UNIVERSITY OF SUSSEX

CHARTER AND STATUTES

(AMENDED BY THE PRIVY COUNCIL ON 25 AUGUST 2009)

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Charter

ELIZABETH THE SECOND by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of Our other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING!

WHEREAS an humble Petition has been presented to Us by The University College of Sussex praying Us to constitute and found a University within our County of Sussex for the advancement of learning and knowledge by teaching and research and to enable students to obtain the advantages of University education and for the furtherance of the objects for which The University College of Sussex was incorporated as a Company limited by guarantee under the Companies Act, 1948, on the twentieth day of May in the year of our Lord One thousand nine hundred and fifty-nine and to grant a Charter with such provisions in that behalf as shall seem to Us right and suitable:

AND WHEREAS We have taken the said Petition into our Royal consideration and are minded to accede thereto:

NOW THEREFORE KNOW YE that We by virtue of Our Prerogative Royal and of Our especial grace, certain knowledge and mere motion have willed and ordained and by these Presents for Us, Our Heirs and Successors do will and ordain as

Charter to perform such other acts as Bodies Corporate may by law do, and the University shall have the constitution and powers and be subject to the regulations in this Our Charter prescribed or contained.

3. The objects of the University shall be to advance learning and knowledge by teaching and research, and to enable students to obtain the advantages of University education.

4. We, Our Heirs and Successors, Kings and Queens of the Kingdom, Realms and Territories aforesaid shall be and remain the Visitor and Visitors of the University through the Lord President of Our Council for the time being and in exercise of the Visitorial Authority We, Our Heirs and Successors shall have the right from time to time and in such manner as We or They shall think fit to direct an inspection of the University, its buildings and general equipment and also an enquiry into the teaching, research, examinations and other work done by the University.

5. (1) There shall be a Chancellor of the University who shall be the Head of the University and shall 0 0 0 RG 0 0 0 rg q 8.33333 0 0 8.33333 0 09RG 0 0 0 rg q 8

(4) The constitution of the Council, its powers and functions, the manner of election and period of office of its members, the manner of filling vacancies in its membership, and all other matters relative to the Council which it may be thought proper so to regulate, shall be as prescribed in the Statutes.

12. (1) There shall be a Senate of the University (hereinafter called “the Senate”) which shall, subject to the provisions of this Our Charter and the Statutes and to the general control and approval of the Council, be responsible for the academic work of the University, both in teaching and in research, and for the regulation and superintendence of the education and discipline of the students of the University.

(2) The constitution of the Senate, its powers and functions, the manner of election and period of office of its members, the manner of filling vacancies in its membership, and all other matters relative to the Senate which it may be thought proper so to regulate, shall be as prescribed in the Statutes.

13. (1) There shall be Schools of Studies and such other units of academic organisation as may be constituted by the Council on the recommendation of the Senate.

(2) The constitution of Schools of Studies, their powers and functions, and all other matters which it may be thought proper so to regulate, shall be as prescribed in the Ordinances.

14. (1) There shall be a Students’ Union of the University.

(2) The constitution of the Students’ Union, its powers and functions, and all other matters which it may be thought proper so

bachelor's Degree, and also for the examinations prescribed for any higher Degree.

(c) To confer Honorary Degrees and other distinctions on approved persons; provided that all Honorary Degrees and other distinctions so conferred shall be held subject to any provisions which are or may be made in reference thereto by the Statutes or Ordinances.

(d) On what the University shall deem to be good cause to deprive persons of any Degrees or other distinctions conferred on them and to revoke any Diplomas or Certificates granted to them by the University.

(e) To prescribe in the Statutes or Ordinances the disciplinary provisions to which students of the University, and persons not members of the University attending the activities referred to in Clause (g) below, shall be subject.

(f) To provide instruction in such branches of learning as the University may think fit and to make provision for research and for the advancement and dissemination of knowledge in such manner as the University may determine.

(g) To provide such lectures and instruction for persons not members of the University as the University may determine and to grant Diplomas and Certificates to such persons.

