

## **SECOND SCHEDULE**

### **Statutes of The University of Manchester**

#### **Statute I**

#### **Definitions**

In these Statutes, and in the Ordinances and Regulations, the following words and expressions shall, except where the context otherwise requires, have the meanings hereby assigned to them, namely:

- (a) 'the University' means The University of Manchester;
- (b) 'the former Universities' means (collectively) the Victoria University of Manchester and the University of Manchester Institute of Science and Technology (UMIST);
- (c) 'the Charter' means the Charter of the University granted in the year 2004 as may be amended from time to time;
- (d) 'Statutes' means any of the Statutes of the University;
- (e) 'Ordinances' and 'Regulations' mean any Ordinance or Regulation made pursuant to these Statutes;
- (f) 'the laws of the University' means the Charter, these Statutes, the Ordinances and the Regulations;
- (g) 'the Board', 'the General Assembly' and 'the Senate' mean respectively the University Board of Governors, the University General Assembly and the University Senate;
- (h) 'Faculty' means any of the Faculties of the University;
- (i) 'Dean of Faculty' means a person appointed as such under the provisions of Statute XV;
- (j) 'School' means any of the Schools of the University;
- (k) 'School Board' means a Board constituted as such under the provisions of Statute XVI;
- (l) 'student' means a person for the time being registered for a programme of study in the University;
- (m) 'union of students' means the union of students designated by Ordinance under the provisions of Statute XVII;
- (n) 'student residence' means a hall of residence or other unit of accommodation maintained by the University for the residence of students;

- (o) 'lay member' without further qualification means a member of the Board or the General Assembly who holds no paid employment in the University and who is not a student of the University;
- (p) 'academic staff' means members of staff holding posts that have been designated academic posts by the Board, having consulted the Senate;
- (q) 'academic-related staff' means members of staff holding posts that have been designated academic-related posts by the Board and includes staff holding posts designated as research posts;
- (r) 'other staff' means members of staff holding posts that have not been designated as academic posts or academic-related posts by the Board;
- (s) 'academic year' means the period from 1 September in one year to 31 August in the next year.

In the laws of the University, unless the context otherwise requires, words in the singular shall include the plural and words in the plural shall include the singular.

## **Statute II**

### **The Chair and other Officers of the Board**

1. The Chair of the Board, one or more Deputy Chairs, and such other officers as the Board may consider necessary from time to time shall be appointed by the Board from among the members of the Board who hold membership in Category 2 as defined in Statute VI, and shall, without prejudice to the foregoing and subject to the Ordinances, hold office for such initial period, and on such terms and conditions, as the Board shall determine. They may be reappointed by the Board, but they shall not serve continuously for a total of more than six years unless, exceptionally, in the interests of the University, the Board approves a further appointment for an additional period of no more than three years.
2. The Chair, or in his or her absence one of the Deputy Chairs, or in their absence some other lay member chosen by the members present, shall preside over meetings of the Board.
3. The Chair, the Deputy Chair or Chairs and other officers of the Board as may have been appointed in accordance with paragraph 1 above:
  - (a) shall undertake such other duties as may from time to time be assigned to them by the Board;
  - (b) shall be designated officers of the University pursuant to Article VI of the Charter;
  - (c) may resign in writing addressed to the Board.

4. During the tenure of office of the Chair of the Board, the Board may, at its discretion, grant to him or her the additional title of Pro-Chancellor, provided that the grant of such title shall not permit the Chair of the Board to undertake any of the duties and responsibilities reserved by these Statutes to the office of Pro-Chancellor provided for in Statute IV.7.

### **Statute III**

#### **The President and Vice-Chancellor**

1. Pursuant to Article VI of the Charter, the officer fulfilling the function of Chief Executive Officer of the University shall hold the title of President and Vice-Chancellor.
2. The President and Vice-Chancellor shall be appointed by the Board following consultation with the Senate.
3. The President and Vice-Chancellor shall hold office for such period and with such terms and conditions as the Board shall determine.
4. The President and Vice-Chancellor shall be responsible to the Board for the effective and efficient management of the University, for the conduct of its business generally and for the achievement of institutional objectives, as provided for in Statutes X, XI and XII.
5. The President and Vice-Chancellor shall preside at meetings of the Senate and shall report to the Board, at such times as the Board may require, on the academic work of the University and the strategic development thereof.
6. In fulfilment of these responsibilities, the President and Vice-Chancellor may be assisted by such academic or academic-related officers of the University as the Board, in consultation with the Senate, may from time to time designate and appoint, with such terms and conditions of service as it may determine. The President and Vice-Chancellor shall also establish, with a composition and in a manner satisfactory to the Board, a management team to assist him or her in fulfilling the functions of the office.
7. The President and Vice-Chancellor may resign in writing addressed to the Board.

### **Statute IV**

#### **The Chancellor, the Co-Chancellors and the Pro-Chancellor**

1. Pursuant to Article VI of the Charter the officer fulfilling the function of non-executive Chair of the General Assembly of the University shall hold the title of Chancellor, subject to paragraph 2 below.
2. Pursuant to the provisions of Article VI of the Charter, and on no more than one occasion, prior to the first election to the office of Chancellor as provided for in paragraph 3 below,

two persons may be appointed and designated in the First Schedule as the first officers of the University to fulfil the duties set out for them in paragraph 5 below, and in the manner further defined by Ordinance. Neither person shall hold a paid appointment in the University. The title accorded to both officers shall be Co-Chancellor and they shall, subject to these Statutes, be of equal status in the University, and be appointed for periods of office of equal duration. If such Co-Chancellors are appointed, then the appointment to the office of Chancellor following the first election shall take effect not earlier than the date of termination of the appointment of the Co-Chancellors. However, in the event of one of the Co-Chancellors relinquishing his or her office prior to the date of termination of appointment, the remaining Co-Chancellor shall assume, from the date of such relinquishment, the title and duties of Chancellor for the remaining period of his or her appointment.

3. The Chancellor shall not hold any paid appointment in the University and shall be elected by:
  - (a) the staff of the University holding paid superannuable appointments; and
  - (b) the members of the Alumni Association provided for in Statute XVIII, subject to the provisions of paragraph 3 of that Statute; and
  - (c) the members of the General Assembly;according to procedures prescribed by Ordinance.
4. Subject to paragraph 6 of this Statute, the Chancellor shall hold office for a period of seven years from the date of appointment and shall not be eligible for re-appointment. The duration of office of the Co-Chancellors, if appointed, shall be defined by Ordinance, but shall not exceed four years in either case, nor shall a Co-Chancellor be eligible for reappointment, or for appointment as Chancellor other than in the circumstances set out in paragraph 2 above.
5. The Chancellor shall, if present, preside over meetings of the General Assembly and over Congregations of the University for the conferment of degrees. In the event of Co-Chancellors being appointed, then the Ordinances shall provide for one Co-Chancellor, if present, to preside over meetings of the General Assembly, and for the other Co-Chancellor, if present, to preside over Congregations of the University for the conferment of degrees. The Chancellor or, if appointed, the Co-Chancellors, may undertake such other ceremonial and formal duties as the Board may from time to time request.
6. The Chancellor or, if appointed, one or both of the Co-Chancellors, after a proper hearing, may be removed from office by the Visitor at the instance of the Board with the sanction of the General Assembly.
7. Subject to the Ordinances, during the absence or inability of the Chancellor or, if appointed, one or both of the Co-Chancellors, or vacancy in the office, the functions of the office, except the conferment of degrees, shall be exercisable by a Pro-Chancellor,

who shall not hold any paid appointment in the University, and who shall be appointed by the General Assembly on the recommendation of the Nominations Committee provided for in Statute VI.2 according to procedures prescribed by Ordinance.

8. Such Pro-Chancellor shall hold office for a period of four years and shall be eligible for reappointment to one further term of office. The office-holder shall be designated an officer of the University pursuant to Article VI of the Charter.
9. The Chancellor, or if appointed, one or both of the Co-Chancellors, and the Pro-Chancellor appointed pursuant to paragraph 7 of this Statute may resign in writing addressed to the General Assembly.

