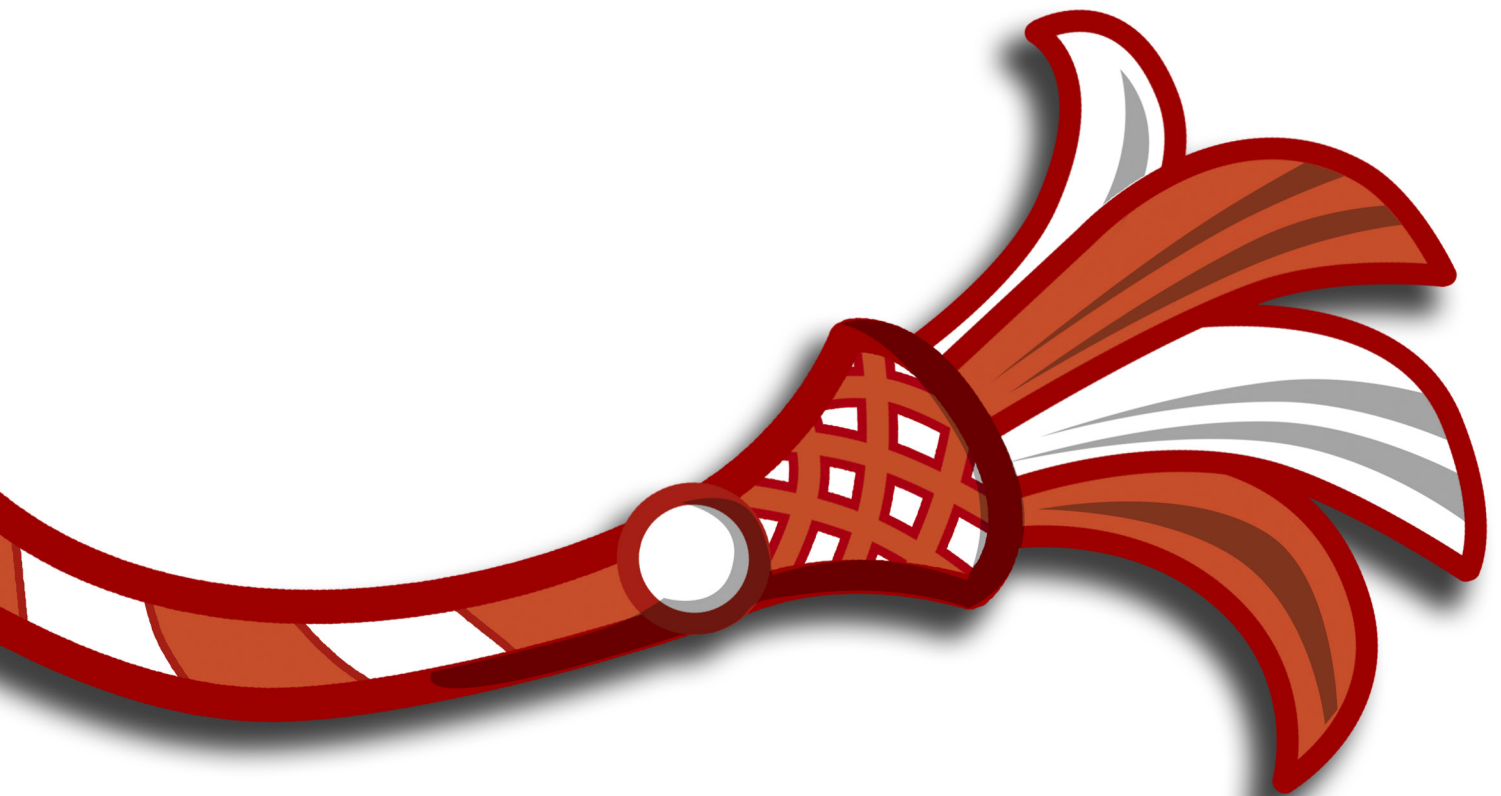




University of Ulster

Charter, Statutes and Ordinances

2020 - 2021



CHARTER	3
STATUTES	9
ORDINANCES	25

CHARTER

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

TO ALL WHOM THESE PRESENTS SHALL COME, GREETING!

WHEREAS We were pleased on the first day of September in the year of our Lord One thousand nine hundred and seventy to grant a Royal Charter constituting and founding The New University:

AND WHEREAS The New University of Ulster has continuously fulfilled the objects and performed the duties in accordance with the aforementioned Charter but has now agreed with the Ulster Polytechnic that a new university institution, known as the “University of Ulster”, be constituted and founded within Northern Ireland in order to advance the aims for which The New University of Ulster and the Ulster Polytechnic were established:

AND WHEREAS an humble Petition has been presented unto Us by The New University of Ulster and the Ulster Polytechnic jointly praying that We would be graciously pleased to grant a Charter of incorporation to the said new university institution:

AND WHEREAS The New University of Ulster has resolved to request that, if We are graciously pleased to comply with the prayer of the said Petition, We will at the same time accept the surrender of the Charter of The New University of Ulster and revoke the provisions thereof:

AND WHEREAS We have taken the said Petition and request 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 do for Us, Our Heirs and Successors will and ordain as follows:

1. There shall be and there is hereby constituted and founded in Northern Ireland a university with the name and style of the “University of Ulster”
(hereinafter referred to as “the University”).
2. The provisions of this Our Charter shall take effect from the first day of October, One thousand nine hundred and eighty-four from which date the provisions of the Charter of the New University of Ulster shall be revoked, but nothing in this revocation shall affect the validity of any act, deed or thing lawfully done thereunder.
3. The Chancellor, the Pro-Chancellors, the Vice-Chancellor and all other persons who shall pursuant to this Our Charter and the Statutes of the University for the time being be Members of the University are hereby constituted and henceforth for ever shall be one body politic and corporate with perpetual succession and a common seal by the name and style of the “University of Ulster” with a grant of armorial bearings recorded in Our College of Arms and with power in that name to sue, be sued, to take, purchase, hold, charge, sell, exchange, demise or otherwise dispose of real and personal property, to invest, lend or borrow money and, subject to the provisions of this Our charter, to perform such other acts as Bodies Corporate may by law do.
4. The objects of the University shall be to advance education through a variety of patterns, levels and modes of study and by a diversity of means by encouraging and developing learning and creativity, for the benefit of the community in

Northern Ireland and elsewhere; to preserve, advance and disseminate knowledge and culture through teaching, scholarship and research, and to make available the results of such research; and to promote wisdom and understanding by the example and influence of corporate life.

5. The University shall be a teaching, research and examining body and, subject to the provisions of this Our Charter and Statutes, and, insofar as is compatible with its status as a charitable body, shall have the necessary powers to further these objects, namely:

- (A) To provide full-time and part-time instruction, leading to awards and qualifications or otherwise; to make provision for research and research training and for the preservation and advancement of knowledge in such manner and through such media as the University may determine.
- (B) To prescribe the conditions under which persons, including persons of mature age, may be admitted as students of the University or of any particular course of study within the University or to the use and enjoyment of any resources and facilities provided by the University.
- (C) To provide facilities to enable students with a disability to undertake courses of study in the University.
- (D) To collaborate with other institutions, including institutions of further and higher education, in the provision of educational opportunities.
- (E) To grant and confer Degrees, Diplomas, Certificates and other academic distinctions on persons who shall have pursued a course of study or research approved by the University and shall have passed such examinations, tests or other assessments as shall be prescribed by the University.

- (F) To grant and confer Degrees or other academic distinctions on other persons under such conditions as are prescribed by the Statutes.
- (G) To grant and confer Honorary Degrees on approved persons.
- (H) To accept the examinations passed and periods of study and research spent by students of the University at other universities or places of learning or elsewhere as equivalent to such examinations and periods of study or research of the University as may be determined by the Senate, and to withdraw such acceptance at any time.
- (I) To provide a range of course of study, academic, professional, technical or other, at higher Degree, Degree and non-Degree levels, leading as appropriate to qualifications awarded by the University or by national or professional bodies.
- (J) To facilitate consultancy and related activities.
- (K) To provide for Members of the University and others, on or off the campuses, access to the courses of study of the University and to its educational, social, cultural and recreational resources.
- (L) For what the Council, on the recommendation of the Senate, shall deem to be good cause, to deprive persons of any Degrees, Diplomas, Certificates or other distinctions granted or conferred on them by the University.
- (M) To admit to the privileges of the University or to recognise for any purpose, and either in whole or in part, any college or other institution or the employees or students thereof, on such terms and conditions as may from time to time be prescribed in the Statutes or by Ordinance.

- (N) To institute and award Fellowships, Studentships, Scholarships, Exhibitions, Bursaries, Prizes and other aids to study and research.
- (O) To provide for the printing, recording, broadcasting, publication and distribution of works of scholarship, research reports, teaching material and other works.
- (P) To institute such offices and employ such academic and other staff as the objects of the University may require; to appoint persons to and remove them from such offices and employment, and to prescribe their conditions of service.
- (Q) To enter into any agreement for the incorporation within or association with the University of any other institution and for taking over, in whole or in part, its rights, property, privileges and liabilities and for any other educational purposes not repugnant to this Our Charter.
- (R) To demand and receive fees, subscriptions and deposits, to impose charges, to accept legacies, endowments, bequests and other gifts, to procure and receive contributions to the funds of the University and to raise money in such other manner as the University may think fit.
- (S) To maintain, manage, administer, dispose of and, save as hereinafter provided, to invest all the property, money, assets, and rights of the University, to mortgage, to lend, to borrow and to enter into engagements and to accept obligations and liabilities in all respects without any restriction whatsoever and in the same manner as individuals may manage their own affairs.
- (T) To establish, hire, lease, maintain, administer, govern, license and supervise places of residence, recreation and study for officers, staff, students and guests of the University.
- (U) To make provision for the welfare of officers, staff and students of the University, of persons formerly in any such category, and of spouses, widows, widowers, and dependants of such persons, including provision for the payment of money, pensions, or other payments or benefits, and to subscribe to benevolent and other funds for the benefit of such persons.
- (V) To give guarantees for the payment of any sum or sums of money or the performance of any contract or obligation by any company, body, society or person if it is in the interests of the University so to do.
- (W) To act as trustees or managers of any property, legacy, endowment, bequest or gift for purposes of education or research or otherwise in furtherance of the work and welfare of the University, and to invest any funds representing the same in accordance with the provisions of the Statutes and Ordinances.
- (X) To make arrangements for the erection, furnishing and equipping of buildings and the provision of goods and services for the University and, to such an extent as may be deemed expedient and consistent with the objects of the University as a place of teaching, learning and research, to sell or provide for reward or otherwise goods and services for its Members and their families, its guests and servants; and without prejudice to the generality of this Article to establish or assist financially or otherwise under such terms and conditions as the University may determine, any body, institution, organisation, company or association the objects of which are compatible with the objects of the University and the meeting of the material needs of the University.
- (Y) To join or co-operate with any other University or other place of learning or with any Department of Our Government or with any authority or other public or private body, institution, organisation,

company or association having in view or promoting any activity the same as, or similar or related to, or which can provide a service for, any activity of the University for such purposes as may be agreed upon or as may be provided for or permitted by law, being purposes consistent with the provisions of this Our Charter, and in such manner as may be authorised by the Statutes, Ordinances and Regulations, and to provide academic, professional or other related services (including research, design, development, testing, instructional and advisory services) for any such University, place of learning, Department, authority, body, institution, organisation, company or association.

(Z) To do all such other acts and things (including the promotion of Bills in any of Our legislative bodies) whether incidental to the powers aforesaid or not as may be requisite to further the objects of the University.

6. (A) There shall be a Visitor of the University who shall have the right at any time and in such manner as he shall think fit to direct an inspection of the University, its buildings and equipment and also an enquiry into the academic and general affairs of the University.

(B) The Visitor shall be appointed by Us, Our Heirs or Successors in Council on the representation of the Council of the University for such periods as We, Our Heirs or Successors, shall see fit.

7. There shall be a Chancellor of the University who shall be the Head of the University, shall be entitled to preside over meetings of the Council and shall have power to confer Degrees, Diplomas, Certificates and other academic distinctions.

8. There shall be two Pro-Chancellors of the University. One of the Pro-Chancellors, as provided by the Statutes, shall, subject to Article 7 of this Our Charter, preside over

the meetings of the Council and shall in the absence of the Chancellor, or during a vacancy in the office of Chancellor, exercise and perform all the functions and duties of the Chancellor except the conferring of Degrees, Diplomas, Certificates and other academic distinctions.

9. There shall be a Vice-Chancellor of the University who shall be the chief academic and administrative officer of the University and shall preside over meetings of the Senate. In the absence of the Chancellor, or during a vacancy in the office of Chancellor, the Vice-Chancellor shall have power to confer Degrees, Diplomas, Certificates and other academic distinctions.

10. There shall be an Honorary Treasurer of the University.

11. There shall be one Deputy Vice-Chancellor, appointed by the Council, who shall, subject to Article 13 of this Our Charter, and to the Statutes and Ordinances, act as deputy to the Vice-Chancellor and, in the absence of the Vice-Chancellor or during a vacancy in the office of Vice-Chancellor, exercise and perform the functions and duties of the Vice-Chancellor.

12. There shall be a Finance Officer, a Secretary and a Librarian of the University and such other offices of the University as the Council may from time to time appoint.

13. In the absence of the Vice-Chancellor, or during a vacancy in the office of Vice-Chancellor, the Council may appoint an Acting Vice-Chancellor who during such absence or vacancy shall exercise and perform the functions and duties of the Vice-Chancellor.

14. The first holders of the offices specified in the First Schedule of this Our Charter and their initial tenures shall be as set out in that Schedule.

15. There shall be a Senate of the University (in this Our Charter referred to as "the Senate") which shall, subject to the powers of the Vice-Chancellor and Council as provided in this Our Charter and the Statutes, have responsibility

for the ordering of the academic affairs of the University, both in teaching and in research, and for the regulation and superintendence of the education of the students of the University as prescribed in the Statutes.

16. There shall be constituted, subject to the provisions of this Our Charter, the Statutes and Ordinances, such other bodies as the Council and the Senate may from time to time consider necessary for the organisation of teaching and research and of other work, duties and activities of the University.
17. There shall be a Convocation of the University.
18. There shall be an organisation of students of the University whose constitution, powers and functions shall be prescribed by the Statutes and Ordinances.
19. Subject to the provisions of this Our Charter the Statutes may prescribe or regulate as the case may be:
 - (A) the status, election or appointment, continuance in office, powers and duties of the Chancellor, Pro-Chancellors, Vice-Chancellor and other officers of the University;
 - (B) the constitution, powers, duties, functions and business of the Court, the Council, the Senate and the Convocation;
 - (C) all such matters as the Council may deem fit with respect to or for the governing of the University, its members and constituent parts or otherwise for the furthering of the objects of this Our Charter.
20. The Statutes set out in the Second Schedule to this Our Charter shall be the Statutes of the University and shall remain in force until they have been revoked, amended or added to in the manner prescribed hereinafter.
21. The Council may by Special Resolution (as defined in Article 31 of this Our Charter) make Statutes for the University which may revoke, amend or add to the Statutes for the time being in force, provided that no such Statutes shall be

repugnant to the provisions of this Our Charter or shall have effect until approved by the Lords of Our Most Honourable Privy Council, of which approval a certificate under the hand of the Clerk of Our said Privy Council shall be conclusive evidence.

22. Subject to the provisions of this Our Charter and the Statutes, the Council may make Ordinances for the purposes of furthering the objects of the University and for the good order and government of the University. Ordinances may revoke, amend or add to Ordinances for the time being in force. Ordinances dealing with any matter for which under this Our Charter the Senate is responsible shall not be made, added to, amended or repealed except after consultation with the Senate.
23. Subject to the provisions of this Our Charter and of the Statutes and Ordinances, the Senate may, with the approval of the Council, make such Regulations as it considers necessary or desirable for the purpose of carrying out the academic functions of the University. Regulations may revoke, amend, or add to Regulations for the time being in force.
24. The Statutes may direct that any of the matters prescribed or regulated by Statute as authorised or directed in this Our Charter shall be further prescribed or regulated by Ordinances, by Regulations, or by decisions made by the Council or the Senate: provided that any further Ordinances or Regulations or decisions shall not be repugnant to the provisions of this Our Charter or of the Statutes.
25. Subject to the provisions of this Our Charter, the Statutes and Ordinances, the Council, the Senate, the Convocation and any other body, institution, organisation, company or association established in furtherance of the objects of this Our Charter shall have power to control and regulate their proceedings by Standing Orders or in whatever other manner they may each think fit and that power shall include the power to revoke, amend or add to any Standing Order or other arrangements theretofore made by them.

26. Persons shall not be excluded by reason of religious belief, political opinion, race or sex from admission as Members or employees of the University or from office or employment therein or from any advantage or privilege thereof; preference shall not be given to or advantage be withheld from any person on grounds of religious belief, political opinion, race or sex; and the religious beliefs of Members and employees of the University shall be treated with due respect.
27. 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.
28. The Council may at any time, after consultation with the Senate, amend, add to or revoke any of the provisions of this Our Charter by Special Resolution and such amendment, addition or revocation shall, when allowed by Us, Our Heirs or Successors in Council, become effectual so that this Our Charter shall henceforth continue and operate subject to such amendment or addition or revocation. This Article shall apply to this Our Charter as amended, added to or revoked in the manner aforesaid.
29. For the purposes of this Our Charter a “Special Resolution” means a Resolution passed at one meeting of the Council and confirmed at a subsequent meeting held not less than one calendar month nor more than three calendar months after the former meeting; provided that notices of each meeting shall be given to each member of the Council respectively not less than fourteen days before the meeting to be held and that the Resolution be passed at each meeting by a majority of not less than three-quarters of those present and voting.
30. In case of conflict the provisions of this Our Charter shall prevail over those of the Statutes, Ordinances and Regulations, the provisions of the Statutes shall prevail over those of the Ordinances and Regulations and the provisions of the Ordinances shall prevail over those of the Regulations.
31. Our Royal Will and Pleasure is that this Our Charter and the Statutes, Ordinances and Regulations shall ever be construed benevolently and in every case most favourably to the University and the promotion of the objects of this Our Charter as well as in all Our Courts as elsewhere notwithstanding any non-recital, misrecital, uncertainty or imperfection therein.
- IN WITNESS whereof We have caused these Our Letters to be made Patent.
- WITNESS Ourselves at Westminster the twenty-fourth day of September in the thirty-third year of Our Reign.
- BY WARRANT UNDER THE QUEEN’S SIGN
MANUAL.

STATUTES

Statute I	The Council	11
Statute II	The Senate	14
Statute III	Students' Union	15
Statute IV	Academic Staff	15
Statute V	The Auditor	23

Statute I The Council

Statute I The Council

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

(A) Ex-officio members:

- (1) The Pro-Chancellors
- (2) The Vice-Chancellor
- (3) The Honorary Treasurer
- (4) The President of the Students' Union

(B) Twelve persons appointed as follows:

- (i) Eight shall be external to the University, not being members of the academic or non-academic staff or students of the University, appointed by the Council on the recommendation of a Committee or Sub-Committee of the Council established under the provisions of paragraph 7 of this Statute.
- (ii) Two shall be members of the academic staff of the University appointed by the Council on the recommendation of a Committee or Sub-Committee of the Council established under the provisions of paragraph 7 of this Statute.
- (iii) One shall be a member of the academic related staff of the University appointed by the Council on the recommendation of a Committee or Sub-Committee of the Council established under the provisions of paragraph 7 of this Statute.
- (iv) One shall be a member of the non-academic related staff of the University appointed by the Council on the recommendation of a Committee or Sub-Committee of the Council established under the provisions of paragraph 7 of this Statute.

The procedures for the appointments of members under the provisions for this sub-paragraph may be determined by Ordinance.

2. Elected members shall be elected in such a manner as shall be prescribed by the Ordinances.

3. The periods during which members of the Council shall hold office shall be as follows:

(A) ex-officio members shall remain members only for so long as they continue to occupy the positions by virtue of which they became members;

(B) appointed members shall hold office for a period of four years and are eligible for re-appointment for one further period of four years. An appointed member who has served for two periods of four years shall not be eligible for re-appointment except where a member assumes the statutory office of Pro-Chancellor or Honorary Treasurer in which event that member will begin a new term of membership on his or her assumption of that office and be limited. To a further period of four years in accordance with Ordinance III paragraph 2 or Ordinance V paragraph 2 as appropriate;

4. Appointed members of the Council shall automatically cease to be members of the Council if they fail to attend three successive ordinary meetings of the Council, without providing an explanation for their non-attendance satisfactory to the Council.

5. A member of the Council, not being an ex-officio member, may resign by writing addressed to the Council.

6. A casual vacancy among the appointed members shall be filled as soon as conveniently possible by the Council on the recommendation of the Committee or Sub-Committee referred to in paragraph 3 (B). The person appointed to fill a casual vacancy shall be a member for the unexpired portion of office of his or her predecessor as defined in paragraph 3.

7. (A) The Council may establish, by Ordinance, whether from within its own membership or otherwise, such committees as it may think

fit and, with the concurrence of the Senate, may establish joint committees of the Council and the Senate. Among those committees so established shall be an Audit Committee and a Governance, Nominations and Remunerations Committee. Subject to the Charter and to these Statutes, the Council may delegate, upon such conditions as it may determine, and may revoke the delegation of, any of its functions to committees of the Council, joint committees of the Council and the Senate, the Senior Leadership Team (or other similar committee of senior managers, the title and functions of which may, from time to time, be determined by ordinance) the Vice-Chancellor or other officers of the University. Such delegation may include delegation of powers of appointment. Any delegation of function shall be explicit and a matter of record within the context of a delegated authority framework.

(B) The Council may suspend or dissolve any such committee at any time, except the Audit Committee and the Governance, Remuneration And Nominations Committee.

(C) Subject to these Statutes, the Chairman of the Council, and the Vice-Chancellor, shall be ex-officio members of all committees of the Council and of all joint committees of the Council and the Senate.

(D) The Council shall determine by Ordinance, or otherwise, the constitution and procedure of any joint committee of the Council and the Senate. The constitution and procedure of any committee of the Council may be prescribed in such manner as the Council may think fit.

8. The Council shall appoint a Pro-Chancellor to be its Chairman and the Pro-Chancellor who is appointed Chairman of the Council shall, subject to Article 7 of the Charter, be Chairman of the Council for so long as he or she shall remain Pro-Chancellor. The other Pro-Chancellor shall be Vice-Chairman of the Council and, subject to Article 7 of the Charter, shall preside over meetings of the Council in the absence of the Chairman.

9. Subject to and in accordance with the Charter and these Statutes, it shall be the duty of the Council to secure the furtherance of the objects of the University as defined in Article 4 of the Charter by making such arrangements as the Council considers to be necessary to facilitate the exercise of the powers conferred by Article 5 of the Charter whether by its own acts, by acts of the Senate or otherwise by those to whom the Council has delegated its powers and responsibilities in accordance with paragraph 7 of this statute and in addition to all other powers vested in it, the Council shall have the following functions:

(A) To provide leadership on strategy, stewardship and overall governance.

(B) On the recommendation of the Senate, to institute or discontinue Faculties and other academic sections of the University and to establish and disestablish academic posts.

(C) To authorise and control the establishment and dis-establishment of other posts and to determine the policies for the appointment, conditions of appointment and remuneration of all employees of the University.

(D) On the recommendation of the Senate, to designate persons, not being members of the Academic Staff, as recognised teachers of the University whose functions shall be prescribed by Regulation.

(E) To control the appointment of other persons working for or in, or providing a service, for the University and the payment of honoraria, fees and other remuneration to such persons.

(F) To make provision, so far as the Council may think fit, for schemes of insurance, superannuation pensions or retirement benefits for all employees of the University and their dependants.

- (G) To determine all University fees and to impose and recover all such other charges and deposits as may seem to the Council to be necessary or appropriate.
- (H) To institute, on the recommendation of the Senate (and subject, where appropriate, to any conditions acceptable to the Council and to the Senate which might be made by the founders) Fellowships, Studentships, Exhibitions, Bursaries, Prizes and other aids to study and research.
- (I) On the recommendation of the Senate, to deprive persons of any Degrees, Diplomas, Certificates or other academic distinctions granted to or conferred on them by the University.
- (J) On the recommendation of the Senate, and subject to Statute II, to make Ordinances to regulate the discipline of students and other persons.
- (K) To receive and call for strategic reports from the Senate, to review the work of the University and, subject to the powers of the Senate, to take such steps as it thinks proper for the purpose of advancing the interests of the University, maintaining its efficiency and encouraging teaching, the pursuit of learning and the prosecution of research therein.
- (L) To accept, reject, review, amend or refer back any recommendation made by the Senate; provided that no such recommendation may be rejected or reviewed or amended before being referred again to the Senate for consideration and report.
- (M) In accordance with Articles 5 and 16 of the Charter to do all things deemed necessary by the Council for the efficient management and administration of the revenue and property of the University; and in particular:
 - (1) to govern, manage and regulate the finances, accounts, investments, property, business and all affairs including the risks associated with the business and affairs whatsoever of the University and for that purpose to appoint bankers and any other officers or agents whom it may deem expedient to appoint and to cause books of accounts to be kept in such manner as to give a true and fair view of the state of the University's affairs and to explain its transactions;
 - (2) to invest any monies belonging to the University in such stocks, funds, fully paid shares or securities as the Council shall think fit whether within the United Kingdom or not, in the purchase of freehold or leasehold hereditaments, including rents; provided that, in the case of moneys held by the University as trustees, the power conferred by this paragraph shall be exercised subject to the provisions of the law relating to investments by trustees;
 - (3) to sell, buy, exchange, lease and accept leases of real and personal property on behalf of the University;
 - (4) to borrow money on behalf of the University and for that purpose to mortgage or charge all or any part of the property of the University whether real or personal unless the conditions of any will, deed, gift or other instrument are thereby contravened, and to give such other security whether upon real or personal property or otherwise as the Council may think fit;
 - (5) to provide the buildings, premises, furniture and equipment and other means required for carrying on the work of the University;
 - (6) to enter into, vary, carry out and cancel contracts on behalf of the University;
 - (7) to give on behalf of the University, guarantees, whether in pursuance of continuing arrangements or not.

- (N) To receive and call for such reports and to make such arrangements as it thinks proper for the promotion and maintenance of efficiency and good order in the University.
- 10. The Council shall refer to the Senate any matter coming before the Council which has academic implications, unless that matter has been previously considered by the Senate; and before making any decision on any such matter the Council shall take account of the opinion, if any, of the Senate thereon.
- 11. Except as may otherwise be provided by the Charter, and subject to these Statutes, the Council shall determine by Ordinance, or otherwise, all matters relating to its constitution and detailed arrangements.
- 12. Nothing in this Statute shall enable the Council to delegate its power to reach a decision under Paragraph 10(2) of Statute IV.

