

UNIVERSITY OF SUSSEX

CHARTER AND STATUTES

(AMENDED BY THE PRIVY COUNCIL ON 25 AUGUST 2009)

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Charter

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

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING!

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

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

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

1. There shall be and there is hereby constituted and founded in Our said County of Sussex a University with the name and style of "The University of Sussex" (hereinafter called "the University").
2. The members for the time being of the Court, the Council and the Senate, the members for the time being of the Academic Staff (as defined in the Statutes) of the University, the Graduates of the University, the students of the University (as defined in the Statutes), the Chancellor, the Pro-Chancellors, the Vice-Chancellor, the Treasurer and the Pro-Vice-Chancellors of the University and all others who shall pursuant to this Our Charter and the Statutes be Members of the University are hereby constituted and from 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 Sussex" with power subject to the Customs and Laws of Arms to acquire armorial bearings (which shall be duly recorded in Our College of Arms) and in that name to sue and be sued, to take, purchase, hold, charge, sell, exchange, demise or otherwise dispose of real and personal property, to invest, lend and borrow money, and subject to the provisions of this Our

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

3. The objects of the University shall be to advance learning and knowledge by teaching and research, and to enable students to obtain the advantages of University education.
4. We, Our Heirs and Successors, Kings and Queens of the Kingdom, Realms and Territories aforesaid shall be and remain the Visitor and Visitors of the University through the Lord President of Our Council for the time being and in exercise of the Visitorial Authority We, Our Heirs and Successors shall have the right from time to time and in such manner as We or They shall think fit to direct an inspection of the University, its buildings and general equipment and also an enquiry into the teaching, research, examinations and other work done by the University.
5.
 - (1) There shall be a Chancellor of the University who shall be the Head of the University and shall preside over meetings of its Court.
 - (2) The first Chancellor shall be Our right trusty and well beloved Cousin and Counsellor Walter Turner Viscount Monckton of Brenchley, Knight Commander of Our Most Distinguished Order of Saint Michael and Saint George, Knight Commander of Our Royal Victorian Order, upon whom has been conferred the Decoration of the Military Cross, one of Our Counsel learned in the Law.
 - (3) The manner of appointment of the successors to the first Chancellor and the period of office of the Chancellor shall be as prescribed in the Statutes.
6.
 - (1) There shall be Pro-Chancellors of the University not exceeding three in number one or more of whom shall, subject to the Statutes, in the absence of the Chancellor, or during a vacancy in that office, exercise and perform all the functions of the Chancellor except the conferring of Degrees.
 - (2) The number of the Pro-Chancellors and the manner of appointment of each of them and their periods of office and their respective powers and duties shall be as prescribed by or pursuant to the Statutes.
7.
 - (1) 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 and who shall in the absence of the Chancellor or during a vacancy in that office confer Degrees.
 - (2) The first Vice-Chancellor of the University shall be Our Trusty and well beloved John Scott Fulton, Esquire, Master of Arts.

- (3) The powers and duties of the Vice-Chancellor and the manner of appointment of the successors to the first Vice-Chancellor shall be as prescribed in the Statutes.
 - (4) During a vacancy in the office of Vice-Chancellor, the Council may appoint an Acting Vice-Chancellor who shall exercise and perform such of the functions of the Vice-Chancellor and shall have such of his or her powers, privileges and duties under this Our Charter or under the Statutes as the Council may specify.
8.
 - (1) There shall be a Treasurer of the University.
 - (2) The manner of election of the Treasurer, his or her period of office, and his or her powers and duties shall be as prescribed in the Statutes.
9.
 - (1) There shall be one or more Pro-Vice-Chancellors of the University who shall, subject to the Statutes, during the absence of the Vice-Chancellor exercise and perform such of the functions and duties of the Vice-Chancellor as the Vice-Chancellor or, if there should be a vacancy in the office of Vice-Chancellor or if the Vice-Chancellor should be incapacitated, the Council may delegate to them or to any of them.
 - (2) The number of Pro-Vice-Chancellors and the manner of the appointment of each of them and their respective periods of office and their respective powers and duties shall be as prescribed by or pursuant to the Statutes.
10.
 - (1) There shall be a Court of the University which shall have the right to receive reports on the working of the University and such other powers and duties as shall be prescribed in the Statutes.
 - (2) The constitution of the Court, its powers and functions, the manner of election and period of office of its members, the manner of filling vacancies in its membership and all other matters relative to the Court which it may be thought proper so to regulate, shall be as prescribed in or in accordance with the Statutes.
11.
 - (1) There shall be a Council of the University (hereinafter called "the Council") which shall, subject to the provisions of this Our Charter and the Statutes, be the Governing Body of the University.
 - (2) The Council shall have the custody and use of the Common Seal.
 - (3) The Council shall be responsible for the management and administration of the whole of the revenue and property of the University and, except as may otherwise be provided in this Our Charter, shall have general control over the University and all its affairs, purposes and functions and all such other powers and duties as may be conferred upon it by Statute or Ordinance.