## **Statute V**

### **The Registrar and Secretary**

1. The Board, in consultation with the Senate, shall appoint a Registrar and Secretary who, in addition to serving as Secretary to the Board, the Senate and the General Assembly, shall be the Head of the Administration of the University, responsible to the President and Vice-Chancellor for the provision of the administrative and support services required for the effective and efficient conduct of the business of the University.
2. The Registrar and Secretary shall hold office for such period and, subject to Statute XIII, with such terms and conditions as the Board shall determine. The office-holder shall be designated an officer of the University pursuant to Article VI of the Charter.
3. The Registrar and Secretary may resign in writing addressed to the Board.

## **Statute VI**

### **The Board of Governors**

1. The Board shall consist of the following persons, namely:
  - (a) **Category 1, *ex officio* members**

The President and Vice-Chancellor  
An officer of the union of students, as specified by Ordinance.
  - (b) **Category 2, lay members**

Fourteen lay members appointed according to the provisions of paragraph 2 of this Statute, one of whom shall have been proposed for appointment by the Alumni Association according to procedures prescribed by Ordinance.

(c) **Category 3, members of the Senate**

Seven members of the Senate elected by the Senate from amongst those of its members in Categories 2 and 3, in such manner, prescribed by Ordinance, as to reflect the broad range of academic experience and culture across the Faculties provided for in Statute XV. At least one of those elected shall be from Category 2, and at least four shall be from Category 3, at least one of whom shall hold a professorial or equivalent appointment and at least two of whom shall hold non-professorial appointments.

(d) **Category 4, members of staff other than academic or research staff**

Two members of staff holding paid superannuable appointments in the University elected by the General Assembly from amongst its members in Category 12, other than members holding academic or research appointments. Subject to the above, one of those elected shall be an academic-related member of staff and one shall be from the category of other staff.

2. The members in Category 2 shall be appointed by the Board on the recommendation of a Nominations Committee appointed by the Board subject to the following conditions:

- (a) the Committee shall be chaired by the Pro-Chancellor appointed pursuant to Statute IV.7;
- (b) no more than one-third of the members of the Committee shall be members of the Board;
- (c) the remaining membership of the Committee shall be drawn from amongst the lay members of the General Assembly who are not members of the Board;
- (d) in formulating its recommendations to the Board, the Committee shall have regard to the experience and capacity of potential members within the full range of activities that have relevance to the fulfilment of the Objects of the University.

Subject to the above provisions, the constitution, duties and responsibilities of the Committee shall be prescribed by Ordinance.

3. The procedure for the election of members in Categories 3 and 4 shall be prescribed by Regulation. Members of the Board other than *ex officio* members shall each hold office for a period of up to three academic years, subject to Statute XIII (where appropriate) and the Ordinances. On the establishment of the Board with the constitution set out above, the initial periods of office of the members aforesaid may be adjusted in order to ensure that vacancies occur in approximately equal numbers within the respective constituencies in successive years. A casual vacancy amongst the appointed or elected members shall be filled as soon as conveniently possible by the body which appointed or elected the member whose place has become vacant, and shall be for the unexpired portion of the previous member's term of office.

4. Members of the Board, other than *ex officio* members (but otherwise irrespective of category of membership) shall not, subject to what follows, serve continuously more than three terms of three academic years, excluding any period of fewer than three years served initially through appointment or election to a casual vacancy, provided that any member who is otherwise eligible for reappointment may not be reappointed following completion of a term of office during which he or she attains the age of 70 unless, in the interests of the University, the leave of the Board is given for such reappointment. Exceptionally, in the interests of the University, the Board may approve the eligibility of a member to be appointed or elected for a fourth and final term.
5. At such times as the Board may deem necessary for the effective and efficient conduct of its business, it may invite appropriate academic or academic-related officers to attend its meetings.
6. Subject to the laws of the University, and in pursuance of its function as governing body, the Board shall exercise all the powers and discretions of the University, save to the extent that such exercise is by the Charter and these Statutes reserved to the Senate or to the General Assembly.
7. As may be provided for in these Statutes, or otherwise in a manner of its own choosing, and subject to the powers reserved to the Senate and the General Assembly, the Board shall:
  - (a) in furtherance of the Objects of the University, and in consultation with the Senate, keep under regular review the strategic direction of the University and, as a consequence, determine short, medium and long-term strategic objectives;
  - (b) delegate authority to the President and Vice-Chancellor in the manner provided for in Statutes X, XI and XII for the academic, corporate, financial, estate and personnel management of the University, and establish and keep under regular review the procedures and limits within which such management functions will be carried out by and under the authority of the President and Vice-Chancellor;
  - (c) establish a process to monitor and evaluate the performance and managerial efficiency of the University, its Faculties and its Schools in achieving strategic objectives within the operational limits, and to review the effectiveness of internal management and financial control systems;
  - (d) conduct its own business in accordance with current best practice in public sector corporate governance and appoint and constitute such committees in furtherance thereof as it may from time to time deem to be appropriate;
  - (e) appoint, in consultation with the Senate, the President and Vice-Chancellor, the Registrar and Secretary and the Deans of the Faculties, and on the recommendation of the Senate, appoint the external examiners of the University;

- (f) be the employing authority for all staff of the University;
- (g) appoint persons to represent the University in pursuance of any powers conferred on the University otherwise than under the Charter and these Statutes;
- (h) be the principal financial authority of the University and in pursuance of this function, cause proper books of account to be kept for all monies received and expended by the University and its subsidiary undertakings, and of the assets and liabilities of the University, both as beneficial owner and trustee, so that the financial statements based on such books give a true and fair view of the state of the University's affairs and explain its transactions, as duly reported on by the auditor or auditors appointed by the Board as provided for in Statute XIV;
- (i) present to the General Assembly the annual financial statements prepared in accordance with the said books and reflecting current best practice in public sector corporate governance, together with an Annual Report on the work of the University, and to receive and consider the opinion of the General Assembly thereon;
- (j) make such provision as it may from time to time see fit for the residence of the students and, in consultation with the Senate, for their general welfare;
- (k) as required, appoint appeal bodies for hearing appeals by students as provided for in Statute XXI.2;
- (l) act as trustee of any property, legacy, endowment, bequest or gift for purposes of research, scholarship, learning or teaching, whether in the University or elsewhere, or otherwise in furtherance of the work and welfare of the University;
- (m) at such times as it may see fit, to require the Senate to provide evidence that the principles of academic governance provided for in these Statutes are being properly upheld and exercised;
- (n) consider and report on any opinion on any matter relating to the work of the University, including proposals of the Board for the amendment of the Charter and these Statutes, that may have been received from either the General Assembly or the Senate, on reference from the Board or otherwise;
- (o) on the recommendation of the Senate, award degrees *honoris causa* pursuant to Statute XX.5, and revoke degrees or other academic distinctions pursuant to Statute XX.7;
- (p) approve, after (where appropriate) report from the Senate, such arrangements as may be necessary to bring into effect any provision of the laws of the University and any subsequent changes thereto made under the provisions of the Charter or these Statutes.



8. In order for meetings of the Board to be quorate, a majority of lay members must always be present, subject to a minimum total number of thirteen members being present.

## **Statute VII**

### **The Senate**

1. The Senate shall consist of the following persons, namely:

- (a) ***Ex officio* members**

- Category 1**

- The President and Vice-Chancellor, who shall preside at meetings of the Senate  
The Deans of the Faculties.

- Category 2**

- The holders of such other academic offices or posts as may be determined by the Senate and designated for membership by Ordinance, being offices and posts in the University, provided that the total number of *ex officio* members at any time does not exceed one-half of the elected membership.

- (b) **Elected members**

- Category 3**

- Forty members of staff holding paid academic or research appointments in the University elected from amongst their number in each of the Faculties on such basis as prescribed by Ordinance.

- (c) **Co-opted members**

- Category 4**

- Up to five persons co-opted by the Senate. Co-opted members shall be persons holding appointments in the University, and shall hold office for such period, subject to Statute XIII, and under such conditions as the Senate in each case shall determine.

- (d) **Student members**

- Category 5**

- Five students, including the elected officers of the union of students responsible for academic affairs and postgraduate affairs respectively. The remaining

members shall be elected by the Council of the union of students from amongst its own number.

At such times as the Senate may deem necessary for the effective and efficient conduct of its business, it shall invite appropriate academic or academic-related officers to attend its meetings.