Statute II The Senate

- 1. In the context of the University's Corporate Plan, Senate is responsible for the oversight of the academic affairs of the University including, teaching and learning, research and academic enterprise. Subject to and in accordance with the Charter and these Statutes, the Senate shall have all such powers as are necessary for the discharge of its responsibilities, and in addition to all other powers vested in it, the Senate shall have the following functions:
 - (A) To determine the degrees, diplomas, certificates and other academic qualifications to be offered and awarded by the University, or by the University in conjunction with another or other Institution(s) and the associated regulatory framework;
 - (B) To maintain oversight of the development and implementation of the Academic Plan;
 - (C) To maintain oversight of the approval, monitoring and reapproval of courses of

- study or research leading to an award of the University including curricular issues and the setting of academic standards;
- (D) To maintain oversight of the quality of education and the arrangements for its ongoing enhancement;
- (E) determine and monitor the admissions strategy and policies of the University; the general entry requirements to courses of study or research and the conditions under which and the extent, if any, to which periods and courses of study or research and examinations passed at other universities, places of learning and other institutions or elsewhere may be recognised for the purposes of the University;
- (F) To determine the conditions under which students shall be permitted to continue their studies, including the policies and procedures for the assessment of students and matters relating to student discipline subject to Statute I and the ordinances;
- (G) To determine and monitor the University's Teaching and Learning, Research and associated supporting strategies;
- (H) To regulate the conduct of examinations and assessments leading to Degrees, Diplomas, Certificates and other academic qualifications of the University and to other awards and to nominate external examiners;
- (I) To maintain oversight of the arrangements for assuring the ethical conduct of research;
- (J) With the exception of Honorary Degrees, to grant Degrees, Diplomas, Certificates and other academic distinctions including those offered and awarded by the University in conjunction with another institution or institutions and to determine the formalities attaching to the granting and conferment of such

Degrees, Diplomas, Certificates and other distinctions including the use of academical dress in the University;

- (K) To grant and confer Honorary Degrees on the recommendation of a joint committee of the Council and the Senate consisting of such members of the Council (not being members of the Senate) as may be appointed by the Council and an equal number of members of the Senate appointed by the Senate together with the Chairman of the Council (who shall be Chairman) and the Vice-Chancellor;
- (L) To determine the roles of academic staff in relation to teaching and learning, research and academic enterprise within the terms and conditions of appointment applicable to each such member;
- (M) To nominate members of staff to serve as Senate representatives on other bodies;
- (N) To discuss, declare an opinion upon and make recommendations to the Council on any matter affecting the University.

In reaching decisions the Senate will have due regard to their impact on, and implications for, the University's commitment to ensuring equality of opportunity and good relations as outlined in its Equality Scheme, and associated policies, and where possible and practicable the Senate will ensure that its actions are proactive in this respect.

- 2. Except as may otherwise be provided by the Charter, and subject to these Statutes and Ordinances, the Senate may determine all matters relating to its constitution and procedure.

Statute III Students' Union

- 1. There shall be for the benefit of the students a Students' Union. The constitution, privileges and other matters related thereto shall be prescribed by the Ordinances. Within the provisions of such Ordinances, the Students' Union shall have the power to manage its own affairs and funds.

- 2. The functions of the Students' Union shall be to:

- (1) promote the interests of the students and to represent them in all matters affecting their interests;
- (2) afford a recognised means of communication between the students and the authorities of the University;
- (3) promote social intercourse and unity of spirit and feeling among the students; and to
- (4) bring the students into closer relations with the students of other universities and institutions of higher and further education.

Statute IV Academic Staff: Dismissal, Discipline, Grievance Procedures and related matters

Part I Construction and Application

Construction

- 1. This Statute and any Ordinances or Regulations made under this Statute shall be construed in every case to give effect to the following guiding principles;
- (a) to ensure that academic staff 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 themselves in jeopardy of losing their jobs or privileges;
- (b) to enable the University to provide education, promote learning and engage in research efficiently and economically; and
- (c) to apply the principles of justice and fairness.

2. Appropriate Person/Panel

For the Purposes of this Statute V an Appropriate Person/Panel will be defined in the Ordinances applicable to this Statute.

3. Reasonableness

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

Application

Any proposals for the amendment of this Statute or its subsidiary Ordinances shall not be considered by the Council until consultations with the recognised trade union has taken place.

4. 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 –

- (a) it shall not affect the validity of any compromise agreement under Article 245 of the Employment Rights (Northern Ireland) Order 1996, or similar agreement permitted by law; and
- (b) it shall not preclude a 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 between those parties.

5. Parts II to V of this Statute shall not apply to removal from appointment as Deputy Vice-Chancellor, or such other posts as have been designated by the Council, to which a Member of Staff has been elected or appointed and which is distinct from the individual's substantive post, where dismissal from the substantive post is not contemplated, but the Council shall by Ordinance prescribe a procedure for handling such removals prior to the prescribed or normal termination date, such procedure to include an initial hearing and an appeal process.

6. This Statute shall apply to persons described as 'Members of the University staff' in

Ordinance 1, 1(B) and 1 (C), hereinafter referred to as 'members of staff' as follows:

- i) Members of the Academic and the Academic-related staff
- ii) The holders of such appointments within the University as may be designated for the purpose by Ordinance

7. The appointment of a Member of Staff on a non-permanent contract (e.g. time-limited) is only to be made in the following circumstances;

- (a) Where a current Member of Staff is unable to continue to fulfil the duties of the post either because he/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
- (b) Where the duties of the Member of Staff are for a specific determinable limited period; or
- (c) Where there are other necessary and objective circumstances for making categories or types of appointment on a limited term basis that have been identified by the University following consultation with the trade union, from time to time.

8. Dismissal

- (a) For the purpose of this Statute, "dismissal" shall have the same meaning as in Article 127 of the Employment Rights (Northern Ireland) Order 1996 or its statutory equivalent from time to time in force, although it shall not include the termination of the contract of employment of a Member of Staff where that Member of Staff's employment with the University continues under a new contract of employment.
- (b) i. A dismissal by reason of redundancy shall be handled in accordance with Part II hereof;

- ii. A dismissal for disciplinary reasons shall be handled in accordance with Part III hereof;
- iii. A dismissal on health grounds shall be handled on accordance with Part IV hereof; and
- iv. A dismissal on any other grounds shall be handled in accordance with Part V hereof.

Part II Redundancy

9. This Part permits a Member of Staff to be dismissed by reason of Redundancy, subject to the following;

- (a) Nothing in this Part shall prejudice, alter or affect any rights, powers, or duties of the University in relation to a Member of Staff unless;
 - i. His or her appointment is made, or his/her contract of employment is entered into on or after 20th November 1987; or
 - ii. He or she is promoted on or after that date.
- (b) For the purposes of this Section, a Member of Staff whose appointment was made or contract entered into on or after 20th November 1987 or to promotion on or after that date shall be construed in accordance with sub-sections (3) and (6) of Article 5 of the Education (Academic Tenure) (Northern Ireland) Order 1988.
- (c) A Member of Staff whose appointment was made or contract entered into before 20th November 1987, and was not promoted after 20th November 1987, as defined in sub sections (3) and (6) of Article 5 of the Education (Academic Tenure) (Northern Ireland) Order 1988, shall for the purposes of this Part II, be subject to such powers, if any, as applied to them prior to the introduction of this Statute.

10. Definition of Redundancy

- (a) Subject to clause 7 above, dismissal by reason of redundancy for the purpose of this Part has the meaning stated in Article 174 of the

Employment Rights (Northern Ireland) Order 1996, or its statutory equivalent from time to time in force namely;

- i. A dismissal shall be taken to be a dismissal by reason of redundancy if it is attributable wholly or mainly to;
 - 1. The fact that the University has ceased, or intends to cease, to carry on the activity for the purposes the Member of Staff concerned was appointed or employed by the University, or has ceased or intends to cease, to carry on that activity in the place in which the Member of Staff concerned worked; or
 - 2. The fact that the requirements of that activity for the Member of Staff to carry out work of a particular kind, or for Member of Staff to carry out work of a particular kind in that place, has ceased or diminished or are expected to cease or diminish.

- (b) In any case, the provisions of this Statute shall prevail over those of any other Statute and provisions of any Ordinances made under this Statute shall prevail over those of any other Ordinance.
- (c) Nothing in any appointment made, or contract entered into, shall be construed as over-riding or excluding any provision made by this Statute concerning the dismissal of a Member of Staff by reason of redundancy.

11. Procedure for Dismissal by reason of redundancy

- (a) *Redundancy Scenario Definitions*
 - i) Where the University by necessity, as a consequence of managerial or statutory change, needs to close down a whole University activity/discipline and thereby ceases to provide that set of services, it will first seek the authority of Council to do so and having obtained same will invoke the University's Redundancy Policy/Procedure and Ordinance and will endeavour to minimise the effect of any redundancies through the

processes outlined in the policy/procedure and Ordinance.

- ii) Restructuring is defined as a reorganisation of a University activity/discipline which will not result in the closure of a whole activity/discipline but may necessitate a reduction in staffing levels. Such staffing reductions, as deemed necessary, will be progressed in line with the University's Redundancy Policy/Procedures and Ordinance and in the first instance will seek to avoid/minimise redundancies through the processes outlined therein. If after exhausting all voluntary means, there is a need to reduce staffing levels further, the University will refer the matter to Council to seek the authority of Council to proceed to that effect under the University's Redundancy Policy/Procedure and Ordinance.
- iii) Individual redundancies such as those arising from the termination of a non-permanent contract and/or unavoidable funding failure attached to the post will be dealt with in line with the University's Redundancy Policy/Procedure and Ordinance and will not necessitate the authority of Council.
- (b) The Council shall prescribe by Ordinance the procedures for dismissing by reason of redundancy, Member(s) of Staff including those employed on non-permanent contracts (e.g. time-limited) which has not become one of indefinite duration by the application of the Fixed-Term Employees (Prevention of less Favourable Treatment) Regulations (Northern Ireland) 2002. Such procedures shall include the following;
 - i. A preliminary stage involving consultation and discussion with appropriate representatives of affected Members of Staff where such consultation is required by statute and, in all cases, consultation and discussion with the relevant Member of Staff;
 - ii. A right to be accompanied to any redundancy meeting by a work colleague or Trade Union Official, but no right to be accompanied by a legal representative.
 - iii. All of the processes contained in the University's Redundancy Policy/procedures to avoid or minimise the potential impact of redundancy including seeking suitable alternative employment for the Member (s) of Staff within the University.
 - iv. Provision for the appointment of an Appropriate Person/Panel to draw up in conjunction with the Human Resources Department the selection criteria for a dismissal under this Part II
 - v. Provision for informing any Member of Staff dismissed under this Part II of the reasons for this dismissal and, where selection has taken place, why he or she has been selected for dismissal; and
 - vi. Provision for a Member of Staff who has been given notice of dismissal under this Part II, to appeal the decision to dismiss him or her under this Part II, to an Appeal Panel. The Appeal will be a full re-hearing.

PART III: Disciplinary Procedures

12. Policy Statement

- (a) The aim of the disciplinary procedure is to provide a framework within which the University can work with Members of Staff to maintain satisfactory standards of conduct and to encourage improvement where necessary.
- (b) The University will ensure that any disciplinary matter is dealt with fairly and that steps are taken to establish the facts. Members of Staff should not be dismissed or subjected to disciplinary action without being provided with the following;
 - i. A written statement of the allegations;
 - ii. A fair hearing before any decision is reached; and
 - iii. The right to an appeal hearing.

13. Grounds for Disciplinary action

- (a) Disciplinary action under this Part III may be taken, and where found to be appropriate, a penalty or other form of corrective action may be taken, in respect of acts, omissions or conduct amounting to minor, major or gross misconduct.

14. Disciplinary Procedures

The Council shall by Ordinances detail the disciplinary procedure to be followed. Such Ordinances will have regard to the Labour Relations Agency Code of Practice, as amended from time to time, as well as legislation, codes and guidance dealing with disciplinary and grievance procedures in place from time to time. The Ordinance shall provide for the following;

- (a) for very minor faults to be dealt with informally, with informal guidance given where appropriate;
- (b) in the case of matters other than very minor issues, a procedure which provides for the following;
 - i. A fair and reasonable process, with appropriate time limits for each stage;
 - ii. Suspension of the Member of Staff on full pay, where the seriousness or nature of the allegations, or the nature of the investigation, so requires;
 - iii. A fair and thorough investigation, aimed at establishing the facts, and deciding whether or not the matter is to progress to disciplinary hearing;
 - iv. A written statement of the allegations to be forwarded to the relevant Member of Staff, as well as notification of the date of the disciplinary hearing;
 - v. A right to be accompanied to any disciplinary hearing by a work colleague or Trade Union Official, but no right to be accompanied by a legal representative.
 - vi. A disciplinary hearing before an Appropriate Person, at which the relevant Member of Staff receives a fair hearing, and has the right to make representations, to call and hear evidence and to question witnesses through the Appropriate Person. The Appropriate Person will make provision for a note taker to take notes at the Disciplinary hearing. The note taker will play no part in the disciplinary process. A representative from the People and Culture Department will also be present at the disciplinary hearing. However, the Representative from the People and Culture Department will be present in an advisory capacity

only, and will form no part of the decision making process.

- vii. The notification of the outcome of the disciplinary hearing to the relevant Member of Staff.
- viii. Penalties or sanctions to be imposed, such as, but not limited to:
 - 1. First Written Warnings – which may be given for acts of minor misconduct, for example where the conduct or performance of a Member of the Staff does not meet acceptable standards. This warning will remain on a Member of Staff's personal record for 6 months;
 - 2. Final Written Warning – this warning will be given if the offence is of a more serious nature, or if the same offence or a related offence has been committed before, and a written warning has been given, and remains active. A copy of the final written warning will remain on a Member of Staff's personal record for a period of 12 months;
 - 3. Suspension without pay;
 - 4. Dismissal with notice, or pay in lieu of notice;
 - 5. summary dismissal without notice where the offence is one of gross misconduct.
- ix. *In exceptional circumstances dismissal may be set aside and replaced by a final written warning and one of the sanctions below.*
 - 1. Demotion and/or loss of title;
 - 2. Placing restrictions on the Member of Staff's employment, for example a period of supervision and/or training;
 - 3. Withholding a pending salary increase;
 - 4. Withholding salary due to the Member of Staff;

All sanctions, both cited above, or such other sanction imposed under this Part IV can be overturned, modified or upheld on appeal. In the case of summary dismissal, the Member of Staff, who is reinstated following an appeal, will be reinstated

as and from the point of summary dismissal and not from the point of reinstatement at appeal.

- x. A right to an appeal hearing before an Appropriate Person/Panel, should the relevant Member of Staff wish to appeal the outcome of the disciplinary hearing. This appeal must be on specific grounds, notified in writing to the University by the Member of Staff, and the appeal hearing will take the form of a rehearing.

15. Dismissals

Ordinances shall provide for all dismissals, even those not falling within clause 8 (b), such as dismissals under Article 130 (1) (b) of the Order or statutory equivalent from time to time in force being dismissal for some other substantial reason or a kind such as to justify the dismissal of a Member of Staff holding that position and also under Article 130 (2) (d) of the Order or statutory equivalent from time to time in force where the Member of Staff could not continue to work in the position without being in contravention (on either the Member of Staff's part, or on the part of the University) of a duty or restriction imposed by or under a statutory provision, hereinafter "Other Dismissals". Such Other Dismissals are to be dealt with in accordance with Part III clause 14, in that there will be a hearing and a right of appeal.

16. Clinical Staff

Action under this Part III or Part IV may be taken against a member of staff, who is required to engage in clinical work or activities and for that purpose requires to be registered with General Medical or Dental Council or similar body, in respect of conduct or incapacity arising in connection with that member of staff's clinical work or activities where the work or activities were performed in and for the University.

17. Members of Staff with a Disability or Medical Condition

If a Member of Staff is subject to action under this Part, and it emerges that he/she has a medical condition and/or disability which amounts to a disability under the provisions of the Disability Discrimination Act 1995, and the Member of Staff's conduct or performance can be wholly or

partly attributable to this disability and/or medical condition, action may continue under this part. Such action can proceed under this part, even if it emerges that the Member of Staff should have been dealt with under Part IV. Sanctions may include all the sanctions set out in Part III clause 14.

Part IV Removal for Incapacity on Health Grounds

18. (a) This Part deals with Members of Staff who may be removed due to incapacity on health grounds.
 - (b) In this Part, references to health grounds are references to capability assessed by reference to health or any other physical or mental quality.
 - (c) The Council shall by Ordinance prescribe a procedure for dealing with Members of Staff because of incapacity on health grounds. Such a procedure may result in removal of the Member of Staff due to incapacity on health grounds.
 - (d) Any Ordinance under this Part IV, will include provision for;
 - i. A medical assessment of the medical condition of the Member of Staff, looking in particular at the Member of Staff's ability to continue to work in his/her present position.
 - ii. An oral hearing with the Member of Staff and an Appropriate Person. A relevant independent medically qualified person will also attend the hearing (as appropriate). The Member of Staff will have the opportunity to make representations, produce evidence, and may be accompanied by a work colleague or Trade Union representative, but no right to be accompanied by a legal representative. In certain cases, the University may permit a relative or friend to accompany the Member of Staff to this hearing.

- iii. The Member of Staff will be notified of the outcome of the hearing in writing and will be given a right to appeal the outcome.
- iv. Looking at alternatives to dismissal, such as making reasonable adjustments within the Disability Discrimination Act 1995, to permit the Member of Staff to return to work.
- v. The appeal will be a full rehearing, and will have all the elements contained in this clause 18, and paragraph ii.

Part V Other Dismissals

19. Dismissals during the Probation Period

- (a) This Part deals with Members of Staff who are on a period of probation.
- (b) The Council shall by Ordinance prescribe a procedure whereby those Members of Staff on probation will be under Review throughout the Period of probation. The Ordinance will also state that the Member of Staff will not be confirmed in post at the end of the second year of probation or at the end of the complete period of probation, if it is found that the Member of Staff is unsuitable for the post, or has not performed well, or for some other substantial reason dictating that the Member of Staff is unsuitable for the post. Such matters may include matters that could have been dealt with under Parts II, III, and IV of this Statute.

20. Clinical Staff

- (a) This clause applies to any Clinical Member of Staff who must be registered with bodies such as the Royal College of Nursing as it exists from time to time, or other such bodies, and/or have an honorary or substantive contract of status with a National Health Service Trust, or similar body.
- (b) This clause may be extended by the Council to other Members of Staff.
- (c) Where the registration, contract or status stated in 20 (a) above is revoked or removed, the Clinical Member of Staff must immediately notify the University in writing. At this point the University will decide, in conjunction with the Clinical Member of Staff's line manager, if

the revocation or removal of the registration, contract or status means that the Clinical Member of Staff cannot perform his/her duties within the University. If so, then an oral hearing will be convened with the Clinical Member of Staff and an Appropriate Person, and the Clinical Member of Staff may be dismissed. The Appropriate Person will consider other redeployment opportunities before dismissal of the Clinical Member of Staff.

- (d) Where the registration, contract or status has been suspended, the Clinical Member of Staff must notify the University immediately in writing. At this point the University will decide, in conjunction with the Clinical Member of Staff's line manager, if the suspension of the registration, contract or status means that the Clinical Member of Staff cannot perform his/her duties within the University. If so, then an oral hearing will be convened with the Clinical Member of Staff, and an Appropriate Person and the Clinical Member of Staff may be suspended without pay. The Appropriate Person will consider other redeployment opportunities before suspending the Clinical Member of Staff without pay.
- (e) Where sanctions other than removal or suspension have been applied to the registration, contract or status including 'conditions of practice', the Clinical Member of Staff must notify the University immediately in writing. At this point, the University will decide, in conjunction with the Clinical Member of staff's line manager, if the sanction means that the Clinical Member of staff cannot perform his/her duties within the University. If, so, then an oral hearing will be convened with the Clinical Member of Staff, and an Appropriate Person and the Clinical Member of Staff may be suspended to enable the investigation to proceed. The Appropriate Person will consider other redeployment opportunities before suspending the Clinical Member of Staff.
- (f) The Clinical Member of Staff may appeal the decisions in clause 20 (c) (d), and (e) above in accordance with appeal process set out in the Ordinance.

Part VI Grievance Procedures

21.(a) The aim of this Part is to settle or redress individual grievances promptly, fairly, and by acceptable methods.

(b) The Council will detail by Ordinance a Grievance procedure under which Members of Staff can have their grievances dealt with. The procedure should deal with matters which;

- i. Affect the Members of Staff as individuals; or
- ii. Affect their personal dealings or relationships with other staff of the University; and

not being matters for which express provision has been made elsewhere in Policy/Procedure, in particular not being matters which can be dealt with under the Bullying and Harassment Policy.

(c) The Ordinance shall contain the following;

- i. Provision for dealing with grievances informally, including the use of the University's mediation process, should the Member of Staff not wish to formally raise a grievance
- ii. A requirement that the Member of Staff submit the grievance in writing to his/her line manager;
- iii. A commitment that the grievance procedure will be conducted in a fair, objective and timely manner;
- iv. Provision for an investigation of the grievance.
- v. A hearing of the grievance before an Appropriate Person. The Member of Staff can be accompanied to this hearing, by a work colleague or trade union representative, but there will be no right to be accompanied by a legal representative. At the hearing the Member of Staff who submitted the grievance may make representations, produce evidence and question witnesses through the

Appropriate Person The outcome of the hearing will be notified in writing to the Member of Staff who submitted the grievance.

- vi. The Member of Staff who submitted the grievance will have a right to appeal the outcome of the hearing. The appeal will take the form of a re-hearing, and the Member of Staff who submitted the grievance will have a right to be accompanied to the appeal by a work colleague or trade union representative, but no right to be accompanied by a legal representative.

ANNEX PROVISIONS AS TO THE VICE-CHANCELLOR

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

- (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 Chairman of the Council.
- (2) If it appears to the Chairman 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 Chairman of the Council that a complaint made to him or her under subsection (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 subsection (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 Chairman; and
 - (b) one member of the Council, not being a person employed by the University; and
 - (c) one member of the academic staff.
 - (6) Subject to the principles of justice and fairness the Tribunal may determine its own procedure.
 - (7) The Tribunal shall send its reasoned decision on any charge referred to it together with its findings of fact regarding the charge and its recommendations, if any, as to the appropriate penalty to the Chairman of the Council and to the Vice-Chancellor drawing attention to the period of time within which any appeal should be made.
 - (8) Persons appointed to hear such an appeal shall be persons independent of the University holding, or having held, judicial office or being barristers or solicitors of at least 10 years standing and the person so appointed shall, subject to the principles of justice and fairness, determine the procedure to be adopted in hearing the appeal.
 - (9) A person appointed shall send the reasoned decision on the appeal, together with any findings of fact different from those come to by the Tribunal and his recommendations, if any, as to the appropriate penalty, to the Vice-Chancellor and to the Chairman of the Council.
 - (10) Where a charge or charges have been upheld by the Tribunal and not dismissed on appeal, the Chairman of the Council shall decide whether or not to dismiss the Vice-Chancellor.
 2. Where a complaint is to be referred to a Tribunal under this Statute, the Chairman of the Council may suspend the Vice-Chancellor from his duties and may exclude the Vice-Chancellor from the precincts of the University or any part thereof without loss of salary.
 3. 'Good Cause' in this Annex has the same meaning as the Code of Conduct appended to the Vice-Chancellor's role description.
 4. For the purpose of the removal of the Vice-Chancellor for incapacity on medical grounds, Part IV shall have effect subject to the following modifications:
 - (a) for references to a member of the academic staff there shall be substituted reference to the Vice-Chancellor;
 - (b) for any reference to the office of Vice-Chancellor there shall be substituted a reference to the office of Chairman of the Council;
 - (c) for paragraph 23 there shall be substituted-

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

Statute V The Auditor

1. The Council shall appoint internal and external Auditors who shall be a member or members of a body of accountants established in the United Kingdom and for the time being recognised for the purposes of Article 34 of the Companies (Northern Ireland) Order 1990. No person shall be appointed or remain as external auditor who is, or any one of whose partners or staff is, a member of the Council or an employee of the University.

2. The internal and external auditors will be appointed following a procedure of procurement and shall hold office for such period as the Council shall determine. Remuneration and terms of engagement will be agreed between the Council and the auditors appointed under the provisions of paragraphs 1 and 2.
3. The internal and external Auditors shall make a report to the Council at least once in each year.
4. The Auditor 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 University such information and explanations as the Auditor considers necessary for the performance of his or her duties.
5. There shall be an Audit Committee of the University whose role and functions shall be determined by the Council of the University and may be set out in Ordinance.

ORDINANCES

Section 1	Members of the University	
Ordinance I	The Members of the University	27
Ordinance II	The Chancellor	27
Ordinance III	The Pro-Chancellors	27
Ordinance IV	The Vice-Chancellor	27
Ordinance V	The Honorary Treasurer	28
Ordinance VI	The Deputy Vice-Chancellor	28
Ordinance VII	The Pro-Vice-Chancellors	28
Ordinance VIII	The Provosts	28
Ordinance IX	Chief Operating Officer	29
Ordinance X	The Secretary	29
Ordinance XI	The Librarian	29
Section 2	Governance Arrangements	
Ordinance XII	Elections of Members to the Council	29
Ordinance XIII	Committees of the Council	31
Ordinance XIV	Membership of the Committees of the Council	31
Ordinance XV	The Constitution of the Senate	31
Ordinance XVI	Elections of Members to the Senate	32
Ordinance XVII	The Senior Leadership Team	33
Ordinance XVIII	Functions of the Senior Leadership Team	33
Ordinance XIX	Delegated Authority Framework	33
Ordinance XX	The Faculties	33
Ordinance XXI	The Joint Committee for the Award of Honorary Degrees	34
Ordinance XXII	Validation and Service of Documents	35
Ordinance XXIII	Convocation	35
Ordinance XXIV	Removal from Office or Employment	36

ORDINANCES

Section 3

Academic Matters

Ordinance XXV	Registered, Occasional, Associate and Affiliate Students	36
Ordinance XXVI	University Examinations	37
Ordinance XXVII	The Congregation	37
Ordinance XXVIII	Recognition of Institutions	38
Ordinance XXIX	Degrees, Diplomas, Certificates and Other Academic Distinctions	39

Section 4

Staffing Matters

Ordinance XXX	Academic and other Appointments	41
Ordinance XXXI	Appointment of Deputy Vice-Chancellor, Pro-Vice-Chancellors, Deans of Faculties and Provosts	41
Ordinance XXXII	Retirement and Resignation	42
Ordinance XXXIII	Rotational Post Ordinance Pursuant to Statute IV Part I Paragraph 5	42
Ordinance XXXIV	Redundancy Ordinance Pursuant to Statute V Part II	44
Ordinance XXXV	Staff Disciplinary Ordinance Pursuant to Statute IV Part III	48
Ordinance XXXVI	Medical Incapacity Ordinance Pursuant to Statute V Part IV	54
Ordinance XXXVII	Staff Probationary Ordinance Pursuant to Statute V Part V	57
Ordinance XXXVIII	Staff Grievance Ordinance Pursuant to Statute V Part VI	60

Section 5

Student Matters

Ordinance XXXIX	Ulster University Students' Union	64
Ordinance XL	Council Responsibility for Student Discipline	65
Ordinance XLI	Student Discipline Procedure	66
Ordinance XLII	Fitness to Practise	73
Schedule 1	Definitions	77
Schedules to Ordinances		79

Section 1 Members of the University

Ordinance I The Members of the University

1. The following persons shall be Members of the University:
 - (A) Members of the Council and the Senate.
 - (B) All other members of the Academic and the Academic-related Staff.
 - (C) The holders of such appointments within the University as may be designated for the purpose by Ordinance.
 - (D) The Students.
 - (E) All such other persons as the Council may by Ordinance declare to be Members.
2. Membership of the University shall continue so long only as at least one of the qualifications above enumerated shall continue to be held by the individual member.

