Loughborough University Statutes

(Version effective from 9 October 2013 until 4 November 2014)

I. Definitions

1.[#*+%]

In these Statutes, unless the context otherwise requires:

"Subject to Statute XXI Academic Staff" means all persons holding appointments as Professors, Readers, Senior Lecturers, Lecturers of the University and any person holding an appointment deemed equivalent by the Senate and any other person stipulated by the Senate.

- "Charter" means the Charter of the University.
- "College" means the Loughborough College of Technology Registered.
- "Council" means the Council of the University.
- "Functions" includes powers and duties.
- "General Assembly" means the General Assembly of the University.
- "Ordinances" means Ordinances made pursuant to the Charter or these Statutes.
- "Regulations" means Regulations made pursuant to the Charter, these Statutes or the Ordinances.
- "Faculty" means Faculty of the University.
- "School" means School of the University
- "Senate" means the Senate of the University.
- "Students" means persons pursuing any course of study in or associated with the University.
- "Students' Union" means the Students' Union of the University.
- "University" means Loughborough University.
- "Warden" means a Warden of a Hall of Residence of the University

2.

Words importing the masculine shall include the feminine, and unless the context otherwise requires, words in the singular shall include the plural and words in the plural shall include the singular.

3.

Words defined in the Charter or these Statutes shall have the same meaning in the Ordinances and Regulations unless the context be repugnant thereto.

October 2013

II. The Members of the University

1.[*+%]

The following persons shall be Members of the University:

- These Officers of the University, namely: the Chancellor, the Pro-Chancellors, the Vice-Chancellor, the Pro-Vice-Chancellors, and the Treasurer and the Deans of any Faculties or Schools.

- The Members of the Council.
- The Members of the Senate.
- The Academic Staff.
- The Registrar.
- The Visiting and Associate Academic Staff.
- The Honorary Professors.
- The Emeritus Professors.
- The Wardens or other Chief Officers and the Sub Wardens of Halls of Residence maintained or licensed by the University.
- Those members of the University Staff who are not already Members of the University by virtue of the foregoing provisions of this Statute.
- Such other Teachers and Officers, or former Teachers and former Officers, as shall by Ordinance or Regulation made by the Council be granted the status of Members.
- The Graduates of the University.
- The Students.

2.

The Council, after consultation with the Senate, shall have power to declare such other persons Members of the University as it shall deem fit.

October 2013

III. The Chancellor

1.[%]

The successors to the first Chancellor shall be appointed by the Council subject to the provisions of the Ordinances.

2.

Subject to these Statutes, the Chancellor shall hold office for seven years and shall be eligible for re-appointment.

3.[%]

The Chancellor may resign by writing addressed to the Council.

December 2009

IV. The Pro-Chancellors

1.

The Chair of the Council for the time being shall be ex-officio the Senior Pro-Chancellor during his/her tenure of office as Chair of the Council.

2.[%]

Pro-Chancellors, other than the Senior Pro-Chancellor, shall be appointed by the Council and shall, subject to these Statutes, normally hold office for three years from the date on which they are appointed and shall be eligible for re-appointment.

3.[%]

A Pro-Chancellor may resign by writing addressed to the Council; provided that in the case of a Senior Pro-Chancellor he/she also resigns as Chair of the Council.

October 2013

V. The Vice-Chancellor

1.~

The successors to the first Vice-Chancellor shall be appointed by a meeting of the Council after consideration of a report from a Joint Committee of the Council and Senate.

2.[†]

Subject to Statute XXI the Vice-Chancellor shall hold office for such period and on such terms and conditions as the Council may determine.

3.

The Vice-Chancellor shall, subject to such directions as may be given by the Council, exercise general supervision over the University and shall be generally responsible to the Council for maintaining and promoting the efficiency and good order of the University.

4.*

The Vice-Chancellor may refuse to admit any person as a Student and may subject to the provisions of Statute XXIV suspend any Student from any class or classes and exclude any Student from any part of the University or its precincts; provided that the reasons for any such refusal, suspension or exclusion shall be reported to the Council and the Senate at their respective next meetings

October 2013

VI. *The Pro-Vice-Chancellors*

1.[+]

The Deputy Vice-Chancellor shall be appointed by the Council after consideration of a report from a Joint Committee of the Council and Senate chaired by the Senior Pro-Chancellor.

2.[+]

The Deputy-Vice Chancellor shall hold office for such period and on such terms and conditions and subject to these Statutes shall have such functions as the Council may determine, in addition to exercising and performing all the academic functions of the Vice-Chancellor in the absence of the Vice-Chancellor.

3.[+]

Pro-Vice-Chancellors may be appointed by the Council on the recommendation of a Joint Committee of Senate and Council chaired by the Vice-Chancellor. Pro-Vice-Chancellors shall hold office for such periods and on such terms and conditions and shall have such functions as the Council may from time to time determine, after receiving the advice of the Vice-Chancellor.

December 2009

VII. *The Treasurer*

1.[%]

The Treasurer shall be appointed by the Council and shall, subject to these Statutes, normally hold office for three years from the date on which he/she is appointed and shall be eligible for re-appointment.