2. The procedure for the election of elected members shall be prescribed by Regulation. Elected members of the Senate shall each hold office for a period of three academic years, subject to Statute XIII. On the establishment of the Senate with the constitution set out above, the initial periods of office of the members aforesaid may be adjusted in order to ensure that vacancies occur in approximately equal numbers within the respective constituencies in successive years.
3. All retiring members shall be eligible for re-election under conditions determined by the Senate and prescribed by Ordinance.
4. *Ex officio* and co-opted members of the Senate shall not be eligible to hold office as elected members.
5. The Senate shall exercise the powers granted to it elsewhere in the Charter or in these Statutes and, in addition, in pursuance of its function as Principal Academic Authority of the University, shall have the following powers:
  - (a) to formulate and keep under regular review, in consultation with the Faculties provided for in Statute XV, the academic strategy of the University and to make such recommendations to the Board as may be requisite for its implementation;
  - (b) to promote research, scholarship, learning and teaching;
  - (c) to superintend and regulate the recruitment, selection, admission, education, and assessment of the students of the University; to award degrees or other academic distinctions pursuant to Statute XX, and to regulate the conduct, discipline and academic progress of the students pursuant to Statute XXI;
  - (d) to monitor and maintain academic standards, to monitor and enhance the quality of academic provision, and to approve new programmes of study;
  - (e) to appoint the internal examiners of the University and to recommend to the Board the appointment of the external examiners of the University;
  - (f) to establish, modify or revise schemes for the academic structure and organisation of the University, subject to Statutes X, XV and XVI, and to make such recommendations to the Board as may be requisite for their implementation;
  - (g) to establish, modify or revise schemes for collaborative educational provision with external partner organisations, in a manner prescribed by Ordinance, and to make

such recommendations to the Board as may be requisite for their implementation, and, subject to the terms of any such scheme, to supervise such provision;

- (h) to discuss and declare an opinion on any matter whatsoever relating to the University, including proposals of the Board for the amendment of the Charter and these Statutes, on reference from the Board or otherwise, and to transmit such opinion to the Board, whose duty it shall be to consider the same;
  - (i) to do such other things as the Board or laws of the University may authorise.
6. At the request of the Board, it shall be the duty of the Senate to provide such evidence as the Board may seek that the principles of academic governance set out above and in Statute XIII are being properly upheld and exercised.
7. Twenty-two members shall be a quorum.

## **Statute VIII**

### **Meetings of the Board and the Senate; conduct of business and delegation of authority**

1. Subject to the laws of the University, the Board and the Senate shall each have power to make, amend or revoke standing orders governing the proceedings of their meetings and the conduct of their business. The membership of students, and their attendance at meetings, of the Board and the Senate, and of any committees (or other bodies) appointed under the provisions of paragraph 4 below, shall be subject to their compliance with the arrangements for the conduct of reserved business as prescribed from time to time by Ordinance.
2. Meetings of the Board and the Senate may be summoned by the direction of their respective presiding officers, or on such other authority and in such manner as may be prescribed in any standing orders as may have been made as aforesaid, and shall be so summoned at least once in every academic year.
3. No act or resolution of the Board or the Senate shall be invalid by means of:
  - (a) any vacancy in its membership;
  - (b) any invalidity in the election or appointment of any *de facto* member whether present or absent;
  - (c) any accidental failure of the University to give to any person or of any person to receive notice of a meeting.
4. The Board and the Senate may establish committees or other deliberative or advisory bodies, singly or jointly, consisting of such persons (including students) as they may think fit, whether staff or lay members, or not. The duties and powers of such committees shall be such as the Board or the Senate, or both, as appropriate, shall from time to time direct.

The generality of paragraph 3 of this Statute shall apply to such bodies appointed as aforesaid. The Chair of the Board and the President and Vice-Chancellor may attend *ex officio* such meetings of committees or other bodies appointed (in whole or in part) by the Board as they may see fit (not otherwise being members). The President and Vice-Chancellor may attend *ex officio* such meetings of committees or other bodies appointed (in whole or in part) by the Senate as he or she may see fit (not otherwise being members).

5. The Board and the Senate may by resolution delegate to any person, or to any committee or other body established under paragraph 4 above, such of its own powers as it thinks fit, and such person, committee or other body may deal with any powers so delegated, subject, except as provided for under paragraphs 7, 8 and 9 below, to subsequent report to the delegating body. Provided that nothing in this paragraph shall enable the Board to delegate its powers to reach a decision under paragraph 6(b) of Statute XIII.
6. Any person, committee or other body to whom powers have been delegated as aforesaid shall, unless a contrary indication be shown, have the power of sub-delegation.
7. Subject to these Statutes, the Board may delegate, without any requirement of confirmation or report, to a committee (jointly with the Senate, or not, as the case may require) of which no students shall be members, or to a particular person not a student, the power to appoint, promote, dismiss or to determine the responsibilities, duties, remuneration or terms and conditions of office of a member or category of members of staff, other than offices specifically designated by these Statutes.
8. Subject to these Statutes and the Ordinances, the Board may delegate, without any requirement for confirmation or report, all or any of the powers:
  - (a) the President and Vice-Chancellor is required to exercise consequent upon the arrangements made pursuant to Statutes X, XI and XII;
  - (b) a Dean of a Faculty is required to exercise consequent upon the arrangements made pursuant to Statute XV.
9. Subject to these Statutes, the Senate may delegate, without any requirement of confirmation or report, to:
  - (a) a committee of members appointed by the Senate, the power to exercise the provisions of Statute XXI, paragraphs 2 and 4;
  - (b) a committee or committees of which no students shall be members, or to a person or persons, not being students, the power to:
    - (i) admit a student to the University;
    - (ii) determine the conduct of the examination of a student and the results of any form of academic or professional assessment of the work of a student.

10. (a) The Board and the Senate may at any time, by resolution, revoke any delegation of powers granted in the manner of the preceding paragraphs, but such revocation shall not affect the validity or authority of any decision or action taken whilst such delegation was in force.
- (b) The Board and/or the Senate may at any time, by resolution, discharge any committee or other body established under paragraph 4 of this Statute.

## **Statute IX**

### **The General Assembly**

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

- (a) ***Ex officio members***

#### **Category 1**

The Chancellor, who, subject to Statute IV.5, shall preside at meetings of the General Assembly

The Pro-Chancellor appointed pursuant to Statute IV.7

The President and Vice-Chancellor

The Deans of the Faculties

An Officer of the union of students, as specified by Ordinance.

#### **Category 2**

The Lord Mayor of Manchester

The Lord Lieutenant of the County of Greater Manchester

The Honorary Recorder of Manchester

The High Sheriff of Greater Manchester.

#### **Category 3**

Under conditions prescribed by Ordinance, the members of the Board who are not otherwise members of the General Assembly

If appointed, the Co-Chancellors as provided for in Statute IV.2.

#### **Category 4**

The holders of such other offices as may be determined by the General Assembly on the recommendation of the Board and prescribed by Ordinance, who shall include not fewer than three office-holders representative of students of the University.

(b) **Appointed members**

**Category 5**

Three members appointed by the Northwest Development Agency  
Three members appointed by the Confederation of British Industry  
Three members appointed by the Trades Union Congress  
One member appointed by the Learning and Skills Council  
One member appointed by the Museums, Libraries and Archives Council  
One member appointed by the British Council  
One member appointed by the Association of Colleges  
One member appointed by the Secondary Heads' Association  
One member appointed by the Royal Northern College of Music  
One member appointed by each of the NHS trusts and health authorities, specified by Ordinance, which have a close association with the teaching and research work of the University.

**Category 6**

Up to fifteen members appointed by the General Assembly from amongst persons nominated by external bodies determined and reviewed from time to time by the General Assembly, having regard to the principles enunciated in Article III of the Charter.

**Category 7**

Up to ten members appointed by professional, learned or scientific bodies, specified by Ordinance, whose activities are relevant to the Objects of the University.

**Category 8**

Two members appointed by the Council of the City of Manchester

One member appointed by the Councils of each of the following authorities:  
The City of Salford  
The Counties of Cheshire and Lancashire  
The Boroughs of Bolton, Bury, Oldham, Rochdale, Stockport, Tameside, Trafford and Wigan.

**Category 9**

Twenty lay members appointed by the Board.

**Category 10**

Twenty lay members co-opted by the General Assembly.

(c) **Elected members**

**Category 11**

Twenty members of the Senate in Categories 2 and 3, nominated and elected by the Senate as prescribed by Ordinance.