Ordinance II The Chancellor

1. The successors to the first Chancellor shall be appointed by the Council.
2. Subject to these Ordinances, the Chancellor shall hold office for life, until resignation or for such other period as determined by the Council.
3. The Chancellor may resign in writing addressed to the Council.

Ordinance III The Pro-Chancellors

1. The Council, shall appoint the successors to the first Pro-Chancellors who shall not be employees or students of the University.
2. Subject to Article 14 of the Charter and to these Ordinances, the successors to the first Pro-Chancellors shall hold office for a period of four years or such other period as the Council may determine. A Pro-Chancellor, who has previously served two four year terms as a council member will only be eligible to serve one four year term as a Pro-Chancellor or, if

applicable such shorter periods as the Council may have determined, shall not be eligible for re-appointment.

3. The respective functions of the Pro-Chancellors shall be determined by the Council.
4. A Pro-Chancellor may resign by writing addressed to the Council, provided that, if he or she is Chairman of the Council, he or she shall at the same time resign the office of Chairman of the Council by writing addressed to the Council.

Ordinance IV The Vice-Chancellor

1. Subject to Article 14 of the Charter, the Vice-Chancellor shall be appointed by the Council after consideration of the report of a joint Committee of the Council and the Senate consisting of such members of the Council (not exceeding five in number and not being members of the Senate) as may be appointed by the Council and an equal number of members of the Senate, appointed by the Senate, together with the Chairman of the Council who shall be a member ex-officio and Chairman.
2. Subject to Article 14 of the Charter and to these Ordinances the Vice-Chancellor shall hold office for such period and (subject to Statute IV) under such terms and conditions as may from time to time be determined by the Council.
3. The Vice-Chancellor shall have a general responsibility to the Council for maintaining and promoting the efficiency and good order of the University and may, on occasions which he or she considers to be occasions of necessity, and in consultation with the Chairman of the Council, take such steps as he or she may deem expedient for safeguarding the interests of the University; provided that in all such cases a report shall be made to the Council at its next meeting.
4. The Vice-Chancellor may delegate any of his or her functions and may withdraw any such delegation at any time. Such delegation shall

be a matter of record and contained within a scheme of delegated authority

5. The Vice-Chancellor may resign in writing addressed to the Council.

Ordinance V

The Honorary Treasurer

1. The Council, shall appoint the successors to the first Honorary Treasurer who shall not be an employee or a student of the University.
2. Subject to Article 14 of the Charter and to these Ordinances, the Honorary Treasurer shall hold office for a period of four years or such other period as the Council shall determine. An honorary treasurer, who has previously served two four years terms as a council member will be eligible to serve one term of four Years as honorary treasurer or, if applicable such shorter periods as the Council may have determined shall not be eligible for re-appointment.
3. The Honorary Treasurer shall perform such functions as the Council may determine and in particular will provide the Council with a view on whether or not financial responsibilities are being appropriately managed and that the University is complying with the Financial Memorandum.
4. The Honorary Treasurer may resign in writing addressed to the Council.

Ordinance VI

The Deputy Vice-Chancellor

- 1 Subject to Article 14 of the Charter, the Council shall appoint Deputy Vice-Chancellor on the recommendation of an Appointments Committee whose composition shall be determined by Ordinance XXXI and shall include members of the Senate elected by the Senate.
- 2 Subject to Article 14 of the Charter and to these Ordinances, the Deputy Vice-Chancellor shall hold office for a period as the Council, after consultation with the Vice-chancellor and the Senate, shall determine.

- 3 The Council, after consultation with the Vice-Chancellor and the Senate, shall determine the number of functions of the Deputy Vice-Chancellor. The Chancellor shall not be precluded from holding other posts within the University.

- 4 The Deputy Vice-Chancellor may resign in writing addressed to the Council.

Ordinance VII

The Pro-Vice-Chancellors

1. Subject to Article 14 of the Charter, the Council shall appoint Pro-Vice- Chancellors on the recommendation of an Appointments Committee whose composition shall be determined by Ordinance XXXI and shall include members of the Senate elected by the Senate.
2. Subject to Article 14 of the Charter and to these Ordinances, Pro-Vice-Chancellors shall hold office for a period as the Council, after consultation with the Vice-Chancellor and the Senate, shall determine.
3. The Council, after consultation with the Vice-Chancellor and the Senate, shall determine the number and functions of the Pro-Vice-Chancellors. Pro-Vice-Chancellors shall not be precluded from holding other posts within the University.

A Pro-Vice-Chancellor may resign in writing addressed to the Council.

Ordinance VIII

The Provosts

1. Subject to Article 14 of the Charter, the Council may appoint Provosts on the recommendation of an Appointments Committee whose composition shall be determined by Ordinance XXXI and shall include members of the Senate elected by the Senate.
2. Subject to Article 14 of the Charter and to these Ordinances, Provosts shall hold office for a period as the Council, after consultation with the Senate, shall determine.

3. The Council, after consultation with the Vice-Chancellor and the Senate, shall determine the number and functions of the Provosts. Provosts shall not be precluded from holding other posts within the University.
4. A Provost may resign in writing addressed to the Council.

Ordinance IX Chief Operating Officer

1. The Chief Operating Officer, or the officer undertaking this function, shall be appointed by the Council. The appointments panel shall comprise of the Vice-Chancellor who shall be chair of the panel, a Pro-Chancellor, and an independent member of the Council.
2. The Chief Operating Officer shall hold office for such period and (subject to Statute IV) upon such terms and conditions as shall be determined by the Council.
3. The Chief Operating Officer shall carry out such duties as the Council, in consultation with the Vice-Chancellor, may determine.
4. The Chief Operating Officer may resign in writing addressed to the Council.

Ordinance X The Secretary

1. Subject to Article 14 of the Charter the Secretary, or the officer undertaking this function, shall be appointed by the Council.
2. Subject to Article 14 of the Charter and to the Statutes, the Secretary shall hold office for such period and (subject to Statute IV) upon such terms and conditions as shall be determined by the Council
3. The Secretary shall carry out such duties as the Council may determine
4. The Secretary may resign by writing addressed to the Council.

Ordinance XI The Librarian

1. Subject to Article 14 of the Charter the Librarian, or the officer undertaking this function, shall be appointed by the Council.
2. Subject to Article 14 of the Charter and to these Ordinances, the Librarian shall hold office for such period and (subject to Statute IV) upon such terms and conditions as shall be determined by the Council.
3. The Librarian shall be responsible, under the Vice-Chancellor, for the organisation and operation of the library services of the University and shall carry out such duties as the Council may determine.
4. The Librarian may resign by writing addressed to the Council.

Section 2 Governance Arrangements

Ordinance XII Elections of Members to the Council

1. Section 1 (B) of Statute I states that of the membership of the Council:
 - ii) two shall be members of the academic staff of the University appointed by the Council on the recommendation of a Committee or Sub-Committee of the Council established under the provisions of paragraph 7 of this Statute.
 - iii) one shall be a member of the academic-related staff of the University appointed by the Council on the recommendation of a Committee or Sub-Committee of the Council established under the provisions of paragraph 7 of Statute 1.
 - iv) one shall be a member of the non-academic staff of the University appointed by the Council on the recommendation of a Committee or Sub-Committee of the

Council established under the provisions of paragraph 7 of Statute 1.

Section 1 (B) also provides that the procedures for the appointment of members may be determined by Ordinance.

2. The following procedures will be followed in the appointment of those members provided for at Statute 1, (B), ii), iii) and iv)

- (a) Staff will be invited to apply through an application process held from time to time but not less than once every four years.
- (b) Applications received shall be considered by a Committee established under the provisions of Statute 1, Section 7 and Ordinance XII. Those applicants considered by the Committee to be eligible will then be subject to election by all members of the appropriate staff category (academic, academic-related or non-academic)

3. In the elections referred to in paragraph 2, the procedures set out below shall be followed:

- (a) A Returning Officer shall be appointed by the Council. The Returning Officer, normally The University Secretary shall, if unable to act, appoint a deputy to act in his or her place.
- (b) Voting shall be by secret ballot, in accordance with the single transferable vote system.
- (c) The Returning Officer shall send to each elector a notice indicating:
 - i) whether elections are required under this paragraph;
 - ii) the number of persons to be elected in each category;
 - iii) a list of candidates;
 - iv) a Voting Paper or electronic equivalent; and
 - v) notification of the date, to be determined by the Returning

Officer, being not less than seven days after the date of the distribution of the Voting Paper, or electronic equivalent, by which Voting Papers are to be returned. This date shall be regarded as the date of the election.

- (d) Completed Voting Papers shall be sent to the Returning Officer so as to reach him or her not later than the date of the election. All Voting Papers sent to the Returning Officer shall be enclosed in an envelope which shall bear on the outside the words 'Voting Paper'.
- (e) The Returning Officer shall publish in a public place or places within the University not later than seven days after the conclusion of the ballot, the names of those candidates who have been elected.
- (f) The accidental omission to send a voting or other paper relating to the ballot to any person entitled to receive such a paper shall not invalidate the ballot.
- (g) The Returning Officer may decide to conduct any election called under the provisions of this paragraph by electronic means only.

- 4. Where a casual vacancy occurs among members elected under subsections Statute 1 (B) ii), iii) or iv) it shall be filled at a by-election held as soon as possible after commencement of the vacancy or at such date as the Council may determine. The procedures set out in this Ordinance shall be followed. The returning officer may decide to conduct any election called under the provisions of this paragraph by electronic means only.
- 5. In the event of any dispute as to the interpretation of this Ordinance or the method of implementing the procedures there set out, the decision of the Returning Officer shall be final.
- 6. The period of office for members elected at by-elections under paragraph 4 of this Ordinance shall run for the unexpired portion of office of their predecessors.

7. Persons elected under this Ordinance may resign in writing to the Council.

Ordinance XIII Committees of the Council

1. There shall be the following committees of the Council:

- 1 Resources Committee
- 2 Audit Committee
- 3 Governance, Nominations & Remuneration Committee

Each Committee shall have terms of reference and standing orders to be determined from time to time by the Council.

Ordinance XIV Membership of the Committees of the Council

1. The Vice-Chancellor, Pro-Chancellors and Honorary Treasurer shall be ex-officio members of all committees of the Council. Other membership of committees will be as from time to time agreed by the Council but each committee shall have a majority of lay members.

Ordinance XV The Constitution of the Senate

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

(A) Ex-officio members:

The Vice-Chancellor (Chair); Deputy Vice-Chancellors; those Provosts who are not members of the Senate by virtue of any other ex-officio category; Those Executive Deans who are not members of the Senate by virtue of any other ex-officio category; The President of the Students' Union; The holders of such other posts not exceeding two as the Senate may determine.

(B) Elected members:

Four members of the academic staff of each faculty of whom at least one shall be a Professor and four members being students.

(C) Co-opted members:

Such other members, not exceeding two, as may be co-opted by the Senate.

2. Elected members shall be elected in such manner as shall be prescribed by Ordinance.
3. The periods during which members of the Senate respectively shall hold office shall be as follows:
 - (a) ex-officio members shall remain members only for so long as they continue to occupy the positions by virtue of which they became members. This includes the requirement that staff are not on sabbatical or secondment within or from the University;
 - (b) elected members with the exception of student members shall hold office for a period of four years; student members shall hold office for one year;
 - (c) co-opted members shall hold office for such period not exceeding four years as shall in each case be determined by the Senate.
4. An elected or co-opted member who has served for two consecutive full periods of four years shall not be eligible for re-election or further co-option until one year has elapsed.
5. A casual vacancy among the elected members shall be filled as soon as conveniently possible by the body which elected the member whose place has become vacant and the person elected to fill the vacancy shall be a member for the unexpired portion of his predecessor's term of office.
6. If the Senate so wishes there shall be a Standing Committee of the Senate with responsibility for arranging and expediting the business of the Senate and exercising such functions of the Senate as may be prescribed by Ordinance. Any such Standing Committee of the Senate shall be established and constituted by Ordinance.

7. The Senate may establish, whether from within its own membership or otherwise, such other committees as it may think fit and may suspend or dissolve any such committee at any time.
 8. Subject to the Charter and these Statutes & Ordinances, the Senate may delegate, upon such conditions as it may determine and may revoke the delegation of, any of its functions to joint committees of the Council and the Senate, committees of the Senate, the Boards of the Faculties, the Vice-Chancellor or any other officers of the University. Any delegation of function shall be explicit and a matter of record.
 9. Unless expressly determined otherwise by the Vice-Chancellor, the Vice-Chancellor, Deputy Vice-Chancellor and the Pro-Vice-Chancellors or one of the Pro-Vice-Chancellors as determined at any time by the Vice-Chancellor shall be ex-officio members of all committees of the Senate.
 10. The constitution and procedure of any committee of the Senate may be prescribed in such manner as the Senate may think fit.
- (b) Voting shall be by secret ballot, in accordance with the single transferable vote system.
 - (c) Elections held under subsection (a) of paragraph 1 shall take place in two phases. All academic members of staff of the Faculty shall elect one representative being a Professor or in the first instance. After voting has taken place and the results have been announced all academic members of the Faculty shall elect a further two representatives drawn from all academic members of the faculty including Professors. Members elected under subsection (a) of paragraph 1 shall remain members only for so long as they continue to occupy the positions by virtue of which they became members.
 - (d) The Returning Officer shall send to each elector a notice indicating whether an election is required under this paragraph, and, if it is, the number of persons to be elected. The Returning Officer shall at the same time give notice of the date, which shall not be less than ten days or more than fourteen days after dispatch of notification, by which nominations for election must be received.
 - (e) All candidates shall be nominated by two electors.
 - (f) Nominations shall be lodged with the Returning Officer by the date specified under subsection 2(d) above.
 - (g) Should the number of persons duly nominated be greater than the number of vacancies to be filled the Returning Officer shall send to each elector not later than five days after the last date for the receipt of nominations:
 - (i) a list of duly nominated candidates with the names of the persons nominating them;
 - (ii) a Voting Paper; and
 - (iii) notification of the date, being not less than seven days and not more

Ordinance XVI

Elections of Members to the Senate

1. Under paragraph 1(B) of Ordinance XV the membership of the Senate includes:
 - (a) Three members of academic staff of whom at least one shall be a Professor or drawn from and elected by the academic staff of each Faculty
 - (b) Three members drawn from and elected by the students
2. In the elections referred to in subsection (a) of paragraph 1 of this Ordinance, the procedures set out below shall be followed:
 - (a) A Returning Officer shall be appointed by the Senate. The Returning Officer shall, if unable to act, appoint a deputy to act in his place.

than ten days after the date of the distribution of the Voting Paper, by which Voting Papers are to be returned. This date shall be regarded as the date of the election.

- (h) Completed Voting Papers shall be sent to the Returning Officer so as to reach him/her not later than the date of the election. All Voting Papers sent to the Returning Officer shall be enclosed in an envelope which shall bear on the outside the words 'Voting Paper'.
 - (i) The Returning Officer shall publish in a public place or places within the University not later than seven days after the conclusion of the ballot, the names of those candidates who have been elected.
 - (j) The accidental omission to send a voting or other paper relating to the ballot to any person entitled to receive such a paper shall not invalidate the ballot.
3. Where a casual vacancy occurs among members elected under subsections (a) or (c) of paragraph 1 of this Ordinance it shall be filled at a by-election held as soon as possible after commencement of the vacancy. The procedures set out under subsections (a), (b), (c), (d), (e), (f), (g), (h), (i) and (j) of paragraph 2 shall be followed. All members who are entitled to vote in the by-election shall be entitled to stand as candidates for election.
 4. In the event of any dispute as to the interpretation of paragraphs 2 and 3 of this Ordinance or the method of implementing the procedures there set out, the decision of the Returning Officer shall be final.
 5. The period of office for members elected at by-elections under paragraph 3 of this Ordinance shall run for the unexpired portion of office of their predecessors.
 6. Persons elected under this Ordinance may resign, by writing addressed to the Senate.

7. In the election referred to in subsection (b) of paragraph 1 of this Ordinance the procedures to be followed shall be determined by the Senate after consultation with the Students' Union.
8. The returning officer may decide to conduct any election called under the provisions of this paragraph by electronic means only.

Ordinance XVII

The Senior Leadership Team

There shall be a Senior Leadership Team of the University. The Senior Leadership Team shall be chaired by the Vice-Chancellor. The Senior Leadership Team shall consist of the designated officers of the University and such other officers that the Vice-Chancellor, in consultation with the Senate and the Council shall determine.

Ordinance XVIII

Functions of the Senior Leadership Team

The Senior Leadership Team shall have the functions delegated to it by the Council and set out in a delegated authority framework.

Ordinance XIX

Delegated Authority Framework

There shall be a framework of delegated authority, as set out in Schedule 1 to this Ordinance (Page 84).

Ordinance XX

The Faculties

1. There shall be such Faculties of the University as from time to time determined by the Council, on the recommendation of the Senate, and set out in schedule 1 to this Ordinance.
2. (A) There shall be an Executive Dean of each Faculty who shall be the Chairman of the Faculty Board. The successors to the first Deans shall hold office for a period as the Council, after consultation with the Senate, shall determine.
(B) An Executive Dean may resign by writing addressed to the Council.
3. Each Faculty shall have a Board, which shall consist of the following persons:-

- (A) The Vice-Chancellor
- (B) The Deputy Vice-Chancellor
- (C) The Librarian or the officer undertaking this function, or his or her representative
- (D) The Executive Dean of the Faculty
- (E) The Directors of Research Institutes
- (F) Heads of Schools/Departments
- (G) One representative of each of the other faculties appointed by the Senate on the nomination of the boards of the faculties concerned.
- (H) Such members of the Academic Staff as may be appointed in such manner as shall be prescribed in the Ordinances
- (I) Students not exceeding six in number
- (J) Such persons, not exceeding six (whether or not Members of the University) as the Board, with the consent of the Senate, may co-opt.

Members of the board of a faculty, other than those who are members by virtue of their office, shall hold office for a period of up to four years ending on 30 September and shall be eligible for re-appointment or further co-option. In the event of a casual vacancy under any category a substitute member shall be appointed as soon as conveniently possible.

4. Membership of the Board of each Faculty may be varied at any time by the Council, on the recommendation of the Senate.
5. The Board of each Faculty shall have the following functions:
 - (A) To advise and report to the Senate on all matters relating to the organisation of education, teaching and research in the subjects of the Faculty, including curricula and examinations.
 - (B) To consider the progress and conduct of students in the Faculty and to report to the Senate thereon.
 - (C) To recommend to the Senate examiners for appointment or nomination.
 - (D) To consult with the Boards of the other Faculties on matters of mutual interest or concern, and if appropriate bring those matters to the attention of the Senate.
 - (E) To deal with any matter which may be referred to it by the Senate.
 - (F) To prepare a report on any matter when requested to do so by the Senate.
6. (A) The Board of a Faculty may establish committees to advise and report on such matters as may be determined by the Board.
 - (B) Any such committee may include members of the academic staff of other Faculties and other persons whether members of the University or not.
 - (C) Any committee established under this paragraph may be so composed and constituted as to be a joint committee of two or more Faculties.
 - (D) An Executive Dean of a Faculty shall be an ex-officio member of all committees established by the Board of the Faculty.
 - (E) Committees established under this paragraph may at any time be suspended or dissolved by any of the Boards by which they were established.
- (7) Subject to the Charter and this Ordinance, the Board of each Faculty, and any committees established under 6(A) above shall regulate its own affairs, such regulation to be set out in standing orders.

Schedule 1

There shall be the following faculties of the University: Arts, Humanities and Social Sciences, Computing, Engineering and Built Environment, Life and Health Sciences, Ulster University Business School.

Ordinance XXI The Joint Committee for the Award of Honorary Degrees

1. There shall be a Joint Committee of the Council and the Senate for the award of Honorary Degrees.

2. The composition of the Committee shall be: Chairman of the Council (Chairman), Vice-Chancellor, Three members (not being members of the Senate) appointed annually by the Council, Three members (not being members of the Council) appointed annually by the Senate.
3. Retiring members shall be eligible for re-appointment.
4. All members of the University shall be invited to submit, in confidence to the Joint Committee, through the Vice-Chancellor, nominations for Honorary Degrees, by the end of October annually. The Joint Committee shall consider whether Honorary Degrees shall be conferred during the year and if so, to whom and on what occasions. The Joint Committee shall forward its recommendations to the Senate by the end of February annually. The Joint Committee shall consider all nominations received but shall have power to make recommendations for the conferment of Honorary Degrees on its own initiative.
5. The Joint Committee shall have power to submit to the Senate at any time additional recommendations for the conferment of Honorary Degrees, notwithstanding any recommendations which it may have made under paragraph 4 of this Ordinance.
6. Recommendations by the Joint Committee for the award of Honorary Degrees shall specify in each case the grounds on which the particular degree is to be awarded.

Ordinance XXII

Validation and Service of Documents

1. No act or resolution of the Council, the Senate or of any Board or committee (however designated) constituted in accordance with these Ordinances 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.

Ordinance XXIII

Convocation

1. The Convocation of the University shall consist of the following persons, namely:
 - (A) The Chancellor, the Pro-Chancellors, the Vice-Chancellor, the Deputy Vice-Chancellor, the Provosts, the Executive Deans and the Chaplains.
 - (B) The members of the Academic and Academic-related Staff.
 - (C) The Graduates, including Honorary Graduates, and holders of diplomas and such other academic distinctions, awarded by either of the previous institutions or by the University, or by national or professional bodies, specifically:
 - i graduates of the University, of the New University of Ulster and of the Council for National Academic Awards who followed their degree course at the Ulster Polytechnic;
 - ii. holders of diplomas and certificates of the University, and of either of the two previous institutions, who have followed a course of study of not less than one year 's full-time (or equivalent) duration, including those who followed a prescribed course at the Ulster Polytechnic, or the University, leading to an award by a national or professional body.
 - (D) Such other persons holding appointments in the University as may be invited to membership by the Convocation.
2. The University shall ensure that a register of Convocation is maintained, which shall contain the names and addresses of members of the Convocation. Members shall be responsible for forwarding any change of name or address to the University.
3. An Annual General Meeting of members of the Convocation shall be held in April and, in accordance with rules prescribed by the Council, the meeting shall elect members

to an Executive Committee. The Executive Committee so elected shall consist of twelve members who shall serve for a period of four years, with three members retiring annually thereafter on a rotational basis. Retiring members shall be eligible for re-election. Notification of the date of the Annual General Meeting shall be through appropriate University communication methods.

4. The Executive Committee shall:

- (a) elect from its members a Chairman who shall serve as the Chairman of the Convocation for a period of two years. The Chairman shall not be eligible thereafter for election for a further period of office until one year has elapsed;
- (b) fill casual vacancies arising on the committee as soon as conveniently possible;
- (c) meet not less than twice in any year;
- (d) arrange such other meetings of members as it considers appropriate;
- (e) have standing orders for the effective conduct of its business.

5. The Convocation shall have the power to discuss and declare an opinion on any matter relating to the University, including matters which may be referred to it by the Council. Specifically, the Convocation will as a body be consulted, though its Executive Committee, on any matter that the Council has determined should be the subject of consultation.

6. The views of the Convocation, expressed through its Executive Committee, on any matter shall be considered by the Senior Leadership Team of the University.

7. The minutes of the Executive Committee of the Convocation shall be considered by the Senior Leadership Team who will respond to the Executive Committee in an appropriate manner.

Ordinance XXIV Removal from Office or Employment

1. The Chancellor, the Pro-Chancellors, the Honorary Treasurer and any other member of the Council (other than an ex officio member or a person to whom Statute IV applies) may be removed from office by the Council for good cause.

2. No person shall be removed from office under this Ordinance unless he or she shall have been given a reasonable opportunity of being heard in person by the Council and to be accompanied by a friend who shall also have the right to be heard.

3. 'Good Cause' in this Ordinance means:

- (a) conviction for an offence which may be deemed by the Council, as the case may be, to be such as to render the person convicted unfit for the execution of the duties of the office; or
- (b) conduct of an immoral, scandalous or disgraceful nature incompatible with the duties of the office; or
- (c) conduct constituting failure or persistent refusal or neglect or inability to perform the duties or comply with the conditions of office whether such failure results from physical or mental incapacity or otherwise.

Section 3 Academic Matters

Ordinance XXV Registered, Occasional, Associate and Affiliate Students

1. Registered students are persons who have been formally admitted to the University as candidates for a degree, diploma, certificate or other academic distinction of the University or of an appropriate national or professional body.

2. Occasional students are persons who have been formally admitted to the University to

pursue a course of study or research but who are not registered students.

3. Associate students are persons who have been formally admitted to an institution recognised under Ordinance XXVIII as candidates for an award of the University.
4. Affiliate students are:
 1. persons who have been formally admitted to an Affiliate College approved under Ordinance XXVIII to study franchised programmes developed and approved by the University. Persons admitted to an overseas Affiliate College will be known as Ulster University overseas students as a subcategory of affiliate students.
 2. persons admitted to the University to study an approved course at an Outcentre outside the UK or Ireland.
5. The effective date of formal admission of persons to the University under this Ordinance is the date of their initial enrolment as registered, occasional or affiliate students on their courses of study or research in accordance with the Regulations for the Enrolment of Students.
6. The Council and Senate shall prescribe by Ordinance and Regulation the rights and privileges which shall be accorded to registered, occasional, associate and affiliate students.
7. Registered, occasional, associate and affiliate students shall be subject to the Charter, Statutes, Ordinances and Regulations of the University.
8. A registered or occasional student shall cease to be a registered or occasional student:
 - (a) if he/she notifies the University of his/her withdrawal from his/her course of study or research, or, in the absence of such notification, is deemed by or on behalf of the Senate to have withdrawn;
 - (b) if he/she is required by or on behalf of the Senate to discontinue his/her studies;

(c) if he/she fails to enrol as prescribed, or if his/her enrolment is revoked in accordance with the Regulations for the Enrolment of Students.