- (4) The constitution of the Council, its powers and functions, the manner of election and period of office of its members, the manner of filling vacancies in its membership, and all other matters relative to the Council which it may be thought proper so to regulate, shall be as prescribed in the Statutes.
12.
 - (1) There shall be a Senate of the University (hereinafter called "the Senate") which shall, subject to the provisions of this Our Charter and the Statutes and to the general control and approval of the Council, be responsible for the academic work of the University, both in teaching and in research, and for the regulation and superintendence of the education and discipline of the students of the University.
 - (2) The constitution of the Senate, its powers and functions, the manner of election and period of office of its members, the manner of filling vacancies in its membership, and all other matters relative to the Senate which it may be thought proper so to regulate, shall be as prescribed in the Statutes.
13.
 - (1) There shall be Schools of Studies and such other units of academic organisation as may be constituted by the Council on the recommendation of the Senate.
 - (2) The constitution of Schools of Studies, their powers and functions, and all other matters which it may be thought proper so to regulate, shall be as prescribed in the Ordinances.
14.
 - (1) There shall be a Students' Union of the University.
 - (2) The constitution of the Students' Union, its powers and functions, and all other matters which it may be thought proper so to regulate, shall be as prescribed in the Ordinances.
15. The University shall, subject to the provisions of this Our Charter and the Statutes, have the following powers:
 - (a) To prescribe in its Statutes or Ordinances the conditions under which persons shall be admitted as students to the University or to any particular course of study therein.
 - (b) To grant and confer under conditions laid down in its Statutes or Ordinances, Degrees, Diplomas, Certificates and other academic distinctions to and on persons who shall have pursued a course of study approved by the University and shall have passed the examinations or other tests prescribed by the University; provided that all Degrees, Diplomas, Certificates and other academic distinctions so granted and conferred shall be held subject to any provisions which are or may be made in reference thereto by the Statutes or Ordinances and that there shall be at least one external and independent examiner appointed by the Senate for the final examinations prescribed for any

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

- (c) To confer Honorary Degrees and other distinctions on approved persons; provided that all Honorary Degrees and other distinctions so conferred shall be held subject to any provisions which are or may be made in reference thereto by the Statutes or Ordinances.
- (d) On what the University shall deem to be good cause to deprive persons of any Degrees or other distinctions conferred on them and to revoke any Diplomas or Certificates granted to them by the University.
- (e) To prescribe in the Statutes or Ordinances the disciplinary provisions to which students of the University, and persons not members of the University attending the activities referred to in Clause (g) below, shall be subject.
- (f) To provide instruction in such branches of learning as the University may think fit and to make provision for research and for the advancement and dissemination of knowledge in such manner as the University may determine.
- (g) To provide such lectures and instruction for persons not members of the University as the University may determine and to grant Diplomas and Certificates to such persons.
- (h) To accept the examinations and periods of study passed by students of the University at other Universities or places of learning as equivalent to such examinations and periods of study in the University as the University may determine and to withdraw such acceptance at any time.
- (i) To affiliate or to form other working arrangements in co-operation with other institutions or branches or departments thereof, and to admit members thereof to any of the privileges of the University, and to accept attendance at courses of study in such institutions or branches or departments thereof in place of such part of the attendance at courses of study in the University and upon such terms and conditions and subject to such regulations as may from time to time be determined by the University.
- (j) To co-operate with other educational bodies for the conduct of examinations and for such other purposes as the University may from time to time determine.
- (k) To institute Professorships, Readerships, Lectureships, and any other such offices required by the University, to appoint persons to and remove them from such offices, and to prescribe their conditions of service.

- (l) To institute such other offices as may be required by the University, to appoint persons to and remove them from such offices, and to prescribe their conditions of service.
- (m) To institute and award Fellowships, Scholarships, Studentships, Exhibitions, Bursaries and Prizes.
- (n) To establish and maintain and to administer and govern institutions for residence and to license and supervise such institutions and other places of residence.
- (o) To provide, for reward or otherwise, research, design, development and advisory services, to buy, sell, acquire and otherwise deal in patents, designs, scientific and technological equipment and inventions of all kinds and to engage in printing and publishing and the distribution and sale of books and other goods and services and for those and other purposes to enter into contracts and arrangements with any persons, companies or institutions as the University may think fit.
- (p) To demand and receive fees.
- (q) To take such steps as may from time to time be deemed expedient for the purpose of procuring contributions to the funds of the University, and to raise money in such other manner as the University may deem fit.
- (r) 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 such property, legacy, endowment, bequest or gift if not immediately required on such security as the University may deem fit.
- (s) To enter into any agreement for the incorporation in the University of any other institution and for taking over its rights, property and liabilities and for any other purpose not repugnant to this Our Charter.
- (t) To maintain, manage, deal with, dispose of and invest all the property, money, assets and rights of the University and to enter into engagements and to accept obligations and liabilities in all respects without any restriction and in the same manner as an individual may manage his or her own affairs.
- (u) To give guarantees to banks, building societies and other financial institutions whether in pursuance of continuing obligations or not.
- (v) To do all such other acts and things whether incidental to the powers aforesaid or not as may be requisite in order to further the objects of the University as a place of education and learning.

16. (1) The Statutes may contain, in addition to all such matters as are in the foregoing provisions of this Our Charter required to be prescribed or regulated by Statutes, all such other provisions consistent with this Our Charter as it may be thought proper to make for the convenient and effective attainment and execution of the objects and purposes of this Our Charter.
- (2) The first Statutes shall be those set out in the Schedule to this Our Charter.¹ They may be altered, added to, or repealed only in the manner hereinafter prescribed.
- (3) The Council may, from time to time, on the recommendation of the Senate or otherwise, by Special Resolution make Statutes altering, adding to or repealing the Statutes. Provided that no such Statutes shall be either repugnant to the provisions of this Our Charter or to the laws of the Realm or shall have effect until approved by a Committee of the Lords of Our Most Honourable Privy Council, of which approval a Certificate under the hand of the Clerk of Our Most Honourable Privy Council shall be conclusive evidence.
17. (1) The Statutes may direct that any of the matters authorised or directed in this Our Charter to be prescribed or regulated by Statutes shall be prescribed or regulated by Ordinances.
- (2) Ordinances shall be made by resolution of the Council, provided that the resolution be passed by a majority of not less than three-fourths of those present and voting; and provided that Ordinances dealing with any matters which are pursuant to this Our Charter within the responsibilities of the Senate shall not be made, added to, amended or repealed except on the recommendation of the Senate. Any such Ordinance shall apply with effect from the date of such resolution or such later date as may be agreed by the Council.
- (3) Ordinances may add to, amend or repeal Ordinances from time to time in force.
18. (1) The Statutes or Ordinances may direct that any of the matters prescribed or regulated therein shall be further prescribed or regulated by Regulations provided that any such further prescription or regulation shall not be repugnant to the provisions of this Our Charter or the Statutes or the Ordinances.