2.[%]

If the office of Treasurer becomes vacant by his/her death or resignation or from any other cause before the expiration of his/her period of office, the Council shall appoint a successor, in accordance with the provisions of paragraph 1 of this Statute.

3.

The functions of the Treasurer shall be determined by the Council.

4.

The Treasurer shall receive on behalf of the University any money or property payable or deliverable to the University and his/her receipt shall be sufficient discharge for the same, but the Council may appoint other persons to give receipts for any such money or property and in such case a receipt given by any such other person shall be a sufficient discharge for the same.

5.[%]

The Treasurer may resign by writing addressed to the Council.

October 2013

VIII. *The Appointment of Academic Staff*

1.[†]

Subject to the Charter and these Statutes, the members of the academic Staff shall be appointed by the Council in accordance with the provisions of the Ordinances.

2.[†]

Subject to Statute XXI the conditions of service of members of the Academic Staff shall be determined by the Council.

December 2009

IX. *The Registrar*[%]

† The Council shall appoint a Registrar of the University with such functions, at such remuneration and, subject to Statute XXI, upon such terms and conditions as the Council may deem fit; provided that the Council shall make such an appointment only after considering a report from a Joint Committee of the Council and the Senate.

December 2009

X. *Other Staff*

1.

The Council may appoint such members of staff, other than Academic Staff, as it may deem necessary with such functions, at such remuneration and upon such terms and conditions as the Council shall determine.

2.

The Council may delegate to the Senate, to a Committee, or to one of its officers, the power to appoint any such member of the staff or any class of such members.

December 2009

XI. *The Auditors*

1.

The Council shall appoint Auditors who shall hold office for such period, and at such remuneration as shall be determined by the Council.

2.%*

Every such Auditor shall be a member of one of the following bodies of accountants:

the Institute of Chartered Accountants in England and Wales;
the Institute of Chartered Accountants of Scotland;
the Association of Certified Accountants;
The Institute of Chartered Accountants in Ireland;

any other body of accountants established in the United Kingdom and for the time being recognised for the purposes of section 161 (1)(a) of the Companies Act 1948 or any statutory modification thereof for the time being in force;

but no person shall hold office as Auditor who is, or any of whose partners is, a member of the Council or staff of the University.

3.

The Auditor or Auditors shall make a report to the Council at least once in each year.

4.

The Auditor or Auditors shall have the 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 their duties.

5.

If the office of Auditor or Auditors shall become vacant by their death or resignation or any other cause before the expiration of their period of office the Council shall forthwith appoint an Auditor or Auditors in their place for the remainder of such period.

6.

An Auditor may resign by writing addressed to the Council.

October 2013

XII. *The Court (repealed 2007)*

Statute XII was repealed in 2007. It has been moved to University Ordinances.

XIII. *The Council*

1.%$∞*^+

The Council shall consist of the following persons, namely:

i. *Ex-officio Members*

- (a) *Internal*
  The Chancellor, the Pro-Chancellors, the Vice-Chancellor, the Deputy Vice-Chancellor, the Treasurer.

ii. *Appointed Members*

- Persons appointed as follows:
  One by an Association recognised by the Council as representing former students (including, if the Council so determines, former students of the College);
  Two students of the University appointed by the Students' Union, one of whom shall be the President of the Students' Union, if he/she be a student of the University;

iii. *Members Elected by the Senate*

- Three members of the Senate, being members of the Academic Staff, elected by the Senate, of whom not more than two shall be Elected Members of the Senate; but no member of the Senate shall be eligible for such election to the Council during his/her final year of office as a member of the Senate.

iv. *Members Elected by the General Assembly*

- Three members of the Academic Staff elected by the General Assembly.

v. *Other Elected Members*

- Two members of the staff other than the Academic Staff, other than those employed on an hourly or fee basis or those self employed, elected from within their own number.

vi. *Co-opted Members*

- Such other persons of whom not more than two shall be members of the Academic or other staff of the University, and not exceeding twelve in all, as may be co-opted by the Council.

2.%*

Subject to these Statutes, the periods during which the members of the Council respectively shall hold office shall be as follows:

i. Ex-officio Members shall hold office only so long as they continue to occupy the positions by virtue of which they became members.

ii. Appointed Members shall hold office for a period of three years with effect from the first day of August in the year in which they are appointed, and shall be eligible for re-appointment provided that Student Members shall hold office for a period of one year with effect from the

first day of August in the year in which they are appointed and shall be eligible for re-appointment once only.

iii. Members of the Council elected by the Senate shall hold office for such period, not exceeding three years, as the Senate may determine with effect from the first day of August in the year in which they are elected, and shall not be eligible for re-election until the expiration of one year from the end of their term of office.

iv. Members of the Council elected by the General Assembly shall hold office for a period of three years with effect from the first day of August in the year in which they are elected, and shall not be eligible for re-election until the expiration of one year from the end of their term of office.

v. Members of the Council, elected by the staff other than Academic Staff, shall hold office for such period, not exceeding three years, as the Council may determine with effect from the first day of August in the year in which they are elected and shall not be eligible for re-election until the expiration of one year from the end of their term of office.

vi. Co-opted Members shall hold office for such period, not exceeding three years, as the Council may determine in each case, and shall be eligible for further co-option.