9. An associate student shall cease to be an associate student:
 - (a) if he/she ceases to study for an award of the University at a partner institution;
 - (b) his/her status is revoked by or on behalf of the Senate and/or Council.
10. An affiliate student shall cease to be an affiliate student;
 - (a) if he/she withdraws from his/her course of study;
 - (b) his/her status is revoked by or on behalf of the Senate and/or Council.
 - (c) if he/she fails to enrol as prescribed, or if his/her enrolment is revoked in accordance with the Regulations for the Enrolment of Students.

Ordinance XXVI University Examinations

1. Examinations shall be conducted jointly by internal examiners appointed by the Senate, and by external examiners appointed by the Council on the recommendation of the Senate.
2. The procedures governing examinations shall be prescribed in Regulations.

Ordinance XXVII The Congregation

1. For the purpose of conferring Degrees and other academic distinctions there shall be held from time to time a meeting of the University, which shall be called a Congregation.
2. A Congregation shall be presided over by the Chancellor, or in his or her absence, the Vice-Chancellor.
3. The procedure for summoning a Congregation, for the presentation of graduands and for the conferring of Degrees and other academic distinctions in absentia and all other matters relating to Congregations, shall be determined by the Senate.

Ordinance XXVIII

Recognition of Institutions

1. The names of the educational institutions recognised by the University for the purpose of offering a course of study approved by the Senate and leading to the award of a Degree, Diploma, Certificate or other academic distinction of the University, and the awards to which the approved course of study shall lead, are specified in the Schedule to this Ordinance.
2. Subject to 3 below, the Senate may by resolution revoke, add to or amend the provisions of the Schedule.
3. The Senate may not by resolution under 2 above amend the Schedule by adding the name of an institution or by adding an award unless:
 - (a) It has reported to the Council that the academic standards of the institution and the facilities and other resources to be made available for the course of study are satisfactory;
 - (b) The University is satisfied that:
 - (i) The institution has been established on a permanent basis;
 - (ii) The buildings, equipment and financial position are satisfactory.
 - (c) The University has the right of inspection of the buildings and other facilities used or to be used in connection with the course of study.
4. The University shall specify processes for the approval and oversight of recognised institutions and of the courses which they may offer and for monitoring the standards and quality of the approved courses. The University shall keep under review the conditions under which recognition is granted, and may at any time, after report from the Senate, withdraw the recognition or impose further conditions for continued recognition.
5. The course of study offered by a recognised institution shall satisfy the following conditions:
 - (a) It shall be conducted by teachers acceptable to Senate
 - (b) The organisation of the course, the syllabuses, and the teaching and examining methods and arrangements shall be approved by the Senate and shall be subject to periodic review.
 - (c) All fees for the course shall be those specified by and paid to the recognised institution.
 - (d) The University shall levy on the recognised institution such charges as it considers appropriate in connection with the course.
 - (e) The rules for the conduct of examinations applicable to persons undertaking the course shall be acceptable to the University.
6. For each course there shall be a course committee which shall include the teachers of the course. The University may appoint one or more members of staff to participate in the work of the committee.
7. For each course, there shall be a board of examiners which shall include one or more external examiners, who shall not be members of the University or of the recognised institution, nominated by the Senate and appointed by the Council. The Degree, Diploma, Certificate or other academic distinction shall be awarded by the Senate on the recommendation of the board of examiners to candidates who have successfully completed the approved course of study.
8. Institutions recognised under this Ordinance may, on the recommendation of the Senate, be granted the title of Affiliate College. Affiliate Colleges shall be permitted to offer courses developed by the University. Students enrolled on a franchised course of study at an Affiliate College shall have the status of Affiliate Students of the University in accordance with the provisions of Ordinance XXV. Students enrolled on a franchised course of study at an Affiliate College based overseas shall be known as Ulster University overseas students as a sub-category of Affiliate students.
9. Students of a recognised institution other than Affiliate College enrolled on an approved

course of study shall have the status of Associate Students of the University in accordance with the provisions of Ordinance XXV.

10. For each recognised institution there shall be a Memorandum of Recognition, executed by or on behalf of the University and the recognised institution, and for each validated course offered under the terms of the Memorandum of Recognition there shall be a Recognition Agreement.

Affiliate Colleges

11. For each Affiliate College there shall be an Executive Board comprising staff of the University and the Affiliate College. The functions of the Board shall be to maintain strategic oversight of the Affiliate College partnership and report to the University.
12. Affiliate Colleges may only offer franchised courses. The University shall retain the right to amend or withdraw any franchised course and shall provide due notice to the Affiliate College.
13. Staff of the Affiliate College involved in the teaching, supervision, examination and assessment of a University course shall be Recognised Teachers of the University in accordance with the Regulation on Recognised Teachers.
14. The Affiliate College shall establish a course committee for each franchised course. The course committee shall report to the University course committee for the programme.
15. The University shall arrange the board of examiners for each franchised course.
16. For each Affiliate College there shall be a Memorandum of Recognition and a Contract for Services Agreement executed by or on behalf of the University and the Affiliate College and there shall be a Franchise Agreement for each course offered under the terms of the Memorandum of Recognition and the Contract for Services Agreement.

Ordinance XXIX Degrees, Diplomas, Certificates and Other Academic Distinctions

1. The University may confer the following honorary degrees:
 Doctor of Fine Arts (DFA)
 Doctor of Laws (LLD)
 Doctor of Letters (DLitt)
 Doctor of Science (DSc)
 Doctor of the University (DUniv)
 Master of the University (MUniv)
 The University may also confer as honorary degrees those degrees which are listed in the Schedule to this Ordinance as awards which may be conferred upon registered students. The procedures for the nomination and approval of candidates for honorary degrees shall be prescribed in Ordinance.

2. The University may confer the following degrees upon Graduates or members of staff of the University in recognition of distinguished contributions to scholarship or original research:
 Doctor of Letters (DLitt)
 Doctor of Science (DSc)
 Doctor of Fine Arts (DFA)
 Doctor of Laws (LLD)

Applications for the degree of DLitt, DFA or LLD or of DSc may be submitted not less than six years after first graduation in the University, or in the case of members of staff who are not graduates of the University, not less than six years after taking up appointment. Periods since graduation on completion of a degree course at the New University of Ulster or the Ulster Polytechnic, or since appointment as a member of staff of either institution, may be accepted for the purpose of meeting this requirement. The procedures for the consideration of applications for higher doctorates shall be prescribed in regulations.

3. Degrees, diplomas, certificates and other academic distinctions listed in the Schedule to this Ordinance, may be granted and conferred in the name of the University or jointly with another institution recognised in accordance with clause 5 below, upon candidates who have:

- (a) been admitted to approved courses of study or research;
 - (b) registered as students, associate students or affiliate students of the University;
 - (c) enrolled annually for their approved courses of study or research;
 - (d) satisfied the examiners for their approved courses of study or research;
 - (e) complied with such regulations applying to their courses of study or research as shall be approved by the Senate.
4. Degrees (other than honorary degrees) and diplomas, certificates and other academic distinctions listed in the Schedule shall be granted and conferred by the authority of the Senate on the recommendation of the appropriate board of examiners.
 5. The names of the institutions recognised by the University for the purpose of offering a course of study or research approved by the Senate and leading to the award of a Joint Degree, Diploma, Certificate or other academic distinction of the University, and the awards to which the approved courses of study shall lead, are specified in the Schedule appended to this Ordinance.
 6. Subject to 7 below, the Senate may by resolution revoke, add to or amend the provisions of the Schedule.
 7. The Senate may not by resolution under 6 above amend the Schedule by adding the name of an institution or by adding an award unless it has reported to the Council that the course of study or research is satisfactory.
 8. The University shall keep under review the conditions under which recognition is granted, under 5 above, and may at any time, after report from the Senate, withdraw the recognition or impose further conditions for continued recognition.

SCHEDULE

DEGREES

Associate Bachelor's degree (AB)
 Foundation degree in Arts (FdA)
 Foundation degree in Engineering (FdEng)
 Foundation degree in Science (FdSc)

Bachelor of Arts (BA)
 Bachelor of Design (BDes)
 Bachelor of Engineering (BEng)
 Bachelor of Laws (LLB)
 Bachelor of Music (BMus)
 Bachelor of Science (BSc)

Master of Architecture (MArch)
 Master of Arts (MA)
 Master of Biomedical Science (MBiomedSci)
 Master of Business Administration (MBA)
 Master of Chiropractic (MChiro)
 Master of Clinical Research (MClinRes)
 Master of Design (MDes)
 Master of Education (MEd)
 Master of Engineering (MEng)
 Master of Fine Art (MFA)
 Master of Landscape Architecture (MLA)
 Master of Laws (LLM)
 Master of Medical Science (MMedSc)
 Master of Music (MMus)
 Master of Optometry (MOptom)
 Master of Pharmacy (MPharm)
 Master of Philosophy (MPhil)
 Master of Public Administration (MPA)
 Master of Research (MRes)
 Master of Science (MSc)
 Master of Science (MSci)

Doctor of Biological Science (DBiolSc)
 Doctor of Education (EdD)
 Doctor of Engineering (DEng)
 Doctor of Environmental Science (DEnvSc)
 Doctor of Informatics (DInf)
 Doctor of Management (DMan)
 Doctor of Medical Science (DMedSc)
 Doctor of Medicine (MD)
 Doctor of Nursing Science (DNSc)
 Doctor of Philosophy (PhD)
 Doctor of Philosophy by Published Work (PhD by Published Work)
 Doctor of Technology (DTech)

DIPLOMAS

Access Diploma (AccDip)
 Diploma (Dip)
 Advanced Diploma (AdvDip)
 Graduate Diploma (GradDip)
 Postgraduate Diploma (PgDip)

CERTIFICATES

Certificate of Personal and Professional Development
 Certificate (Cert)
 Certificate of Higher Education (CertHE)
 Advanced Certificate (AdvCert)
 Graduate Certificate (GradCert)
 Postgraduate Certificate (PgCert)
 Postgraduate Certificate of Professional Development
 Postgraduate Certificate of Education (PGCE)

JOINT AWARDS

Institute of Technology, Sligo:
 BSc Hons Applied Medical Sciences

Letterkenny Institute of Technology:
 MSc Innovation Management in the Public Service

University College Dublin (NUI):
 Postgraduate Certificate in Veterinary Public Health
 Postgraduate Certificate in Food Regulatory Affairs
 Postgraduate Diploma in Food Regulatory Affairs
 Master of Science in Food Regulatory Affairs
 Postgraduate Diploma in Food Regulatory Affairs (Veterinary Public Health)
 Master of Science in Food Regulatory Affairs (Veterinary Public Health)
 Jordan University of Science and Technology (JUST)
 Doctor of Philosophy
 University Pierre et Marie Curie Sorbonne:
 PhD co-tutelle

Section 4 Staffing Matters**Ordinance XXX****Academic and other Appointments**

1. Subject to Article 14 of the Charter and to the Statutes and these Ordinances, the Council shall, on the recommendation of the Senate, appoint such Academic Staff as it may deem necessary for the efficient functioning of the University with such duties and (subject to Statute IV) upon such terms and conditions as the Council may prescribe.
2. Subject to the Statutes and these Ordinances, the Council may make all such other appointments (whether paid or honorary) as it may think fit.
3. Unless otherwise provided by the Statutes or the Ordinances or in his or her conditions of appointment, an employee of the University may resign by writing addressed to the Council.

Ordinance XXXI**Appointment of Deputy Vice-Chancellor, Pro-Vice-Chancellors, Deans of Faculties and Provosts**

1. The appointment of Deputy Vice-Chancellor and Pro-Vice-Chancellors shall be made by a Committee which shall comprise: the Vice-Chancellor, a Pro-Chancellor, an independent member of Council and a member of Senate and such other person as the Vice-Chancellor in consultation with the Chair of Council shall determine. The Committee shall be chaired by the Vice-Chancellor or the Chair of Council.
2. The appointment of Executive Deans of Faculties shall be made by a committee which shall comprise the Vice-Chancellor and/or the Deputy Vice-Chancellor, a Pro-Vice-Chancellor and an independent member of Council and such other person as the Vice-Chancellor in consultation with the Chair of Council shall determine. The Committee shall be chaired by the Vice-Chancellor or the Chair of Council.

3. The appointment of Provosts shall be made by a committee which shall comprise the Vice-Chancellor and/or the Deputy Vice-Chancellor, a Pro-Vice-Chancellor and such other person as the Vice-Chancellor in consultation with the Chair of Council shall determine. The Committee shall be chaired by the Vice-Chancellor or the Chair of Council.

Ordinance XXXII Retirement and Resignation

1. Members of the University who are in the employment of the University shall retire from office or employment in accordance with existing legislation.
2. Any member of the University who is in the employment of the University may, with the consent of the University, retire from his/her office or employment after his/her 60th birthday and before the normal retirement date by giving at least three months' notice in writing to the Council or to such officer as the Council may nominate.
3. The Council shall have the power to vary the retirement date in accordance with such nationally or locally agreed schemes as may from time to time be introduced. In any event, the retirement of a member of the University under the age of 50 shall not be permitted.
4. Nothing in the preceding paragraphs shall prevent the retirement of a member of staff on the grounds of ill-health.
5. Members of the University who are in the employment of the University may resign their appointment at any time on giving at least three months' notice in writing to the Council or to such officer as the Council may nominate.

Ordinance XXXIII Rotational Post Ordinance Pursuant to Statute IV Part I Paragraph 5

1. Part I Application, Scope and General Provisions

- 1.1. This Ordinance is made under Part I paragraph

5 of Statute IV of the University's Statutes and applies to any post of Deputy Vice-Chancellor, Pro-Vice-Chancellor, Provost, Executive Dean, Head of School, Associate Dean, Associate Head of School, Director of Research Institute or such other post designated by the University and which is distinct from the member of staff's substantive post with the University, with the exception of the Vice-Chancellor. In this Ordinance such a post is referred to as a "Rotational Post" and the holder of such a post is referred to as the "Post Holder".

- 1.2. This Ordinance applies where the University proposes to terminate a Rotational Post before the normal expiry or termination date of such post, and sets out the procedure to be adopted in such circumstances.
- 1.3. Termination of a Rotational Post pursuant to this Ordinance shall not operate to terminate the applicable Post Holder's substantive post. However, where a Post Holder holds both a substantive post and a Rotational Post, the termination of the Post Holder's substantive post shall result in the automatic termination of the Post Holder's Rotational Post without reference to this Ordinance.
- 1.4. In this Ordinance the Appropriate Person will normally be:
 - (a) for Associate Deans, Heads of School, Associate Heads of School, Directors of Research Institute: a Dean;
 - (b) for Executive Deans, Deputy Vice-Chancellor, Pro-Vice-Chancellors and Provosts: the Vice Chancellor.

In relation to 1.4 (a), Vice-Chancellor or his/her nominee will determine the Appropriate Person in each case.

- 1.5. In this Ordinance the Appeal Panel will normally be:
 - (a) for Associate Deans, Heads of School, Associate Heads of School, Directors of Research Institute: a Deputy Vice-Chancellor, and an elected member of Senate;

- (b) for Executive Deans, Deputy Vice-Chancellor, Pro-Vice Chancellors and Provosts: a Pro-Chancellor and an elected member of Senate.

The identity of the Appeal Panel will be determined in each case by the Vice-Chancellor or his/her nominee.

1.6. At any meeting convened under Parts II and III of this Ordinance the Post Holder has the right to be accompanied by a work colleague or by a trade union representative, but no right to be accompanied by a legal representative. The Post Holder's chosen work colleague or trade union representative may make representations on behalf of the Post Holder at the meeting and may ask questions, but may not answer questions on behalf of the Post Holder.

1.7. The Post Holder must take all reasonable steps to attend any meetings arranged under Parts II and III of this Ordinance and/or any adjournment or postponement of such meetings. If the Post Holder or the Post Holder's chosen work colleague or trade union representative cannot attend at the time specified for a meeting, the Post Holder must inform the University's People and Culture Department immediately, and the University will make reasonable efforts to arrange an alternative time. Normally only one postponement will be granted in line with LRA guidance/Code of Practice.

2. Part II Procedure

2.1 Where the University considers that it may be appropriate to terminate a Post Holder's Rotational Post before the normal expiry or termination of the Rotational Post, the University will write to the Post Holder, informing the Post Holder of the proposed termination and the reasons for it, and will invite the Post Holder to attend a meeting to discuss the matter further. The Post Holder will be informed of the identity of the Appropriate Person and of his or her right to be accompanied to the meeting in accordance with paragraph 1.6 above.

2.2 The meeting described under paragraph 2.1 above will be chaired by the Appropriate Person, who will be accompanied at any meeting by a member of the University's People and Culture Department, acting in an advisory capacity.

2.3 The procedure to be followed at the meeting shall be at the discretion of the Appropriate Person, but shall include:

- (a) the reasons for the proposed termination of the Rotational Post being put to the Post Holder; and
- (b) the Post Holder having an opportunity to respond to the proposal.

The Appropriate Person may adjourn any meeting described under paragraph 2.1 and reconvene it at a later date if the Appropriate Person needs to carry out investigations.

2.4 The decision of the Appropriate Person whether to terminate the Post Holder's Rotational Post shall be given in writing and sent to the Post Holder, normally within ten working days of the meeting, or, where the meeting has been adjourned and reconvened, normally within ten working days of the final reconvened meeting. The Appropriate Person will also provide the Post Holder with the reasons for the decision that he or she has reached and, if the decision has been taken to terminate the Rotational Post, the Appropriate Person will also confirm the Post Holder's right of appeal under this Ordinance.

3. Part III Appeals

3.1 If the Post Holder is unhappy with the decision taken and communicated by the Appropriate Person under paragraph 2.4 and wishes to appeal, he or she must do so in writing to the University's People and Culture Department within ten working days of the date on which the Post Holder was informed of the relevant decision. The Post Holder must set out his or her grounds of appeal in writing and refer to the initiation of the appeals part of this Ordinance.

- 3.2 The Post Holder will be invited to attend an appeal meeting, which will normally take place within ten working days of receipt by the University of the Appeal. The Post Holder will be informed of the composition of the Appeal Panel and of his or her right to be accompanied to the meeting in accordance with paragraph 1.6 above.
- 3.3 The appeal will be heard by the Appeal Panel, who will be accompanied at any meeting by a member of the University's People and Culture Department, acting in an advisory capacity.
- 3.4 The procedure to be followed at the appeal meeting shall be at the discretion of the Appeal Panel. The Appeal Panel may adjourn the appeal meeting and reconvene it at a later date if the Appeal Panel needs to carry out investigations.
- 3.5 The Appeal Panel will notify the Post Holder of its decision in writing, normally within ten working days of the appeal meeting, or, where the appeal meeting has been adjourned and reconvened, normally within ten working days of the final reconvened appeal meeting. The Appeal Panel will also provide the Post Holder with the reasons for the decision that it has reached. The decision of the Appeal Panel will be final.

Ordinance XXXIV

Redundancy Ordinance Pursuant to Statute IV Part II

1. Part I Policy Statement, General Principles and Interpretation

- 1.1. It is the policy of the University to consider any and all means of maintaining employment for University staff, providing a stable work environment and reasonable security of employment where practicable. The University however acknowledges that changes in competitive conditions, organisational requirements and technological developments may require organisational restructuring and reshaping, which may necessitate redundancies. Whilst the University would wish to avoid redundancies wherever possible, this Ordinance is designed to be applied whenever the potential for redundancies arises. The application of this Ordinance will be done in conjunction with the University's Redundancy Policy/Procedure.
- 1.2. This Ordinance in managing potential redundancy situations shall invoke the principles and steps that are contained within the University's Redundancy Policy/Procedures which manages all aspects of redundancy. Where practical and appropriate, the University will seek to avoid redundancies through measures such as redeployment, early retirement, voluntary redundancy, restrictions on recruitment, attrition, reviewing any overtime etc.
- 1.3. This redundancy Ordinance is made under Part II of Statute IV of the University's Statutes and applies to all members of staff of the University, regardless of length of service with the exception of the Vice-Chancellor.
- 1.4. References to "Appropriate Person/Panel" in Statute IV of the University's Statutes means the Redundancy Manager or Panel (as appropriate) as defined by paragraph 3.2, or the Appeal Panel as defined by paragraph 4.2, as the circumstances require.
- 1.5. This Ordinance shall not apply to:
- (a) removal from an appointment 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;
 - (b) academic and academic-related members of staff appointed prior to, and not promoted after, 20 November 1987;
 - (c) the proposed dismissal of a member of staff where that dismissal would arise as a consequence of the expiry without renewal of a contract of limited duration, unless, under the terms of the University's Fixed Term Employees Policy, this Ordinance is expressly stated to apply; or

- (d) the proposed non-confirmation in post of a member of staff in probation.

1.6. In this Ordinance the terms 'redundancy' and 'redundant' refer to the termination, or possible termination, of employment which is wholly or mainly attributable to:

- (a) the fact that the University has ceased or intends to cease:
 - (i) to carry on the business for the purposes of which the member of staff was employed by the University; or
 - (ii) to carry on that business in the place where the member of staff was employed; or
- (b) the fact that the requirements of the University:
 - (i) for members of staff to carry out work of a particular kind; or
 - (ii) for members of staff to carry out work of a particular kind in the place where the member of staff was employed by the University has ceased or diminished, or are expected to cease or diminish.

1.7. At any meeting convened under Parts 3 and 4 of this Ordinance, the member of staff has the right to be accompanied by a work colleague or by a trade union representative, but no right to be accompanied by a legal representative. The member of staff's chosen work colleague or trade union representative may make representations on behalf of the member of staff at the meeting and may ask questions, but may not answer questions on behalf of the member of staff.

2. Part II Consultation with Appropriate Representatives

2.1. Where it is possible that members of staff may be made redundant, the University will, at an early stage and prior to any such redundancies taking effect in line with the University's Redundancy Policy/Procedures consult with appropriate representatives of affected employees in accordance with and

to the extent required by section 216 of the Employment Rights (Northern Ireland) Order 1996.

3. Part III Redundancy Procedure

Commencing the Procedure

3.1. The question of whether it is necessary for the University to implement redundancies will be determined by the University in line with Statute IV para 11 (a) and will be carried out in compliance with the University's Redundancy Policy/Procedures and this Redundancy Ordinance.

3.2. Where the University determines that it is necessary to implement redundancies in accordance with the definitions in Statute IV paragraph 11(a), the University will appoint an appropriate person /panel to oversee the procedure and to make decisions. In relation to 11 a (i) and (ii) the University will appoint an appropriate panel and in relation to 11 a (iii) the University will appoint an appropriate person. The Vice-Chancellor or his or her delegate will determine an appropriate person or composition of the panel, normally consisting of three members of the University. The appointment of the appropriate person/panel will be dependent on the level of seniority and the role of the affected member or members of staff, and the area or areas of the University affected by the proposals. The appropriate person/panel will be accompanied at all meetings held under this Ordinance by a member of the University's People and Culture Department, to service the process.

Volunteers for Redundancy

3.3. The appropriate person/panel will inform all affected members of staff and their respective representatives of the proposed redundancies. Volunteers for redundancy may be invited from members of staff within the same employment category of staff as those affected by the redundancy proposals. The appropriate person/panel reserves the right to refuse volunteers for redundancy.

Selection Pools and Selection Criteria

3.4. If the appropriate person/panel determines

that it is not appropriate to invite volunteers for redundancy or if there are insufficient agreed voluntary redundancies, the appropriate person/panel will determine:

- (a) which members of staff are potentially affected by the redundancy proposals; and
- (b) whether the proposed redundancy or redundancies will be effected by reference to appropriate selection criteria to be applied to the pool of staff members affected by the proposals, or whether the application of such selection criteria is unnecessary (because each member of staff affected by the redundancy proposals is at risk of redundancy).

Where the appropriate person/panel determines that the application of selection criteria is unnecessary, this Ordinance will continue from paragraph 3.8.

3.5. Where the appropriate person/panel determines that the proposed redundancy or redundancies will be effected by applying appropriate selection criteria to the pool or pools of staff members affected by the proposals, the Appropriate person/panel will determine which staff members fall within such selection pool or pools (**Selection Pool**) and the appropriate selection criteria to be applied to the Selection Pool (**Selection Criteria**). In arriving at such determinations, the appropriate person/panel will consider representations on both issues from the line manager or managers of the members of staff affected by the proposed redundancies and from the appropriate staff representatives.

3.6. Once the appropriate person/panel has determined the Selection Pool(s) and the Selection Criteria (see paragraph 3.5 above), the University's People and Culture Department will write to each affected member of staff and inform him or her of his or her inclusion in the relevant Selection Pool and of the relevant Selection Criteria. The appropriate person/panel will consider representations from members of staff within

a Selection Pool about the Selection Criteria before applying the Selection Criteria to a Selection Pool.

3.7. Having considered any representations made by members of staff described in paragraph 3.6 above, the appropriate person/panel will apply the Selection Criteria to the relevant Selection Pool. In so applying the Selection Criteria, the appropriate person/panel will, where appropriate, invite representations from the line manager or managers of the members of staff within the Selection Pool. The members of staff identified by reference to the application of the Selection Criteria will be provisionally selected for redundancy. Any member of staff who is provisionally selected for redundancy shall be notified in writing and provided with written details of his or her assessment against the Selection Criteria. Any member of staff who is not provisionally selected for redundancy shall be advised in writing that, although not provisionally selected for redundancy at this stage, that the position could change as a result of meetings held under this Ordinance, including under Part 4.

Individual Consultation

3.8. Each member of staff who is provisionally selected for redundancy shall be invited in writing to attend a consultation meeting with the appropriate person/panel. The member of staff will be:

- (a) informed of the identity of the appropriate person/panel;
- (b) informed of his or her right to be accompanied to the consultation meeting in accordance with paragraph 1.7;
- (c) notified of the purpose of the consultation meeting and that the appropriate person/panel will ask the member of staff to comment on his or her provisional selection for redundancy; and
- (d) where, under paragraphs 3.6 and 3.7, the Selection Criteria has been applied

to the member of staff, provided with details of the relevant Selection Pool and Selection Criteria, and of the member of staff's score as against the Selection Criteria.

3.9. The purpose of the initial consultation meeting with the appropriate person/panel is for the appropriate person/panel to explain to the member of staff the reason that the University has proposed to bring about redundancies, to discuss the member of staff's provisional selection for redundancy and to explore ways in which redundancy may be avoided, including any opportunities for redeployment within the University. The appropriate person/panel and the member of staff will meet more than once during the consultation period prior to any decision being reached regarding the member of staff's employment. Throughout the consultation period, the University will explore ways to avoid the member of staff's redundancy, make efforts to find suitable alternative employment for the member of staff and take into consideration any representations made by or on behalf of the member of staff.

