chancellor and Principal shall take charge of the proceedings.
- (3) The officer in charge of the proceedings shall formulate, or arrange for the formulation of, the charge or charges and shall present, or arrange for the presentation of, the charge or charges before the Tribunal.
- (4) It shall be the duty of the officer in charge of the proceedings
 - (a) to forward the charge or charges to the Tribunal and to the member of the academic staff concerned together with the other documents therein specified, and
 - (b) to make any necessary administrative arrangements for the summoning of witnesses, the production of documents and generally for the proper presentation of the case before the Tribunal.

16. **THE TRIBUNAL**

A Tribunal appointed by the Council shall comprise:

- (a) a Chairperson; and
- (b) one member of the Council, not being a person employed by the University; and
- (c) one member of the academic staff nominated by the Senate.

17. **PROVISIONS CONCERNING TRIBUNAL PROCEDURE**

- (1) The procedure to be followed in respect of the preparation, hearing and determination of charges by a Tribunal shall be that set out in Ordinances made under this paragraph.
- (2) Without prejudice to the generality of the foregoing such Ordinances shall ensure -
 - (a) that the member of the academic staff concerned is entitled to be represented by another person, whether such person be legally qualified or not, in connection with and at any hearing of charges by a Tribunal;
 - (b) that a charge shall not be determined without an oral hearing at which the member of the academic

staff concerned and any person appointed by him or her to represent him or her are entitled to be present;

- (c) that the member of the academic staff and any person representing the staff member may call witnesses and may question witnesses upon the evidence on which the case against him or her is based; and
- (d) that full and sufficient provision is made -
 - (i) for postponements, adjournments, dismissal of the charge or charges for want of prosecution, remission of the charge or charges to the Vice-Chancellor and Principal for further consideration and for the correction of accidental errors; and
 - (ii) for appropriate time limits for each stage (including the hearing) to the intent that any charge thereunder shall be heard and determined by a Tribunal as expeditiously as reasonably practicable.

18. NOTIFICATION OF TRIBUNAL DECISIONS

- (1) A Tribunal shall send its decision on any charge referred to it (together with its findings of fact and the reasons for its decision regarding that charge and its recommendations, if any, as to the appropriate penalty) to the Vice-Chancellor and Principal and to each party to the proceedings.
- (2) A Tribunal shall draw attention to the period of time within which any appeal should be made by ensuring that a copy of Part V (Appeals) accompanies each copy of its decision sent to a party to the proceedings under this paragraph.

19. POWERS OF THE APPROPRIATE OFFICER WHERE CHARGES ARE UPHELD BY TRIBUNAL

- (1) Where the charge or charges are upheld and the Tribunal finds good cause and recommends dismissal or removal from office, but in no other case, the appropriate officer shall decide whether or not to dismiss the member of the academic staff concerned.
- (2) In any case where the charge or charges are upheld, other than where the appropriate officer has decided under sub-paragraph (1) to dismiss the member of the academic staff concerned, the action available to the appropriate officer (not comprising a greater penalty than that recommended by the Tribunal) may be -

- (a) to discuss the issues raised with the member concerned; or
- (b) to advise the member concerned about his or her future conduct; or
- (c) to warn the member concerned; or
- (d) to suspend the member concerned for such period as the appropriate officer shall think fair and reasonable, not to exceed 3 months after the Tribunal's decision; or
- (e) any combination of any of the above or such further or other action under the member's contract of employment or terms of appointment as appears fair and reasonable in all the circumstances of the case.

20. APPROPRIATE OFFICERS

- (1) The Vice-Chancellor and Principal shall be the appropriate officer to exercise the powers conferred by paragraph 19 and any reference to the appropriate officer includes a reference to a delegate of that officer.
- (2) Any action taken by the appropriate officer shall be confirmed in writing.

Part IV Removal for Incapacity on Medical Grounds

21.

- (1) This Part makes separate provision for the assessment of incapacity on medical grounds as a good cause for dismissal or removal from office.
- (2) In this Part references to medical grounds are references to capability assessed by reference to health or any other physical or mental quality.
- (3) In this Part references to the appropriate officer are references to the Vice-Chancellor and Principal or an officer acting as his or her delegate to perform the relevant act.
- (4) References to the member of the academic staff include, in cases where the nature of the alleged disability so requires, a responsible relative or friend in addition to (or instead of) that member.

22.