3.*

A casual vacancy among the members of the Council shall be filled as soon as conveniently possible by the person who or body which appointed or elected the member whose place has become vacant.

4.

Any member of the Council may resign by writing addressed to the Council.

5.*

The Council shall exercise its functions in pursuance of paragraph 6 (viii), (ix), (x), (xvii) and (xxviii) of this Statute and in pursuance of Statute XXI at Special Meetings.
Members appointed by the Students' Union shall not attend Special Meetings and shall not receive or have access to papers concerned with the business of such Special Meetings. The Chair may decide in any case of doubt whether the matter is one to which the foregoing sentence applies, and his/her decision shall be final.

6.%*

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

i. To appoint a Chair, Vice-Chair and Secretary.

ii. To co-opt members of the Council as provided for under this Statute.

iii. To appoint the Chancellor, Pro-Chancellors (including the Senior Pro-Chancellor) and Treasurer.

iv. To appoint the Vice-Chancellor, Pro-Vice-Chancellors and Registrar.

v. To make Statutes and Ordinances.

vi. To authorise, on the recommendation of the Senate, the establishment of academic posts in the University.

vii. To suspend or abolish, on the recommendation of the Senate, any post except any post created by these Statutes; provided that no academic post shall be suspended or abolished except on the recommendation of the Senate.

viii. To appoint all members of the Academic Staff, and to determine, after consultation with the Senate, the terms and conditions of such appointments.

ix. To appoint all other members of the University staff, and to determine the terms and conditions of such appointments.

x. On the recommendation of the Senate, to establish and dissolve the organs of academic administration, to prescribe their constitution and functions, and to modify or revise the same.

xi. To review the work of the University and take such steps as it thinks proper for the purpose of advancing its interests.

xii. To foster close associations with industrial, commercial, research and public organisations.

xiii. To make provision for research within the University.

xiv. To determine, after considering any recommendations of the Senate, all University fees.

xv. To institute, on the recommendation of the Senate and subject to any conditions made by the founders, Fellowships, Scholarships, Studentships, Exhibitions, Bursaries and Prizes and other aids to study and research.

xvi. To confer, on the recommendation of the Senate, the title of Emeritus Professor or Honorary Professor, Reader, Lecturer or Fellow.

xvii. To provide for the personal development and well-being of the students and for the welfare of the employees of the University.

xviii. 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 deem expedient to appoint; provided that before determining any question of finance which directly affects the academic policy of the University the Council shall take into consideration any recommendation or report thereon by the Senate.

xix. To invest any moneys belonging to or held by the University in such stock, funds, fully paid shares or securities as the Council shall from time to time think fit, whether within or outside the United Kingdom of Great Britain and Northern Ireland, or in the purchase of freehold or leasehold hereditaments, including rents; provided that in the case of moneys held by the University as trustees the powers conferred by this paragraph shall be exercised subject to the provisions of the law relating to investment by trustees.

xx. To sell, buy, exchange, lease and accept leases of real and personal property on behalf of the University.

xxi. To provide the buildings, premises, furniture and apparatus, and other means needed for carrying on the work of the University.

xxii. To provide and license Halls of Residence, lodgings, apartments, and other places of residence, whether or not maintained by the University and upon and subject to such terms and conditions as the Council shall think fit.

xxiii. To borrow money on behalf of the University and for that purpose, if the Council think fit, to mortgage or charge all or any part of the property of the University, whether real or personal, and to give such other security as the Council shall think fit.

xxiv. To enter into, vary, carry out and cancel contracts on behalf of the University.

xxv. To make provision for schemes of insurance, superannuation, pensions or retirement benefits for members of the Academic and other staff, and so far as the Council may think fit for other employees of the University or their dependents.

xxvi. To ensure that the University has appropriate procedures for the management of risk and to oversee the operation of these procedures.

xxvii. To select a Seal, Arms and a Mace for the University and to have the sole custody and use of the Seal.

xxviii. To give on behalf of the University guarantees to building societies, whether in pursuance of continuing arrangements or not.

xxix. Generally to exercise all such powers as are or may be conferred on the Council by the Charter and these Statutes, including the power to make Regulations in the exercise of all the powers expressly set out in this Statute and of all other the powers vested in the Council.

7.[%]*

i. The Council in accordance with the procedure prescribed in the Ordinances shall appoint from among its members or otherwise a Chair, not being a member of the Academic or other staff or a student of the University.

ii. If the Chair is appointed from outside the Council he/she shall cease to be a member of the Council if he/she ceases to be Chair. Subject to these Statutes the Chair shall hold office for three years, and shall be eligible for re-appointment.

iii. The Council shall appoint from among its own members a Vice-Chair not being a member of the Academic or other staff or a student of the University. He/she shall preside at the meetings of the Council in the absence of the Chair and shall hold office for three years, and shall be eligible for re-appointment.

iv. The Council shall appoint a Secretary from amongst the administrative staff of the University.