¹ Footnote: *The Statutes set out in the Schedule hereto are the Statutes as amended by Special Resolution of the Council passed on 16th March 1984 and confirmed on 4th May 1984; as amended by Special Resolution of the Council passed on 11th March 1988 and confirmed on 24th June 1988; as modified by the University Commissioners, in exercise of the powers conferred on them by section 204 of the Education Reform Act 1988, and approved by Her Majesty in Council on 31st March 1993; as amended by Special Resolution of the Council passed on 20th December 2000 and confirmed on 2nd February 2001; and as amended by Special Resolution of the Council passed on 4th July 2003 and confirmed on 26th September 2003.*

- (2) The Council and the Senate may make Regulations affecting matters within their responsibilities.
 - (3) Regulations may add to, amend or repeal Regulations from time to time in force.
19. Subject to the provisions of this Our Charter and the Statutes, the Ordinances and the Regulations, the Court, the Council and the Senate respectively may from time to time make Standing Orders for governing their proceedings, and may add to, amend or repeal any such Standing Orders.
20. The University shall not make any dividend, gift, division or bonus in money unto or between any of its members except by way of prize, reward or special grant.
21. Men and women of all races shall be equally eligible for any office or appointment in the University and for membership of any of its constituent bodies and all Degrees and other academic distinctions and courses of study in the University shall be open to men and women of all races.
22. No test of religious or political beliefs or ethnic affiliation shall be imposed upon any person in order to entitle him or her to be admitted as a member or holder of any office or post of the University or to graduate thereat or to hold any advantage or privilege thereof nor shall any preference be given to or advantage withheld from any person on the ground of his or her religious or political beliefs or ethnic affiliation, except that this provision shall not apply in the case of an appointment to an office or post the nature of which requires that a particular religious status be held or religious belief be professed by its holder.
23.
 - (1) The Council may at any time alter, amend or add to this Our Charter by a Special Resolution passed in that behalf, and such alteration, amendment or addition shall, when approved by Us, Our Heirs or Successors in Council, have effect so that this Our Charter shall thenceforward continue and operate as though it had been originally granted and made as so altered, amended or added to.²
 - (2) This Article shall apply to this Our Charter as altered, amended, or added to in manner aforesaid.
 - (3) No Article or provision of this Our Charter shall be altered, amended, added to or repealed otherwise than by Special Resolution or by Supplemental Charter.
24. For the purposes of the foregoing Articles of this Our Charter, a Special Resolution means a resolution passed at a meeting of the Council, provided

² Footnote: The Charter set out here is as amended by Special Resolution of the Council passed on 4th July 2003 and confirmed on 26th September 2003, and approved by Her Majesty in Council on 11th February 2004.

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

25. Our Royal Will and Pleasure is that this Our Charter shall ever be construed benevolently, and in every case most favourably to the University and the promotion of the objects of this Our Charter.

IN WITNESS whereof We have caused these Our Letters to be made Patent.

WITNESS Ourselves at Westminster the sixteenth day of August in the tenth year Our Reign.

BY WARRANT UNDER THE QUEEN'S SIGN MANUAL.

The Schedule Statutes of the University

I. DEFINITIONS

In these Statutes:-

“University” means the University of Sussex.

“Charter” means the Charter of the University.

“Court” means the Court of the University.

“Council” means the Council of the University.

“Senate” means the Senate of the University.

“Statutory Bodies” means the Court, the Council and the Senate.

“Independent members of Council” means those members of Council referred to in Statute XIII.1 (ii) and (iii).

Subject to Statute XXI, “academic staff” means the Vice-Chancellor, the professors, readers and lecturers of the University holding offices instituted pursuant to paragraph 4 of Statute XIII and all other members of the staff of the University who shall be recognised by the Senate as members of the academic staff.

“Professional Services staff” means all the employees of the University except for the academic staff.

“Staff” means the employees of the University.

“Students” means all persons recognised by the Council as following a course of studies in the University recognised by the Senate as being appropriate.

“Ordinances” means Ordinances made pursuant to the Charter or Statutes.

“Regulations” means Regulations made pursuant to the Charter, Statutes or Ordinances.

“Head of School” means the Head of a School of Studies or the Dean of the Brighton and Sussex Medical School.

II. MEMBERS OF THE UNIVERSITY

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

The Chancellor, the Pro-Chancellors, the Vice-Chancellor, the Treasurer and the Pro-Vice-Chancellors.

The Members of the Court.

The Members of the Council.

The Members of the Senate.

The Members of the academic staff.

The Registrar & Secretary.

The Librarian.

The Graduates of the University.

The students.

Such other persons as shall under Ordinances or Regulations be granted the status of members.

2. Membership of the University shall continue as long only as one at least of the qualifications above enumerated shall continue to be possessed by the individual member.
3. The Council on the recommendation of the Senate shall have power to declare such other persons Members of the University as it shall deem fit.