- (1) Where it appears that the removal of a member of the academic staff on medical grounds would be justified, the appropriate officer -
 - (a) shall inform the member accordingly; and

- (b) shall notify the member in writing that it is proposed to make an application to the member's doctor for a medical report and shall seek the member's consent in writing in accordance with the requirements of the Access to Medical Reports Act 1988.
- (2) If the member shares that view the University shall meet the reasonable costs of any medical opinion required.
- (3) If the member does not share that view the appropriate officer shall refer the case in confidence, with any supporting medical and other evidence (including any medical evidence submitted by the member), to a Board comprising one person nominated by the Council; one person nominated by the member concerned or, in default of the latter nomination, by the Senate; and a medically qualified chairperson jointly agreed by the Council and the member or, in default of agreement, to be nominated by the President of the Royal College of Physicians.
- (4) The Board may require the member concerned to undergo medical examination at the University's expense.

23. **TERMINATION OF EMPLOYMENT**

If the Board determines that the member shall be required to retire on medical grounds, the appropriate officer shall direct the Registrar or his or her delegate to terminate the employment of the member concerned on those medical grounds.

Part V Appeals

24. **PURPOSE OF PART V**

This Part establishes procedures for hearing and determining appeals by members of the academic staff who are dismissed or under notice of dismissal or who are otherwise disciplined.

25. **APPLICATION AND INTERPRETATION OF PART V**

- (1) This Part applies -
 - (a) to appeals against the decisions of the Council as the appropriate body (or of a delegate of that body) to dismiss in the exercise of its powers under Part II;
 - (b) to appeals arising in any proceedings, or out of any decision reached, under Part III other than appeals

under paragraph 13 (Appeals against disciplinary warnings);

- (c) to appeals against dismissal otherwise than in pursuance of Part II or Part III;
 - (d) to appeals against discipline otherwise than in pursuance of Part III; and
 - (e) to appeals against decisions reached under Part IV
- and "**appeal**" and "**appellant**" shall be construed accordingly.

- (2) No appeal shall however lie against -
 - (a) a decision of the appropriate body under paragraph 10(2);
 - (b) the findings of fact of a Tribunal under paragraph 18(1) save where, with the consent of the person or persons hearing the appeal, fresh evidence is called on behalf of the appellant at that hearing;
 - (c) any finding by a Board set up under paragraph 22(3).
- (3) In this Part references to "**the person appointed**" are references to the person appointed by the Council under paragraph 28 to hear and determine the relevant appeal.
- (4) The parties to an appeal shall be the appellant and the Registrar and any other person added as a party at the direction of the person appointed.

26. **INSTITUTION OF APPEALS**

A member of the academic staff shall institute an appeal by serving on the Registrar, within the time allowed under paragraph 27, notice in writing setting out the grounds of the appeal.

27. **TIME FOR APPEALING AND NOTICES OF APPEAL**

- (1) A notice of appeal shall be served within 28 days of the date on which the document recording the decision appealed from was sent to the appellant or such longer period, if any, as the person appointed may determine under sub-paragraph (3).
- (2) The Registrar shall bring any notice of appeal received (and the date when it was served) to the attention of the Council and shall inform the appellant that he or she has done so.
- (3) Where the notice of appeal was served on the Registrar outside the 28 day period the person appointed under paragraph 28 shall not permit the appeal to proceed

unless he or she considers that justice and fairness so require in the circumstances of the case.

28. **PERSONS APPOINTED TO HEAR AND DETERMINE APPEALS**

- (1) Where an appeal is instituted under this Part the Council shall appoint a person described in sub-paragraph (2) to hear and determine that appeal.
- (2) The persons described in this sub-paragraph are persons not employed by the University who hold, or have held, judicial office or who are barristers or solicitors of at least ten years' standing.
- (3) The person appointed shall sit alone unless he or she considers that justice and fairness will best be served by sitting with two other persons.
- (4) The other persons who may sit with the person appointed shall be -
 - (a) one member of the Council not being a person employed by the University; and
 - (b) one member of the academic staff nominated by the Senate.