**Category 12**

Twenty members of staff who hold paid, superannuable appointments in the University, elected by such staff as prescribed by Ordinance.

**Category 13**

Twenty members of the Alumni Association elected by the Association as prescribed by Ordinance.

2. The members of the General Assembly other than the *ex officio* members shall hold office for three years, subject where appropriate to Statute XIII, and provided that the General Assembly may, by resolution, establish and from time to time vary a scheme for ensuring that vacancies shall normally occur at a fixed date in every year and in approximately equal numbers in successive years. The terms of office of members shall be adjusted as may be provided in such scheme.
3. A retiring member shall normally be eligible for reappointment or re-election for up to four further three year terms under conditions determined by the General Assembly, on the recommendation of the Board and prescribed by Ordinance.
4.
  - (a) A vacancy among the elected members shall be filled only at the time of the annual election and shall be for the unexpired portion of the previous member's term of office.
  - (b) A vacancy among the appointed members shall be filled when conveniently possible by the appointing body and shall be for the unexpired portion of the previous member's term of office.
5. The procedures for the election of the various categories of elected members shall be prescribed by Regulation. An elected member shall cease to be a member of the General Assembly if he or she shall cease to be a member of the body or group by which he or she was elected.
6. Members in Categories 9 and 10 shall be appointed by the Board and the General Assembly respectively on the recommendation of the Nominations Committee appointed by the Board pursuant to Statute VI.2.
7. Unless otherwise stated, appointed members need not be members of the body by which they are appointed.

8. Subject to the laws of the University, the General Assembly shall, in pursuance of the provisions of Article V of the Charter, or otherwise, have the powers following:
- (a) to present the University and its achievements to the wider community and to receive the views thereupon from that community;
  - (b) to receive from the Board, and to discuss, comment and express an opinion thereon, an annual report on the working of the University and the audited annual financial statements of the University;
  - (c) to appoint the Pro-Chancellor of the University, as provided for in Statute IV.7, on the recommendation of the Nominations Committee provided for in Statute VI.2;
  - (d) pursuant to the provisions of Articles VIII and IX of the Charter, to scrutinise and express an opinion on proposals from the Board for the amendment of the Charter and these Statutes;
  - (e) to discuss and declare an opinion on any matter whatsoever relating to the University, on reference from the Board or otherwise, and to transmit such opinion to the Board, whose duty it shall be to consider the same;
  - (f) to be a constituency in the election of the Chancellor as provided for in Statute IV and the Ordinances.
9. An ordinary meeting of the General Assembly shall be held, on a date to be determined by the Board in consultation with the officer presiding, at least once in every calendar year and within fifteen months of the preceding ordinary meeting. The General Assembly shall hold special meetings at other times when convened by the officer presiding, acting alone or on the request in writing of at least thirty members, or by the Board. The quorum of the General Assembly shall be thirty members, but otherwise the General Assembly shall, subject to the laws of the University, determine the procedure for the conduct of its meetings and of its affairs.

## **Statute X**

### **Academic management**

Pursuant to Article IV of the Charter, and subject to the powers and authority of the Senate as provided for in these Statutes, the Board shall require the President and Vice-Chancellor to establish, in consultation with the Senate, the Deans of the Faculties and such other appropriate academic or academic-related officers, operational limits and processes satisfactory to the Board and the Senate and where appropriate provided for elsewhere in these Statutes, or in Ordinance or Regulation, for the following matters, in all circumstances in furtherance of the Objects of the University:



- (a) the organisation, resourcing, regulation and provision of education in such academic disciplines as from time to time may be deemed to be appropriate, whether for students of the University or for others;
- (b) the making of provision for research to be undertaken, whether in the University's name or on behalf of other parties, and for the advancement, dissemination and preservation of knowledge, in such manner as from time to time may be deemed to be appropriate;
- (c) the preservation of the right of each member of the academic staff to have the freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing his or her job or any associated privileges in jeopardy;
- (d) the recognition of persons other than staff of the University as teachers or researchers in the University;
- (e) the institution, endowment and award of fellowships, scholarships, bursaries, prizes and other grants for the encouragement of research, scholarship, learning and teaching;
- (f) prescription of the conditions under which persons may be admitted as students of the university, or to any particular programme or course of study provided by the University;
- (g) the control and regulation of the conduct and discipline of the students of the University, the making of such provision for their general welfare as from time to time may be deemed to be appropriate, and the making of arrangements for the legitimate complaints of students against their treatment by the University or by its Members to be heard and, where appropriate, remedied.

## **Statute XI**

### **Corporate, financial and estate management**

Pursuant to Article IV of the Charter, and in pursuance of its responsibility as the governing body and the principal financial authority of the University, the Board shall require the President and Vice-Chancellor, in consultation with the Senate or the Registrar and Secretary, as may be required, to establish operational limits and processes satisfactory to the Board, and where appropriate provided for in Ordinance or Regulation, for the following matters, in all circumstances in furtherance of the Objects of the University:

- (a) the entering into of all types of contracts and agreements including with external partner organisations for the provision of collaborative educational services;
- (b) the co-operation by means of joint boards or otherwise with other universities, authorities and bodies whether public or private;
- (c) the entering into any agreement for the incorporation within the University of any other institution and for taking over its rights, property and liabilities;

- (d) the exercise of the Board's responsibility as trustee of any property, legacy, endowment, bequest or gift for purposes of research, scholarship, learning and teaching whether in the University or elsewhere, or otherwise in furtherance of the work and welfare of the University;
- (e) the making of provision for research, advisory and consultancy services and for these purposes the entering into such arrangements as the University may think fit (including arrangements for the grant of powers of attorney and for the formation, supervision, management and control of limited companies, and for the University to hold shares in such companies and to participate in their affairs and activities) either alone or with other persons or bodies;
- (f) the making of provision for the protection, filing and exploitation of the University's intellectual property;
- (g) the making of provision for the printing and publication of research and other works;
- (h) the demanding and receiving of fees, the seeking and acceptance of donations and legacies, the lending or borrowing of monies on the security of a mortgage or charge on all or any of the properties of the University or without such security, and the raising of funds for the purposes of the University in such other ways as may be deemed expedient;
- (i) the investment of any monies, including any unapplied income, whether belonging to the University or representing any property, legacy, endowment, bequest or gift for which the University may act as trustee or manager;
- (j) the giving of guarantees or other security to banks, building societies and other financial institutions whether in pursuance of continuing arrangements or not;
- (k) the selling or provision of, for reward or otherwise, such goods and services as may be deemed expedient and consistent with the Objects of the University as a place of research, scholarship, learning and teaching;
- (l) the acquisition, ownership, maintenance, management and disposal of real and other property;
- (m) to the extent the Board may see fit, establishing and maintaining and managing places of residence for the staff and students of the University;
- (n) the development and maintenance of effective management and financial control systems.

## **Statute XII**

### **Personnel management**

Pursuant to Article IV of the Charter, and in pursuance of its responsibility as the employing authority of the University, the Board shall require the President and Vice-Chancellor, in consultation with the Senate or the Registrar and Secretary, as may be required, to establish operational limits and processes satisfactory to the Board, and where appropriate provided for in Ordinance and Regulation, for the following matters, in all circumstances in furtherance of the Objects of the University:

- (a) the institution and, subject to Statute XIII, the suspension or abolition of such offices and posts, paid or unpaid, as the purposes of the University may from time to time require, other than posts created or provided for elsewhere in these Statutes;
- (b) the arrangements for the appointment of persons to such posts;
- (c) the responsibilities, duties, career development, resignation and retirement of the holders of the aforementioned offices and posts;
- (d) subject to Statute XIII, the circumstances that may lead to, and the arrangements for:
  - (i) the removal from office of the holders of the aforementioned offices and posts, which shall include a process of appeal to the Board;
  - (ii) the taking of other forms of disciplinary action against members of staff;
- (e) subject to Statute XIII, the arrangements for the resolution of legitimate complaints by members of staff against their treatment by the University or by its Members, which shall include a process of appeal to the Board;
- (f) the making of provision for the welfare of persons holding posts in the University, of persons formerly holding posts either in the University or in the former Universities, and of the spouses, partners, widows, widowers and dependants of such persons, including the payment of money, pensions or other payments, and the subscriptions to benevolent and other funds for the benefit of such persons;
- (g) the arrangements for the compliance by the University and by its Members with University policy made pursuant to the requirements of health and safety legislation from time to time in force.