III. THE CHANCELLOR

1. The Chancellor shall be elected by the Court at a meeting specially called for the purpose, and held as soon as conveniently possible after the occurrence of a vacancy. Not less than four weeks' notice of the date of such meeting shall be given by the Secretary of the Court to each member of the Court.
2. Voting in the election shall be by ballot, and no person may be a candidate in the election unless he or she has been nominated in writing for the office by two members of the Court.
3. Such nominations must reach the Secretary at least two weeks before the date of the meeting, and the Secretary shall give notice of all nominations received to every member of the Court at least one week before the date of the meeting.
4. The Chancellor shall hold office during his or her life or until his or her resignation or until his or her removal in accordance with paragraph 1 of Statute XX.
5. The Chancellor may resign by writing addressed to the Secretary of the Court.

IV. THE PRO-CHANCELLORS

1. The Chairman of the Council for the time being shall be *ex officio* the Senior Pro-Chancellor during his or her tenure of office as Chairman of the Council.
2. Unless and until otherwise provided by the Ordinances there shall be two Pro-Chancellors in addition to the Senior Pro-Chancellor and they shall be appointed by the Court at an Annual Meeting and shall hold office from the date on which they are appointed until the date of the third Annual Meeting of the Court thereafter or until resignation or removal in accordance with paragraph 1 of Statute XX and unless so removed shall be eligible for re-appointment.
3. If an office of Pro-Chancellor, other than that of the Senior Pro-Chancellor, becomes vacant by death or resignation or from any other

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

4. A Pro-Chancellor may resign by writing addressed to the Secretary of the Court provided that in the case of the Senior Pro-Chancellor he or she also resigns as Chairman of the Council.
5. In the absence of the Chancellor or during a vacancy in that office all the functions of the Chancellor (except the conferring of Degrees) shall be performed by the Senior Pro-Chancellor except to the extent he or she may delegate the same to any other Pro-Chancellor.

V. THE VICE-CHANCELLOR

1. The Vice-Chancellor shall be appointed by the Council, after consultation with the Senate, at a meeting specially called for the purpose.
2. The Vice-Chancellor shall hold office for such period and, subject to Statute XXI, on such conditions as may be determined by the Council.
3. The Vice-Chancellor shall, subject to such policy and other rules as may be framed by the Council, exercise management supervision of the University and shall be generally responsible for maintaining and promoting the efficiency and good order of the University.
4. The Vice-Chancellor may refuse to admit any person as a student of the University without assigning any reason, and may suspend any person from any class or classes, and may exclude any person from any part of the University or its precincts; provided that these powers shall not extend to a member of the staff and may be delegated by the Vice-Chancellor as he or she may think fit and that in the case of a student any such suspension or exclusion shall be reported to the Council and the Senate at their next meetings.

VI. THE TREASURER

1. The Treasurer shall be elected by the Council from among the independent members of Council, and shall hold office for three years from 1st August in the year in which he or she is elected or until resignation or removal in accordance with paragraph 1 of Statute XX. Unless so removed, the Treasurer shall be eligible for re-election, subject to any Regulations made by the Council.
2. If the office of Treasurer becomes vacant by his or her death or resignation or from any other cause before the expiration of his or her period of office, the Council shall appoint a successor, who shall hold office during the unexpired portion of the period of office of his or her

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

3. The powers and duties of the Treasurer shall be prescribed by the Council.
4. The Treasurer may resign by writing addressed to the Secretary of the Council.
5. The receipt of the Treasurer or any member of the staff nominated by him or her for any monies or property payable or deliverable to the University shall be a sufficient discharge for the same to the person or persons paying or delivering the same.

VII. THE PRO-VICE-CHANCELLORS

1. There shall be such number of Pro-Vice-Chancellors as shall be determined by the Council. One of these Pro-Vice-Chancellors shall be appointed as Deputy Vice-Chancellor.
2. The Pro-Vice-Chancellors (including the Deputy Vice-Chancellor), who shall be members of the academic staff, shall be appointed by the Council on the recommendation of the Vice-Chancellor (who shall before making any recommendation consult with the Senate) and shall hold office for such period as shall be determined by the Council and shall be eligible for re-appointment.
3. If an office of Pro-Vice-Chancellor becomes vacant by the death or resignation of the holder or from any other cause before the expiration of his or her period of office, the Council shall appoint a successor, who shall hold office during the unexpired portion of the period of office of his or her predecessor.
4. A Pro-Vice-Chancellor may resign in writing addressed to the Secretary of the Council.
5. The powers and duties of the Pro-Vice-Chancellors shall be prescribed by the Council and different powers and duties may be prescribed for each of them.
6. Any delegation to the Vice-Chancellor or by the Council to a Pro-Vice-Chancellor pursuant to Article 9 of the Charter shall be to the Deputy Vice-Chancellor who may nevertheless authorise any other Pro-Vice-Chancellor to exercise any function or duty so delegated to him or her on his or her behalf.

VIII. ACADEMIC STAFF

1. The Council may, from time to time, appoint such members of the academic staff as may be required to fill the offices instituted under clause (a) of paragraph 4 of Statute XIII.
2. The procedure for the appointment of members of the academic staff shall be as prescribed in the Ordinances.
3. Subject to Statute XXI the conditions of service of members of the academic staff shall be prescribed by the Council.

IX. THE REGISTRAR & SECRETARY

1. The Council shall appoint a Registrar & Secretary who shall
 - (a) be the Secretary of the Court, the Council, the Senate, and of any committees of these bodies, and shall keep minutes of their proceedings; and
 - (b) under the direction of the Vice-Chancellor, be responsible to the Council and where appropriate to the Senate for whatever matters may be assigned by Ordinance.
2. The provisions of paragraphs 2 and 3 of Statute VIII shall also apply, *mutatis mutandis*, to the post of Registrar & Secretary.