3.10. The member of staff will be encouraged to make representations to the appropriate person/panel at the consultation meetings regarding:

- (a) his or her views on ways in which redundancy may be avoided;
- (b) his or her selection for redundancy; and
- (c) any alternative employment identified by the University or by the member of staff.

3.11. The member of staff must take all reasonable steps to attend any consultation meetings arranged in accordance with paragraph 3.9. If the member of staff or the member of staff's chosen work colleague or trade union representative cannot attend at the time specified for the meeting, the member of staff must inform the University's People and Culture Department immediately, and the University will make reasonable efforts to arrange an alternative time.

3.12. The procedure to be followed at any consultation meetings arranged in accordance with paragraph 3.9 shall be determined by the appropriate person/panel.

Confirmation of Decision

3.13. Following the final consultation meeting, the appropriate person/panel will confirm in writing to the member of staff whether or not his or her employment will terminate by reason of redundancy. Where a member of staff is dismissed by reason of redundancy, the appropriate person/panel will confirm to the member of staff the reasons for the redundancy and the member of staff's right of appeal in accordance with Part 4 of this Ordinance.

4. Part IV Appeals

General Principles

4.1. If the member of staff wishes to appeal against his or her dismissal under Part 3 of this Ordinance, he or she should do so in writing to the People and Culture Department within 10 working days of the date on which the member of staff was informed of the dismissal. The member of staff must set out his or her grounds of appeal in writing and refer to the initiation of the appeals part of this Ordinance.

4.2. The Vice-Chancellor or his or her delegate will determine appropriate personnel to hear the appeal, consisting of three members of the University (the **Appeal Panel**). The Appeal Panel will comprise of a senior member of staff, a lay person of Council and an elected member of Senate. The Appeal Panel will be accompanied at any appeal meeting by a member of the University's People and Culture Department, to service the process.

4.3. The member of staff will be invited to attend an appeal meeting, which will normally take place within 10 working days of receipt by the University of the appeal. The member of staff will be informed of the composition of the Appeal Panel and of his or her right to be accompanied to the meeting in accordance with paragraph 1.7 above.

4.4. The member of staff must take all reasonable steps to attend the appeal meeting and/or any adjournment or postponement of such meeting. If the member of staff or the member of staff's chosen work colleague or trade union representative cannot attend at the time specified for the appeal meeting, the member of staff must inform the University's People and Culture Department immediately, and the University will make reasonable efforts to arrange an alternative time.

The Appeal Meeting

4.5. The appeal meeting shall normally take the form of a re-hearing of the matter.

4.6. At the appeal meeting, the Appeal Panel will consider representations made by the member of staff and his/her representative and by the appropriate person/panel. The Appeal Panel will not consider appeals against the Council's original determination of the need to implement redundancies referred to in paragraph 3.1 above.

4.7. The appeal meeting may be adjourned and reconvened at a later date if the Appeal Panel needs to carry out additional investigations.

Confirmation of Outcome of Appeal Meeting

4.8. The Appeal Panel will notify the member of staff of its decision in writing, normally within 10 working days of the appeal meeting, or, where the appeal meeting has been adjourned and reconvened, normally within 10 working days of the final reconvened appeal meeting. The Appeal Panel will also provide the member of staff with the reasons for the decision that it has reached. The Appeal Panel's decision will be final.

Ordinance XXXV Staff Disciplinary Ordinance Pursuant to Statute IV Part III

1. Part I General Principles and Interpretation

1.1. This disciplinary Ordinance is made under Part III of Statute IV of the University's Statutes and applies to all members of staff of

the University, regardless of length of service with the exception of the Vice-Chancellor.

1.2. This Ordinance shall not apply to:

- (a) removal from an appointment 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;
- (b) the proposed dismissal of a member of staff for redundancy reasons;
- (c) subject to the provisions of paragraph 1.14 below, the proposed dismissal of a member of staff due to ill health;
- (d) the proposed dismissal of a member of staff where that dismissal would arise as a consequence of the expiry without renewal of a contract of limited duration;
- (e) the proposed non-confirmation in post of a member of staff in probation.

1.3. References to "Appropriate Person" in Statute IV of the University's Statutes means the Disciplinary Chair as defined by paragraph 2.1, or the Appeal Chair or Appeal Panel (as appropriate) as defined by paragraph 3.2, as the circumstances require.

1.4. Good conduct is essential for the efficient and orderly operation of the University's activities and to ensure the safety and well-being of members of the University and its associates. The purpose of this Ordinance is to provide a constructive framework for dealing with staff conduct and to ensure that disciplinary action, where necessary, is taken fairly and consistently. All steps under this Ordinance will be taken, by all parties, without undue delay. Any time limits in this Ordinance may be extended by the University if it is reasonable to do so.

1.5. At any hearing or meeting convened under Parts 2 or 3 of this Ordinance the member of staff has the right to be accompanied by a work

colleague or by a trade union representative, but no right to be accompanied by a legal representative. The member of staff's chosen work colleague or trade union representative may make representations on behalf of the member of staff at the meeting or hearing and may ask questions, but may not answer questions on behalf of the member of staff.

- 1.6. Prior to the initiation of Part 2 of this Ordinance, it may be appropriate to seek to address concerns regarding minor misconduct through informal discussion. Such discussions will be initiated by the member of staff's line manager and should be held in private and without undue delay whenever there is cause for concern. If such informal discussion does not lead to an improvement in conduct or if informal discussion is not appropriate (for example, because of the seriousness of the alleged misconduct), the formal part of this Ordinance (contained in Part 2) may be invoked.

Investigations and Suspensions

- 1.7 Where the University becomes aware of a potential issue of misconduct it will carry out an investigation to establish whether it is appropriate to take further action under this Ordinance. The investigation will be carried out by the member of staff's line manager or an alternative manager, as appropriate and as determined by the University's People and Culture Department; the investigating officer will decide if formal proceedings under Part 2 of this Ordinance should commence.
- 1.8 Investigative interviews are solely for the purpose of fact finding and do not constitute formal action under Part 2 of this Ordinance. A member of staff has the right to be accompanied by a work colleague or a trade union representative at an investigative interview, but no right to be accompanied by a legal representative.
- 1.9 In circumstances where the alleged offence is of a serious nature or where the member of staff's continued presence at the University would or is likely to hinder an investigation

or the smooth running of the disciplinary process, the member of staff may be suspended from work with full pay while an investigation or disciplinary procedure is ongoing. The suspension will be for no longer than necessary and the member of staff will be informed of the appropriate arrangements. While suspended, the member of staff must not visit University premises or contact any of the University's members of staff or students, unless expressly authorised in writing.

Examples of Misconduct

- 1.10 The following list gives examples of behaviour which may constitute misconduct and which may lead to disciplinary action under this Ordinance, including, where appropriate, dismissal (with or without notice). This list is not intended to be exhaustive:

Minor Misconduct

- unauthorised absence or poor timekeeping;
- failure to comply with a reasonable request or instruction

Major Misconduct

- failure, refusal, neglect or inability to perform some or all of the duties of the member of staff's job, and/or to comply with his or her terms and conditions of employment;
- behaving in such a way as to impinge upon the reputation and standing of the University and/or the faculty in which the member of staff is employed, including misuse of the University's name;
- material disruption of, or serious improper interference with, the activities of the University or of any member of staff, student, Council member or visitor (other than lawful industrial action);
- undertaking paid work detrimental to or in conflict with the University's interests without the University's permission;

Gross Misconduct

- failure to adhere to all aspects of the University's Bullying and Harassment and

Equal Opportunities policies, including discrimination or harassment against any student or member of staff of the University, or any visitor to the University, on the basis of gender, sexual orientation, marital or civil partner status, gender reassignment, race, religion or belief, colour, nationality, ethnic or national origin, disability or age, pregnancy, part-time or a fixed-term status;

- conduct amounting to a criminal offence, even where the member of staff has not been charged or convicted of any such criminal offence and whether committed on University premises or elsewhere;
- breach of any of the provisions of the University Statutes, Ordinances and Regulations, or any of its policies, codes or procedures with which the member of staff is to comply, such as those dealing with financial matters, Public Interest Disclosure, Data Protection, smoking in the workplace, and other such policies, codes and procedures;
- action likely to cause injury or impair safety on University premises, or infringement of the University's Health and Safety policy;
- wilful damage to, or improper or unauthorised use of, University facilities, premises, property or equipment;
- violent, indecent, sectarian, disorderly, threatening, abusive, behaviour or language (whether in written or verbal form, or any other such form);
- working in the University or on University business whilst under the influence of alcohol or non-prescription substances;
- forming inappropriate or intimate relationships with students of the University and as a consequence applying improper bias or unwanted influence in relation to students, whether relating to admission, assessment or otherwise;
- any form of dishonesty, deception, misappropriation of University monies, fraud or

any other form of dishonesty in relation to the University or any related activity, including research and examining;

- behaving in a negligent manner which causes or might cause unacceptable loss, damage or injury;
- theft, misappropriation or misuse of University property, or the property of the University's staff, students or visitors, including intellectual property, or whilst on University business;

Clinical Academic Staff

1.11 This Ordinance applies to a member of the University's clinical 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 on the same basis as to any other member of staff, apart from as set out in paragraphs 1.12, 1.13 and 1.14 below.

1.12 Where the registration, contract or status referred to in paragraph 1.11 above is terminated, withdrawn or revoked, the Vice-Chancellor or his or her delegate may, having first afforded an opportunity to the member of staff concerned to make representations, dismiss the member of staff concerned without reference to the formal procedure set out in Parts 2 and 3.

1.13 Where the registration, contract or status referred to in paragraph 1.11 above is suspended by the relevant body, the Vice-Chancellor or his or her delegate may, without reference to the formal procedure set out in Parts 2 and 3, but having first afforded an opportunity to the member of staff concerned to make representations, suspend the member of staff from employment with the University 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.

1.14 Where sanctions other than removal or suspension have been applied to the registration, contract or status including 'conditions of practice' referred to in paragraph 1.11 above, the Vice-Chancellor or his or her delegate may, without reference to the formal procedure set out in Parts 2 and 3, but first having afforded an opportunity to the member of staff concerned to make representations, suspend the member of staff from employment with the University for so long as the sanctions, other than removal or suspension, have been applied to the registration, contract or status including 'conditions of practice', to enable the investigation to proceed.

Medical Incapacity

1.15 Where it emerges that a member of staff's conduct may have been wholly or partly attributable to a medical condition, the University may postpone or adjourn any hearing or meeting under Parts 2 and 3 of this Ordinance to allow investigation of the member of staff's condition and/or may:

- (a) decide that no further action should be taken under this Ordinance; or
- (b) decide that it is appropriate to continue to address the matter under this Ordinance, taking into account the member of staff's medical condition as appropriate.

2. Part II Formal Procedure

General Principles

2.1. Where disciplinary proceedings are commenced against a member of staff under this Part 2, the University's People and Culture Department will determine an appropriate manager to conduct the disciplinary hearing (**Disciplinary Chair**). The identity of the Disciplinary Chair will be dependent on the member of staff's level of seniority. The Disciplinary Chair will not have been involved in the disciplinary matter to date. The Disciplinary Chair will be accompanied at any disciplinary hearing by a member of the University's People and Culture Department, to service the disciplinary process.

2.2. Where disciplinary proceedings are commenced against a member of staff under

Part 2 of this Ordinance, the member of staff will be informed in writing at least 5 working days in advance of the hearing of the following:

- (a) the nature of the alleged misconduct including the charges to be answered, the possible sanction which could be imposed and that the member of staff is required to attend a disciplinary hearing to discuss the alleged misconduct;
- (b) the proposed date on which the hearing will take place and the identity of the Disciplinary Chair; and
- (c) that the member of staff has the right to be accompanied to the hearing in accordance with paragraph 1.5 above.

Where a member of staff has already received a final written warning which is not spent and which relates to conduct, or where the alleged misconduct is of a very serious nature, the member of staff will also be informed in writing that dismissal is a possible outcome of the hearing.

2.3. Prior to the hearing, the member of staff will also be provided with:

- (a) copies of any documents which will be referred to at the disciplinary hearing by the University; and
- (b) where appropriate, any witness statements which will be used at the hearing, except where a witness's identity is to be kept confidential, in which case the member of staff will receive as much information as possible whilst maintaining that confidentiality.

2.4. The member of staff must, at least 72 hours before the disciplinary hearing, provide to the University's People and Culture Department any evidence to which the member of staff intends to refer in his or her defence or mitigation, including the names of any witnesses and copies of their witness statements.

2.5. The member of staff must take all reasonable steps to attend any disciplinary hearings arranged under Part 2 of this Ordinance and/or any adjournment or postponement of such hearings. If the member of staff or the member of staff's chosen work colleague or trade union representative cannot attend at the time specified for a hearing, the member of staff must inform the University's People and Culture Department immediately, and the University will make reasonable efforts to arrange an alternative time. Normally only one postponement will be granted in line with LRA guidance / Code of Practice.

The Disciplinary Hearing

2.6. The purpose of the disciplinary hearing is to review the evidence and to enable the member of staff to respond to the allegations that have been made against him or her.

2.7. The procedure to be followed at the disciplinary hearing shall be at the discretion of the Disciplinary Chair, but shall include:

- (a) the allegations of misconduct being put to the member of staff;
- (b) the member of staff having an opportunity to respond to the allegations and set out his or her case;
- (c) an opportunity to allow the Disciplinary Chair to question any witness who is providing information on behalf of either the University or the member of staff; and
- (d) an opportunity to allow the member of staff (and/or his or her representative in line with paragraph 1.5) to respond to the Disciplinary Chair in respect of any evidence given by witnesses on behalf of the University and to question witnesses through the Disciplinary Chair

2.8. The disciplinary hearing may be adjourned and reconvened at a later date if the Disciplinary Chair needs to carry out additional investigations.

Confirmation of Outcome of Disciplinary Hearing

2.9. The Disciplinary Chair will confirm the outcome of the disciplinary hearing to the member of staff in writing, normally within 10 working days following the disciplinary hearing, or, where the disciplinary hearing has been adjourned and reconvened, normally within 10 working days following the final reconvened disciplinary hearing. The Disciplinary Chair will also provide the member of staff with the reasons for the decision that he or she has reached. If a disciplinary sanction has been imposed (in accordance with paragraph 2.10 below) the member of staff will be informed of the period that the warning will remain active and the consequences of further misconduct, and will be informed of his or her right of appeal in accordance with Part 3 of this Ordinance.

2.10. If the Disciplinary Chair concludes, following the hearing (including any reconvened hearings following any adjournments, as necessary), that misconduct has occurred, the Disciplinary Chair will impose an appropriate sanction. The Disciplinary Chair may:

- (a) where the misconduct is of a less serious nature, impose a first written or final written warning, depending on the severity of the misconduct and, as appropriate, the currency of the member of staff's previous disciplinary record. For the avoidance of doubt, a member of staff may be issued with a final written warning even though he or she has not previously received any disciplinary warnings; or
- (b) where the misconduct is sufficiently serious reasonably to warrant such action, dismiss the member of staff, with or without notice;
- (c) **in exceptional circumstances**, dismissal may be set aside and replaced by a final written warning and one of the sanctions below (such decision to be at the discretion of the Disciplinary Chair):
 - (i) demotion and/or loss of title;

- (ii) placing restrictions on the member of staff's employment, for example a period of supervision and/or training;
- (iii) withholding a pending salary increase; or
- (iv) temporarily withholding salary due to the member of staff.

2.11.If the Disciplinary Chair considers a warning to be appropriate, confirmation of the warning will be placed on a member of staff's personnel file and will remain active for the period specified in the warning, 6 or 12 months, after which time it will be disregarded in deciding the outcome of any future disciplinary proceedings.

2.12.If the Disciplinary Chair considers that a sanction under paragraph 2.10(c) is appropriate, confirmation of the sanction will be placed on a member of staff's personnel file and will remain active for the period specified by the Disciplinary Chair, after which time it will be disregarded in deciding the outcome of any future disciplinary proceedings.

3. Part III Appeals

General Principles

3.1.If the member of staff is dissatisfied with any sanction imposed under Part 2 of this Ordinance and wishes to appeal, he or she must do so in writing to the University's People and Culture Department within 10 working days following the date on which the member of staff was informed of the relevant decision. The member of staff must set out his or her grounds of appeal in writing and refer to the initiation of the appeals part of this Ordinance.

3.2 The University's People and Culture Department will determine appropriate personnel to conduct the appeal.

- (a) In cases where the appeal is against a warning that has been imposed by the Disciplinary Chair under paragraph 2.10(a), or where the appeal is against a sanction that has been imposed by

the Disciplinary Chair under paragraph 2.10(c), the appeal will be considered by an appropriate person (the **Appeal Chair**).

- (b) In cases where the appeal is against a dismissal imposed by the Disciplinary Chair under paragraph 2.10(b) the appeal will be considered by an appeal panel, comprising of a senior member of University staff, a lay member of Council and an elected member of Senate (the **Appeal Panel**).

The identity of the Appeal Chair or the composition of the Appeal Panel (as appropriate) will be dependent on the member of staff's level of seniority. The Appeal Chair or the members of the Appeal Panel (as appropriate) will not have had any previous material involvement with the action which is the subject of the member of staff's appeal and will be senior to the manager who conducted the disciplinary hearing. The Appeal Chair or the Appeal Panel (as appropriate) will be accompanied at the appeal hearing by a member of the University's People and Culture Department to service the appeals process.

3.3.The member of staff will be invited to attend an appeal meeting, which will normally take place within 10 working days of receipt by the University of the appeal. The member of staff will be informed of the identity of the Appeal Chair [or composition of the Appeal Panel (as appropriate)] and of his or her right to be accompanied to the meeting in accordance with paragraph 1.5 above.

3.4.The member of staff must take all reasonable steps to attend the appeal meeting and/or any adjournment or postponement of such meeting. If the member of staff or the member of staff's chosen work colleague or trade union representative cannot attend at the time specified for the meeting, the member of staff must inform the University's People and Culture Department immediately, and the University will make reasonable efforts to

arrange an alternative time. Normally only one postponement will be granted in line with LRA guidelines / Code of Practice.

The Appeal Meeting

3.5. The appeal meeting shall normally take the form of a re-hearing of the matter.

3.6 The appeal hearing may be adjourned and reconvened at a later date if the Appeal Chair/ Appeal Panel needs to carry out additional investigations.

Confirmation of Outcome of Appeal Meeting

3.7. The Appeal Chair [or Appeal Panel (as appropriate)] will notify the member of staff of its decision in writing, normally within 10 working days of the appeal meeting, or, where the appeal hearing has been adjourned and reconvened, normally within 10 working days of the final reconvened appeal hearing. The Appeal Chair [or Appeal Panel (as appropriate)] will also provide the member of staff with the reasons for the decision that it has reached. The decision of the Appeal Chair [or Appeal Panel (as appropriate)] will be final.

Ordinance XXXVI

Medical Incapacity Ordinance

Pursuant to Statute IV Part IV

1. Part I General Principles and Interpretation

1.1. This Ordinance is made under Part IV of Statute IV of the University's Statutes and applies to all members of staff of the University, regardless of length of service with the exception of the Vice-Chancellor. This Ordinance also applies to members of the University's clinical staff and action may be taken against a member of clinical staff in respect of medical incapacity arising in connection with that member of staff's clinical work or activities where work or the activities were performed in and for the University.

1.2. The purpose of this Ordinance is to deal with members of staff who may need to be removed from office due to incapacity on health grounds

and should be read in conjunction with the University's Sickness Absence Procedure.

1.3. At any stage of this Ordinance, the Relevant Manager (referred to in paragraph 1.4 below) may decide that the issue in question potentially amounts to a question of misconduct and in such circumstances may terminate proceedings under this Ordinance and recommend that the matter is considered under the University's Disciplinary Ordinance.

1.4. References to "Appropriate Person" in Part IV of Statute V of the University's Statutes means the Relevant Manager as defined by paragraph 2.1 below or the Appeal Panel as defined by paragraph 3.3 below, as the circumstances require.

1.5. At any meeting convened under Parts 2 and 3 of this Ordinance, the member of staff has the right to be accompanied by a work colleague or by a trade union representative, but no right to be accompanied by a legal representative. The member of staff may, with the permission of the Relevant Manager or Appeal Panel, be accompanied by a family member or friend to a meeting held under this Ordinance. The member of staff's chosen companion may make representations on behalf of the member of staff at the meeting and may ask questions, but may not answer questions on behalf of the member of staff.

1.6. Any steps under this Ordinance shall be taken promptly unless there is a good reason for delay. Any time limits in this Ordinance may be extended by the University if it is reasonable to do so.

1.7. The University may, within the procedures described in this Ordinance, wish to obtain medical information on specific grounds relating to the member of staff's health from the University's Occupational Health physician and/or the member of staff's medical practitioner, in order to be as fully informed as possible regarding the member of staff's state of health. The University will seek the member of staff's consent to

obtain such information before doing so, in accordance with the member of staff's legal rights. However, each member of staff should be aware that if consent is not given to the University to obtain such medical information, the Relevant Manager or Appeal Manager or Appeal Panel (as appropriate) will reach decisions based on the information that is held by the University at the time and in light of any evidence provided.

2. Part II Procedure

General Principles

2.1. The procedure set out in Part 2 of this Ordinance will apply where it appears that the removal of a member of staff on medical grounds might be appropriate. The University's People and Culture Department will appoint a Relevant Manager to conduct matters under Part 2 of this Ordinance on behalf of the University. The Relevant Manager under Part 2 of this Ordinance will normally be the member of staff's line manager.

2.2. Where a member of staff is incapacitated on medical grounds the University will explore with the member of staff, before reaching any decisions regarding any appropriate action that may be taken under this Ordinance:

- (a) the nature of the member of staff's medical condition or ill-health;
- (b) the likely prognosis for the member of staff's health;
- (c) the likelihood that the member of staff will be able to return to work in the role that he or she carried out before the period of absence commenced and the likely timeframe for a return to work; and
- (d) whether it is appropriate and/or reasonable to consider alternatives to dismissal, such as making reasonable adjustments within the Disability Discrimination Act 1995, to permit the member of staff to return to work.

2.3. Where a member of staff's medical incapacity is to be considered under this Part 2, the

member of staff will be informed in writing of the following:

- (a) that the Relevant Manager wishes to discuss the member of staff's medical incapacity at a meeting;
- (b) if a relevant independent medically qualified person will also be in attendance at the meeting;
- (c) the proposed date on which the meeting will take place and the identity of the Relevant Manager; and
- (d) that the member of staff has the right to be accompanied to the meeting in accordance with paragraph 1.5 above.

2.4. Where it appears that there may be an underlying medical reason for the member of staff's absence, the Relevant Manager may decide that it is appropriate to ask the member of staff to undergo a medical assessment, or to obtain medical information about the member of staff, to ascertain the member of staff's ability to continue to work in his or her present role. It will be for the Relevant Manager to decide whether it is appropriate to seek medical information about the member of staff. Such information may be sought before or after the meeting described in paragraph 2.3.

2.5. Prior to the meeting described in paragraph 2.3, the member of staff will also be provided with copies of any documents or reports which will be referred to at the meeting by the University.

2.6. The member of staff must, at least 72 hours before the meeting, provide to the University's People and Culture Department any evidence including medical evidence to which the member of staff intends to refer at the meeting.

2.7. The member of staff must take all reasonable steps to attend any meetings arranged under Part 2 of this Ordinance and/or any adjournment or postponement of such meetings. If the member of staff or the member of staff's chosen companion cannot

attend at the time specified for a meeting, the member of staff must inform the University's People and Culture Department immediately, and the University will arrange an alternative time. Normally only one postponement will be granted in line with LRA guidelines / Code of Practice.

The meeting

2.8. The purpose of the meeting is to explore the member of staff's ability to continue to work in his/her present position and to enable the Relevant Manager to reach a decision thereon. The Relevant Manager will be accompanied at the meeting by a relevant independent medically qualified person (as appropriate) and a member of the University's People and Culture Department, acting in an advisory capacity. The procedure to be followed at the meeting shall be at the discretion of the Relevant Manager, but shall include:

- (a) the member of staff having an opportunity to make representations and produce evidence relating to his or her state of health; and
- (b) where medical evidence has been sought, an opportunity to allow the Relevant Manager, and in appropriate cases the member of staff through the Relevant Manager, to question any medical expert giving evidence in respect of the member of staff's absence.

2.9. The meeting may be adjourned and reconvened at a later date at the Relevant Manager's discretion if the Relevant Manager needs to carry out additional investigations.

Confirmation of Outcome of the meeting

2.10. The Relevant Manager will confirm the outcome of the meeting to the member of staff in writing, normally within ten working days following the meeting, or, where the meeting has been adjourned and reconvened, normally within ten working days following the final reconvened meeting. The Relevant Manager will also provide the member of staff with the reasons for the decision that he or she has reached.

2.11. The Relevant Manager's decision may be:

- a) that no further action is required;
- b) to implement any agreed accommodations to facilitate the member of staff's return to work, as envisaged by paragraph 2.2 (d);
- c) that it is appropriate to dismiss the member of staff as a consequence of the member of staff's incapacity on health grounds.

2.12. Where a member of staff is dismissed in accordance with paragraph 2.11(c), the Relevant Manager will confirm the reasons for the decision and the member of staff's right of appeal in accordance with Part 3 of this Ordinance.

3. Part III Appeals

General Principles

3.1. If the member of staff is dissatisfied with the decision to dismiss reached under Part 2 of this Ordinance and wishes to appeal, he or she must do so in writing to the University's People and Culture Department within 10 working days following the date on which the member of staff was informed of the relevant decision. The member of staff must set out his or her grounds of appeal in writing and refer to the initiation of the appeals part of this Ordinance.

3.2. The University's People and Culture Department will determine appropriate personnel to conduct the appeal, with the appeal being considered by an appeal panel, comprising of a senior member of University staff, a lay member of Council and an elected member of Senate (the Appeal Panel).

3.3. The composition of the Appeal Panel will be dependent on the member of staff's level of seniority. Where possible, the members of the Appeal Panel will not have had any previous material involvement with the action which is the subject of the member of staff's appeal. The Appeal Panel will be accompanied at

the appeal hearing by a relevant independent medically qualified person and by a member of the University's People and Culture Department acting in an advisory capacity.

3.4. The member of staff will be invited to attend an appeal meeting, which will normally take place within ten working days following receipt by the University of the appeal. The member of staff will be informed of the composition of the Appeal Panel and of his or her right to be accompanied to the meeting in accordance with paragraph 1.5 above.