## **Statute XIII**

### **Academic and Academic-Related Staff: Dismissal, Discipline, Grievance Procedures and Related Matters**

Any proposals for the amendment of this Statute or its subsidiary Ordinances and Regulations may not be considered by the Board until negotiations with the appropriate recognised trade union(s) have taken place.

#### ***Part I: General***

##### **1. Application**

- (a) This Statute applies to the following:
  - (i) the members of the academic staff and academic-related staff (except for the President and Vice-Chancellor and those excluded from Part II by paragraph 5(b) below);
  - (ii) such other members of staff or categories of staff of the University as are brought within its scope by the Board;

and ‘member(s) of staff’ in this Statute means those members of the staff to whom this Statute applies.

- (b) This Statute will override any provision in any contract, term or condition of employment which is inconsistent with this Statute, whether dated before or after the commencement of this Statute, but:
  - (i) it shall not affect the validity of any waiver under section 197 of the Employment Rights Act 1996, any compromise agreement under section 203 of the Employment Rights Act 1996, or any similar waiver or agreement permitted by law; and
  - (ii) it shall not preclude any member of staff deciding or agreeing to terminate employment with the University, whether by voluntary severance, early retirement or otherwise, on whatever terms have been agreed.
- (c) Parts II to V of this Statute shall not apply to removal from an appointment, designated as such by the Board, to which a member of staff has been elected or appointed and which is distinct from that individual’s substantive post, where dismissal from the substantive post is not contemplated. The Board shall prescribe by Ordinance a procedure for handling such removals prior to the prescribed or normal termination date, which shall include the right to be heard by a panel and the right to appeal to a panel.

## 2. General principles

- (a) This Statute and any Ordinances or Regulations made under it shall be applied and construed in every case to give effect to the following guiding principles:
  - (i) to ensure that members of staff have freedom (hereafter referred to as 'academic 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;
  - (ii) to enable the University to provide education, promote learning and engage in research efficiently and economically; and
  - (iii) to apply the principles of justice and fairness.
- (b) Where, in any proceedings under this Statute, a member of staff invokes paragraph (a)(i) above, that claim shall be considered by the person(s) or panel designated to deal with the matter under the relevant Part of this Statute and, if it is found that any action has been taken against the member of staff that contravenes the principle of academic freedom, such person(s) or panel shall cancel that action and it shall be treated as invalid.
- (c) Where there is any issue as to the meaning of 'academic freedom' in any proceedings under Parts II, III, IV, V and VI of this Statute, regard shall be had to Sections VI and VII of the Recommendation concerning the Status of Higher-Education Teaching Personnel adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organisation (UNESCO) in Paris on 11 November 1997.
- (d) It is the general policy of the University to appoint members of staff on contracts of indefinite duration. The appointment of a member of staff on a limited-term contract is only to be made in the following circumstances:
  - (i) where a current member of staff (the 'postholder') holding a contract of indefinite duration is unable to continue to fulfil the duties of the post, either because he or she has been seconded to other duties for a limited period or has been granted leave of absence for a limited period, which may in either instance be subject to periodic review; or
  - (ii) where the duties of the member of staff are for a specific and determinable limited period, and where there are other necessary and objective circumstances for making categories or types of appointment on a limited-term basis that have been identified from time to time after meaningful consultations have taken place with staff representatives.
- (e) Any reference in this Statute to a provision in an Act of Parliament, or to other recommendations or guidance to which reference is made, shall be taken to be a

reference to that provision, recommendation, or guidance as it may have been amended or superseded from time to time.

### 3. **Dismissal**

- (a) For the purpose of this Statute, 'dismissal' shall have the same meaning as in section 95 of the Employment Rights Act 1996.
- (b) A member of staff may be dismissed if that dismissal is for a reason set out in section 98 of the Employment Rights Act 1996.
- (c)
  - (i) A dismissal by reason of redundancy shall be handled in accordance with Part II;
  - (ii) a dismissal for disciplinary reasons shall be handled in accordance with Part III;
  - (iii) a dismissal on health grounds shall be handled in accordance with Part IV; and
  - (iv) a dismissal on any other grounds shall be handled in accordance with Part V.

### 4. **Hearing, appeal and grievance panels**

- (a) Any panel established pursuant to paragraphs 8(a), 10(b)(iv) and (vii), 15(b), 17(b) and 19(e) of this Statute shall consist of three persons, none of whom shall previously have had any involvement with the case, at least one of whom shall be a lay member of the Board and one a member drawn from a list agreed from time to time by the Senate in the instance of a panel considering the case of a member of the academic or research staff, or by the Board in the instance of a panel considering the case of a member of the academic-related (excluding research) staff. Panels established to hear appeals against dismissals shall have as the third member an appropriately experienced person who is independent of the University.
- (b) Ordinances may provide for any relevant National Health Service or other relevant body to be represented on any panel established under this Statute to deal with a member of staff falling within paragraph 18(a) below and for the panel to be enlarged for this purpose.
- (c) At any panel within sub-paragraph (a) above, the member of staff shall be entitled to be represented or assisted by a workplace colleague or by a trade union representative.
- (d) Any panel within sub-paragraph (a) above shall give a reasoned decision in writing which shall be provided to the member of staff and reported to the Board.

## ***Part II: Redundancy***

### **5. Definition and Application**

- (a) Dismissal by reason of redundancy for the purpose of this Part has the same meaning as in section 139 of the Employment Rights Act 1996.
- (b) The power to dismiss, and the procedures prescribed, under this Part shall not apply to those staff defined in sub-sections (3) to (6) of section 204 of the Education Reform Act 1988 [*staff appointed prior to, and not promoted after, 20 November 1987*], who shall for this purpose continue to be subject to such powers, if any, as applied to them prior to the introduction of the Statute made by the University Commissioners in the exercise of their powers under sections 203 and 204 of the Education Reform Act 1988.

### **6. Procedure for dismissal by reason of redundancy**

- (a) The Board shall prescribe by Ordinance the procedures for dismissing members of staff on grounds of redundancy, other than by termination of a limited-term appointment (which shall be dealt with under paragraph 7), which shall include the following:
  - (i) a preliminary stage involving consultation with appropriate representatives in accordance with and to the extent required by section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992 and discussion with the staff concerned;
  - (ii) a procedure which is fair and which allows each member of staff concerned, having been informed of the selection criteria to be employed, to make written and oral representations on his or her behalf;
  - (iii) provision for informing any member of staff dismissed under this Part of the reasons for the dismissal and, where selection has taken place, why he or she was selected; and
  - (iv) authorising the President and Vice-Chancellor or other person to dismiss any member of staff selected for dismissal under this Part and requiring reports of dismissals to be submitted to the Board.
- (b) The procedures following the preliminary stage may be used at any particular time only after the Board has first determined that the circumstances are such that these procedures should be instituted. In making such determination, the Board shall be advised by a Committee, the title, constitution, duties and responsibilities of which shall be prescribed by Ordinance. *Inter alia* these shall include the review of the evidence provided by the President and Vice-Chancellor in support of a proposal that there should be dismissal(s) amongst the staff by reason of redundancy, and an investigation of any alternative strategies in a University-wide context for

resolution of the circumstances leading to such proposal. In doing so, the Committee shall take into consideration a report on the process and the outcome of the preliminary stage of consultation undertaken pursuant to paragraph 6(a)(i) above and may, before formulating its advice to the Board, require further consultations to be undertaken and reported on. Subject to these requirements, the Committee shall establish its own *modus operandi* in a manner satisfactory to the Board.