(h) To accept the examinations and periods of study passed by students of the University at other Universities or places of learning as equivalent to such examinations and periods of study in the University as the University may determine and to withdraw such acceptance at any time.

(i) To affiliate or to form other working arrangements in co-operation with other institutions or branches or departments thereof, and to admit members thereof to any of the privileges of the University, and to accept attendance at courses of study in such institutions or branches or departments thereof in place of such part of the attendance at courses of study in the University and upon such terms and conditions and subject to such regulations as may from time to time be determined by the University.

(j) To co-operate with other educational bodies for the conduct of examinations and for such other purposes as the University may from time to time determine.

(k) To institute Professorships, Readerships, Lectureships, and any other such offices required by the University, to appoint persons to and remove them from such offices, and to prescribe their conditions of service.

(l) To institute such other offices as may be required by the University, to appoint persons to and remove them from such offices, and to prescribe their conditions of service.

(m) To institute and award Fellowships, Scholarships, Studentships, Exhibitions, Bursaries and Prizes.

(n) To establish and maintain and to administer and govern institutions for residence and to license and supervise such institutions and other places of residence.

(o) To provide, for reward or otherwise, research, design, development

16. (1) The Statutes may contain, in addition to all such matters as are in the foregoing provisions of this Our Charter required to be prescribed or regulated by Statutes, all such other provisions consistent with this Our Charter as it may be thought proper to make for the convenient and effective attainment and execution of the objects and purposes of this Our Charter.

(2) The first Statutes shall be those set out in the Schedule to this Our Charter.[1] They may be altered, added to, or repealed only in the manner hereinafter prescribed.

(3) The Council may, from time to time, on the recommendation of the Senate or otherwise, by Special Resolution make Statutes altering, adding to or repealing the Statutes. Provided that no such Statutes shall be either repugnant to the provisions of this Our Charter or to the laws of the Realm or shall have effect until approved by a Committee of the Lords of Our Most Honourable Privy Council, of which approval a Certificate under the hand of the Clerk of Our Most Honourable Privy Council shall be conclusive evidence.

17. (1) The Statutes may direct that any of the matters authorised or directed in this Our Charter to be prescribed or regulated by Statutes shall be prescribed or regulated by Ordinances.

(2) Ordinances shall be made by resolution of the Council, provided that the resolution be passed by a majority of not less than three-fourths of those present and voting; and provided that Ordinances dealing with any matters which are pursuant to this Our Charter within the responsibilities of the Senate shalero5fs O33117(6.87(e)-4.3311-2(-1655703(o)5.6747

(2) The Council and the Senate may make Regulations affecting matters within their responsibilities.

(3) Regulations may add to, amend or repeal Regulations from time to time in force.

19. Subject to the provisions of this Our Charter and the Statutes, the Ordinances and the Regulations, the Court, the Council and the Senate respectively may from time to time make Standing Orders for governing their proceedings, and may add to, amend or repeal any such Standing Orders.

20. The University shall not make any dividend, gift, division or bonus in money unto or between any of its members except by way of prize, reward or special grant.

21. Men and women of all races shall be equally eligible for any office or appointment in the University and for membership of any of its constituent bodies and all Degrees and other academic distinctions and courses of study in the University shall be open to men and women of all races.

22. No test of religious or political beliefs or ethnic affiliation shall be imposed upon any person in order to entitle him or her to be admitted as a member or holder of any office or post of the University or to graduate thereat or to hold any advantage or privilege thereof nor shall any preference be given to or advantage withheld from any person on the ground of his or her religious or political beliefs or ethnic affiliation, except that this provision shall not apply in the case of an appointment to an office or post the nature of which requires that a particular religious status be held or religious belief be professed by its holder.

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that notice of such meeting shall be given to each member of the Council not less than fourteen days before the meeting be held and that the resolution be passed by a majority of not less than three-fourths of those present and voting.

25. Our Royal Will and Pleasure is that this Our Charter shall ever be construed

The Schedule

2. Membership of the University shall continue as long only as one at

cause before the expiration of the period of office, the said office shall remain vacant until the next Annual Meeting of the Court, when it shall be filled in accordance with the provisions of paragraph 2.