8[†]*.

i. The Council may establish Committees, to which it may appoint members of the Council and other persons, and may establish with the Senate Joint Committees of the Council and the Senate to which the Council may appoint members of the Council and other persons and the Senate may appoint members of the Senate and other persons. The Council may delegate to any such Committee or Joint Committee any functions which it is itself competent to perform, provided that nothing in this paragraph shall enable the Council to delegate its power to reach a decision under paragraph 10(2) of Statute XXI.

ii. The Council may establish Joint Committees of the Council and representatives of the Students' Union.

October 2013

XIV. *The Senate*

1.[~> $*+]

The Senate shall consist of the following persons, namely:

i. *Ex-officio Members*

a. The Vice-Chancellor.

b. The Deputy Vice-Chancellor.

c. The Pro-Vice-Chancellors.

d. The Deans of the Schools.

e. The Dean of the Graduate School.

f. The Librarian.

g. Any member of the Senate having been elected to the Council pursuant to Statute XIII paragraph 1(iii) whose membership of the Senate shall otherwise have ceased.

ii. *Appointed Members*

a. Such number of members of the Academic Staff appointed by the School Deans, in accordance with paragraph 3(ii) of Ordinance XXX.

b. Two students of the University appointed by the Students' Union Executive from within its own number; but if there be only one such person the other appointment shall be made from within the University members of the Students' Union Council and if there be no such persons both appointments shall be made from within the University members of the Students' Union Council.

iii. *Elected Members*

a. Four members of the Academic Staff elected by the General Assembly.

b. Such number of other members of the Academic Staff elected by each School from within their own number in accordance with paragraph 3(iii) of Ordinance XXX.

c. Three University students, representing a range of subject areas, elected from and by the students involved in the academic representation structure of the Students' Union, according to the processes established by the Students' Union Council

d. Ordinances shall prescribe the method of election of the Elected Members.

iv. *Co-opted Members*
One member of the University co-opted by the Senate who shall normally be a member of the Academic Staff concerned with the Residential Halls.

2.*

Subject to these Statutes, the periods during which the members of the Senate respectively shall hold office shall be as follows:

i. Ex-officio Members shall hold office only so long as they continue to occupy the positions by virtue of which they became members;

ii. Appointed Members shall hold office for a period of one year and shall be eligible for re-appointment once only provided that the person is eligible for appointment in pursuance of paragraph 1(ii) of this Statute.

iii. Elected Members shall hold office for a period of three years and shall not be eligible for re-election until the expiration of one year from the end of their term of office; provided that the members elected by the General Assembly shall hold office for a period of three years and shall not be eligible for re-election until the expiration of one year from the end of their term of office and further provided that the members who are students shall hold office for one year and shall be eligible for re-election once only;

iv. Co-opted Members shall hold office for such period as the Senate may determine in each case.

3.

A casual vacancy among the Elected or Appointed Members of the Senate shall be filled as soon as conveniently possible by the body which elected or appointed the member whose place has become vacant.

4.

Notwithstanding the provisions of paragraph 2 of this Statute, any member of the Senate elected to the Council in accordance with the provisions of Statute XIII shall continue to be a member of the Senate until the end of his/her term of office as a member of the Council.

5.*

The Senate shall exercise its functions in pursuance of paragraph 6(v), (vi), (vii), (viii), (ix), (x), and (xxiv) of this Statute at Special Meetings.

Appointed Members of the Senate and those elected pursuant to sub-paragraph 1(iii)(c) of this Statute shall not attend Special Meetings and shall not receive or have access to papers concerned with the business of such Special Meetings. The Vice-Chancellor may decide in any case of doubt whether a matter is one to which the foregoing sentence applies, and his/her decision shall be final.

6.%~>*

The Senate shall exercise full responsibility over the academic work of the University and shall, subject to these 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 for the regulation and superintendence of the education and discipline of the students of the University. Subject to the Charter and these Statutes, the Senate shall, in addition to all other powers vested in it, have the following functions:

i. To regulate and control all teaching, courses of study and research and the conditions qualifying for admission to the various titles, degrees and other distinctions offered by the University.

ii. To regulate the admission of persons to courses of study or research.

iii. To elect members of the Council as provided for under Statute XIII.

iv. To review from time to time the duties of all members of the Academic Staff.

v. To recommend to the Council the establishment of new academic posts in the University and if it thinks fit to recommend that any vacant post be not filled.

vi.

a. To appoint Examiners whether internal or external.

b. To regulate all University examinations.

vii. To terminate the studies of any student where the work of the student is found to be unsatisfactory.

viii. To confer Degrees and grant other academic distinctions to persons who shall have pursued a course of study or research approved by the Senate, who shall have passed the examinations and satisfied any other conditions prescribed in the Ordinances or Regulations.