X. PROFESSIONAL SERVICES STAFF

1. The Council may, from time to time, appoint such members of the Professional Services staff as may be deemed necessary for the efficient functioning of the University, with such duties and conditions of service including remuneration as the Council may prescribe.
2. The Council may delegate to any person, committee or body the power to appoint any member of the Professional Services staff, or any class of such members.

XI. THE AUDITORS

1. The Council shall appoint an Auditor or Auditors who shall hold office for such period, and on such remuneration as may be determined by the Council.
2. Every such Auditor shall be a member of a body of accountants established in the United Kingdom and for the time being recognised for the purposes of the legislation for the time being in force relating to auditors of public limited companies by any governmental or other

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

3. The Auditor or Auditors shall audit the annual statement of income and expenditure, the balance sheet, and the other accounts of the University, and shall make a report to the Council at least once in each year.
4. The Auditor or Auditors shall have a right of access at all reasonable times to the books, records, accounts and vouchers of the University and shall be entitled to require from the officers of the University such information and explanations as may be necessary for the performance of his, her or their duties.
5. If the office of Auditor or Auditors shall become vacant by his, her or their death or resignation or any other cause before the expiration of his, her or their period of office the Council shall forthwith appoint an Auditor or Auditors in his, her or their place for the remainder of such period.
6. An Auditor or Auditors may resign by writing, addressed to the Secretary of the Council.

XII. THE COURT

1. The Court shall consist of the following persons, namely: -
 - (i) *Ex officio* Members:
 - (a) The Chancellor.
 - (b) The Pro-Chancellors.
 - (c) The Vice-Chancellor.
 - (d) The Treasurer.
 - (e) The Pro-Vice-Chancellors.
 - (f) The Lord-Lieutenants of the Counties of East Sussex and West Sussex.
 - (g) The High Sheriffs of the Counties of East Sussex and West Sussex.
 - (h) The Members of the Commons House of Parliament elected for the parliamentary constituencies in the Counties of East Sussex and West Sussex and in the Brighton and Hove Unitary Authority.
 - (i) The President of the Students' Union.
 - (j) Those members of the Council who are not already members of the Court by virtue of the foregoing provisions of this paragraph.

- (ii) Representative Members:
- (a) Eight members of the academic staff appointed by the Senate, of whom not more than six shall be members of the Senate at the time of their respective appointments.
 - (b) One person appointed by the Board of Governors of the University of Brighton.
 - (c) One person appointed by the Board of Governors of University College Chichester.
 - (d) Four persons appointed by the Council of the County of East Sussex.
 - (e) Four persons appointed by the Council of the County of West Sussex.
 - (f) Four persons appointed by Brighton and Hove Council.
 - (g) Two persons appointed by the Council of each of the Boroughs or Districts of Adur, Arun, Chichester, Crawley, Eastbourne, Hastings, Horsham, Lewes, Mid-Sussex, Rother, Wealden and Worthing.
 - (h) Two representatives of the Surrey and Sussex Strategic Health Authority, one person appointed by the Council to represent the NHS Acute and Community Trusts working in partnership with the University and one person appointed by the Surrey and Sussex Strategic Health Authority to represent the Primary Care Trusts operating in its area.
 - (i) One representative of each of such local and regional bodies, enterprises and faith communities as the Council may from time to time determine, the total number of such persons in this category not to exceed twenty.
 - (j) One representative from each of the University's Partner Institutions as specified in the Ordinances.
 - (k) Up to six representatives of the non-teaching staff of the University.
 - (l) Such members of the teaching staff of Schools in the Counties of East Sussex, West Sussex, Hampshire and Surrey and the areas covered by the Greater London Authority and the City of Brighton and Hove, not exceeding sixteen in all, as may be appointed by the

Council; provided that not more than six shall be teachers at Independent Schools.

- (m) The Heads of such Colleges of Further and Higher Education in the Counties of East Sussex and West Sussex as the Council may from time to time determine, but so that the total of such persons shall not exceed sixteen.
 - (n) One representative of each of such learned or professional societies or bodies as the Council may from time to time determine, but so that the total of such representatives shall not exceed twelve.
- (iii) Other Persons:
- (a) Such other persons, not exceeding twenty³ in all, as may be co-opted by the Court.
 - (b) Such other persons, not exceeding twenty⁴ in all, as may be appointed by the Council.
2. (1) There shall be power by Ordinance from time to time to add new categories of ex officio or representative members of the Court or add to the numbers within an existing category, provided that the additional ex officio and representative places created under this statute shall not exceed 25 at any one time.
- (2) Ordinances may abolish existing categories of ex officio or representative membership of the Court, provided that no such abolition shall have the effect of terminating prematurely any then existing period of membership.
- (3) If the title or description of any ex officio or representative member of the Court is altered under a change external to the University, the membership in question shall continue under the title or description as altered unless provision is made to the contrary by Ordinance.
3. (1) Except as may be otherwise provided in paragraph 1, a person who is appointed by a body, or to represent a body, on the Court need not be a member of the body which appointed him, or her, or which he or she represents.

³ Amended by the Privy Council dated 29th August 2007 on special resolution of Council on 21st March 2007.

⁴ Amended by the Privy Council dated 29th August 2007 on special resolution of Council on 21st March 2007.