4. A Pro-Chancellor may resign by writing addressed to the Secretary of the Court provided that in the case of the Senior Pro-Chancellor he or she also resigns as Chairman of the Council.

5. In the absence of the Chancellor or during a vac

predecessor, when the vacancy shall be filled in accordance with the provisions of paragraph 1.

3. The powers and duties of the Treasurer shall be prescribed by the Council.

4. The Treasurer may resign by writing addressed to the Secretary of the Council.

VIII. ACADEMIC STAFF

1. The Council may, from time to time, appoint such members of the academic staff as may be required to fill the offices instituted under clause (a) of paragraph 4 of Statute XIII.

2. The procedure for the appointment of members of the academic staff shall be as prescribed in the Ordinances.

3. Subject to Statute XXI the conditions of service of members of the academic staff shall be prescribed by the Council.

IX. THE REGISTRAR & SECRETARY

1. The Council shall appoint a Registrar & Secretary who shall

   (a) be the Secretary of the Court, the Council, the Senate, and of any committees of these bodies, and shall keep minutes of their proceedings; and

   (b) under the direction of the Vice-Chancellor, be responsible to the Council and where appropriate to the Senate for whatever matters may be assigned by Ordinance.

2. The provisions of paragraphs 2 and 3 of Statute VIII shall also apply, *mutatis mutandis*, to the post of Registrar & Secretary.

X. PROFESSIONAL SERVICES STAFF

1. The Council may, from time to time, appoint such members of the Professional Services staff as may be deemed necessary for the efficient functioning of the University, with such duties and conditions of service including remuneration as the Council may prescribe.

2. The Council may delegate to any person, committee or body the power to appoint any member of the Professional Services staff, or any class of such members.

XI. THE AUDITORS

1. The Council shall appoint an Auditor or Auditors who shall hold office for such period, and on such remuneration as may be determined by the Council.

authority relevant for the purpose, but no person shall be appointed as Auditor who is, or any member of whose firm is, a member of the Court, Council or staff of the University.

3. The Auditor or Auditors shall audit the annual statement of income and expenditure, the balance sheet, and the other accounts of the University, and shall make a report to the Council at least once in each year.

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 his, her or their duties.

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

(2) *Ex-officio* members of the Court shall continue in membership so long as they continue to occupy the positions by virtue of which they became members.

(3) The members of the Court referred to in sub-clauses (a) to (c) inclusive of clause (ii) of paragraph 1 shall continue in membership for a period of three years commencing on 1st August in the year in which they take up their appointments and shall be eligible for re-appointment; provided that such members who, in terms of clause (ii) of paragraph 1 are required to hold a particular qualification or appointment shall be members of the Court only so long as they hold that qualification or appointment.

(4) The members of the Court referred to in sub-clauses (d) to (g) inclusive of clause (ii) of paragraph 1 shall continue in membership for a period of one year commencing on 1st August in the year in which they take up their appointments and shall be eligible for re-appointment.

(5) The members of the Court referred to in sub-clauses (h) to (n) inclusive of clause (ii) of paragraph 1 or appointed to membership by virtue of an Ordinance made pursuant to paragraph 2 shall continue in membership for a period of three years commencing on 1st August in the year in which they take up their appointments and shall be eligible for re-appointment; provided that such members, who, in terms of clause (ii) of paragraph 1 are required to hold a particular qualification or appointment shall be members of the Court only so long as they hold that qualification or appointment.

(6) Persons co-opted or appointed to the Court in terms of clause (iii) of paragraph 1 shall continue in membership for such period as may be determined by the Court or the Council, as the case may be.

(7) Casual vacancies among the representative members shall be filled as soon as conveniently possible by the body which appointed the member whose place has become vacant, and the person appointed to fill the vacancy shall be a member for the unexpired portion of the period of office of his or her predecessor.

4. The Court shall hold an Annual Meeting each year at which shall be presented the audited financial statements of the University for the previous year, and a report by the Vice-Chancellor on the working of

5. Notice of the Annual Meeting shall be sent by the Secretary of the

(vi) One member elected by and from the Professional Services staff of the University, as specified in Regulations approved by the Council.