ix. To grant Diplomas, Licences, Certificates or other distinctions to persons who have pursued a course of study or research approved by the Senate under conditions prescribed by it.

x. To accept such examinations and periods of study or research at such Universities or other places as the Senate may determine as equivalent to such examinations and periods of study or research in the University as the Senate may determine.

xi. To accept courses of study or research 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 or research in the University as the Senate may determine.

xii. To determine what formalities shall attach to the conferment of Degrees and other distinctions.

xiii. On what it shall deem to be good cause, to deprive persons of any Degrees or other distinctions conferred on them and to revoke any Diplomas, Licences, Certificates or other distinctions granted to them by the University and to withdraw all privileges connected therewith.

xiv. To be responsible for the general administration of the University Library and other general academic services.

xv. To recommend to the Council the institution of Fellowships, Scholarships, Studentships, Exhibitions, Bursaries and Prizes and other aids to study and research.

xvi. To prescribe, subject to any conditions made by the Founders and to any directions of the Council, the terms and conditions of competition for Fellowships, Scholarships, Studentships, Exhibitions, Bursaries and Prizes and to examine for and award the same.

xvii. To supervise the extra-mural work of the University.

xviii. To make recommendations to the Council on any matter of interest to the University.

xix. To regulate the use of academic dress in the University.

xx. To promote research within the University and to require reports from time to time on such research.

xxi. To regulate the discipline of the University.

xxii. To take such steps as it thinks proper for regulating organisations of Students.

xxiii. Subject to the provisions of Statute XXIV, to expel any Student who appears to the Senate after consideration of a report from a body established under Ordinance to have been guilty of grave misconduct.

xxiv. Except as otherwise provided, to appoint representatives of the University on other bodies.

xxv. To report to the Council from time to time as to the expediency of the establishment and dissolution of organs of academic administration and to make recommendations as to their constitution and functions and the modification or revision thereof.

xxvi. To review, amend, refer back, control or disallow any act of any such organ of academic administration and to give directions to any such body.

xxvii. Generally to exercise all such powers as are or may be conferred on the Senate by the Charter and these Statutes including the power to make Regulations in the exercise of the powers expressly set out in this Statute and of all the other powers of the Senate.

7.~*

i. The Senate may establish Committees, to which it may appoint members of the Senate and other persons, and may establish with the Council Joint Committees of the Council and the Senate to which the Council may appoint members of the Council and other persons, and the Senate may appoint members of the Senate and other persons. The Senate may delegate to any such Committee or Joint Committee any functions which it is itself competent to perform.

ii. The Senate may establish Joint Committees of the Senate and representatives of the Students' Union.

iii. The Vice-Chancellor and the Deputy Vice-Chancellor shall be ex-officio members of all Committees of the Senate.

October 2013

XV. *The General Assembly*

1.$¶*

The General Assembly shall consist of the following persons, namely:

- The Vice-Chancellor.
- The Pro-Vice-Chancellors.
- The Registrar.
- The Professors and all other members of the Academic Staff.
- The Librarian.
- The Wardens and Sub-Wardens.
- The holders of such other academic, administrative and research posts as may be designated by the Senate.

2.

The Vice-Chancellor shall be the Chair of the General Assembly.

3.

There shall be at least one ordinary meeting of the General Assembly during each year.

4.%*

The General Assembly shall elect four members of the Senate as provided for under Statute XIV and three members of the Council as provided for under Statute XIII.

5.

The General Assembly may discuss and declare an opinion on any matter relating to the University, including any matter referred to it by the Council or the Senate, and may, if it so decides, submit resolutions to the Council or Senate.

6.

The Vice-Chancellor may at any time at his/her discretion, and shall upon the requisition in writing of not fewer than twenty-five members of the General Assembly stating the purpose for which the meeting is to be called within thirty days after receiving such requisition, summon an extraordinary meeting of the General Assembly.

October 2013

XVI. *Faculties and Schools*

1.+

The scope of any Faculty or School shall be prescribed by the Senate.

2.+

Any Faculties or Schools shall be established by the Council on the recommendation of the Senate.

October 2013

XVII. *The Students' Union*

There shall be a Students' Union of the University and Ordinances shall prescribe the constitution, functions, privileges and other matters relating to such Union.

December 2009

XVIII. *Honorary Degrees*

1.

The University may, without examination, confer an Honorary Degree of Master or Doctor or other Honorary Award in any subject on any person whom it may deem worthy of such a distinction; provided that the holder of such an Honorary Degree or Award shall not be entitled to practise any profession by virtue of the fact that he/she holds it.

2.

No person shall be admitted by the University to an Honorary Degree or other Honorary Award unless his/her name has been approved for that purpose both by the Council and by the Senate.

3.

The Council, in consultation with the Senate, may make Regulations relating to Honorary Degrees or other Honorary Awards.

October 2013

XIX. *Congregations*

1.

For the purpose of conferring Degrees and other Awards of the University, there shall be held from time to time a meeting of the whole 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 Council and shall be presided over by the Chancellor or, in his/her absence, by the Vice-Chancellor, Deputy Vice-Chancellor, a Pro-Chancellor or a Pro-Vice-Chancellor.