**7. Special provisions relating to dismissal by reason of redundancy arising from the termination of a limited-term appointment**

- (a) The President and Vice-Chancellor, or other person(s) designated by him or her, in every case where a limited-term appointment is due to terminate by virtue of a limiting event (as defined in section 1 of the Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002) shall review all the circumstances, including, where appropriate, the availability of the postholder to resume the duties of the appointment, and shall determine:
  - (i) whether, instead of terminating by virtue of the limiting event [*the expiry of a specific term, or the completion of a particular task, or the occurrence or non-occurrence of any other specific event*], the limited-term appointment should be extended, or an appointment of indefinite duration should be offered; or
  - (ii) in circumstances where there has been more than one limited-term appointment within a continuous period of employment such that the provisions of the Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002 are applicable, instead of the appointment terminating by virtue of the limiting event, whether there are objective and justifiable reasons for further extending the appointment, or whether an appointment of indefinite duration should be offered;
  - (iii) whether there are opportunities for the redeployment of the member of staff to other appropriate duties in the University.
- (b) A member of staff whose limited-term appointment is to terminate following the completion of the procedure set out at paragraph 7(a)(i) above shall be given full reasons for the decision and shall be entitled to appeal against such decision to a panel as provided for in paragraph 8(a). The panel, whose decision shall be final, shall consider whether the reasons advanced in support of the decision are reasonable and supportable.
- (c) In the case of a member of staff whose limited-term appointment has been deemed by the Board to be one of indefinite duration by the application of the Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002, and that such appointment is to terminate following the completion of the procedure set out



at paragraph 7(a)(ii) above, the proposal for dismissal by reason of redundancy shall be considered according to the procedures set out at paragraph 6.

**8. Appeal against dismissal by reason of redundancy**

- (a) The Ordinances shall include provision for an appeal to a panel by a member of staff who has been given notice of dismissal under this Part.
- (b) The panel shall be entitled to review all aspects of the matter other than, where applicable, the Board's determination under paragraph 6(b) above that the procedures set out in paragraph 6(a) that follow the preliminary stage should be instituted.
- (c) The panel shall have the power to reach a final decision on the matter, or to remit the matter for further consideration by the body whose decision is being appealed against.

***Part III: Disciplinary Procedures***

**9. Grounds for disciplinary action**

Disciplinary action under this Part may be taken, and where found to be appropriate a penalty imposed, in respect of the following:

- (a) conduct amounting to a criminal offence, whether or not there has been a prosecution and conviction, of a kind that is judged in all the circumstances to impact adversely on the member of staff's employment in the University;
- (b) refusal, neglect or failure to perform some or all of the duties or to comply with some or all of the conditions attaching to the post, or performing those duties or complying with those conditions in an unsatisfactory or inadequate manner;
- (c) conduct of a kind judged to be inappropriate or unacceptable on the part of a holder of the post held by the member of staff, such as (but not confined to) the following:
  - (i) breach of any obligation or duty arising under any of the University's regulations regarding financial matters, harassment, equal opportunities, public interest disclosure, health and safety, or data protection or any other rules, regulations or codes binding on the member of staff;
  - (ii) wilful damage to or improper use of University facilities, premises, property or equipment;
  - (iii) improper interference with or disruption of, the activities of the University, or of any Member thereof or visitor thereto (other than any lawful industrial action);

- (iv) violent, indecent, disorderly, threatening, abusive, insulting or harassing behaviour or language (whether written, spoken or in any other form);
- (v) fraud, deceit, deception or dishonesty in relation to the University or any related activity, including research and examining;
- (vi) action likely to cause injury or impair safety;
- (vii) divulging information or material received that has been marked or otherwise indicated as being in confidence (unless the disclosure is permitted under the Public Interest Disclosure Act 1998 or in accordance with the University's Public Interest Disclosure Procedure).

#### 10. **Disciplinary procedures**

The Board shall prescribe by Ordinance disciplinary procedures for members of staff, which shall provide:

- (a) for less serious matters to be dealt with by warnings following a fair and appropriate procedure, and for a member of staff to be able to appeal against the imposition of a warning to a person designated by the President and Vice-Chancellor; and
- (b) for dealing with more serious matters, which shall include provision for the following:
  - (i) fair and reasonable time limits for each stage;
  - (ii) investigating complaints and dismissing those found to be without substance;
  - (iii) suspension, on full pay, by the President and Vice-Chancellor pending an investigation or hearing where this is necessary;
  - (iv) a hearing by a panel, authorised by the President and Vice-Chancellor, at which the member of staff against whom the complaint has been made shall have been informed of the complaint, shall be entitled to be present, to hear the evidence, to call relevant witnesses, and to examine and cross-examine witnesses (but provision may be made for witnesses in appropriate cases to give their evidence behind a screen or from another room or place and for questions to be asked only by a representative);
  - (v) an appropriate range of penalties;
  - (vi) designating a member of staff's conduct as constituting 'gross misconduct' such as to merit summary dismissal without notice;

- (vii) a right to appeal against the finding of, or penalty imposed by, the panel, including a finding under sub-paragraph (vi) above. An appeal shall not take the form of a re-hearing of the evidence and witnesses may be called only with the appeal panel's permission.

However, nothing in this Statute or the Ordinance aforementioned shall prevent cases of misconduct or unsatisfactory performance being resolved using informal procedures, rather than through the use of formal procedures provided for above.

**11. Code of Practice**

In drawing up the procedures, and in any Regulations made or action taken thereunder, regard shall be had to Section 1 of the Code of Practice on Disciplinary and Grievance Procedures issued in September 2000 by the Advisory, Conciliation and Arbitration Service (ACAS) and brought into effect by order of the Secretary of State under section 199 of the Trade Union and Labour Relations (Consultation) Act 1992.

**12. Dismissal**

- (a) The Registrar and Secretary, or other designated officer, shall give effect to a decision of a panel that a member of staff should be dismissed:
  - (i) where the panel has designated the conduct as 'gross misconduct' such as to merit summary dismissal pursuant to paragraph 10(b)(vi), the Registrar and Secretary shall forthwith dismiss the member of staff;
  - (ii) in all other cases, the Registrar and Secretary shall issue the notice of dismissal or dismiss together with payment in lieu of notice.
- (b) Any dismissal or notice of dismissal shall be cancelled, withdrawn or modified if an appeal panel decides that the member of staff should not be dismissed or should only be dismissed with notice.

**13. Relationship with Part IV**

The Ordinances shall make provision for dealing with a case in progress under this Part where it emerges that the member of staff's conduct or performance may have been wholly or partly attributable to a medical condition, but any proceedings under this Part shall be valid even if they could have been brought under Part IV, and a member of staff may, subject to the Disability Discrimination Act 1995, be subject to penalty, including dismissal, under this Part notwithstanding the fact that his or her conduct may have been wholly or partly attributable to a medical condition.

**14. Clinical staff**

Action under this Part or under Part IV may be taken against a member of staff falling within paragraph 18(a) below in respect of conduct or incapacity arising in connection

with that member of staff's clinical work or activities as if the work or the activities were performed in and for the University.

***Part IV: Incapacity on Health Grounds***

**15. Dismissal on health grounds**

- (a) The Board shall prescribe by Ordinance a procedure for dealing with staff, including dismissal, because of incapacity on health grounds, whether physical or mental.
- (b) The procedure shall include a hearing by a panel, with a right of appeal to another panel, and both panels shall contain an appropriately medically qualified person.
- (c) No member of staff may be dismissed whether under this Part or under Part III where that dismissal would contravene the Disability Discrimination Act 1995.

***Part V: Other Dismissals***

**16. Probationary appointments**

- (a) This Part shall also apply to members of staff who have been appointed subject to review after a period of probationary service.
- (b) The Board shall prescribe by Ordinance a procedure under which members of staff on probation shall be reviewed against the criteria established by the Board for the satisfactory completion of a probationary period and shall include provision for non-confirmation in post at the end of the probationary period if their performance is found to be deficient or for any other substantial reason or reasons they are judged unsuitable to be confirmed in post.
- (c) The review referred to in sub-paragraph (b) above may encompass matters which, in other circumstances, would fall to be dealt with under Parts II, III or IV of this Statute.
- (d) A member of staff whose probationary period is to terminate following the completion of the procedure set out at sub-paragraph (b) above shall be given full reasons for the decision and shall be entitled to have the decision reviewed by a panel in accordance with a procedure to be prescribed by Ordinance. The panel, whose decision shall be final, shall consider whether the reasons advanced in support of the decision are reasonable and supportable.

**17. Dismissal on other grounds**

- (a) This paragraph covers dismissals on any ground falling within paragraph 3(b) other than those covered by Parts II, III, IV and paragraphs 16 and 18 of Part V of this Statute (i.e. 'some other substantial reason of a kind such as to justify the

dismissal of an employee holding the position which the employee held' (Employment Rights Act 1996, section 98(1)(b); 'the employee could not continue to work in the position which he held without contravention (either on his part or on that of his employer) of a duty or restriction imposed by or under an enactment' (section 98 (2)(d)).