(vii) The President of the Students' Union.

2. (1) The members of the Council referred to in clause (ii) of paragraph 1 shall be elected by Court.

(2) Voting in the election shall be by ballot, and no person other than a member of the Council under clause (ii) of paragraph 1 hereof then retiring may be a candidate in the election unless he or she has been nominated in writing for the purpose by two members of the Court.

(3) Such nominations must reach the Secretary of the Court at least two weeks before the date of the meeting, and the Secretary shall give notice of all nominations received to every member of the Court at least one week before the date of the meeting.

3. (1) The members of the Council referred to in clauses (i) and (vii) of paragraph 1 shall continue in membership so long as they continue to occupy the positions named respectively.

(2) The members of the Council referred to in clause (ii) of paragraph 1 shall continue in membership for a period of three years commencing on 1st August in the year in which they take up their appointments, and shall be eligible for re-appointment,

such members shall continue to be members of the Council only so long as they continue to be members of staff as specified in clauses (v) and (vi) respectively of paragraph 1.

(6) Casual vacancies among the members of the Council referred to in clause (ii) of paragraph 1 may be filled by the Council until the next meeting of the Court, when the vacancy shall be filled in the manner prescribed in paragraph 2, and the person then elected shall be a member for the unexpired portion of the period of office of his or her predecessor. All other casual vacancies shall be filled as soon as conveniently possible by the body which appointed the member whose place has become vacant, and the person appointed to fill the vacancy shall be a member for the unexpired portion of the period of office of his or her predecessor.

(7) Any member of the Council may resign at any time by writing addressed to the Secretary of the Council.

4. Subject to the provisions of the Charter and these Statutes, the Council shall, in addition to all other powers vested in it by the Charter and these Statutes, have the following powers and functions:-

(a) To institute, after report from the Senate, Professorships, Readerships, Lectureships and other academic offices and to appoint persons to fill the same.

(b) To make provision for research within the University.

(c) To review, amend, refer back, control or disallow any act of the Senate required under the Statutes, the Ordinances or the Regulations to be reported to the Council, and to give directions thereon to the Senate; provided that any such act of the Senate

(g) To fix all University fees but in the case of academic fees charged to students only after consultation with the Senate.

(h) In consultation with the Senate, to institute, subject to any conditions made by the Founders, Fellowships, Scholarships, Studentships, Exhibitions and Prizes.

(i) To provide for the welfare of the students.

(j) To determine the complement of the Professional Services staff, to prescribe their conditions of employment and to appoint persons to, and to remove persons from, employment as members of the Professional Services staff.

(k) To govern, manage and regulate the finances, accounts,

3. Each School shall have the right to regulate, subject to the Statutes and Ordinances and to review by the Senate, the teaching, study and research within the School.

4. Each School, or other unit, shall have the right to discuss any matter relating to that unit and any matter referred to it by the Senate, and to report to the Senate thereon.

5. Subject to paragraph 6 of this Statute the membership and internal constitution of each School, or other unit of academic organisation, shall be prescribed by Regulation.

6. For each School of Studies there shall be a Head of School who shall be appointed by the Senate on such terms and in accordance with such procedures as shall be prescribed by Regulation. Each Head of School shall consider the attendance, progress and conduct of students in the School and report to the Senate thereon.

XVI. DELEGATION

1. Any of the Statutory Bodies may from time to time establish such and as many Committees as may seem to them to be expedient and may appoint to membership of them persons who are not members of the Statutory Body concerned and such Committees may be established either as a standing arrangement or for a specific purpose.

2. Without prejudice and in addition to any other powers of delegation conferred by the Statutes, each Statutory Body may delegate to any Committee established by it such of its own powers and functions as it shall think fit and may revoke any such delegation at any time. A Committee established by a Statutory Body may sub-delegate to any extent approved from time to time by the Statutory Body.