29. **PROVISIONS CONCERNING APPEAL PROCEDURES AND POWERS**

- (1) The procedure to be followed in respect of the preparation, consolidation, hearing and determination of appeals shall be that set out in Ordinances made under this paragraph.
- (2) Without prejudice to the generality of the foregoing such Ordinances shall ensure -
 - (a) that an appellant is entitled to be represented by another person, whether such person be legally qualified or not, in connection with and at any hearing of his or her appeal;
 - (b) that an appeal shall not be determined without an oral hearing at which the appellant, and any person appointed by him or her to represent him or her are entitled to be present and, with the consent of the person or persons hearing the appeal, to call witnesses;
 - (c) that full and sufficient provision is made for postponements, adjournments, dismissal of the appeal for want of prosecution and for the correction of accidental errors; and

- (d) that the person appointed may set appropriate time limits for each stage (including the hearing itself) to the intent that any appeal shall be heard and determined as expeditiously as reasonably practicable.
- (3) The person or persons hearing the appeal may allow or dismiss an appeal in whole or in part and, without prejudice to the foregoing, may -
- (a) remit an appeal from a decision under Part II to the Council as the appropriate body (or any issue arising in the course of such an appeal) for further consideration as the person or persons hearing the appeal may direct; or
 - (b) remit an appeal arising under Part III for rehearing by a differently constituted Tribunal to be appointed under that Part; or
 - (c) remit an appeal from a decision of the appropriate officer under Part IV for further consideration as the person or persons hearing the appeal may direct; or
 - (d) substitute any lesser alternative penalty that would have been open to the appropriate officer following the finding by the Tribunal which heard and pronounced upon the original charge or charges.

30. **NOTIFICATION OF DECISIONS**

The person appointed shall send the reasoned decision, including any decision reached in exercise of his or her powers under paragraph 29(3)(a), (b) or (c), on any appeal together with any findings of fact different from those come to by the Council as the appropriate body under Part II or by the Tribunal under Part III, as the case may be, to the Vice-Chancellor and Principal and to the parties to the appeal.

Part VI Grievance Procedures

31. **PURPOSE OF PART VI**

The aim of this Part is to settle or redress individual grievances promptly, fairly and so far as may be, within the faculty, school, department or other relevant area by methods acceptable to all parties.

32. **APPLICATION**

The grievances to which this Part applies are ones by members of the academic staff concerning their appointments or employment where those grievances relate -

- (a) to matters affecting themselves as individuals; or
- (b) to matters affecting their personal dealings or relationships with other staff of the University,

not being matters for which express provision is made elsewhere in this Statute.

33. **EXCLUSIONS AND INFORMAL PROCEDURES**

- (1) If other remedies within the faculty, school, department or other relevant area have been exhausted the member of the academic staff may raise the matter with the Head of the faculty, school, department or other relevant area.
- (2) If the member of the academic staff is dissatisfied with the result of an approach under sub-paragraph (1) or if the grievance directly concerns the Head of the faculty, school, department or other relevant area, the member may apply in writing to the Vice-Chancellor and Principal for redress of the grievance.
- (3) If it appears to the Vice-Chancellor and Principal that the matter has been finally determined under Part III, IV or V or that the grievance is trivial or invalid, he or she may dismiss it summarily, or take no action upon it. If it so appears to the Vice-Chancellor and Principal he or she shall inform the member and the Grievance Committee accordingly.
- (4) If the Vice-Chancellor and Principal is satisfied that the subject matter of the grievance could properly be considered with (or form the whole or any part of) -
 - (a) a complaint under Part III;
 - (b) a determination under Part IV; or
 - (c) an appeal under Part Vhe or she shall defer action upon it under this Part until the relevant complaint, determination or appeal has been heard or the time for instituting it has passed and he or she shall notify the member and the Grievance Committee accordingly.
- (5) If the Vice-Chancellor and Principal does not reject the complaint under sub-paragraph (3) or if he or she does not defer action upon it under sub-paragraph (4) he or she shall decide whether it would be appropriate, having regard to the interests of justice and fairness, for him or her to seek to dispose of it informally. If he or she so decides he or she shall notify the member and proceed accordingly.

34. **GRIEVANCE COMMITTEE PROCEDURE**

If the grievance has not been disposed of informally under paragraph 33(5), the Vice-Chancellor and Principal shall refer the matter to the Grievance Committee for consideration.

35. **THE GRIEVANCE COMMITTEE TO BE APPOINTED BY THE COUNCIL SHALL COMPRISE:-**

- (a) a Chairperson; and
- (b) one member of the Council not being a person employed by the University; and
- (c) one member of the academic staff nominated by the Senate.

36. **PROCEDURE IN CONNECTION WITH DETERMINATIONS; AND RIGHT TO REPRESENTATION**

The procedure in connection with the consideration and determination of grievances shall be determined in Ordinances in such a way as to ensure that the aggrieved person and any person against whom the grievance lies shall have the right to be heard at a hearing and to be accompanied by a friend or representative.

37. **NOTIFICATION OF DECISIONS**

The Committee shall inform the Council whether the grievance is or is not well-founded and if it is well-founded the Committee shall make such proposals for the redress of the grievance as it sees fit.