3.

The procedure for summoning and conducting a Congregation and for the conferring of Degrees and Awards in absentia shall be determined by the Senate after consultation with the Council.

October 2013

XX. *Removal of Officers and Members*[†]

1.[%]

The Chancellor, the Pro-Chancellors (including the Senior Pro-Chancellor), the Treasurer or any member of the Council (other than an Ex-officio member or a member of the academic staff to whom Statute XXI applies), may be removed from office for good cause by the Council. No person shall be removed by the Council unless he/she shall have been given a reasonable opportunity to have been heard by the Council.

2.[%]

"Good cause" in this Statute means:

- **(a)** conviction for an offence which may be deemed by the Council 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.

October 2013

XXI. Academic Staff

Part I. *Construction, Application and Interpretation*

Construction

1.

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.

Reasonableness of Decisions

2.

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 dismissal may in the circumstances (including the size and administrative resources of the University) reasonably be treated as a sufficient reason for dismissing him.

Application

3.

- **(i)** This Statute shall apply:
    - **(a)** to the persons defined as "academic staff" in Statute I.1;
    - **(b)** to the Pro-Vice-Chancellors and such other Teachers, Research Fellows, Teaching Fellows and other Officers as have been granted the status of members of the University under the provisions of Statute II.1;
    - **(c)** to the Registrar; and
    - **(d)** to the Vice-Chancellor to the extent and in the manner set out in the Annex to this Statute.
- **(ii)** In this Statute any reference to "academic staff" is a reference to persons to whom this Statute applies.

Interpretation

Meaning of "Dismissal"

4.

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.

Meaning of "Good Cause"

5.

- **(i)** 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.
- **(ii)** 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.

Meaning of "Redundancy"

6.

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.

Incidental, Supplementary and Transitional Matters

7.

- **(i)** 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.

- **(ii)** 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.
- **(iii)** 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.
- **(iv)** In this Statute references to numbered Parts, paragraphs, and sub-paragraphs are references to Parts, paragraphs, and sub-paragraphs so numbered in this Statute.

†*Paragraph 3(i)(d) Annex*

Provisions as to the Vice Chancellor

1.

The Council may request its Chairman to remove the Vice-Chancellor from office for good cause in accordance with the procedure described in this Annex.

- **(i)** A complaint seeking the removal from office of the Vice-Chancellor for good cause may be made by not less than three members of the Council to the Chairman of the Council.
- **(ii)** If it appears to the Chairman of the Council, on the material before him, that the complaint raises a prima facie case and that this could, if proved, constitute good cause for dismissal or removal from office he shall request the Council to appoint a Tribunal to hear and determine the matter.
- **(iii)** If it appears to the Chairman of the Council that a complaint made to him under sub-paragraph (i) does not raise a prima facie case or is trivial or invalid, he may recommend to the Council that no further action be taken upon it.
- (iv) When the Council has appointed a Tribunal under sub-paragraph (ii) 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.
- **(v)** A Tribunal appointed by the Council shall comprise:
  - **(a)** an independent Chairman; and
    (b) one member of the Council, not being a person employed by the University; and
    (c) one member of the academic staff.
- **(vi)** Subject to the principles of justice and fairness the Tribunal may determine its own procedure.

- **(vii)** 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 Chairman of the Council and to the Vice-Chancellor drawing attention to the period of time within which any appeal should be made.

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- **(viii)** 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.
- **(ix)** 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 recommendations, if any, as to the appropriate penalty, to the Vice-Chancellor and to the Chairman of the Council.
- **(x)** Where a charge or charges have been upheld by the Tribunal and not dismissed on appeal, the Chairman of the Council shall decide whether or not to dismiss the Vice-Chancellor.

2.

Where a complaint is to be referred to a Tribunal under this Statute, the Chairman of the Council may suspend the Vice-Chancellor from his duties and may exclude the Vice-Chancellor 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.

4.

For the purpose of the removal of the Vice-Chancellor for incapacity on medical grounds, Part IV 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;
- **(b)** for any reference to the office of Vice-Chancellor there shall be substituted a reference to the office of Chairman of the Council;
- **(c)** for paragraph 23 there shall be substituted:
  "23. If the Board determines that the Vice-Chancellor should be required to retire on medical grounds, it shall ask the Chairman as the appropriate officer, to decide whether or not to terminate the appointment of the Vice-Chancellor on those medical grounds."

Part II. *Redundancy*

Purpose of Part II

8.

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

Exclusion from Part II of persons appointed or promoted before 20th November 1987

9.

- **(i)** 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 appointment is made, or his contract of employment is entered into, on or after 20th November 1987; or
    - b) he his promoted on or after that date.
- **(ii)** 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.

The Appropriate Body

[+]10.

- **(i)** The Council shall be the appropriate body for the purposes of this Part.
- **(ii)** 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, department or other similar area of the University by way of redundancy.

11.