3. Members of the staff may be authorised by any Statutory Body to give effect to any decision or policy es-4.33117(g)5.67474(a)-
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XVII. HONORARY DEGREES

1. The University may, without examination, confer an Honorary Degree on any person whom it may deem worthy of such a distinction; provided that the holder of such an Honorary Degree shall not be entitled to practise any profession by virtue of the fact that he or she has been admitted thereto.

2. No person shall be admitted by the University to an Honorary Degree unless his or 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 for governing the procedure to be followed in dealing with a proposal to confer an Honorary Degree.

XVIII. RESERVED AREAS OF BUSINESS

1. In any case where a person is, in his or her capacity as a student or representative of students, a member of, or is admitted to any meeting of, the Court, the Council, the Senate or any other body established under or in accordance with the Charter and these Statutes (other than the Students' Union established in accordance with Article 14 of the Charter) the student shall withdraw from the mechin

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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 of this Statute shall enable the body or person having the duty to reach a decision under the relevant Part to dismiss any member of the academic staff unless the reason for his or her dismissal may in the circumstances (including t

the kind which the member of the academic staff concerned was

9. (1) Nothing in this Part shall prejudice, alter or affect any rights, powers or duties of the University or apply in relation to a person unless:

(a) his or her appointment is made, or contract of employment is entered into, on or after 20th November 1987; or

(b) he or she is promoted on or after that date.

(2) For the purposes of this paragraph in relation to a person, a reference to an appointment made or a contract entered into on or after 20th November 1987 or to promotion on or after that date shall be construed in accordance with subsections (3) to (6) of section 204 of the Education Reform Act 1988.

THE APPROPRIATE BODY

10. (1) The Council shall be the appropriate body for the purposes of this Part.

(2) This paragraph applies where the appropriate body has decided that it is desirable that there should be a reduction in the academic staff:

(a) of the University as a whole; or

(b) of any faculty, school, department or other similar area of the University by way of redundancy.

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

(a) to select and recommend the requisite members of the academic staff for dismissal by reason of redundancy; and

(b) to report their recommendations to the appropriate body.

(2) The appropriate body shall either approve any selection recommendation made under sub-paragraph (1), or shall remit it to the Redundancy Committee for further consideration in accordance with its further directions.

(3) A Redundancy Committee appointed by the appropriate body shall comprise -

(a) a Chair; 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. (1) Where the appropriate body has approved a selection recommendation made under paragraph 11(1) it may authorise an officer of the University as its delegate to dismiss any member of the academic staff so selected.

(2) Each member of the academic staff selected shall be given separate notice of the selection approved by the appropriate body.

(3) Each separate notice shall sufficiently identify the circumstances which have satisfied the appropriate body that the intended dismissal is reasonable and in particular shall include:

(a) a summary of the action taken by the appropriate body under this Part;

(b) an account of the selection processes used by the Redundancy Committee;

(c) a reference to the rights of the person notified to appeal against the notice and to the time within which any such appeal is to be lodged under Part Vc it Vc Vc s

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 a Pro-Vice-Chancellor. This will give details of the complaint, the improvement required and the timescale. It

& Secretary is unable to act, another officer appointed by the Vice-Chancellor shall take charge of the proceedings.

(3) The officer in charge of the proceedings shall formulate, or arrange for the formulation of, the charge or charges and shall present, or arrange for the presentation of, the charge or charges before the Tribunal.

(4) It shall be the duty of the officer in charge of the proceedings

(a) to forward the charge or charges to the Tribunal and to the member of the academic staff concerned together with the other documents therein specified, and

(b) to make any necessary administrative arrangements for the summoning of witnesses, the production of documents and generally for the proper presentation of the case before the Tribunal.

THE TRIBUNAL

16. A Tribunal appointed by the Council shall comprise:

(a) a Chair; 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. (1) The procedure to be followed in respect of the preparation, hearing and determination of charges by a Tribunal shall be that set out in Ordinances made under this paragraph.

(2) Without prejudice to the generality of the foregoing such Ordinances shall ensure:uOVIhutance561(d)-4.33117(i)1.87771(n)-4.33117(a)

(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. (1) 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.