- (b) Dismissals covered by sub-paragraph (a) above shall be handled in accordance with a procedure prescribed by Ordinance, which shall include the right to be heard by a panel and the right to appeal to a panel.

**18. Clinical staff**

- (a) This paragraph applies to a member of staff who is required to engage in clinical work or activities and for that purpose to be registered with the General Medical or Dental Council or similar body and/or to have an honorary or substantive contract or status with a National Health Service Trust or similar body, and may by Ordinance be extended to other groups of staff in a similar situation.
- (b) Where the registration, contract or status referred to in sub-paragraph (a) above is terminated, withdrawn or revoked, the President and Vice-Chancellor may, having first afforded an opportunity to the member of staff concerned to make representations, dismiss the member of staff concerned; and where the registration, contract or status is suspended, the President and Vice-Chancellor may suspend the member of staff from employment for so long as the registration, contract or status is suspended, that suspension from employment to be without pay where the registration, contract or status has been suspended as a substantive disciplinary measure.

***Part VI: Grievance Procedures***

**19. Grievance Procedure**

- (a) The Board shall prescribe by Ordinance a Grievance Procedure for members of staff and in doing so shall have regard to Section 2 of the Code of Practice (as may be amended or replaced from time to time) referred to in paragraph 11 above.
- (b) The Procedure shall apply to grievances by members of staff concerning their appointments or employment in relation to matters affecting themselves as individuals or their personal dealings or relationships with other staff of the University, other than those for which provision is made elsewhere in this Statute or in respect of the outcome of any matter dealt with under this Statute, or where the Board has prescribed other procedures, provided those other procedures are no less favourable to the individual than under the Grievance Procedure.
- (c) The Procedure shall provide that consideration of a complaint under the Procedure may be deferred if other proceedings under this Statute concerning the individual and relevant to the substance of the grievance are pending or in progress.

- (d) The Procedure shall provide for the fair and speedy resolution of complaints, informally wherever possible, and for the complainant to be entitled to be assisted by a workplace colleague or by a trade union representative at any hearings prior to that under sub-paragraph (e) below.
- (e) The Procedure shall make provision for a member of staff who is dissatisfied with the outcome of a complaint to be able to appeal against such outcome to a Grievance Panel, unless the complaint has been ruled frivolous, vexatious or invalid in accordance with the Procedure.

## **Statute XIV**

### **The Auditors**

1. The Board shall appoint an auditor or auditors. Every such auditor shall be in the active practice of his or her profession and shall be a member of a body of accountants established in the United Kingdom and for the time being recognised by the Secretary of State for Trade and Industry for the purposes of paragraph (a) of subsection (1) of section 389 of the Companies Act 1985 (or any statutory provision amending or replacing the same). No person shall be appointed auditor who is, or any one of whose partners or employees is, a member of the General Assembly or the Board of the University or the holder of an appointment therein.
2. The auditor or auditors shall hold office for three years and shall be eligible for re-appointment and shall receive such remuneration as may be determined by the Board.
3. If the office of auditor or auditors shall become vacant by resignation or any other cause before the expiration of the appointed period of office, the Board shall forthwith appoint an auditor or auditors for the remainder of such period.
4. 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 the duties provided for in paragraph 5 of this Statute.
5. The auditor or auditors shall make a report to the Board on the accounts examined and on every balance sheet and statement of accounts laid before the Board during the tenure of office, and the report shall so far as relevant contain statements as to the matters mentioned in section 235 of the Companies Act 1985 (or any statutory provision amending or replacing the same). Such report shall also be placed before the General Assembly and shall be open to inspection by any member of that body.

## **Statute XV**

### **The Faculties**

1. An aggregate of academic disciplines within which, subject to the control of the Senate and the Board, and to the Ordinances, the academic work of the University is resourced, programmes of study are regulated, and through which degrees and other academic qualifications are awarded by the Senate, shall be known as a Faculty. The number and designation of the Faculties shall be prescribed by Ordinance.
2. The membership of a Faculty shall comprise the holders of such academic, academic-related and other posts in the University as are from time to time assigned to it.
3. The work and affairs of each Faculty shall be directed by a Dean, who shall be appointed by the Board, in consultation with the Senate, and who shall hold office for such initial period, not exceeding seven years, under such terms and conditions as the Board may determine, and may be reappointed.
4. Subject to the laws of the University, the Dean of each Faculty shall be responsible to the President and Vice-Chancellor for ensuring that deliberative, consultative and managerial processes, with appropriate transparency, as are satisfactory to the Senate and the Board are made within the Faculty, and in such Schools as may have been established pursuant to Statute XVI, for:
  - (a) in the context of the University's strategic plan, the formulation, development and implementation of the Faculty's strategic plan and the promotion of new academic developments in research, scholarship, learning and teaching, intra- and inter-Faculty;
  - (b) the allocation and management of the physical and financial resources assigned to the Faculty;
  - (c) the management and development of the staff assigned to the Faculty;
  - (d) regular consultation with staff assigned to the Faculty on matters relating to the business of the Faculty;
  - (e) the promotion of high quality research and the generation of resources available for research;
  - (f) the monitoring of the quality and standards of the programmes of study under the aegis of the Faculty;
  - (g) the review, for report to the Senate, of Regulations dealing with such programmes of study;
  - (h) recommendations for the appointment of examiners;

- (i) the recruitment, selection, admission, welfare, conduct and academic progress of the students pursuing programmes of study under the aegis of the Faculty;
  - (j) the review of the work of the Schools;
  - (k) the effective and efficient implementation of all relevant University policies and procedures.
5. In fulfilment of these responsibilities, the Dean of the Faculty shall be advised and assisted by:
- (a) such other academic officers of the Faculty as the Board, in consultation with the Senate and with the Dean, may from time to time designate and appoint, with such terms and conditions of service as it may determine;
  - (b) a committee chaired by the Dean and established with the concurrence of the Board and the Senate. The constitution of such a committee shall be further defined in Ordinance, but it shall be of a size and have a balance of membership that is conducive to supporting effective decision-making within the Faculty concerned and shall contain a significant elected category and a student within its membership. Its *modus operandi* shall include mechanisms for engaging with particular groups or representative sections of the Faculty, especially in respect of key strategic, policy and resourcing issues. The Dean shall be required to take full account of the advice offered by the committee, which shall also have the right to express an opinion directly to the Senate or to the Board.

## **Statute XVI**

### **The Schools**

1. The Board, in consultation with the Senate, shall establish Schools within a Faculty from amongst the academic disciplines assigned to it, for the purpose of providing for the effective and efficient organisation, management and delivery of the academic work of the University. The number and designation of the Schools so established within each Faculty shall be determined from time to time by the Board on the recommendation of the Senate.
2. The membership of a School shall comprise the holders of such academic, academic-related and other posts in the University as are from time to time assigned to it.
3. The work and affairs of each School shall be directed by a Head of School, who shall be appointed by the Board on the recommendation of the President and Vice-Chancellor following nomination by the Dean of the appropriate Faculty who, in making such nomination shall have consulted and taken account of the views of the members of the School. The Head of School shall hold office for such initial period, not exceeding five years, and with such terms and conditions as the Board may determine, and may be re-appointed.



4. Subject to the laws of the University, the Head of each School shall be responsible to his or her Dean of Faculty for the effective and efficient management of the work of the School, and for the performance of the duties provided for in Statute XV.4 to the extent that they are deemed to be applicable to the work of the School.
5. For each School established as aforementioned, a School Board shall be constituted by Ordinance in such a way that its membership includes every member of the School who holds a full-time or part-time academic post in the University extending over a period exceeding one year.
6. The powers of a School Board shall be prescribed by Ordinance, but shall include the power to discuss and declare an opinion on any matter relating to or impinging on the work of the School and to report such opinion to:
  - (a) the Head of the School;
  - (b) the Dean of the Faculty;
  - (c) the Senate and/or the Board through the Registrar and Secretary;each of whose duty it shall be, as appropriate, to consider and report on any such opinion.

## **Statute XVII**

### **The union of students**

There shall be a union of the students of the University, whose precise designation and relationship to the University shall be prescribed by Ordinance.