- **(i)** Where the appropriate body has reach a decision under paragraph 10(ii) it shall appoint a Redundancy Committee to be constituted in accordance with sub-paragraph (iii) 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.
- **(ii)** The appropriate body shall either approve any selection recommendation made under sub-paragraph (i), or shall remit it to the Redundancy Committee for further consideration in accordance with its further directions.
- **(iii)** A Redundancy Committee appointed by the appropriate body shall comprise:
    - **(a)** a Chairman; 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.

Notices of Intended Dismissal

12.

- **(i)** Where the appropriate body has approved a selection recommendation made under paragraph 11(i) it may authorise an officer of the University as its delegate to dismiss any member of the academic staff so selected.
- **(ii)** Each member of the academic staff selected shall be given separate notice of the selection approved by the appropriate body.
- **(iii)** 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*

Disciplinary Procedures

13.

- **(i)** Minor faults shall be dealt with informally.
- **(ii)** 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 decision shall be final.

Preliminary Examination of Serious Disciplinary Matters

[+]14.

- **(i)** 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.
- **(ii)** To enable the Vice-Chancellor to deal fairly with any complaint brought to his attention under sub-paragraph (i) he shall institute such investigations or enquiries (if any) as appear to him to be necessary.
- **(iii)** If it appears to the Vice-Chancellor that a complaint brought to his attention under sub-paragraph (i) 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 by-laws for which a standard penalty is normally imposed in the University or within the Faculty, department or other relevant area, or is trivial or invalid he may dismiss it summarily, or decide not to proceed further under this Part.
- **(iv)** If the Vice-Chancellor does not dispose of a complaint under sub-paragraph(iii) he shall treat the complaint as disclosing a sufficient reason for proceeding further under this Part and, if he sees fit, he may suspend the member on full pay pending a final decision.
- **(v)** Where the Vice-Chancellor proceeds further under this Part he shall write to the member of the academic staff concerned inviting comment in writing.
- **(vi)** As soon as may be following receipt of the comments (if any) the Vice-Chancellor shall consider the matter in the light of all the material then available and may:
    - **(a)** dismiss it himself; or
    - **(b)** refer it for consideration under paragraph 13; or
    - **(c)** deal with it informally himself if it appears to the Vice-Chancellor 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.
- **(vii)** If no comment is received within 28 days the Vice-Chancellor may proceed as aforesaid as if the member concerned had denied the substance and validity of the alleged case in its entirety.

Institution of Charges

15.

- **(i)** In any case where the Vice-Chancellor has directed that a charge or charges be preferred under paragraph 14(vi)(d), he 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.

- **(ii)** Where the Council has been requested to appoint a Tribunal under paragraph 16 the Registrar or, if he is unable to act, another officer appointed by the Vice-Chancellor shall take charge of the proceedings.
- **(iii)** 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.
- **(iv)** 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.

The Tribunal

16.

A Tribunal appointed by the Council shall comprise:

- **(a)** a Chairman; 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.

Provisions concerning Tribunal Procedure

17.

- **(i)** 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.
- **(ii)** 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 to represent him 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 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 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.

Notification of Tribunal Decisions

18.

(i) 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 to each party to the proceedings.

(ii) 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.

Powers of the Appropriate Officer where Charges are Upheld by Tribunal

19.

- **(i)** 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.
- **(ii)** In any case where the charge or charges are upheld, other than where the appropriate officer has decided under sub-paragraph (i) 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 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.

Appropriate Officers

20.

- **(i)** The Vice-Chancellor 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.
- **(ii)** Any action taken by the appropriate officer shall be confirmed in writing.

Part IV. *Removal for Incapacity on Medical Grounds*

21.

- **(i)** This Part makes separate provision for the assessment of incapacity on medical grounds as a good cause for dismissal or removal from office.
- **(ii)** In this Part references to medical grounds are references to capability assessed by reference to health or any other physical or mental quality.
- **(iii)** In this Part references to the appropriate officer are references to the Vice-Chancellor or an officer acting as his delegate to perform the relevant act.
- **(iv)** 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.

- **(i)** 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.
- **(ii)** If the member shares that view the University shall meet the reasonable costs of any medical opinion required.
- **(iii)** 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 chairman 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.
- **(iv)** The Board may require the member concerned to undergo medical examination at the University's expense.

Termination of Employment

23.

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

Part V. *Appeals*

Purpose of Part V

24.

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.

Application and Interpretation of Part V

25.

- **(i)** 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.
- **(ii)** No appeal shall however lie against:
    - **(a)** a decision of the appropriate body under paragraph 10(ii);
    - **(b)** the findings of fact of a Tribunal under paragraph 18(i) 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(iii).
- **(iii)** 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.
- **(iv)** 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.Institution of Appeals

26.

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.

Time for Appealing and Notices of Appeal

27.

- **(i)** 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 (iii).

- **(ii)** 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 has done so.
- **(iii)** 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 considers that justice and fairness so require in the circumstances of the case.

Persons Appointed to Hear and Determine Appeals

28.