(2) Any action taken by the appropriate officer shall be confirmed in writing.

Part IV Removal for Incapacity on Medical Grounds

21. (1) This Part makes separate provision for the assessment of incapacity on medical grounds as a good cause for dismissal or removal from office.

(2) In this Part references to medical grounds are references to capability assessed by reference to health or any other physical or mental quality.

(3) In this Part references to the appropriate officer are references to the Vice-Chancellor or an officer a-2.16558(h)-4.33117(e)-4.33172.2057(o)5.6

accordance with the requirements of the Access to Medical Reports Act 1988.

(2) If the member shares that view the University shall meet the reasonable costs of any medical opinion required.

(3) If the member does not share that view the appropriate officer shall refer the case in confidence, with any supporting medical and other evidence (including any medical evidence submitted by the member), to a Board comprising one person nominated by the Council; one person nominated by the member concerned or, in default of the latter nomination, by the Senate; and a medically qualified chair jointly agreed by the Council and the member or, in default of agreement, to be nominated by the President of the Royal College of Physicians.

(4) The Board may require the member concerned to undergo medical examination at the University's expense.

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 & Secretary or the Registrar & Secretary's 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. (1) This Part applies:

(a) to appeals against the decisions of the Council as the appropriate body (or of a delegate of that body) to dismiss in the exercise of its powers under Part II;

(b) to appeals arising in any proceedings, or out of any decision reached, under Part III other than appeals under paragraph 13 (Appeals against disciplinary warnings);

(c) to appeals against dismissal otherwise than in pursuance of Part II or Part III;

(d) to appeals against discipline otherwise than in pursuance of Part III; and

(e) to appeals against decisions reached under Part IV

and “appeal” and “appellant” shall be construed accordingly.

(2) No appeal shall however lie against:

(a) a decision of the appropriate body under paragraph 10 (2);

(b) the findings of fact of a Tribunal under paragraph 18 (1) save where, with the consent of the person or persons hearing the appeal, fresh evidence is called on behalf of the appellant at that hearing;

(c) any finding by a board set up under paragraph 22 (3).

(3) In this Part references to “the person appointed” are references to the person appointed by the Council under paragraph 28 to hear and determine the relevant appeal.

(4) The parties to any appeal shall be the appellant and the Registrar & Secretary 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

PERSONS APPOINTED TO HEAR AND DETERMINE APPEALS

28. (1) Where an appeal is instituted under this Part the Council shall appoint a person described in sub-paragraph (2) to hear and determine that appeal.

(2) The persons described in this sub-paragraph are persons not employed by the University holding, or having held, judicial office or being barristers or solicitors of at least ten years' standing.

(3) The person appointed shall sit alone unless he or she considers that justice and fairness will best be served by sitting with two other persons.

(4) The other persons who may sit with the person appointed shall be:

(a) one member of the Council not being a person employed by the University; and

(b) one member of the academic staff nominated by the Senate.

PROVISIONS CONCERNING APPEAL PROCEDURES AND POWERS

29. (1) The procedure to be followed in respect of the preparation, consolidation, hearing and determination of appeals shall be that set out in Ordinances made under this paragraph.

(2) Without prejudice to the generality of the foregoing such Ordinances shall ensure:

(a) that an appellant is entitled to be represented by another person, whether such person be legally qualified or not, in connection with and at any hearing of the appeal;

(b) that an appeal shall not be determined without an oral hearing at which the appellant, and any person appointed by the appellant to represent him or her are entitled to be present and, with the consent of the person or persons hearing the appeal, to call witnesses;

(c) that full and sufficient provision is made for postponements, adjournments, dismissal of the appeal for want of prosecution and for the correction of accidental errors; and

(d) that the person appointed may set appropriate time limits for each stage (including the hearing itself) to the intent that any appeal shall be heard and determined as expeditiously as reasonably practicable.