3.5. The member of staff must take all reasonable steps to attend any meetings arranged under Part 3 of this Ordinance and/or any adjournment or postponement of such meetings. If the member of staff or the member of staff's chosen companion cannot attend at the time specified for a meeting, the member of staff must inform the University's People and Culture Department immediately, and the University will arrange an alternative time. Normally only one postponement will be granted in line with LRA guidelines / Code of Practice.

The Appeal Meeting

3.6. The appeal meeting shall normally take the form of a re-hearing of the matter. The procedure to be adopted at an appeal meeting will follow the procedure set out in paragraph 2.8 above.

3.7. The appeal meeting may be adjourned and reconvened at a later date, at the discretion of the Appeal Panel, if the Appeal Panel needs to carry out additional investigations.

Confirmation of Outcome of Appeal Meeting

3.8. The Appeal Panel will notify the member of staff of its decision in writing, normally within 10 working days of the appeal meeting, or, where the appeal meeting has been adjourned and reconvened, normally within 10 working days of the final reconvened appeal meeting. The Appeal Panel will also provide the member of staff with the reasons for the decision that it has reached. The decision of the Appeal Panel will be final.

Ordinance XXXVII Staff Probationary Ordinance Pursuant to Statute IV Part V

1. Part I Application, Scope and General Provisions

1.1. This probationary Ordinance is made under Part IV of Statute V of the University's Statutes and applies to all academic members of staff of the University who have been appointed subject to a period of probationary service.

1.2. This Ordinance may be supplemented by guidance for probationary appointments issued by the University from time to time, which shall not form part of any member of staff's contract of employment with the University.

1.3. In this Ordinance a probationary period shall be the period during which the suitability of a member of staff, **(Probationer)**, whose appointment is subject to successfully completing a period of probation, can be assessed by a Designated Member of Staff and the Academic Probation Committee (as defined by paragraph 1.4).

1.4. In this Ordinance:

- (a) the Designated Member of Staff will normally be the Probationer's Head of School, but may be varied as appropriate by the University, with notice to the Probationer;
- (b) the Academic Probation Committee shall be comprised of five academic members of staff, drawn from the Academic and Academic-Related Staff Progress Standing Committee.
- (c) the Probationer may appeal against either the extension of probation or termination of the appointment under this Ordinance. Appeals against extension of probation will be heard by a senior academic and another member of academic staff, not from the immediate area and not holding a managerial position. Appeals

against termination of the appointment will be heard by the Appeal Committee comprised of the Vice-Chancellor or his or her nominee, a lay member of Council and an elected member of Senate.

1.5. A probationary period for new members of staff and a structure for reviewing staff performance is essential for the efficient and orderly operation of the University's activities. The purpose of this Ordinance is to provide a procedure with regard to review of a Probationer and the options available after such review. All steps under this Ordinance will be taken, by all parties, without undue delay. Any time limits in this Ordinance may be extended at the sole discretion of the University if it is reasonable to do so.

1.6. This Ordinance shall not apply to the proposed dismissal of a Probationer prior to the end of a probationary period on any ground falling under the application of Parts II, III or IV or under Clause 20 of Statute IV.

1.7. At any meeting convened under Parts 2 or 3 of this Ordinance the Probationer has the right to be accompanied by a work colleague or by a trade union official, but no right to be accompanied by a legal representative. The Probationer's chosen work colleague or trade union representative may make representations on behalf of the Probationer at the meeting and may ask questions, but may not answer questions on behalf of the Probationer.

Probationary Periods

1.8. Appointments to the University will be subject to an initial probationary period which will normally not exceed three years.

1.9. An academic probationary period, satisfactorily completed in another UK University, satisfies the probation requirements of the University. Where an individual member of staff has served part of an academic probationary period in another UK University, this probationary service will be taken into account in determining the length of the probationary period.

1.10. In order to effectively assess the Probationer's appointment, a Probationer's conditions of appointment will specify:

- (a) that the appointment is subject to the probationary period and will specify the duration of the probationary period;
- (b) the Designated Member of Staff to whom the Probationer will be responsible for the carrying out of his or her duties;
- (c) that the Probationer will receive advice from the Designated Member of Staff and may be required to undertake such training in his or her duties as may be required by the University; and
- (d) that, during the period of probation, reports will be made by the Designated Member of Staff of the Probationer's performance in his or her post.

2. Part II Reports and Review of Probationer's Performance

Reports

2.1 Prior to each anniversary of the Probationer's appointment falling during the probationary period, the Designated Member of Staff shall prepare and provide to the Academic Probation Committee a formal report concerning the performance and progress made by the Probationer.

2.2 When the Academic Probation Committee considers that an interim report on a Probationer requires remedial action to be taken, the Designated Member of Staff will be informed with, as appropriate, advice on what should be done to rectify the issue, following which the Designated Member of Staff will discuss the issue with the Probationer. In such circumstances a copy of the report will be issued to the Probationer.

Review of Probation by the Academic Probation Committee

2.3 Upon receipt of a formal report from the Designated Member of Staff, the Academic Probation Committee shall formally review the Probationer's appointment. Such a

formal review shall normally take place shortly before each anniversary of the Probationer's appointment occurring during the probationary period.

2.4 After completion of a formal review, the Academic Probation Committee will determine at the end of the first year of probation whether any remedial action is required to be taken by the Probationer during the next year of probation.

2.5 After completion of a formal review, the Academic Probation Committee will determine at the end of the second year of probation:

- (a) whether the appointment will be terminated at the end of the current year of appointment; or
- (b) whether the Probationer will remain on probation for a further period and whether any remedial action is required to be taken by the Probationer during such further period of probation.

2.6 After completion of the formal review occurring at the end of the probationary period referred to in paragraph 1.10(a), the Academic Probation Committee may determine:

- (a) whether the appointment will be terminated at the end of the current year of appointment;
- (b) whether the Probationer will remain on probation for a further year (in no case will the period of probation be extended more than once or for more than one year) and whether any remedial action is required to be taken by the Probationer during such further period of probation; or
- (c) whether the appointment will be confirmed and the probationary period concluded.

Meeting with Probationer and provision of written reports

2.7 All formal written reports considered by the Academic Probation Committee will be

made available to the Probationer and the Designated Member of Staff.

2.8 The Academic Probation Committee will invite the Probationer and the Designated Member of Staff to attend a meeting before any decision is made to terminate or extend under paragraphs 2.5 or 2.6, such meeting to take place following receipt of the documentation described in paragraph 2.7. The Probationer will be informed of his or her right to be accompanied to the meeting in accordance with paragraph 1.7 above. At the meeting the Probationer and the Designated Member of Staff will have the opportunity to make representations. The Academic Probation Committee will be accompanied at the hearing by a member of the University's People and Culture Department acting in an advisory capacity.

2.9 The procedure to be followed at such meetings shall be determined at the sole discretion of the Academic Probation Committee.

Confirmation of decision

2.10 The Academic Probation Committee will confirm its decision made under paragraphs 2.4, 2.5 or 2.6 in writing to the Probationer and the Designated member of staff, explaining the reasons for the decision. If the decision has been taken to terminate the Probationer's appointment or to extend the probationary period beyond the initial probationary period referred to in paragraph 1.10(a), the Probationer will be informed of his or her right of appeal under Part 3 of this Ordinance.

2.11 In the event of non-confirmation of appointment (subject to the outcome of any appeal) the employment of the Probationer will terminate.

3. Part III Appeals

3.1 If the Probationer is dissatisfied with the decision of the Academic Probation Committee made under Part 2 of this Ordinance to terminate the appointment or that probation be extended and wishes to appeal, he or she must do so in writing to the University's People and Culture Department within 10 working days of the date

on which the Probationer was informed of the relevant decision. The Probationer must set out his or her grounds of appeal in writing and refer to the initiation of the appeals part of this Ordinance.

3.2 The Probationer and the Designated Member of Staff will be invited to attend an appeal meeting, which will normally take place within 10 working days of receipt by the University of the appeal. The chair of the Academic Probation Committee may also be asked to attend the appeal meeting. The Probationer will be informed of his or her right to be accompanied to the meeting in accordance with paragraph 1.7 above. The Appeal Committee will be accompanied at the appeal hearing by a member of the University's People and Culture Department acting in an advisory capacity.

3.3 The procedure to be followed at the appeal meeting shall be determined at the sole discretion of the Appeal Committee.

3.4 The appeal meeting may be adjourned and reconvened at a later date if the Appeal Committee needs to carry out additional investigations.

Confirmation of Outcome of Appeal Meeting

3.5 The Appeal Committee will notify the Probationer of its decision in writing, normally within 10 working days of the appeal meeting, or, where the appeal meeting has been adjourned and reconvened, normally within 10 working days of the final reconvened appeal meeting. The Appeal Committee will also provide the Probationer with the reasons for the decision that it has reached. The decision of the Appeal Committee will be final.

Ordinance XXXVIII Staff Grievance Ordinance Pursuant to Statute IV Part VI

1. Part I General Principles and Interpretation

1.1 This grievance Ordinance is made under Part VI of Statute IV of the University's Statutes

and applies to all members of staff of the University, regardless of length of service with the exception of the Vice-Chancellor.

1.2 This grievance Ordinance 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 members of staff of the University, other than:

- (a) complaints, grievances or appeals concerning matters for which provision is made in an alternative University policy or procedure, including the University's Bullying and Harassment policy, or the Public Interest Disclosure policy; or
- (b) complaints, grievances or appeals concerning the outcome of disciplinary or dismissal procedures, capability procedures, redundancy procedures, or academic promotion.

This grievance Ordinance cannot be used to address any disputes which may arise between the University and any trade union recognised by the University, nor may this Ordinance be used to negotiate changes in collective terms and conditions of employment.

1.3 References to "Appropriate Person" in Statute IV of the University's Statutes means the Relevant Manager as defined by paragraph 3.4, or the Appeal Panel as defined by paragraph 4.2, as the circumstances require.

1.4 At any stage of this grievance Ordinance, the Relevant Manager may decide to defer consideration of the particular grievance in the event that other proceedings (for example disciplinary, capability or redundancy proceedings) concerning the individual member of staff who has raised the grievance and which are relevant to the subject matter of the grievance, are pending or in progress, or for any other good reason.

1.5 At any meeting or meeting convened under the formal part of this grievance Ordinance

(set out in Parts 3 and 4 below) the member of staff has the right to be accompanied by a work colleague or by a trade union representative, but no right to be accompanied by a legal representative. The member of staff's chosen work colleague or trade union representative may make representations on behalf of the member of staff at the meeting and may ask questions, but may not answer questions on behalf of the member of staff.

- 1.6 Any steps under this grievance Ordinance shall be taken promptly unless there is a good reason for delay. Any time limits in this grievance Ordinance may be extended by the University if it is reasonable to do so.
- 1.7 Documentation relating to the member of staff's written grievance shall be retained on a grievance file and will be processed in accordance with the University's Data Protection Policy.

2. Part II Informal Resolution

- 2.1 Many grievances can be resolved quickly and informally through discussion with the relevant party. Members of staff are therefore expected to make reasonable attempts to resolve any grievance informally with the relevant party. If a member of staff feels unable to speak informally to the relevant party, but nevertheless wishes to try to resolve the matter informally, then the member of staff or their representative should speak informally to their line manager; if the line manager is the other party to the grievance, then the member of staff or their representative should raise the issue informally with the next most senior level of management.
- 2.2 As part of the informal steps towards resolving a grievance, a member of staff may wish to consider mediation. This is a process by which an impartial person helps others to resolve their difficulties. Mediation is voluntary and is undertaken without any admission of wrong doing by any party, and without preventing any opportunity to pursue formal action.

If the member of staff decides he/she would like to use mediation, he/she should initially discuss the matter with the University's People and Culture Department. Mediation can only proceed with the agreement of all parties involved in the grievance, including their agreement on the choice of mediator.

- 2.3 If the grievance cannot be resolved informally or if informal discussions are inappropriate, the member of staff should follow the formal grievance procedure set out below.

3. Part III Formal Resolution

Initiating the Formal Procedure

- 3.1 If a member of staff wishes to raise a formal grievance he or she should put the grievance in writing and submit it to his or her line manager, who will inform the University's People and Culture Department of the grievance. In some cases it may be inappropriate for a member of staff to raise his or her grievance with the line manager, for example if the grievance relates to the conduct of the line manager. In such cases, the member of staff should refer his or her grievance to the next most senior level of management or the University's People and Culture Department.
- 3.2 If a member of staff wishes for information relating to a grievance to be kept confidential, the member of staff should make this clear to the person to whom the grievance is made. In certain circumstances, it may be difficult for confidentiality to be respected, for instance where a possible criminal offence or disciplinary matter has been disclosed in the grievance. Members of staff should also understand that, in some cases, their request for confidentiality may make it difficult for the Relevant Manager to deal with the issues raised. If confidentiality is important to the member of staff, he or she is advised to discuss this with University's People and Culture Department.
- 3.3 The written grievance should indicate that the member of staff is invoking this grievance Ordinance and must contain a description of the grounds of the grievance, including

any relevant facts, dates, and the names of individuals involved.

The Relevant Manager

3.4 The grievance will be considered by the Relevant Manager [as set out in paragraph 3.1 above], the identity of whom will be determined by the University's People and Culture Department. Where the member of staff has submitted the grievance to his or her line manager, that line manager will normally be the Relevant Manager. If it would be inappropriate for the line manager to consider the grievance due to previous material involvement with the circumstances giving rise to the member of staff's grievance, the University's People and Culture Department will designate an appropriate manager to consider the grievance. The Relevant Manager will be accompanied at any grievance meeting by a member of the University's People and Culture Department to service the grievance process.

Investigation

3.5 In some situations the Relevant Manager may need to ask the member of staff to clarify the subject matter of the grievance in advance of conducting the grievance meeting. In most cases it will be appropriate for the Relevant Manager to conduct some form of investigation prior to conducting the grievance meeting.

3.6 Where the Relevant Manager determines that it is appropriate to conduct an investigation into the issues raised in the grievance, the Relevant Manager will inform the member of staff of this fact, and confirm the likely timescale for the investigation.

The grievance meeting

3.7 The member of staff will be invited to attend a grievance meeting which will normally take place within 10 working days of receipt by the University of the grievance. It may however be necessary to extend this time limit, for example, if the Relevant Manager needs to carry out investigation prior to the grievance meeting, or where clarification is sought from the member of staff and has not been received by the Relevant Manager. The member of

staff will be informed of his or her right to be accompanied to the grievance meeting in accordance with paragraph 1.5 above.

3.8 Where the grievance concerns conduct/behaviour between employees, the Relevant Manager must determine whether it is appropriate to ask both parties to attend the grievance meeting and will contact the aggrieved person and take into account his/her views on this before finalising arrangements.

3.9 Prior to the grievance meeting, the member of staff who raised the grievance will be provided with:

- a) confirmation of whether the Relevant Manager intends to ask any witnesses and/or the employee who is cited in the grievance to attend the grievance meeting;
- b) a summary of any relevant information gathered during any investigation into the grievance prior to the grievance meeting.

3.10 The procedure to be followed at the grievance meeting shall be at the discretion of the Relevant Manager, but shall include:

- (a) an opportunity for the member of staff who raised the grievance to make representations, to question any witnesses (through the Relevant Manager) and to discuss any documentation relied upon in support of the grievance;
- (b) the Relevant Manager having an opportunity to ask questions of the member of staff about the grievance; and
- (c) where appropriate, an opportunity for the Relevant Manager to question any witnesses.

3.11 The member of staff must take all reasonable steps to attend any grievance meeting(s) arranged under this grievance Ordinance and/or any adjournment or postponement of such meeting(s). If the member of staff or the member of staff's chosen work colleague or trade union representative cannot attend at

the time specified for a meeting, the member of staff must inform the University's People and Culture Department immediately, and the University will make reasonable efforts to arrange an alternative time.

- 3.12 After the grievance meeting the Relevant Manager will consider the grievance, will conduct any such further investigations as may be appropriate, and may hold such further grievance meetings with the member of staff as are appropriate and in accordance with the procedure set out above in paragraph 3.9, to ensure that the Relevant Manager is able to form a decision about the grievance.

Confirmation of Outcome of Grievance

- 3.13 After the grievance meeting, or, if there is more than one grievance meeting, after the final grievance meeting, the Relevant Manager will confirm to the member of staff his or her decision in writing. This decision will be provided without unreasonable delay following the grievance meeting, or, where there is more than one grievance meeting, the final grievance meeting. This will normally be within 20 working days unless there are compelling reasons which require further deliberations. The member of staff will also be informed of his or her right of appeal.

4. Part IV Appeals

Lodging an Appeal

- 4.1 If the member of staff is dissatisfied with the grievance decision referred to in paragraph 3.13 above and wishes to appeal, he or she should do so in writing to the University's People and Culture Department within 10 working days of the date on which the member of staff received the decision from the Relevant Manager under paragraph 3.13. The appeal should indicate that the member of staff is lodging an appeal under this grievance Ordinance and must include the member of staff's grounds of appeal.

The Appeal Hearing

- 4.2 The People and Culture Department will determine an appropriate manager and a member of staff from outside the immediate

area, to conduct the appeal. The identity of the Manager will be dependent on the member of staff's level of seniority and normally will be at a more senior level to the appropriate person who heard the original grievance. The member of staff will be drawn from non-managerial academic and related staff. Both will not have had any previous material involvement with the action which is the subject of the member of staff's appeal. The appeal hearing will be serviced by a member of the University's People and Culture Department.

Investigation

- 4.3 In some situations the member of staff may be asked to clarify the subject matter of the appeal in advance of conducting the appeal meeting. In some cases it will be appropriate for the Appeal Panel to conduct some form of investigation prior to conducting the appeal meeting.
- 4.4 Where it is determined that it is appropriate to conduct an investigation into the issues raised in the appeal, the member of staff who has lodged the appeal will be informed, and advised of the likely timescale for the investigation.

The Appeal Meeting

- 4.5 The member of staff will be invited to attend an appeal meeting, which will normally take place within 10 working days of receipt by the University of the appeal. It may however be necessary to extend this time limit, for example, if the Appeal Panel needs to carry out an investigation prior to the appeal meeting, or where clarification is sought from the member of staff and has not been received. The member of staff will be informed of the identity of the Appeal Panel and of the member of staff's right to be accompanied to the meeting in accordance with paragraph 1.5 above.
- 4.6 The appeal meeting shall normally take the form of a re-hearing of the matter.
- 4.7 Where the appeal concerns the conduct/behaviour between employees the Appeal

Panel will decide whether it is appropriate to suggest that the other employee attends the appeal meeting also.

Prior to the appeal meeting, the member of staff who lodged the appeal will be provided with confirmation of whether the Appeal Panel intends to ask any witnesses to attend the appeal meeting.

Where the Appeal Panel informs the member of staff who has lodged the appeal that the he/she proposes to ask the employee who is cited in the grievance to attend the appeal meeting, the member of staff who has lodged the appeal may contact the Appeal Panel and express a view as to whether he or she would like that employee to attend the appeal meeting and the Appeal Panel will take this response into account before finally deciding whether to invite the other employee to attend the appeal meeting.

4.8 The procedure to be followed at the appeal meeting shall be at the discretion of the Appeal Panel, but shall include:

- (a) an opportunity for the member of staff who lodged the appeal to make representations, to question any witnesses (through the Appeal Chair) and to discuss any documentation relied upon in support of the appeal;
- (b) the Appeal Panel having an opportunity to ask questions of the member of staff lodging the appeal about the appeal; and
- (c) where appropriate, an opportunity for the Appeal Panel to question the other party to the grievance.

4.9 The member of staff must take all reasonable steps to attend the appeal meeting arranged under this grievance Ordinance and/or any adjournment or postponement of such meeting(s). If the member of staff or the member of staff's chosen work colleague or trade union representative cannot attend at the time specified for the meeting, the member of staff must inform the University's People

and Culture Department immediately, and the University will make reasonable efforts to arrange an alternative time.

4.10 After the appeal meeting the Appeal Panel will consider the appeal, will conduct any such further investigations as may be appropriate, and may hold such further meetings with the member of staff as are appropriate and in accordance with the procedure set out above in paragraph 4.8, to ensure that the Appeal Panel is able to form a decision about the appeal. The Relevant Manager who confirmed the outcome of the grievance under paragraph 3.12 above shall provide the Appeal Panel with any information he or she requires.

Confirmation of Outcome of Appeal

4.11 After the appeal meeting, or, if there is more than one meeting, after the final meeting, the Appeal Panel will confirm to the member of staff his or her decision in writing. This decision will be provided without unreasonable delay following the appeal meeting, or, where there is more than one meeting, the final meeting. This will normally be within 20 working days unless there are compelling reasons which require further deliberations. The Appeal Panel's decision will be final.

Section 5 Students Matters

Ordinance XXXIX

Ulster University Students' Union

1. The Students ' Union shall be known as the Ulster University Students ' Union, hereafter called the Union.
- 2 The Constitution and the rules governing the relationship between the University Council and the Union shall be subject to the approval of the University Council from time to time
3. The aims and objectives of the Union shall be to:
 - (a) foster and develop a corporate spirit among its members;
 - (b) promote the general and particular interests of its members and to represent them in all matters affecting their interests;

- (c) afford the recognised channel of communication between its members and the University;
 - (d) provide, maintain and develop facilities and services for its members;
 - (e) assist in the development of the social, cultural and athletic life of its members;
 - (f) establish and maintain relations between students of the University and those of other institutions of education;
 - (g) enhance the standing of students in the community.
4. The Union shall ensure that preference shall not be given to or advantage withheld from any member on grounds of religious belief, political opinion, race or sex.
5. (a) The Union shall be comprised of two main categories of members:
- (i) Ordinary Full Membership shall be accorded to all full time registered students of the University and those part time students registered for a period of 30 weeks in the academic year, whose course of study leads to a recognised award.
 - (ii) Associate Membership may be accorded to the following persons on receipt of such fee as shall be prescribed in the Constitution.
- (1) Those part-time students ineligible for full membership under Clause 5(a)(i).
 - (2) Occasional students.
 - (3) Other persons as the Senate may determine within the provisions of Statute II (1).
- (b) The Union may extend the privileges of associate membership to staff of the University, employees of the Union and other persons as defined in the Union's Constitution upon such terms and conditions as the Union may determine.

6. The rights and privileges of the different categories of members and those members eligible to stand for sabbatical office, shall be prescribed in the Union's Constitution.

Student members of the bodies established by or under the Charter, these Statutes, the Ordinances or Regulations shall not participate in the consideration by those bodies of reserved areas of business. Reserved areas of business include appointments, promotions and other matters affecting the personal affairs of individual employees of the University and the admission and academic assessment of individual students. Papers for consideration at any such meeting, minutes and other records relating to such matters shall not at any time be available to a student member. The chairman of the meeting may decide in any case of doubt whether the matter is one to which this Statute applies and his or her decision shall be final.

Ordinance XL Council Responsibility for Student Discipline

1. In the exercise of its responsibility for the discipline of students and of other persons the Council shall have power, following consultation with the Senate, to make Ordinances and such Ordinances may include provision for:
- (A) rules of discipline;
 - (B) the procedure to be followed when a breach of discipline is alleged;
 - (C) punishment of a breach of discipline by expulsion from the University, permanently or temporarily, by exclusion from the University or any part of the University and its precincts and other premises owned or occupied by the University, permanently or temporarily, by fine or otherwise;
 - (D) appeals by a student or other person which shall include the right of the appellant to be heard in person, to be represented at hearing and to call witnesses.

2. For the purposes of this Ordinance, discipline shall not include action taken in consequence of academic performance, responsibility for which shall fall within the powers of the Senate under Statute II (1)(F).

Ordinance XLI Student Discipline Procedure

This ordinance, which replaces Ordinance 1990/1, should be read in conjunction with the Guidance Notes for Students involved in Disciplinary Action and Staff who are initiating Disciplinary Action.

Rules of discipline

- 1.1 The Council is responsible for the discipline of the students of the University and of associate students insofar as the Statutes, Ordinances and Regulations of the University are relevant to associate students.

- 1.2 A breach of discipline whether inside University property or not and via electronic means by a student is defined as:

- (a) failure to comply with any Statute, Ordinance, Regulation or rule prescribed for the conduct and discipline of students, or with such instruction relating to their conduct as students as they may receive from members of the University staff in the exercise of their duties or failure to co-operate with an officer who is conducting an investigatory interview;
- (b) conduct which does, or is liable to, bring discredit upon the University or disrupts or interferes with the normal working and good order of the University or impedes or prevents members or employees going about their lawful University business or results in substantial complaints from the general public or responsible authorities outside the University;
- (c) riotous or disorderly conduct causing wilful damage to, or defacement of, University property or any other property within the University precincts or premises owned or occupied by the University;
- (d) misuse of University equipment;

- (e) offences in connection with examinations and other forms of assessment;
- (f) falsification or misuse of University records, including award parchments;
- (g) false pretences or impersonation of others within or outside the University in regard to academic activities, attainments or financial rewards;
- (h) theft, fraud, misapplication of, or gross negligence in connection with, University funds or property;
- (i) refusal to provide identification when asked to do so by a member of the University staff in connection with security or an alleged breach of discipline;
- (j) interference with the right of those conducting or participating in authorised University functions to free speech or to a fair hearing;
- (k) offences against the criminal law where these offences involve other members or employees of the University or affect the interests of the University;
- (l) infringing safety regulations or disregarding notices concerning safety precautions in any part of the University;
- (m) infringing arrangements made by the University in order to permit it to comply with the provisions of the General Data Protection Regulation (GDPR), introduced in May 2018, that replaces the outgoing Data Protection Act 1998 (DPA), or the provisions of the Freedom of Information Act;
- (n) infringing the University smoking policy;
- (o) infringing the University bullying and harassment policy;
- (p) infringing the University policy with regard to computer misuse;

- (q) infringing the University substance misuse policy;
- (r) infringing the University student Social Media policy;
- (s) infringing the University Sexual Harassment policy.

The Disciplinary Committee and Panel

2.1 Subject to Statute I (7(C)), the Disciplinary Panel shall consist of the following members:

- (a) Deputy Vice-Chancellor;
- (b) Pro Vice-Chancellors;
- (c) Executive Deans of Faculty;
- (d) Associate Deans of Faculty;
- (e) one student nominated by the Students' Union;
- (f) Provosts;
- (g) *Directors of Faculty Operations*

2.2 A Student Disciplinary Committee shall be drawn from the membership of the Panel detailed in paragraph 2.1 for each disciplinary meeting.

2.3 The Vice-Chancellor, on the authority of Council shall appoint the Chairman of each Committee normally from among the Deputy Vice-Chancellor, PVCs and Executive Deans in membership of the Panel. Three members including the Chairman shall constitute a quorum for each meeting of the Committee.