Paragraph 3(1)(b)

ANNEX

PROVISIONS AS TO THE VICE-CHANCELLOR AND PRINCIPAL

1. The Council may request its Chairperson to remove the Vice-Chancellor and Principal from office for good cause in accordance with the procedure described in this Annex.
 - (1) A complaint seeking the removal from office of the Vice-Chancellor and Principal for good cause may be made by not less than three members of the Council to the Chairperson of the Council.
 - (2) If it appears to the Chairperson of the Council, on the material before him or her, that the complaint raises a *prima facie* case and that this could, if proved, constitute good cause for dismissal or removal from office he or she shall request the Council to appoint a Tribunal to hear and determine the matter.
 - (3) If it appears to the Chairperson of the Council that a complaint made to him or her under sub-paragraph (1) does not raise a *prima facie* case or is trivial or invalid, he or she may recommend to the Council that no further action be taken upon it.
 - (4) When the Council has appointed a Tribunal under sub-paragraph (2) it shall instruct a solicitor or other suitable person to formulate a charge or charges and to present, or arrange for the presentation of, the charges before the Tribunal.
 - (5) A Tribunal appointed by the Council shall comprise:
 - (a) an independent Chairperson; and
 - (b) one member of the Council, not being a person employed by the University; and
 - (c) one member of the academic staff.
 - (6) Subject to the principles of justice and fairness the Tribunal may determine its own procedure.
 - (7) The Tribunal shall send its reasoned decision on any charge referred to it together with its findings of fact regarding the charge and its recommendations, if any, as to the appropriate penalty to the Chairperson of the Council and to the Vice-

Chancellor and Principal drawing attention to the period of time within which any appeal should be made.

- (8) Persons appointed to hear such an appeal shall be persons independent of the University holding, or having held, judicial office or being barristers or solicitors of at least 10 years' standing and the person so appointed shall, subject to the principles of justice and fairness, determine the procedure to be adopted in hearing the appeal.
 - (9) A person appointed shall send the reasoned decision on the appeal, together with any findings of fact different from those come to by the Tribunal and his or her recommendations, if any, as to the appropriate penalty, to the Vice-Chancellor and Principal and to the Chairperson of the Council.
 - (10) Where a charge or charges have been upheld by the and not dismissed on appeal, the Chairperson of the Council shall decide whether or not to dismiss the Vice-Chancellor and Principal.
2. Where a complaint is to be referred to a Tribunal under this Statute, the Chairperson of the Council may suspend the Vice-Chancellor and Principal from his or her duties and may exclude the Vice-Chancellor and Principal from the precincts of the University or any part thereof without loss of salary.
 3. "**Good cause**" in this Annex has the same meaning as in paragraph 5 of this Statute.
 4. For the purpose of the removal of the Vice-Chancellor and Principal for incapacity on medical grounds Part IV of this Statute shall have effect subject to the following modifications:-
 - (a) for references to a member of the academic staff there shall be substituted references to the Vice-Chancellor and Principal;
 - (b) for any reference to the office of Vice-Chancellor and Principal there shall be substituted a reference to the office of Chairperson of the Council;
 - (c) for paragraph 23 there shall be substituted -

"23. If the Board determines that the Vice-Chancellor and Principal should be required to retire on medical grounds, it shall ask the Chairperson as the appropriate officer, to decide whether or not to terminate the appointment of the

Vice-Chancellor and Principal on those medical grounds."

27. **RETIREMENT OF MEMBERS OF THE STAFF**

The Vice-Chancellor and Principal and all members of the academic staff of the University may retire from the age of sixty and shall vacate their respective offices on the thirtieth day of September following the date on which they attain the age of sixty-seven years.

28. **DISCIPLINE OF STUDENTS**

The provisions governing the expulsion, suspension and exclusion of students shall be prescribed by Ordinances which, except where such expulsion, suspension or exclusion is based upon the failure of the student to satisfy the examiners at any examination of the University of his or her satisfactory progress, shall include provision for a right on the part of any student to be heard in person by a committee of the Council before any decision to expel, or exclude such student is taken. Such Ordinances shall also provide that a student electing to be heard as aforesaid may be accompanied by one other person of his or her own choice who may speak on his or her behalf and that a student may call witnesses and question witnesses upon whose evidence the case against him or her is based.