- (2) *Ex-officio* members of the Court shall continue in membership so long as they continue to occupy the positions by virtue of which they became members.
 - (3) The members of the Court referred to in sub-clauses (a) to (c) inclusive of clause (ii) of paragraph 1 shall continue in membership for a period of three years commencing on 1st August in the year in which they take up their appointments and shall be eligible for re-appointment; provided that such members who, in terms of clause (ii) of paragraph 1 are required to hold a particular qualification or appointment shall be members of the Court only so long as they hold that qualification or appointment.
 - (4) The members of the Court referred to in sub-clauses (d) to (g) inclusive of clause (ii) of paragraph 1 shall continue in membership for a period of one year commencing on 1st August in the year in which they take up their appointments and shall be eligible for re-appointment.
 - (5) The members of the Court referred to in sub-clauses (h) to (n) inclusive of clause (ii) of paragraph 1 or appointed to membership by virtue of an Ordinance made pursuant to paragraph 2 shall continue in membership for a period of three years commencing on 1st August in the year in which they take up their appointments and shall be eligible for re-appointment; provided that such members, who, in terms of clause (ii) of paragraph 1 are required to hold a particular qualification or appointment shall be members of the Court only so long as they hold that qualification or appointment.
 - (6) Persons co-opted or appointed to the Court in terms of clause (iii) of paragraph 1 shall continue in membership for such period as may be determined by the Court or the Council, as the case may be.
 - (7) Casual vacancies among the representative members shall be filled as soon as conveniently possible by the body which appointed the member whose place has become vacant, and the person appointed to fill the vacancy shall be a member for the unexpired portion of the period of office of his or her predecessor.
4. The Court shall hold an Annual Meeting each year at which shall be presented the audited financial statements of the University for the previous year, and a report by the Vice-Chancellor on the working of the University during the year. Not more than fifteen months shall elapse between the date of one Annual Meeting of the Court and that of the next.

5. Notice of the Annual Meeting shall be sent by the Secretary of the Court to all members of the Court at least four weeks before the date of the Meeting. A further notice, setting out the business to be transacted at the Meeting, and accompanied by copies of the financial statements and report referred to in paragraph 4, shall be sent by the Secretary to all members of the Court at least one week before the date of the Meeting.
6. The Court shall have power to discuss any matters relating to the University and convey its opinion thereon to the Council. Notice of any such matter for discussion at the Annual Meeting shall be given to the Secretary at least two weeks before the date of the Meeting unless shorter notice shall be accepted in his or her discretion by the Chancellor or the person presiding at the Meeting concerned.
7. Twenty-five members of the Court shall constitute a quorum. In the absence of a quorum, no business shall be transacted other than the adjournment of the meeting. At the adjourned meeting, the business for which the original meeting was called may be completed in the absence of a quorum. The manner of summoning the adjourned meeting, and the period of notice to be given, shall be prescribed in the Regulations.

XIII. THE COUNCIL

1. The Council shall consist of the following persons, namely:-
 - (i) The Chair, the Vice-Chair,⁵ the Treasurer (all of whom shall be elected in the manner prescribed in paragraph 6 below, from amongst the fifteen independent members referred to in clauses (ii) and (iii) below), the Vice-Chancellor, and the Deputy Vice-Chancellor.
 - (ii) Six persons, being neither members of the staff nor students, elected by the Court.
 - (iii) Nine persons, being neither members of the staff nor students, appointed by the Council.
 - (iv) Four members elected by and from the academic staff members of the Senate who shall be members of the Senate at the time of their respective appointments.
 - (v) Two members elected by and from the academic staff of the University, as specified in Regulations approved by the Council.

⁵ Amended by the Privy Council dated 29th August 2007 on special resolution of Council on 21st March 2007.

- (vi) One member elected by and from the Professional Services staff of the University, as specified in Regulations approved by the Council.
 - (vii) The President of the Students' Union.
2. (1) The members of the Council referred to in clause (ii) of paragraph 1 shall be elected by Court.
 - (2) Voting in the election shall be by ballot, and no person other than a member of the Council under clause (ii) of paragraph 1 hereof then retiring may be a candidate in the election unless he or she has been nominated in writing for the purpose by two members of the Court.
 - (3) Such nominations must reach the Secretary of the Court at least two weeks before the date of the meeting, and the Secretary shall give notice of all nominations received to every member of the Court at least one week before the date of the meeting.
 3. (1) The members of the Council referred to in clauses (i) and (vii) of paragraph 1 shall continue in membership so long as they continue to occupy the positions named respectively.
 - (2) The members of the Council referred to in clause (ii) of paragraph 1 shall continue in membership for a period of three years commencing on 1st August in the year in which they take up their appointments, and shall be eligible for re-appointment, subject to Regulations approved by the Council.
 - (3) The members of the Council referred to in clause (iii) of paragraph 1 shall continue in membership for a period of three years, commencing on 1st August in the year in which they take up their appointments, and shall be eligible for reappointment, subject to Regulations approved by the Council.
 - (4) The members of the Council referred to in clause (iv) of paragraph 1 shall hold office for a period of three years commencing on 1st August in the year in which they are appointed, and shall be eligible for re-appointment, subject to Regulations approved by the Council, provided that such members shall be members of the Council only so long as they continue to be academic members of staff of the University of Sussex.
 - (5) The members of the Council referred to in clauses (v) and (vi) of paragraph 1 shall hold office for a period of three years commencing on 1st August in the year in which they take up their appointments, and shall be eligible for reappointment, subject to Regulations approved by the Council, provided that