2.4 If the Chairman is unavailable, the Committee shall elect its own Chairman, not being a student, for that meeting.

The Appeal Panel and Board

3.1 Subject to the provisions of paragraph 3.2, the composition of the Appeal Panel shall be:

- (a) five members of the Council, one of who shall be a student, appointed by the Council;
- (b) all elected staff members of the Senate;
- (c) one student, nominated by the Students' Union.

3.2 Members of the Appeal Panel shall hold office for such periods and under such arrangements as may be determined from time to time and

only so long as they remain a member of the body by virtue of which membership they hold membership of the Appeal Panel.

3.3 The Council shall appoint a Chairman from among the lay members of the Appeal Panel.

3.4 An Appeal Board shall be drawn from the Appeal Panel for each Appeal hearing.

3.5 Each Appeal Board shall be chaired by the Chairman of the Appeals Panel.

3.6 No member of the Appeal Board shall have been a member of the Student Disciplinary Committee at the time when it took the decision or made the recommendation against which the student has appealed; no member shall have any direct or indirect involvement in the case under consideration.

3.7 Three members (including the Chairman), only one of which may be a student, shall constitute a quorum for each Appeal Board.

Offences: jurisdiction

4.1 The following persons shall be empowered to consider, on behalf of the Student Disciplinary Committee, reports of alleged offences and to make such enquiries and call for such additional reports as may be considered necessary:

Deputy Vice-Chancellor Pro
Vice-Chancellors
Provosts
Executive Deans of Faculties
Associate Deans of Faculties
Heads of Schools
Director of Campus Life
Directors of Faculty Operations
Residential Life Managers

4.2 Subject to paragraph 4.3 the persons named in paragraph 4.1 shall have power to impose penalties, but the penalties eligible by them may not exceed prescribed maxima or, in the absence of a prescribed maximum, a fine of an amount not exceeding £250, or a reprimand, or suspension of privilege for a period not exceeding one semester, or a requirement

to pay the cost, in whole or in part, of any damage caused, or any or all of these. The maximum level of fine imposed under this paragraph shall be reviewed from time to time by the Council. A schedule of offences and penalties is contained in Schedule C to this ordinance. This schedule shall be reviewed at least annually by the Council.

4.3 Residential Life Managers may deal only with offences occurring in the Residences or their precincts and, in addition to other powers available to them for the maintenance of good order therein, may impose a fine not exceeding £150 on any resident student or on any student visiting the Residences. The maximum level of fine imposed under this paragraph shall be reviewed from time to time by the Student Disciplinary Committee.

4.4 Where the person considering an alleged offence is of the opinion that the gravity of the offence appears to warrant it, or the appropriate penalty may be beyond the limits specified in paragraph 4.2 and 4.3, the person shall report the matter to The University Secretary for consideration by the Student Disciplinary Committee in accordance with the provisions of paragraph 5. Referrals may be made to the Student Disciplinary Committee whether or not external investigations are complete and the Committee may postpone its decision and recommend a precautionary suspension pending the conclusion of any investigations.

4.5 The penalties which may be imposed by the Student Disciplinary Committee may include reprimand, fine, suspension from any or all studies at the University or suspension from academic or other privileges or a recommendation to the Council and Senate for the student's expulsion from the University, or revocation of the status of associate student, as well as restitution and, in the case of damage to property or premises, a requirement to pay the cost, in whole or in part, of any damage caused.

Offences: procedure

5.1 When a report of an alleged offence is considered under paragraphs 4.1 to impose

a penalty shall inform the student in writing of the decision and in cases where the offence is proved, of the student's right of appeal to the Student Disciplinary Committee, except where the penalty has been imposed by a Residential Life Manager in which case the appeal shall be heard by the Provost of the relevant campus (see paragraph 7). Where the alleged offence is admitted or proved, the person shall also inform The University Secretary by use of the appropriate report form and any other relevant documentation. Procedures for considering reports of alleged cheating in examinations shall be approved by the Council in consultation with the Senate.

5.2 When the University Secretary receives a report of an alleged offence under paragraph 4.4 for consideration by the Student Disciplinary Committee she/he shall inform the student of the details of the alleged offence and shall ask the student either to admit the charge or appear before the Student Disciplinary Committee. If the student wishes to admit the charge the student may do so in writing to The University Secretary on receipt of the notice and shall then appear before the Student Disciplinary Committee to hear its decision in regard to penalty.

5.3 In considering reports of alleged offences, the Student Disciplinary Committee shall follow the procedure set out in Schedule A of this Ordinance.

5.4 In the event that a student declares that he/she wishes the committee to take into account an illness or disability, the student will be obliged to provide satisfactory evidence of same in advance of any hearing. It will be at the discretion of the committee whether or not to take such material into account. If a student charged with an offence does not attend a disciplinary meeting on the date and at the time appointed, without prior satisfactory written explanation having been received, the Student Disciplinary Committee, or the appropriate person named in paragraph 4.1; may deal with the matter and, if necessary impose a penalty in the students' absence.

5.5 A complainant, or a witness, who is summoned to attend a meeting arranged by the Student Disciplinary Committee, or by the person empowered under paragraph 4.1 of this Ordinance, and who fails to attend without due cause, may be liable to Disciplinary proceedings under paragraph 1.2(a) and (b) of this Ordinance. The Student Disciplinary Committee, or the person arranging the meeting, shall determine whether the complainant, or the witness, has due cause for absence.

5.6 The Student Disciplinary Committee shall report its decision or recommendation to the next meeting of the Council and Senate. The Council and Senate may not take any action on a decision or recommendation of the Committee until the period within which the student may appeal under paragraph 8, has expired or, if an appeal was lodged within that period, until the decision of the Appeals Board is known.

5.7 Where the Student Disciplinary Committee forwards a recommendation to the Council and Senate for the student's suspension from the University, it may direct, without reference to the Council and Senate, that the student be suspended from any class or classes or excluded from any part of the University or its precincts during the whole or any part of the time between the recommendation and the decision of the Appeal Board or, in a case where the student does not exercise the right to appeal, the expiry of the period within which that right may be exercised.

5.8 Where the Student Disciplinary Committee forwards a recommendation to the Council and Senate for a student's expulsion from the University, or revocation of the status of associate student, it may direct, without reference to the Council and Senate, that the student be suspended from any class or classes or excluded from any part of the University or its precincts during the whole or any part of the time between the recommendation and the decision of the Appeal Board or, in a case where the student does not exercise the right to appeal, the

expiry of the period within which that right may be exercised.

Appeals against decisions under paragraph 4.2

6.1 If the student is not prepared to accept the decision of the person who has dealt with the alleged offence, the student has the right to appeal in writing through The University Secretary within ten days of the decision. The appeal may be either against the decision or against the penalty or both and must state briefly the grounds on which it is made.

6.2 In determining appeals of decisions made under Paragraph 4.2, the Student Disciplinary Committee shall follow the procedure set out in Schedule B of this Ordinance.

6.3 The Student Disciplinary Committee may set aside, vary or confirm the decision taken by the person who dealt with the offence under paragraph 4.2, or may set aside or vary the penalty imposed. There shall be no appeal from a decision taken by the Student Disciplinary Committee under this paragraph unless the Committee has imposed a greater penalty (in which case the appeal will be considered by the Appeal Board).

Appeals against decisions under paragraph 4.3

7.1 If the student is not prepared to accept the decision of the Residential Life Managers who have dealt with the alleged offence, the student has the right to appeal, in writing, through The University Secretary within ten days of the decision. The appeal may be either against the decision or against the penalty, or both, and must state briefly the grounds on which it is made. This shall not apply where a Residential Life Manager has referred a matter to the Disciplinary committee in accordance with paragraph 4.4.

7.2 The University Secretary will forward the details of the appeal to a Provost normally the Provost of the campus on which the alleged offence took place.

7.3 The Provost may set aside, vary or confirm the decision of the Residential Life Manager who dealt with the offence under paragraph 4.3, or may set aside or vary or confirm the penalty imposed. There shall be no appeal from a decision taken by the Provost under this paragraph unless a greater penalty is imposed.

Appeals against decisions under paragraph 4.4

8.1 If the student is not prepared to accept the decision of the Student Disciplinary Committee, the student has the right to appeal in writing through The University Secretary, within ten days of the decision. The appeal may be either against the decision of the Committee or against the penalty or both, and must state briefly the grounds on which it is made. The University Secretary and one other lay member of the Council appointed by the Council shall determine, on the basis of the grounds on which the appeal is made, whether or not such an appeal will be considered by an Appeal Board.

8.2 In determining appeals, the Appeal Board shall follow the procedure set out in Schedule B of this Ordinance.

8.3 The Appeal Board may set aside, vary or confirm the decision of the Student Disciplinary Committee or may set aside or vary the penalty imposed. There shall be no appeal from a decision of the Appeal Board.

Suspension or exclusion by the Vice-Chancellor, Deputy Vice-Chancellor

9.1 The Vice-Chancellor or Deputy Vice-Chancellor may suspend any student from any or all studies at the University, and may exclude any student from the University or any part of the University and its precincts and other premises owned or occupied by the University, for such period as the Vice-Chancellor or Deputy Vice-Chancellor may determine but not lasting after the conclusion of disciplinary proceedings (including an appeal, if any) in respect of that student. The Vice-Chancellor or Deputy Vice-Chancellor

shall also report such suspension or exclusion to a special meeting of the Student Disciplinary Committee if the next ordinary meeting of that Committee is not to be held within 14 days of the date of such suspension or exclusion.

9.2 The Vice-Chancellor or Deputy Vice-Chancellor shall report any such suspension or exclusion to the next meeting of the Council and the Senate.

9.3 The Vice-Chancellor or Deputy Vice-Chancellor shall inform the student in writing at the time of suspension or exclusion of:

- (a) the reason for the suspension or exclusion;
- (b) the right of application to the Appeal Board against such suspension or exclusion made under Paragraph 9.1

Appeal to the Appeal Board against suspension or exclusion

10.1 A student who has been suspended from any class or classes, or excluded from the whole or any part of the University by the Vice-Chancellor or Deputy Vice-Chancellor may appeal in writing through the University Secretary within ten days of the Vice-Chancellor, Deputy Vice-Chancellor decision. The appeal must state briefly the grounds on which it is made.

10.2 In considering such appeals, the Appeal Board shall follow the procedure set out in Schedule B of this Ordinance.

10.3 The Appeal Board may amend, ratify or revoke the suspension or exclusion of the student, or may forward a recommendation to the Council and Senate for the student's expulsion from the University.

10.4 The Appeal Board shall report its decision or recommendation to the Vice-Chancellor or Deputy Vice-Chancellor and to the next meeting of the Council and Senate.

10.5 Where the Appeal Board forwards a recommendation to the Council and Senate for the student's expulsion from the

University, it may direct, without reference to the Council and Senate, that the student be suspended from any class or classes or excluded from any part of the University or its precincts during the whole or any part of the time between the recommendation and the decision of the Council and Senate.

Schedule A: procedure to be followed by the Student Disciplinary Committee in dealing with offences and applications against suspensions or exclusions

1. The Student Disciplinary Committee (through the University Secretary) shall notify the student in writing to appear before it, allowing at least ten days' notice of the hearing. The notice shall give a brief statement of the alleged offence, or the reason for the suspension or exclusion. At the same time the student shall be informed:
 - (a) of the names of the members of the Student Disciplinary Committee;
 - (b) that an objection to any member of the Student Disciplinary Committee may be lodged with the University Secretary at least 48 hours before the hearing, with an explanation of the grounds for objection;
 - (c) that a member of the University, nominated by the student, or in the case of an associate student, a member of staff or a student of the institution at which the student is registered, may act as the student's representative. {Other representatives (with the exception of Legal Representation) may be permitted to accompany the student at the Chair's discretion}. This representative, in addition to the student, shall be allowed to address the Committee; the name of the person must be lodged with the University Secretary at least 48 hours before the meeting.
2. In the case of an alleged offence, if the student wishes to admit the charge, this may be done in writing to the University Secretary on receipt of the notice. The student shall be called before the Committee to hear its decision in regard to penalty.
3. After a student has been called to a hearing and has been notified of the membership of the Student Disciplinary Committee for the hearing, no member of the Committee shall be replaced except for reasons of unavoidable absence. In the event of the need arising for a change of membership, due to unavoidable absence, the student shall be informed as soon as possible of such a change and shall have the right to lodge an objection with the University Secretary notwithstanding the provisions of paragraph 1(b) above.
4. The Student Disciplinary Committee shall itself decide on any objections to its members lodged by the student. No member to whom objection is raised shall take part in the decision in relation to membership and the Committee may ask a member to withdraw when reaching its decision. The remaining members, for the purposes of this paragraph, shall constitute a quorum.
5. Hearings shall not be held in public.
6. The Committee has discretion to adjourn, continue or postpone a hearing. If the student does not appear on the date and at the time appointed, and the Committee is satisfied that due notice to appear has been received, it may proceed to deal with the matter and, if necessary, impose a penalty in the student's absence.
7. The names of witnesses called in support before the charge or the suspension or exclusion shall be made known to the student at least 48 hours before the hearing. The names of witnesses called by the student must be lodged with the University Secretary at least 48 hours before the hearing. Persons whose names are forwarded to the University Secretary after this period will not be called as witnesses.
8. The University Secretary will nominate the

person who is to present the charge, or to specify the reason for the suspension, exclusion or penalty. The student shall be informed of the name of the person presenting the charge at least 48 hours before the hearing. The evidence in support of the charge or the suspension or exclusion shall be heard first, and then the evidence on behalf of the student. The student concerned, and witnesses who are called, shall be subject to examination and cross-examination in accordance with any procedural directions of the Chairman.

9. In the case of an application against suspension or exclusion the student may be allowed to call or present fresh evidence at the discretion of the Committee, in which event the committee may allow the presentation of further evidence to meet any new or additional issues raised by the student. The Committee has the right to call and examine any member of the University and to invite and examine any other person. The student or the student's representative may examine any person present at the hearing who has been called to give evidence to the Committee.
10. In the case of an alleged offence the student may admit the charge, or part of it, at any stage of the proceedings.
11. Both the student and the person presenting the charge or specifying the reason for the suspension or exclusion shall be allowed to make a final address, the student having the last word.
12. The persons appearing before the Committee shall be notified of the decision of the Committee normally within ten working days.
13. Decisions of the Committee shall be by simple majority of the members attending. The Chairman has the right to exercise a casting vote in the event of a tie of votes.
14. If the Committee finds the charge proved, the student shall be entitled to be heard in mitigation before any penalty is determined.
15. In determining the penalty, the Committee may take into account any record of previous misconduct in respect of which a disciplinary penalty has been imposed.
16. A minute of the proceedings shall be kept and, if the Chairman so directs, a précis of the statements of witnesses.

Schedule B: procedure for appeals to the Appeal Board under paragraphs 6.2, 8.2 and 10.2

The following procedure shall be used in relation to appeals to be considered under paragraphs 6.2, 8.2 and 10.2 of the Ordinance.

1. When an appeal has been notified, the Appeal Board, (through the University Secretary) shall call the student in writing to the hearing. At the same time the student shall be informed:
 - (a) of the names of the members of the Appeal Board;
 - (b) that an objection to any member of the Appeal Board may be lodged with The University Secretary at least 48 hours before the hearing, with an explanation of the grounds for objection.
 - (c) that a member of the University, nominated by the student, or in the case of an associate student, a member of staff or a student of the institution at which the student is registered, may act as the student's representative. This representative, in addition to the student, shall be allowed to address the Appeal Board; the name of the person must be lodged with the University Secretary at least 48 hours before the meeting.
2. After a student, who has been called to a hearing, has been notified of the membership of the Appeal Board for the hearing, no member of the Appeal Board shall be replaced. In the event of the need arising for a change of membership due to unavoidable absence, the student shall be informed as soon as possible of such a change.
3. The Appeal Board shall itself decide on any

objections to its members lodged by the student. No member to whom objection is raised shall take part in the decision in relation to membership, and the body may ask a member to withdraw when reaching its decision. The remaining members, for the purposes of this paragraph, shall constitute a quorum.

4. Hearings shall not be held in public.
5. The Appeal Board has the discretion to adjourn, continue or postpone a hearing. If the student does not appear on the date and at the time appointed, and the Appeal Board is satisfied that due notice to appear has been received, it may proceed to deal with the appeal and, if necessary, impose a penalty in the student's absence.
6. In an appeal arising out of a decision under paragraph 4.5 the student shall be furnished, at least 48 hours before the hearing, with a notice giving a brief statement of the alleged offence.
7. The names of witnesses called in support of the decision against which the appeal is lodged shall be made known to the student at least 48 hours before the hearing. The names of witnesses called by the student must be lodged with The University Secretary at least 48 hours before the hearing. Persons whose names are forwarded to The University Secretary after this period will not be called as witnesses.
8. The University Secretary will nominate the person who is to speak in support of the decision against which the appeal is lodged. The student shall be informed of the name of the person presenting the charge at least 48 hours before the hearing. The evidence in support of the decision against which the appeal is lodged shall be heard and then the evidence on behalf of the student. The student concerned, and witnesses who are called, shall be subject to examination and cross-examination in accordance with any procedural directions of the Chairman.
9. The student may be allowed to call or present fresh evidence at the discretion of the Appeal Board, in which event the Appeal Board may allow the presentation of further evidence to meet any new or additional issues raised by the student. The Appeal Board has the right to call and examine any member of the University and to invite and examine any other person. The student or the student's representative may examine any person present at the hearing who has been called to give evidence to the Appeal Board.
10. The persons appearing before the Appeal Board shall withdraw while the Appeal Board considers the matter and, except for witnesses, may return to hear the decision.
11. Decisions of the Appeal Board shall be by simple majority of the members attending. The Chairman has the right to exercise a casting vote in the event of a tie of votes.
12. Except where the appeal is against penalty only, if the Appeal Board rejects the appeal the student shall be entitled to be heard in mitigation before any penalty is determined.
13. In determining the penalty the Appeal Board may take into account any record of previous misconduct in respect of which a disciplinary penalty has been imposed.
14. A minute of the proceedings shall be kept and, if the Chairman so directs, a precise of the statements of witnesses.

Ordinance XLII Fitness to Practise

1. This Ordinance refers to the procedures to be implemented when a student is judged unfit for entry to a profession for which there are academic, behavioural and health requirements that must be met in order to ensure suitability to practise that profession. Examples of relevant professions are Nursing, Health Visiting, Occupational Therapy, Physiotherapy, Radiography, Optometry, Podiatry, Chiropractic, Dietetics, Clinical Physiology, Sports Studies, Speech and

Language Therapy, Education, Social Work, Youth and Community Work, Biomedical Sciences, Pharmacy and Architecture. This list is not exhaustive, and it may be added to by the University at any time.

2. The Fitness to Practise procedure exists to protect:
 - (a) the public interest, by safeguarding client/patient well-being;
 - (b) the student's interests by ensuring that students do not proceed into an academic programme or career for which they may well not be suited or for which a regulatory body may not register them.
3. Students may be considered unfit to practise on the grounds of:
 - (a) physical or mental health reasons;
 - (b) criminal or other serious misconduct;
 - (c) unprofessional conduct or action;
 - (d) unsuitability for the academic and/or practise demands of the professional education.
4. Concern that a student may, for behavioural or health reasons, be deemed unfit to be admitted to or to practise in a profession towards which his or her course of study leads, should be disclosed in writing to the Executive Dean of the relevant Faculty. Concerns may arise from one incident or from a pattern of behaviour over time.
5. Anyone, including University staff and professional staff involved in student clinical/professional practice learning who becomes aware of evidence of health, behavioural or academic unsuitability which may preclude a student from completing the course of study or from undertaking the required professional practise should report the facts in writing to the Executive Dean at the earliest opportunity.
6. If the person making such disclosure, as in 4 and 5 above, identifies his or herself, this will make it possible for the University to undertake prompt action. In exceptional circumstances the Executive Dean may permit the discloser's identity to remain confidential, provided this is consistent with natural justice. Anonymous disclosure can be made. However, it must be recognised that if the discloser remains anonymous this can limit the University's ability to take action, as it is likely to be more difficult to investigate and gather evidence.
7. Boards of Examiners, Student Progress Committees, and the University Disciplinary Committee may also refer students to the Executive Dean under this Fitness to Practise procedure.
8. In some situations, where there is an allegation of plagiarism, it may be appropriate to consider the case under both academic and fitness to practise procedures. In these circumstances the academic process will be conducted first and conclude before beginning the fitness to practise process.
9. Students whose courses are covered by the Fitness to Practise ordinance must disclose any criminal convictions to the University before entering the course or immediately such a conviction occurs during the course. This will enable the student to be provided with guidance about entry requirements for registration within the profession concerned. If a student fails to disclose this information and it subsequently comes to light, the student will be referred to the Executive Dean who may instigate the Fitness to Practise procedure.
10. Issues relating to professional practise may arise as a consequence of behaviour associated with diagnosed or suspected mental or physical health problems or from addiction. In such circumstances the Fitness to Practise procedures will only be invoked if medical and/or counselling interventions have not successfully addressed the behaviour or if the student has refused all such interventions.
11. The Executive Dean will appoint an appropriate person (e.g. Head of School, Course Director) to undertake an investigation of the case in line with the relevant professional regulator guidelines. This person will prepare a report on the circumstances of the case, normally within 5 working days of being appointed, and

will make this report and recommendations for course of action available to the Executive Dean.

12. Where the alleged behaviour does not require a formal investigation with a Fitness to Practise Panel, the appropriate course of action as recommended under clause 10 will be agreed by the Executive Dean and the Head of School within 5 working days of the preliminary report from the appointed person; a timeline for monitoring and review will also be determined. This course of action will then be discussed with the student and on agreement, will be managed through to completion by the appropriate person. A record of the outcome will be recorded and kept on the student's file.

Precautionary Suspension

13. The Executive Dean of the Faculty in which the student is registered may suspend a student until the completion of a fuller investigation of the circumstances reported. This power may be used when a student displays inappropriate behaviour while on practice learning or when about to go on practice learning.
14. During a period of precautionary suspension, the student will be entitled to access the University's student support services and will be offered any pastoral support required.

Investigation

15. In cases where a full investigation is recommended, the Executive Dean will, within 5 working days of receiving the report from the appropriate person, convene a Faculty Fitness to Practise Panel (hereinafter the Panel), and expedite a meeting date for the Panel, taking cognisance of the notice period required for the student. The Panel shall consist of:
 - (a) the Executive Dean or his/her nominee. The Executive Dean will Chair the Panel;
 - (b) the Head of the relevant School;
 - (c) a member of academic staff from the same professional discipline as the student;
 - (d) a member of academic staff who is not from the professional area concerned and who does not know the student;
 - (e) a registered professional practitioner from the professional area concerned.

16. A member of the Faculty administration staff will, with due regard to confidentiality, keep records of the proceedings and be responsible for circulating relevant documents.

17. The student will be given 10 working days' notice of the meeting of the panel

The notice will include:

- (a) a brief statement of the allegations against him or her;
- (b) details of any precautionary suspension or limitations on or conditions placed upon his or her studies or practice learning experience during the investigation;
- (c) information on his/her right to be accompanied at the Panel meeting by a representative who is a member of the University;
- (d) guidance to the student that they can provide further information in support of their case up to three days prior to the panel meeting.

18. The Panel may ask academic or clinical/ professional staff connected with the case to provide written comments on the student's academic standing, conduct or health, explaining why there is concern as to the student's fitness to practise. The Panel will also be provided with information about the student's professional and academic progress and any other relevant information it requires.

19. The Panel will establish the facts of the case and in so doing may interview relevant individuals, including the student, or individuals nominated by the student. The student may be accompanied at the interview by a member of staff of the University, by another student, by a representative of the Students' Union or by a member of the professional organisation. Legal representation is not permitted.

20. The Panel shall satisfy itself that the student understands the purpose and importance of the proceedings of the Panel in respect of his/her case, understands his/her rights within the process, and has adequate support.

21. Wherever possible the Panel will resolve the issue in consultation with the student.

22. The Panel has the following powers when considering the student's behaviour and conduct:
 - (a) no action may be required;
 - (b) the student may be referred to Occupational Health, which may result in a period of leave of absence;
 - (c) recommend to the Faculty Board that the student discontinue studies on the course with possibility of transfer to another course;
 - (d) recommend to the Faculty Board that the student discontinue studies on the course without possibility of transfer to another course;
 - (e) if the student is at an appropriate stage in his/her programme, he/she may be offered an alternative award which does not lead to a professional qualification;
 - (f) the student may be referred to the University Student Disciplinary Committee;
 - (g) other action as deemed appropriate to the situation.
23. Should the Panel take the decision to refer a student to the University Student Disciplinary Committee, it will state in writing the reasons for its recommendation and supply any evidence it may have.
24. When the Panel takes the decision to recommend removing a student from a professional course it will:
 - (a) inform the student in writing, within 10 days of the Panel meeting, of the decision of the Panel, giving reasons for the decision;
 - (b) appraise the Deputy Vice-Chancellor (Academic);
 - (c) provide feedback to the complainant(s).
 The findings of the Panel will be entered on the student's file.
25. The student may appeal against the decision of the Panel on any of the following grounds:
 - (a) that new evidence has become available;
 - (b) that there has been procedural irregularity;
 - (c) that the decision of the Panel was inappropriate or too severe.
26. An appeal should normally be made through the Deputy Vice-Chancellor within 10 working days of receiving the decision of the Panel. The Deputy Vice-Chancellor will set up an Appeal Board (hereinafter the Board). The Board will consist of:
 - (a) Deputy Vice-Chancellor (Chair);
 - (b) the Executive Dean of another Faculty;
 - (c) a member of the professional body concerned who has not been involved in the consideration of the case.
27. The appeal will be considered within 28 days of the date the appeal was lodged.
28. The student will be invited to attend the Appeal Board meeting and be accompanied by a colleague, Trade Union member but not a legal representative. The individual attending with the student may present new information in support of the student's appeal.
29. The Board will consider the statements and information provided by the Panel and any additional/new evidence provided by the student or the University which the Panel did not consider/receive.
30. The Chair of the Appeal Board is permitted to determine the procedures appropriate for individual cases.
31. The Board may set aside or vary or confirm the decision of the Panel.
32. There shall be no appeal against the decision of the Appeal Board.
33. The student be informed in writing of the decision of the Appeal Board within 10 working days of the Appeal Board meeting.

Appeals Procedure

25. The student may appeal against the decision of the Panel on any of the following grounds:
 - (a) that new evidence has become available;
 - (b) that there has been procedural irregularity;
 - (c) that the decision of the Panel was inappropriate or too severe.