## **Statute XVIII**

### **The Alumni Association**

1. There shall be an Alumni Association of the University which, as its primary objective, shall serve as an organised association of the graduates of the University for the purpose of the maintenance and promotion of contact between the graduates and the University and to further the interests of the University. It shall be the recognised means of communication between its members as set out below and the authorities of the University, and it shall be entitled to discuss and declare an opinion on any matter whatsoever relating to the University and to transmit such opinion to the Board or to the General Assembly, whose duty it shall be to consider the same.
2. The following shall be members of the Alumni Association:
  - (a) the graduates of the University;
  - (b) the graduates of the former Universities;

- (c) such other persons or classes of persons as may be determined by the Alumni Association and designated for membership by Ordinance;

provided that any person who shall inform, in writing, the Registrar and Secretary that he or she does not wish to be a member of the Alumni Association shall cease to be or shall not become a member.

3. Subject to the laws of the University, the Alumni Association shall make regulations for its internal management and administration, the appointment of its officers and all other matters requiring to be dealt with, and shall lodge a copy of such regulations, and any amendments thereto, with the Registrar and Secretary. Such regulations shall provide for the keeping and review of a list of members of the Association who have notified their wish to be kept informed of the proceedings of the Association. Only members whose names appear on this list shall be entitled to be sent notices and papers relating to the business of the Association and to participate in elections by the Association.
4. Pursuant to Statute VI.1(b), the Alumni Association shall be entitled to make nominations to the Nominations Committee, in the manner prescribed by Ordinance, for the appointment of one of its members to membership of the Board in Category 2.
5. Pursuant to Statute IX.1(c), the Alumni Association shall be entitled to elect twenty of its members to membership of the General Assembly in the manner prescribed by Ordinance.

## **Statute XIX**

### **Meetings of the staff**

Notwithstanding any other consultative arrangements provided for or permitted by these Statutes, in order that staff of the University may be provided with the opportunity to be informed and consulted on matters of interest or concern to them in relation to the work of the University:

- (a) there shall be at least annually a meeting of all members of staff in the University to which the President and Vice-Chancellor shall present a report on matters pertaining to the University and respond to questions thereon;
- (b) the President and Vice-Chancellor may, at his or her discretion, call additional such meetings. A special meeting may also be called if requested in writing to the President and Vice-Chancellor according to procedures prescribed by Regulation;
- (c) there shall be at least annually, a meeting of all members of staff assigned to each of the Faculties and to each of the academic-related Offices and Services in the University to which the Dean of Faculty or Head of such Office or Service, as appropriate, shall present a report on matters pertaining to the Faculty, Office or Service and respond to questions thereon;
- (d) the Dean of Faculty or Head of Office or Service as appropriate may, at his or her discretion, call additional meetings. A special meeting may also be called if requested in

writing to the Dean of Faculty or Head of Office or Service according to procedures prescribed by Regulation.

## **Statute XX**

### **Degrees and other academic distinctions**

1. Subject to the provisions of this Statute, the Senate may award degrees and other academic distinctions to, and authorise the conferment of degrees on, students who have, under conditions prescribed by Regulations made by the Senate pursuant to the provisions of Statute XXII.3, completed the programmes of study so prescribed and satisfied the examiners in the examinations and such other forms of assessment as have been prescribed, provided that at least one external and independent examiner shall be appointed by the Board, subject to these Statutes, for examinations or assessments in each subject or group of subjects comprising the programme of study prescribed for the degree or other academic distinction. The provisions of this paragraph shall also apply to students of those institutions whose programmes of study are validated by the University for the award of its degrees and other academic distinctions under arrangements prescribed by Ordinance.
2. The Senate may award degrees and other academic distinctions jointly with other institutions of higher education having the power to award such qualifications to persons who otherwise have fulfilled the conditions of paragraph 1 of this Statute.
3. The Senate may, in circumstances specified by Regulation made pursuant to Statute XXII.3, award a degree or other academic distinction to, and, if a degree, authorise its conferment on, a student who has been prevented by illness or other sufficient cause from beginning or completing the final examination or assessment.
4. The Senate may make awards certifying proficiency to persons not students of the University or who are not otherwise covered by paragraph 1 of this Statute, in recognition of satisfactory completion of lecture courses and other forms of instruction provided by the University as part of any form of non-award bearing provision it may offer to the general public.
5. The Board may:
  - (a) on the recommendation of the Senate, award degrees *honoris causa* to, and authorise their conferment on, persons of distinction. These may also be made jointly with other institutions of higher education having the power to award such degrees;
  - (b) award other distinctions, under conditions prescribed by Ordinance, to persons who have given distinguished service to the University.
6. Degrees awarded in the manner of the preceding paragraphs of this Statute may be conferred by the Chancellor or, if appointed, the Co-Chancellor designated by the Board,

the President and Vice-Chancellor, or by any member of the Senate duly authorised by the President and Vice-Chancellor.

7. The Board may, on the recommendation of the Senate, and for good cause shown, deprive persons of any degree or other academic distinction awarded to them by the University. Before any such recommendation is submitted to the Board, the person concerned shall be given a reasonable opportunity to appear before and state his or her case to a committee appointed by the Board and the report of such committee shall be placed before the Board for consideration.

## **Statute XXI**

### **Conduct, discipline, and academic progress of students**

1. Every student shall maintain at all times and in all places an acceptable standard of conduct and shall comply with such regulations relating thereto as shall have been made by the University or by the authorities of any institution or organisation which a student may be required to work in or visit as part of his or her prescribed programme of study.
2. The Senate shall have power to expel or to suspend or to exclude from programmes of study or to impose a fine or other lesser penalty upon any student found guilty of misconduct or breach of discipline, in accordance with rules and procedures prescribed by Regulation, which shall include a process of appeal.
3. The President and Vice-Chancellor, the Heads of Student Residences and other officers specified from time to time by Regulation shall have such summary powers as may be prescribed by Regulation in relation to matters of misconduct or breach of discipline.
4. The Senate shall have the power to expel or suspend or to exclude from programmes of study any student reported by a Faculty Committee for failure in prescribed assessments or failure to meet other academic or professional requirements of the programme, in accordance with procedures prescribed by Regulation. These shall include a process of appeal to the Senate, provided that any part of such appeal which questions the judgement of those duly charged with the responsibility for assessing a student's academic performance or professional conduct shall not be acceptable to the Senate.

## **Statute XXII**

### **Ordinances and Regulations**

1. Except as provided elsewhere in these Statutes and subject to the provisions of the Charter, Ordinances may govern:
  - (a) the conditions to be satisfied by prospective students before admission to any programme of study in the University;

- (b) the arrangements under which the University may enter into agreements with external partner organisations for the provision of collaborative educational services consistent with the Objects of the University;
  - (c) such other matters as may seem to the Board proper to be so governed.
- 2. Pursuant to Article VIII.1 of the Charter, the Board may from time to time by resolution add to, amend or repeal the Ordinances, provided that in the exercise of this power:
  - (a) any Ordinance dealing with a matter which is within the purview of the Senate shall not be made, amended or repealed until the Senate shall have had the opportunity of expressing an opinion thereon, and it shall be the duty of the Board to consider such opinion;
  - (b) the adoption of a motion which proposes adding to, amending or repealing the Ordinances shall require a vote in favour of not less than two-thirds of the members present and voting.
- 3. Subject to these Statutes and the Ordinances, the Senate may, after report from the Dean of the Faculty concerned, make and from time to time amend or repeal, Regulations prescribing the programmes of study, assessments and other requirements for the award of degrees, diplomas, certificates and other academic distinctions.
- 4. Subject to these Statutes and the Ordinances, the Senate may make and from time to time amend or repeal Regulations:
  - (a) governing the admission, regulation, conduct, discipline and education of students of the University, or on any other academic matter not covered by paragraph 3 above;
  - (b) prescribing, subject to any conditions which are for the time being binding upon the University, the conditions and manner of award of any fellowships, scholarships, prizes or other grants for the encouragement of research, scholarship, learning and teaching.
- 5. Subject to these Statutes and the Ordinances, the Board may make and from time to time amend or repeal, Regulations governing any matters for which it considers Regulations ought to be made, provided that any Regulation dealing with a matter that is within the purview of the Senate shall not be made, amended or repealed until the Senate shall have had the opportunity of expressing an opinion thereon, and it shall be the duty of the Board to consider such opinion.