29. **PROCEDURE**

- (1) The following provisions shall, except where other provision is expressly made in the Charter or the Statutes, apply to the Court, the Council, the Senate, the School Boards, and the Assembly (which bodies are in this Statute called "Statutory Bodies") and each of them:
 - (a) Any member or the Chair (other than an *ex-officio* member or Chair may resign his or her membership or office by notice in writing to the Statutory Body or its Secretary (if any). An appointed or elected member need not be a member of the body which appointed or elected him or her.
 - (b) Any member and the Chair shall be eligible for re-appointment or re-election.
 - (c) Any member who is required by the Statutes to possess any qualification shall vacate office on ceasing to possess that qualification.
 - (d) Every matter shall be determined by the majority of the members present and voting on the question. In case of equality of votes, the Chair or other

presiding officer shall have a casting vote whether or not he or she has voted before on the motion.

- (e) Any of the Statutory Bodies may determine the time and place of its meeting and the procedure to be followed thereat.
- (f) Any casual vacancy occurring in any of the Statutory Bodies by resignation, incapacity or death among its nominated, appointed, representative or elected members shall be filled by the person who, or body which, nominated, appointed, or elected the member whose place has become vacant. A member of any of the Statutory Bodies who is nominated, appointed, or elected to fill a casual vacancy shall hold office only for the unexpired part of the term of office of the member in whose place that member is nominated, appointed, or elected.
- (g) The Statutory Bodies may appoint and dissolve such and so many committees consisting either wholly or partly of members of the said Bodies as they may think fit, and the provisions of this Statute shall apply to any committee of any of the Statutory Bodies. The Statutory Bodies may delegate for such period and on such conditions as they may determine to any of such committees, a majority of whose members are members of the Statutory Body or Bodies appointing such committee, any of the powers and functions which the Statutory Body or Bodies as aforesaid itself or themselves could exercise, provided always that in the case of the School Boards, and the Assembly no exercise of this power of delegation shall take effect until approved by the Senate. The Statutory Bodies may delegate for such period and on such conditions as they may determine to any member or to the Secretary of the Statutory Body in question as aforesaid itself or themselves could exercise.
- (h) Any of the Statutory Bodies may make Regulations for the purpose of regulating its procedure.
- (i) The proceedings of the Statutory Bodies shall not be invalidated by any deficiency in their numbers or by any defect in the appointment or qualification of their members.
- (j) No meeting of any of the Statutory Bodies shall be invalid by reason only of any failure to give notice of such meeting to any person or Body entitled under

the Charter or the Statutes to receive the same or by reason of any failure of any such person or Body to receive any notice.

- (2) Any person appointed to an office under the Statutes shall, except as otherwise provided in the Statutes, be eligible for re-appointment.
- (3) Nothing in this Statute shall enable the Council to delegate its power to reach a decision under paragraph 29.10.2 of Statute 26.
- (4)
 - (a) In any case where a student is a member of a Statutory Body, the student shall (except when otherwise directed by the Chair) withdraw from a meeting of the Statutory Body when it is declared by the Chair of the meeting that the meeting is about to discuss a reserved area of business and shall not return to the meeting until the discussion on the reserved area of business is concluded.
 - (b) Papers for consideration at any such meeting as aforesaid and other records any of which relate to reserved areas of business shall not (except when otherwise directed by the Chair) at any time be made available to a student.
 - (c) Reserved areas of business include matters affecting the appointment, promotion and personal affairs of any individual members of the staff of the University and matters affecting the admission, personal affairs and academic assessment of any individual student. Subject to the above, the Chair of the meeting may decide whether any other matter is a reserved area of business and the Chair's decision shall be final.

30. **INTERPRETATION OF STATUTES**

The Statutes shall be interpreted in such manner as not to conflict with the Charter.

31. **HONORARY DEGREES**

- (1) The Council may resolve that without examination an Honorary Degree of Master or Doctor in any subject be conferred on any person whom the Council shall consider worthy of such a distinction, provided that the holder of such an Honorary Degree shall not be entitled to practice any profession or to any exemption or advantage in the qualification for any profession by virtue of the fact that he or she has been admitted thereto.

- (2) The Council shall not resolve that an Honorary Degree be conferred on any person whose name shall not have been approved for the purpose by the Senate.

32. **SERVICE OF NOTICES AND DOCUMENTS**

- (1) Any notice or document required by or for the purposes of the Charter or the Statutes to be given or sent to a person may be given or sent personally or sent by post to him or her at the last address registered by the University.
- (2) Where a notice or other document is sent by post, service thereof shall be deemed to have been properly effected at the time when such notice or document would in the ordinary course be delivered.