Schedule I Definitions

1. In these Statutes, unless the context otherwise requires:

Subject to Statute IV “Academic-related Staff” means persons employed by the University who are not members of the Academic Staff but who hold such appointments as may be determined by the Council for which the scale or rate of remuneration is either a scale or rate which is applied to Academic Staff or is part of any such scale;

Subject to Statute IV “Academic Staff” means (a) all persons who are employees of the University and are employed as Professors, Readers, Senior Lecturers and Lecturers of the University and (b) other persons or categories of persons holding such appointments as shall be designated for this purpose by the Council on the recommendation of the Senate;

“Chaplains” means the Chaplains appointed to represent the Church of Ireland, the Methodist Church in Ireland, the Presbyterian Church in Ireland, the Roman Catholic Church and any other Church as the Council may determine;

“Charter” means the Charter of the University;

“Charter Day” means the day on which the Charter becomes of force and effect;

“Council” means the Council of the University;

“Executive Deans” means the Executive Deans of the Faculties and holders of other appointments as determined by the Council;

“Faculty” means a Faculty of the University;

“Full-time employees” are those employees of the University who are notified by the Council that they are full-time employees;

“Functions” includes powers and duties, but does not include the exercise of the privileges of membership of a body;

“Non-Academic Staff” means the employees of the University who are not Academic Staff;

“Non-professorial Academic Staff” means the Academic Staff excluding the Professors;

“Officers” means the Chancellor, the Pro-Chancellors, the Vice-Chancellor, the Honorary Treasurer, the Deputy Vice-Chancellor, the Pro-Vice-Chancellors, the Provosts, the Chief Operating Officer, the Finance Officer, the Secretary, the Librarian or person or persons fulfilling the respective functions of the Chief Operating Officer Finance Officer, Secretary and Librarian and holders of other appointments as determined by the Council;

“Ordinances” means Ordinances made pursuant to the Charter and these Statutes;

“Premature Retirement Compensation Scheme” means the Premature Retirement Compensation Scheme approved by the Department of Education for Northern Ireland;

“Previous institutions” means the New University of Ulster and the Ulster Polytechnic;

“Professors” means the holders of established or personal chairs;

“Regulations” means Regulations made pursuant to the Charter, these Statutes and the Ordinances;

“Senate” means the Senate of the University;

“Students” means persons registered by the University as candidates for Degrees, Diplomas, Certificates or other academic distinctions together with such other persons as the Senate shall from time to time determine;

“University” means the University of Ulster;

“Year” means a period of twelve calendar months ending on such date as may be prescribed by Ordinance and Ordinances may prescribe different dates for different purposes.

2. Unless the context otherwise requires words defined in the Charter or in these Statutes shall have the same meaning in the Ordinances and in the Regulations.

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

4. Subject to the provisions of this Schedule, the Interpretation Act (Northern Ireland) 1954, shall, as far as may be practicable, be deemed to apply to the interpretation of these Statutes and the Ordinances and Regulations as it applies to a Measure of the Northern Ireland Assembly.

SCHEDULES TO ORDINANCES

SCHEDULE 1 TO ORDINANCE XVIII

Delegated Authority Framework

STATUTE REFERENCE	DESCRIPTION	DECISION BY COUNCIL	DELEGATED TO	DECISION BY OR ROLE OF;			
				CHAIRMAN	SENIOR LEADERSHIP TEAM	VICE-CHANCELLOR	LEAD OFFICER
Statute I, 9 A) and (M) (1)	Strategic Plan	Sets initial strategic direction and approves plans submitted by the Senior Leadership Team Monitors performance through established and agreed KPIs Key Council Function	Retained by the Council or to the Governance, Nominations & Remuneration Committee	Writes Chairman's introduction to Strategic Plan	Approves submission of draft Strategic Plan to the Council	Approves submission of Strategic Plan and Business Plan to Senior Leadership Team. Writes Vice-Chancellor's introduction to Strategic Plan	All senior officers contribute to development of the Strategic Plan. Vice- Chancellor's Office leads co-ordination of Senior Officers contribution. Director of Strategy, Planning & Performance will co- ordinate the overall development of the Strategic Plan
Statute I, 11,	Standing Orders for all University committees	Approves	Retained by the Council	The Chairman, in conjunction with the University Secretary, is the final authority on the interpretation of Standing Orders			University Secretary responsible for developing Standing Orders
Statute I, 11,	Code of Conduct, Register of Interests etc and Hospitality	Approves overall policies	Retained by the Council	Approves attendances of members at conferences etc.		Overall responsibility for ensuring compliance of SLT members	Chief Operating Officer/University Secretary have responsibility for ensuring policies are in place.

STATUTE REFERENCE	DESCRIPTION	DECISION BY COUNCIL	DELEGATED TO	DECISION BY OR ROLE OF;			
				CHAIRMAN	SENIOR LEADERSHIP TEAM	VICE-CHANCELLOR	LEAD OFFICER
Statute I, 9 (M) (5)	Management and control of computer systems and facilities	Approves overall policies	Resources Committee		Agrees submission to the Council for approval	Approves submission of policies to the Senior Leadership Team	Chief Operating Officer, has overall responsibility for ensuring strategy is developed and implemented
Statute I, 9 (C), (E) and (F)	Organisational Development Strategy	Approves Strategy	Governance, Nominations & Remuneration Committee		Approves submission of Strategy to the Council	Approves submission of policy to Senior Leadership Team	Chief Operating Officer prepares and drafts strategy in conjunction with other senior officers
Statute I, 9 (M) (3) and (5)	Estates Strategy	Approves the general strategy in respect of land acquisitions, sale, exchange or reservation of land – buildings and the apportionment of proceeds as required	Resources Committee		Approves submission of strategy to the Council	Approves submission of strategy to Senior Leadership Team	Chief Operating Officer has overall responsibility for ensuring the development of the strategy, management of land and buildings
Statute I, 9 (M)	Audit	Approves audit arrangements through Audit Committee Key Council Function	Audit Committee	Encourages the Council to direct action on points raised by external and internal audit reports	Reviews action taken as a result of audit reports	Ensures action points are implemented by all Senior Officers	1 University Secretary Provides Secretariat to Audit committee 2 All members of the senior leadership team to implement internal and external audit recommendations as appropriate

STATUTE REFERENCE	DESCRIPTION	DECISION BY COUNCIL	DELEGATED TO	DECISION BY OR ROLE OF;			
				CHAIRMAN	SENIOR LEADERSHIP TEAM	VICE-CHANCELLOR	LEAD OFFICER
Statute I, 9	Urgent Decisions	Endorses Chairman's action.	Chairman	Takes Chairman's Action as appropriate and reports to the next Council Meeting		Advises the Chairman on matters that require urgent decisions	Members of the Senior Leadership Team to advise appropriate
Statute I, 9 (G) and (M) (1) and (2)	Financial Strategies	Approves Strategies Approves annual accounts (Key Council Function)	Approval of strategy delegated to Resources Committee		Agrees submission of policies, delegated authority limits and standing financial arrangements to the Council	Is the Accounting Officer and has overall executive responsibility for financial arrangements	Chief Operating Officer has overall responsibility for and the development of strategies, including delegated authorities financial delegated authority for agreement by Senior Leadership Team.
Statute I, 9 (C)	Staff Training and Development	Endorse overall, high level strategy	Governance, Nominations & Remuneration Committee		Agrees strategy	Provides executive leadership and commitment of staff development	Director of People and Culture
Statute I, 9	Corporate Development and Fundraising	Approves Strategy	Governance, Nominations & Remuneration Committee	Directs overall involvement of individual members of the Council	Agrees strategy for submission to the Council	Leads implementation of institutional development strategy	Vice-Chancellor/Director of Development and Alumni Relations has overall responsibility for strategy
Statute I, 9	Marketing, Communications, PR and Consultations	Approves overall strategy	Governance, Nominations & Remuneration Committee	Agrees statements to be issued on behalf of the Council			Chief Operating Officer has overall responsibility for ensuring strategies are developed University Secretary co-ordinates Council communications

STATUTE REFERENCE	DESCRIPTION	DECISION BY COUNCIL	DELEGATED TO	DECISION BY OR ROLE OF;			
				CHAIRMAN	SENIOR LEADERSHIP TEAM	VICE-CHANCELLOR	LEAD OFFICER
Statute I, 9 (M) (1)	Delegation of Budgets and approval to spend funds	Accepting and approving delegated budget	Resources Committee		Agrees Submission to Council	Agrees submission to Senior Leadership Team	Chief Operating Officer to co-ordinate proposals for individual budgets. Individual Senior Officers to accept responsibility for budgets and to delegate to individual budget holders as required
Statute I, 9 (N)	Risk Management	Approves Risk Management Strategy Key Council Function	Retained by the Council or to Audit Committee		Collectively and individually sign off stewardship statements	Provide assurances and advise to the Council on the University's risk position	Chief Operating Officer has overall responsibility for ensuring risk management strategies are in place
Statute I, 9 (M) (6) and (7)	Procurement	Agrees tendering limits as part of financial policies	Resources Committee		Approves limits for submission to the Council	Approves limits for submission to Senior Leadership Team	Chief Operating Officer has overall responsibility for ensuring a scheme of delegation is in place
Statute I, 9 (M) (1)	Subsidiary Companies	Approves overall strategy for third leg activities	Resources Committee		Approves submission of reports and procedures to Council	Approve submission of reports and procedures to Senior Leadership Team	Nominated officer for each subsidiary company reports to Senior Leadership Team and fulfils the role of the nominated officer outlined in the Robson Rhodes guidance, and as agreed as part of the governance framework for each company

STATUTE REFERENCE	DESCRIPTION	DECISION BY COUNCIL	DELEGATED TO	DECISION BY OR ROLE OF;			
				CHAIRMAN	SENIOR LEADERSHIP TEAM	VICE-CHANCELLOR	LEAD OFFICER
Statute III	Student Support and Welfare (to include responsibility for Students Union)	Approve the Student's Union Constitution and approve overall strategy for Student Support and Welfare	Governance, Nominations & Remuneration Committee		Approves Policies for Submission to the Council	Approves policies for submission to the Senior Leadership Team	Deputy Vice-Chancellor (Research and External Affairs) develops overall strategy and policies for the provision of student support and the provision of student support welfare services, develops proposals for the constitution of the students union and oversees the implementation of those proposals when agreed
Statute I, 9	Equality	Approves overall strategy for compliance with section 75 of the Northern Ireland Act and the European Convention on Human Rights Approve statutory returns	Governance, Nominations & Remuneration Committee		Approve policies and reports for submission to Council	Approves policies and reports for submission to Senior Leadership Team	Director of People and Culture develops policies and strategies and implements approved policies and strategies
Statute I,	Appointment of Vice-Chancellor and Monitoring of his/her performance	Appoint Vice-Chancellor and agree procedure for monitoring performance Key Council Function	Joint Committee of Council and Senate to make recommendations to the Council	Chair joint committee and oversee the monitoring of the performance of the Vice-Chancellor			University Secretary and Chief Operating Officer

STATUTE REFERENCE	DESCRIPTION	DECISION BY COUNCIL	DELEGATED TO	DECISION BY OR ROLE OF;			
				CHAIRMAN	SENIOR LEADERSHIP TEAM	VICE-CHANCELLOR	LEAD OFFICER
Statute I, Ordinance XII	Determining remuneration package, contracts etc for the Vice-Chancellor and senior staff	Agreeing remuneration package and contracts	Governance, Nominations & Remuneration Committee				Director of People and Culture provides comparative sectoral data
Statute IV	Grievance and Disciplinary Procedures	Approve procedures and participate as indicated within the Ordinances			Participate in procedures as necessary and as indicated within the Ordinances	Participate in procedures as indicated in the Ordinances	Director of People and Culture
Statute I, 10 and 11	Effectiveness Reviews	To consider outcomes of effectiveness reviews and oversee recommended change	Governance, Nominations & Remuneration Committee	To lead the implementation of reviews		To lead the implementation of agreed changes at Senior Management level	University Secretary to provide administrative support and co-ordinate reviews
Statute I, 9 (B), (D), (K) (L), 10	Academic Matters	To approve the establishment of faculties and other academic units. To consider reports from the Senate.	Senate			To report to Council on Senate recommendations	Deputy Vice-Chancellor, Pro-Vice-Chancellors and Executive Deans to develop strategies for Council approval
Statute II, 1, (k)	The award of Honorary Degrees	To grant and confer Honorary Degrees	Joint Committee of Council and Senate	Chairs joint committee			General invitation to University community to submit nominations

SCHEDULE TO ORDINANCE XXVIII

Schedule to Ordinance XXVIII

RECOGNITION OF INSTITUTIONS FOR THE PURPOSE OF OFFERING APPROVED PROGRAMMES OF STUDY LEADING TO UNIVERSITY AWARDS (from 2020/21) (as at 20 November 2020)

EDUCATIONAL INSTITUTION (CAMPUS)	APPROVED PROGRAMME OF STUDY
<p>BELFAST METROPOLITAN COLLEGE</p> <p>Castlereagh</p> <p>Gerald Moag (Millfield)</p> <p>Titanic Quarter</p>	<p>CertHE Tour Guiding</p> <p>Access Diploma in Computing for the Economy</p> <p>Access Diploma in Mathematics and Finance</p> <p>Access Diploma in Mathematics and Physics</p> <p>Certificate in Counselling Studies</p> <p>CertHE Combined Social and Behavioural Sciences</p> <p>FdSc Architectural Technology</p> <p>FdEng Civil Engineering</p> <p>FdSc Construction Engineering with Surveying</p> <p>FdSc Integrative Counselling Practice</p> <p>FdSc Health and Social Care</p> <p>FdSc Planning, Property and Housing</p> <p>FdEng Software Engineering</p> <p>BSc Hons Social Work (Levels 4 and 5)</p> <p>CertHE Tour Guiding</p> <p>FdSc Accounting</p> <p>FdSc Applied and Medical Sciences</p> <p>FdSc Event Management</p> <p>FdSc Hospitality and Tourism Management (with specialisms)</p> <p>FdSc Marketing</p>
<p>CITY UNIVERSITY COLLEGE</p> <p>Doha, Qatar</p>	<p>Diploma in International Foundation Studies (BAHSS Pathway)</p> <p>BSc Hons Business Studies</p>

EDUCATIONAL INSTITUTION (CAMPUS)	APPROVED PROGRAMME OF STUDY
	MSc Marketing MSc Management Master of Business Administration
COLLEGE OF AGRICULTURE, FOOD AND RURAL ENTERPRISE Enniskillen Greenmount Loughry	FdSc Equine Management BSc Hons Equine Management FdSc Agriculture and Technology FdSc Horticulture (with three specialisms – Landscape Management, Sports Turf Management and Production Management) FdSc Food Manufacture and Nutrition BSc Hons Food Innovation and Nutrition BSc Hons Food Business Management BSc Hons Food Technology
COLLEGE OF HEALTH Abingdon	Access Diploma in Health GradCert Animal Therapy MChiro (Hons) Chiropractic MSc Animal Manipulation (Chiropractic) MSc Animal Manipulation (Osteopathy) MSc Chiropractic (Paediatrics)
HEALTH AND SOCIAL CARE LEADERSHIP CENTRE	Postgraduate Diploma in Health and Social Care Management

EDUCATIONAL INSTITUTION (CAMPUS)	APPROVED PROGRAMME OF STUDY
NORTHERN IRELAND AMBULANCE SERVICE HEALTH AND SOCIAL CARE TRUST Knockbracken Healthcare Park Belfast	FdSc Paramedic Practice
NORTHERN IRELAND PRISON SERVICE PRISON TRAINING COLLEGE Hydebank Wood Belfast	Certificate in Custody Prison Officer Practice
NORTHERN REGIONAL COLLEGE Ballymena Ballymoney Coleraine Magherafelt	Access Diploma in Science Access Diploma in Social Science Certificate in Counselling Studies FdSc Business with Digital Technology FdSc Computing FdSc Construction Engineering with Surveying FdSc Integrative Counselling Practice FdEng Electrical and Electronic Engineering FdSc Health and Social Care FdEng Mechanical and Manufacturing Engineering Access Diploma in Social Science Access Diploma in Science Access Diploma in Social Science FdSc Applied and Medical Sciences FdSc Construction Engineering with Surveying FdSc Health and Social Care FdSc Sport, Coaching and Fitness Access Diploma in Science Access Diploma in Social Science

EDUCATIONAL INSTITUTION (CAMPUS)	APPROVED PROGRAMME OF STUDY
<p>Newtownabbey</p>	<p>Certificate in Counselling Studies FdSc Health and Social Care</p> <p>Access Diploma in Science Access Diploma in Social Science FdSc Applied and Medical Sciences FdSc Business with Digital Technology FdSc Computing FdSc Health and Social Care</p>
<p>NORTH WEST REGIONAL COLLEGE</p> <p>Limavady</p> <p>Derry/Londonderry (Strand Road)</p>	<p>Access Diploma in Combined Studies Certificate in Counselling Studies FdSc Integrative Counselling Practice</p> <p>Access Diploma in Combined Studies Access Diploma in Science Certificate in Counselling Studies FdSc Applied and Medical Sciences FdSc Architectural Technology FdSc Business and Enterprise FdSc Construction Engineering with Surveying FdSc Integrative Counselling Practice FdEng Electrical and Electronic Engineering FdSc Health and Social Care FdSc Hospitality and Tourism Management (with specialisms) FdSc Information Technologies FdEng Mechanical Engineering FdSc Responding to Alcohol and Drug Use FdSc Software Development FdSc Sport, Coaching and Fitness</p>

EDUCATIONAL INSTITUTION (CAMPUS)	APPROVED PROGRAMME OF STUDY
<p>SOUTHERN REGIONAL COLLEGE</p> <p>Armagh</p> <p>Banbridge</p> <p>Newry</p> <p>Portadown</p>	<p>Access Diploma in Adult Learning (with four pathways – Combined Studies, Community Development, Science, Social Sciences and Humanities)</p> <p>Certificate in Counselling Studies</p> <p>FdSc Health and Social Care</p> <p>Certificate in Counselling Studies</p> <p>FdSc Integrative Counselling Practice</p> <p>FdSc Health and Social Care</p> <p>Access Diploma in Adult Learning (with four pathways – Combined Studies, Community Development, Science, Social Sciences and Humanities)</p> <p>Certificate in Counselling Studies</p> <p>Diploma in Irish Language</p> <p>FdSc Applied and Medical Science</p> <p>FdSc Applied Industrial Sciences (Chemical Sciences)</p> <p>FdSc Computing</p> <p>FdSc Health and Social Care</p> <p>FdSc Hospitality and Tourism Management (with specialisms)</p> <p>FdSc Integrative Counselling Practice</p> <p>FdA Interaction Design</p> <p>FdEng Mechatronic Engineering</p> <p>FdSc Sport, Coaching and Fitness</p> <p>Access Diploma in Adult Learning (with four pathways – Combined Studies, Community Development, Science, Social Sciences and Humanities)</p> <p>Certificate in Counselling Studies</p> <p>FdSc Applied and Medical Sciences</p> <p>FdSc Applied Industrial Sciences (Life Sciences)</p> <p>FdSc Architectural Technology</p> <p>FdSc Computing</p> <p>FdSc Construction Engineering with Surveying</p> <p>FdEng Mechatronic Engineering</p>

EDUCATIONAL INSTITUTION (CAMPUS)	APPROVED PROGRAMME OF STUDY
<p>SOUTH EASTERN REGIONAL COLLEGE</p> <p>Bangor</p> <p>Downpatrick</p> <p>Lisburn</p> <p>Newtownards</p>	<p>FdSc Computing</p> <p>FdSc Hospitality and Tourism Management (with specialisms)</p> <p>FdSc Sport, Coaching and Fitness</p> <p>FdSc Applied and Medical Sciences</p> <p>FdSc Computing</p> <p>Certificate in Counselling Studies</p> <p>FdSc Computing</p> <p>FdSc Integrative Counselling Practice</p> <p>FdSc Health and Social Care</p> <p>FdSc Management</p> <p>FdEng Mechatronic Engineering</p> <p>FdSc Sport, Coaching and Fitness</p> <p>FdSc Health and Social Care</p>
<p>SOUTH WEST COLLEGE</p> <p>Dungannon</p>	<p>Access Diploma in Social Sciences</p> <p>Certificate in Counselling Studies</p> <p>FdEng Architectural Engineering and Energy</p> <p>FdSc Business Management</p> <p>FdSc Computing</p> <p>FdSc Construction Engineering with Surveying</p> <p>FdEng Engineering (with specialisms – Manufacturing Engineering, Mechatronic Engineering)</p> <p>FdSc Health and Social Care</p> <p>BSc Hons Social Work (Levels 4 and 5)</p>

EDUCATIONAL INSTITUTION (CAMPUS)	APPROVED PROGRAMME OF STUDY
Enniskillen	Access Diploma in Social Sciences and Humanities Certificate in Counselling Studies FdSc Applied and Medical Sciences FdSc Business Management FdSc Computing FdSc Construction Engineering with Surveying FdSc Health and Social Care FdSc Hospitality and Tourism Management (with specialisms)
Omagh	Access Diploma in Social Sciences Certificate in Counselling Studies FdEng Engineering (with specialisms – Manufacturing Engineering, Mechatronic Engineering) FdSc Architectural Technology FdSc Business Management FdSc Civil Engineering FdSc Computing FdSc Construction Engineering with Surveying FdSc Health and Social Care FdSc Integrative Counselling Practice
UNIVERSITY OF HONG KONG SCHOOL OF PROFESSIONAL AND CONTINUING EDUCATION	BEng Hons Energy and Building Services Engineering (Levels 5 and 6) BSc Hons Food and Nutrition Postgraduate Diploma/MSc Dietetics Postgraduate Diploma/MSc Human Nutrition MSc Artificial Intelligence MSc Internet of Things MSc Sport and Exercise Nutrition
WESTERN HEALTH AND SOCIAL CARE TRUST	Postgraduate Diploma in Health and Social Care Management

SCHEDULE C TO ORDINANCE XLI

Schedule C to Ordinance XLI

OFFENCE SCHEDULE

TYPES OF OFFENCE	*NATURE	SENIOR OFFICER PENALTY	DISCIPLINARY COMMITTEE PENALTY	COMMENTS
1 Failure to comply with rules or directions or interference with normal working of the University	Minor**	– reprimand*** – fine to £100	– fine to £250 – suspension of privilege for a period not exceeding one semester	
2 Conduct by which is liable to bring discredit to the University, either on or off campus.	Minor	– reprimand – fine to £100	– fine to £250 – suspension of privilege for a period not exceeding one semester	
3 Complaints from general public	Major	– reprimand – fine to £250 – suspension of privilege for a period not exceeding one semester	– fine to £500 – suspension from any or all studies at the University – suspension from any or all academic or other privileges – recommendation to the Council and Senate for a student's expulsion – report to the appropriate civic authorities	
4 Riotous conduct or causing wilful damage	Major	– reprimand – fine to £250 – suspension of privilege for a period not exceeding one semester	– fine to £500 – suspension from any or all studies at the University – suspension from any or all academic or other privileges – recommendation to the Council and Senate for a suspension from any or all studies at the University – recommendation to the Council and Senate for a student's expulsion – report to the appropriate civic authorities	
5 Misuse of equipment	Minor	– reprimand – fine to £100	– fine to £250 – suspension of privilege for a period not exceeding one semester	

Schedule C to Ordinance XLI

OFFENCE SCHEDULE

TYPES OF OFFENCE	*NATURE	SENIOR OFFICER PENALTY	DISCIPLINARY COMMITTEE PENALTY	COMMENTS
6 Offences in connection with examinations (academic stream)	Major	<ul style="list-style-type: none"> – reprimand – fine to £250 – work is disallowed – suspension of privilege for a period not exceeding one semester 	<ul style="list-style-type: none"> – fine to £500 – work is disallowed – suspension from any or all studies at the University – suspension from any or all academic or other privileges – recommendation to the Council and Senate for a student's expulsion 	
7 Falsification of records (academic stream).	Major	<ul style="list-style-type: none"> – reprimand – fine to £250 – suspension of privilege for a period not exceeding one semester 	<ul style="list-style-type: none"> – fine to £500 – suspension from any or all studies at the University – suspension from any or all academic or other privileges – recommendation to the Council and Senate for a student's expulsion 	
8 False pretences, personation in regard to academic activities, attainments or financial records	Major	<ul style="list-style-type: none"> – reprimand – fine to £250 – suspension of privilege for a period not exceeding one semester 	<ul style="list-style-type: none"> – fine to £500 – suspension from any or all studies at the University – suspension from any or all academic or other privileges – recommendation to the Council and Senate for a student's expulsion 	
9 Theft, fraud etc in relation to academic activities, attainments or financial rewards.	Major	<ul style="list-style-type: none"> – reprimand – fine to £250 – suspension of privilege for a period not exceeding one semester 	<ul style="list-style-type: none"> – fine to £500 – suspension from any or all studies at the University – suspension from any or all academic or other privileges – recommendation to the Council and Senate for a student's expulsion 	
10 Refusal to provide identification.	Minor	<ul style="list-style-type: none"> – reprimand – fine to £100 	<ul style="list-style-type: none"> – fine to £250 – suspension of privilege for a period not exceeding one semester 	

Schedule C to Ordinance XLI

OFFENCE SCHEDULE

TYPES OF OFFENCE	*NATURE	SENIOR OFFICER PENALTY	DISCIPLINARY COMMITTEE PENALTY	COMMENTS
11 Interference with free speech.	Minor	– reprimand – fine to £100	– fine to £250 – suspension of privilege for a period not exceeding one semester	
12 Criminal offences against other members of the University	Major	– reprimand – fine to £250 – suspension of privilege for a period not exceeding one semester – report to the appropriate civic authorities	– fine to £500 – suspension from any or all studies at the University – suspension from any or all academic or other privileges – recommendation to the Council and Senate for a student's expulsion – report to the appropriate civic authorities	
13 Infringing safety regulations.	Major	– reprimand – fine to £250 – suspension of privilege for a period not exceeding one semester – report to the appropriate civic authorities	– fine to £500 – suspension from any or all studies at the University – suspension from any or all academic or other privileges – recommendation to the Council and Senate for a student's expulsion – report to the appropriate civic authorities	
14 Infringing arrangements for compliance with Data Protection Act.	Minor	– reprimand – fine to £100	– fine to £250 – suspension of privilege for a period not exceeding one semester	
15 Infringing University policies – smoking, – harassment, – computer misuse, – substance misuse.	Minor Minor Minor Minor	– reprimand – fine to £100	– fine to £250 – suspension of privilege for a period not exceeding one semester	

In all cases where there has been damage caused to property or financial liability incurred by an injured party the student would be expected to make retribution in full

**** In the case of minor offences this schedule reflects the basic level of the offence. It is likely that there will be a rising scale within the minor category and it will be for the individual or committee dealing with the complaint to determine the seriousness of any individual incident. Senior officers and the disciplinary committee would have discretion to make a case for any offence to 'major' in its nature and levy penalties accordingly**

***** Where a student accepts responsibility for a minor offence, it being a first offence, the minimum penalty should be applied.**