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

- (6) Casual vacancies among the members of the Council referred to in clause (ii) of paragraph 1 may be filled by the Council until the next meeting of the Court, when the vacancy shall be filled in the manner prescribed in paragraph 2, and the person then elected shall be a member for the unexpired portion of the period of office of his or her predecessor. All other casual vacancies shall be filled as soon as conveniently possible by the body which appointed the member whose place has become vacant, and the person appointed to fill the vacancy shall be a member for the unexpired portion of the period of office of his or her predecessor.
 - (7) Any member of the Council may resign at any time by writing addressed to the Secretary of the Council.
4. Subject to the provisions of the Charter and these Statutes, the Council shall, in addition to all other powers vested in it by the Charter and these Statutes, have the following powers and functions:-
- (a) To institute, after report from the Senate, Professorships, Readerships, Lectureships and other academic offices and to appoint persons to fill the same.
 - (b) To make provision for research within the University.
 - (c) To review, amend, refer back, control or disallow any act of the Senate required under the Statutes, the Ordinances or the Regulations to be reported to the Council, and to give directions thereon to the Senate; provided that any such act of the Senate which is amended by the Council shall be referred again to the Senate for consideration and report before such act (so amended) is put into effect.
 - (d) To establish, after report from the Senate, such Schools of Studies and other units of academic organisation as may be deemed necessary from time to time; to prescribe their constitution and functions, and to modify, disestablish or revise the same.
 - (e) To appoint a Librarian who shall be responsible to the Vice-Chancellor for the administration of the University Library.
 - (f) To confer, after report from the Senate, the title of Emeritus Professor or Honorary Professor, Reader or Lecturer or any other Honorary Title.

- (g) To fix all University fees but in the case of academic fees charged to students only after consultation with the Senate.
- (h) In consultation with the Senate, to institute, subject to any conditions made by the Founders, Fellowships, Scholarships, Studentships, Exhibitions and Prizes.
- (i) To provide for the welfare of the students.
- (j) To determine the complement of the Professional Services staff, to prescribe their conditions of employment and to appoint persons to, and to remove persons from, employment as members of the Professional Services staff.
- (k) To govern, manage and regulate the finances, accounts, investments, property, business and all affairs whatsoever of the University.
- (l) To invest any moneys belonging to the University, including any unapplied income, in such stock, funds, shares or securities as it shall from time to time think fit, whether authorised by the general law for the investment of trust moneys or not, and whether within or outside the United Kingdom, or in the purchase of freehold or leasehold hereditaments in the United Kingdom, including rents, with the like power of varying such investments from time to time.
- (m) To sell, buy, exchange, lease, and accept leases of real and personal property on behalf of the University.
- (n) To provide the buildings, premises, furniture and apparatus, and other means needed for carrying on the work of the University.
- (o) To borrow money from time to time on behalf of the University and for that or any other purpose, if the Council think fit, to mortgage or charge all or part of the property of the University, whether real or personal, and to give such other security as the Council shall think fit.
- (p) To enter into, vary, carry out or cancel contracts on behalf of the University.
- (q) To make provision for schemes of superannuation, pensions or retirement benefits for members of the staff of the University, or their dependants.
- (r) To recognise any association as representing the interests of former students of the University and to withdraw or vary such recognition.

5. The quorum for the Council shall be twelve members, of whom not fewer than seven must be independent members. In the absence of a quorum, no business shall be transacted other than the adjournment of the meeting. At the adjourned meeting, the business for which the original meeting was called may be completed in the absence of a quorum. The manner of summoning the adjourned meeting, and the period of notice to be given, shall be prescribed in the Regulations.
6.
 - (1) The Council shall elect from among such of its members as are neither members of staff nor students a Chair, a Vice-Chair and a Treasurer. The Chair and Treasurer shall hold office for three years commencing on 1st August and shall be eligible for re-election, subject to Regulations approved by the Council. The Vice-Chair shall hold office for two years commencing on 1st August and, unless otherwise determined by the Council, shall not be eligible for re-election.
 - (2) If a vacancy occurs in the office of Chair or Vice-Chair through death or resignation or any other cause before the expiration of the period of office, the Council shall elect from among its members a successor or successors who shall hold office for the remainder of such period.
 - (3) Unless otherwise specifically provided in the Statutes, the Chair of the Council and the Vice-Chancellor shall be *ex officio* members of all Committees of the Council, except the Audit Committee, and all joint Committees of the Council and the Senate.

XIV. THE SENATE

1. The Senate shall consist of the following persons, namely:
 - (i) The Vice-Chancellor.
 - (ii) The Pro-Vice-Chancellors.
 - (iii) The Heads of the Schools of Studies.
 - (iv) Holders of such other offices as prescribed by the Ordinances.
 - (v) Such number of members of the academic staff (other than those mentioned in clauses (i) to (iv)) as prescribed by the Ordinances which may prescribe a proportion or number of such members as being required to hold or not to hold academic positions of seniority.
 - (vi) Such number of members of the Professional Services staff as prescribed by the Ordinances.
 - (vii) Holders of such offices in the Students' Union as prescribed by the Ordinances.
 - (viii) Such numbers of students as prescribed by the Ordinances.

2. The members of the Senate referred to in clauses (iv), (v), (vi) and (viii) of paragraph 1 shall be appointed or elected by such persons in such manner and shall hold office for such periods as shall be prescribed by the Regulations.
3. The Senate shall, in addition to all other powers vested in it by the Charter and these Statutes, have the following powers and functions:-
 - (a) To direct and regulate the instruction and teaching within the University and the examinations held by the University, subject to the Statutes and Ordinances, and to the authority of the Council as hereinbefore defined.
 - (b) To authorise the award of Degrees (other than Honorary Degrees), Diplomas, Certificates and other distinctions to persons who have satisfied the conditions for the award thereof as prescribed in the Ordinances or Regulations.
 - (c) To prescribe the circumstances in which a student may be required or permitted to withdraw temporarily or permanently and either conditionally or unconditionally from all or any part of his or her course on grounds other than disciplinary grounds.
 - (d) On what it shall deem to be good cause and after a report to the Council, to deprive persons of any Degrees or other distinctions conferred on them and to revoke any Diplomas or Certificates granted to them by the University provided that no person shall be deprived of any Honorary Degree except with the approval of the Council.
 - (e) To promote research within the University and to require reports from time to time on such research.
 - (f) To be responsible with the Council and through the Librarian for the administration of the University Library.
 - (g) To appoint, remove or suspend examiners.
 - (h) To report to the Council as it may from time to time require on all Statutes, Ordinances and Regulations or proposed changes therein.
 - (i) To report to the Council on any academic matter.
 - (j) To report to the Council on any matter referred to the Senate by the Council.
 - (k) To discuss and declare an opinion on any matter whatsoever relating to the University.