(3) The person or persons hearing the appeal may allow or dismiss an appeal in whole or in part and, without prejudice to the foregoing, may:

(a) remit an appeal from a decision under Part II to the Council as the appropriate body (or any issue arising in the course of such an appeal) for further consideration as the person or persons hearing the appeal may direct; or

(b) remit an appeal arising under Part III for rehearing by a differently constituted Tribunal to be appointed under that Part; or

(c) remit an appeal from a decision of the appropriate officer under Part IV for further consideration as the person or persons hearing the appeal may direct; or

(d) substitute any lesser alternative penalty that would have been open to the appropriate officer following the finding by the Tribunal which heard and pronounced upon the original charge or charges.

NOTIFICATION OF DECISIONS

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

fairness, for him to seek to dispose of it informally. If the Vice-Chancellor so decides he or she shall notify the member and proceed accordingly.

GRIEVANCE COMMITTEE PROCEDURE

34. If the grievance has not been disposed of informally under paragraph 33 (5), 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 Chair;

    (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 see fit.

Annex

PARAGRAPH 3 (1) (C)
PROVISIONS AS TO THE VICE-CHANCELLOR

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

    (1) A complaint seeking the removal from office of the Vice-Chancellor for good cause may be made by not less than three members of the Council to the Chair of the Council.

    (2) If it appears to the Chair of the Council, on the material before him or her, that the complaint raises a prima facie case and that this could, if proved, constitute good cause for dismissal or

removal from office he or she shall request the Council to appoint a Tribunal to hear and determine the matter.

(3) If it appears to the Chair of the Council that a complaint made under sub-paragraph (1) does not raise a prima facie case or is trivial or invalid, he or she may recommend to the Council that no further action be taken upon it.

(4) When the Council has appointed a Tribunal under sub-paragraph (2) it shall instruct a solicitor or other suitable person to formulate a charge or charges and to present, or arrange for the presentation of, the charges before the Tribunal.

(5) A Tribunal appointed by the Council shall comprise:

(a) an independent Chair; and

(b) one member of the Council, not being a person employed by the University; and

2. Where a complaint is to be referred to a Tribunal under this Statute, the Chair of Council may suspend the Vice-Chancellor from his or her 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 of this Statute.

4. For the purpose of the removal of the Vice-Chancellor for incapacity on medical grounds, Part IV of this Statute shall have effect subject to the following modifications:

   (a) for references to a member of the academic staff there shall be substituted references to the Vice-Chancellor;

   (b) for any reference to the office of Vice-Chancellor there shall be substituted a reference to the office of Chair 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 Chair as the appropriate officer, to decide whether or not to terminate the appointment of the Vice-Chancellor on those medical grounds."

XXII. RETIREMENT OF MEMBERS OF STAFF

1. All members of staff shall retire from office on the 30th day of September following the date on which they attain the age of 65 years, subject to the University's operation of its Retirement Procedure in compliance with the Employment Equality (Age) Regulations 2006 whereby a member of staff shall have the right to request working beyond age 65 and the University shall have a duty to consider such requests.[7]

2. A member of the academic staff to whom Statute XXI applies shall be at liberty to resign his or her appointment and terminate his or her engagement with the Council on giving the Council in writing at least three months' notice to expire at the end of the University term or of the long vacation.

XXIII. SERVICE OF NOTICES AND DOCUMENTS

1. Any notice or document required by or for the purposes of these Statutes to be given or sent to a member may be given or sent either

[7] *Amended by the Privy Council dated th August on special resolution of Council on st March .*

personally or by sending it by post to him or her to his or 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.

3. No meeting of any of the Statutory Bodies, or of a Committee established by one of the Statutory Bodies, shall be invalid by reason only of any failure to give notice of such meeting to any person or body entitled under the Charter or the Statutes to receive the same or by reason of failure of any such person or body to receive any notice.

XXIV. ACTS DURING VACANCIES

No act or resolution of the Statutory Bodies as defined by Statute I, or of a Committee established by one of the Statutory Bodies, shall be invalid by reason only of any vacancy in the body doing or passing it or by reason 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.

XXV. TRANSITIONAL ARRANGEMENTS

Notwithstanding anything to the contrary contained in these Statutes, the following transitional arrangements shall apply:-

1. If these Statutes are amended so as to alter the (e)-4.33456us