- **(i)** Where an appeal is instituted under this Part the Council shall appoint a person described in sub-paragraph (ii) to hear and determine that appeal.
- **(ii)** The persons described in this sub-paragraph are persons not employed by the University holding, or having held, judicial office or being barristers or solicitors of at least ten years' standing.
- **(iii)** The person appointed shall sit alone unless he considers that justice and fairness will best be served by sitting with two other persons.
- **(iv)** 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.

Provisions Concerning Appeal Procedures and Powers

29.

- **(i)** 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.
- **(ii)** 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 appeal;
    - **(b)** that an appeal shall not be determined without an oral hearing at which the appellant, and any person appointed by him to represent him 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.
- **(iii)** 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 re-hearing 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.

Notification of Decisions

30.

The person appointed shall send the reasoned decision, including any decision reached in exercise of his powers under paragraphs 29(iii)(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 to the parties to the appeal.

Part VI. *Grievance Procedures*

Purpose of Part VI

31.[+]

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

Application

32.

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.

Exclusions and Informal Procedures

33.[+]

- **(i)** If other remedies within the Faculty, department or other relevant area have been exhausted the member of the academic staff may raise the matter with the Head of the Faculty, department or other relevant area.
- **(ii)** If the member of the academic staff is dissatisfied with the result of an approach under sub-paragraph (i) or if the grievance directly concerns the Head of the Faculty, department or other relevant area, the member may apply in writing to the Vice-Chancellor for redress of the grievance.
- **(iii)** If it appears to the Vice-Chancellor that the matter has been finally determined under Part III, IV or V or that the grievance is trivial or invalid, he may dismiss it summarily, or take

no action upon it. If it so appears to the Vice-Chancellor he shall inform the member and the Grievance Committee accordingly.

- **(iv)** If the Vice-Chancellor 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 V
- he 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 shall notify the member and the Grievance Committee accordingly.
- **(v)** If the Vice Chancellor does not reject the complaint under sub-paragraph(iii) or if he does not defer action upon it under sub-paragraph (iv) he shall decide whether it would be appropriate, having regard to the interests of justice and fairness, for him to seek to dispose of it informally. If he so decides he shall notify the member and proceed accordingly.

Grievance Committee Procedure

34.

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

35.

The Grievance Committee to be appointed by the Council shall comprise:

- **(a)** a Chairman; 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.

Procedure in connection with Determinations; and Right to Representation

36.

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.

Notification of Decisions

37.

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

XXII. ***Retirement and Resignation of Members of Staff – repealed 2007***

Statute XXII was repealed in 2007.

XXIII. *Service of Notices and Documents*

1.

Any notice or document required by or for the purposes of the Charter or these Statutes to be given or sent to a member may be given or sent either personally or by sending it bya legally recognised form of communication in writing to him/her to his/her 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 by properly addressing and posting a letter containing the notice or other document, and shall be deemed to have been effected at the time at which the letter would in the ordinary course be delivered.

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XXIV. *Appeals by Students*

1.>

A student who, in accordance with Statute V.4 has been suspended or excluded, or who, in accordance with Statute XIV.6 (xxiv), it is proposed should be expelled from the University may appeal to the Student Disciplinary Appeals Committee, which shall hear him/her in person, and the decision of which shall be final.

2.>

The Secretary to Council (or his/her nominee) shall at the time of notifying such a decision inform any such student in writing of his/her right to appeal and the time within which it is exercisable; and the student shall, if he/she so wishes to exercise this right, so notify the Secretary to Council within ten working days of being informed of his/her right.

3.>

On receipt of such an appeal, the Secretary to Council shall take steps to convene the Student Disciplinary Appeals Committee, and within ten working days shall notify the student of the date and place at which he/she may appear to be heard in person.

4.>

After hearing such student (or being satisfied that the terms of this Statute have been complied with and that such student has not exercised his/her right of appeal) the Student Disciplinary Appeals Committee may amend, ratify or revoke the suspension, exclusion or proposal to expel the student.

5.>

In the case of a student whom it is proposed to expel from the University, the Senate may direct that any such student shall be suspended from any class or classes or excluded from any part of the University or its precincts during the whole or any part of the time between the proposal of the Senate to expel such student and the decision of the Student Disciplinary Appeals Committee under paragraph 4 of this Statute, or in a case where the student does not exercise his/her right of appeal, the expiry of the period within which that right may be exercised under paragraph 2 of this Statute.

6.>

In this Statute:

- the expression "Student Disciplinary Appeals Committee" means the Council or a body appointed by the Council.

October 2013

XXV. *Acts During Vacancies*[%+]

No act or resolution of the Council, Senate, General Assembly or Committees or other bodies constituted in accordance with these Statutes shall be invalid by reason only of any vacancy in the body doing or passing it or by reason only of any want of qualification by or invalidity in the election or appointment of any de facto member of the body whether present or absent.

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XXVI. *Interpretation of Statutes*

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

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XXVII. *Transitional Arrangements for the Council – repealed 2007*

Statute XXVII was repealed in 2007.