- (l) To report to the Council from time to time as to the expediency of the establishment of Schools of Studies or any other unit of academic organisation.
 - (m) To review, amend, refer back, control or disallow any act of any body established in connection with any form of academic organisation.
 - (n) To prescribe, subject to any conditions made by the Founders and to any directions of the Council, the terms and conditions of competition for Fellowships, Scholarships, studentships, Exhibitions and Prizes and to provide for the examination and award of the same.
 - (o) To regulate subject to the general approval and control of the Council the discipline of the students of the University.
 - (p) To regulate the admission of persons to the University, and to courses of study in the University.
 - (q) To prescribe the academic dress to be worn by the various officers and members of the University, and the occasions on which it shall be worn.
 - (r) To do such other acts as the Council may authorise.
4. One-third of the total actual membership of the Senate shall constitute a quorum. In the absence of a quorum, no business shall be transacted other than the adjournment of the meeting. At the adjourned meeting, the business for which the original meeting was called may be completed in the absence of a quorum. The manner of summoning the adjourned meeting, and the period of notice to be given, shall be prescribed in the Regulations.
 5. The Vice-Chancellor, or in his or her absence one of the Pro-Vice-Chancellors, shall be *ex-officio* a member of all Committees of the Senate.

XV. SCHOOLS OF STUDIES

1. There shall be Schools of Studies which shall be established, varied or disestablished by the Ordinances and there may be other academic organisations which shall be established, varied or disestablished by Regulation.
2. The Senate shall by Regulation prescribe which subjects shall belong to which School or Schools of Studies, or other unit or units of academic organisation.

3. Each School shall have the right to regulate, subject to the Statutes and Ordinances and to review by the Senate, the teaching, study and research within the School.
4. Each School, or other unit, shall have the right to discuss any matter relating to that unit and any matter referred to it by the Senate, and to report to the Senate thereon.
5. Subject to paragraph 6 of this Statute the membership and internal constitution of each School, or other unit of academic organisation, shall be prescribed by Regulation.
6. For each School of Studies there shall be a Head of School who shall be appointed by the Senate on such terms and in accordance with such procedures as shall be prescribed by Regulation. Each Head of School shall consider the attendance, progress and conduct of students in the School and report to the Senate thereon.

XVI. DELEGATION

1. Any of the Statutory Bodies may from time to time establish such and as many Committees as may seem to them to be expedient and may appoint to membership of them persons who are not members of the Statutory Body concerned and such Committees may be established either as a standing arrangement or for a specific purpose.
2. Without prejudice and in addition to any other powers of delegation conferred by the Statutes, each Statutory Body may delegate to any Committee established by it such of its own powers and functions as it shall think fit and may revoke any such delegation at any time. A Committee established by a Statutory Body may sub-delegate to any extent approved from time to time by the Statutory Body.
3. Members of the staff may be authorised by any Statutory Body to give effect to any decision or policy established by the Statutory Body or any of its Committees and for that purpose may be authorised to exercise such power and do such proper act within the competence of the Statutory Body as the Statutory Body shall think fit.
4. The Chair of Council, the Treasurer and such other independent members of the Council as the Council shall from time to time determine may be authorised by any Statutory Body or committee established by a Statutory Body, individually, collectively, or in groups, to give effect to any decision or policy established by a Statutory Body or committee and for that purpose to exercise the powers of that Statutory Body or committee accordingly.
5. Nothing in this Statute shall enable the Council to delegate its power to reach a decision under paragraph 10(2) of Statute XXI.

XVII. HONORARY DEGREES

1. The University may, without examination, confer an Honorary Degree on any person whom it may deem worthy of such a distinction; provided that the holder of such an Honorary Degree shall not be entitled to practise any profession by virtue of the fact that he or she has been admitted thereto.
2. No person shall be admitted by the University to an Honorary Degree unless his or her name has been approved for that purpose both by the Council and by the Senate.
3. The Council, in consultation with the Senate, may make Regulations for governing the procedure to be followed in dealing with a proposal to confer an Honorary Degree.

XVIII. RESERVED AREAS OF BUSINESS

1. In any case where a person is, in his or her capacity as a student or representative of students, a member of, or is admitted to any meeting of, the Court, the Council, the Senate or any other body established under or in accordance with the Charter and these Statutes (other than the Students' Union established in accordance with Article 14 of the Charter) the student shall withdraw from the meeting when it is declared by the Chairman of the meeting that the meeting is about to discuss a reserved area of business and shall not return to the meeting until the discussion on the reserved area of business is concluded.
2. Papers for consideration at any such meeting as aforesaid and minutes and other records any of which relate to reserved areas of business shall not at any time be made available to a student.
3. For the purposes of this Statute, "reserved areas of business" means all matters affecting the personal (including academic and financial) affairs of any member of the academic staff or the Professional Services staff of the University or of any student.

XIX. ORDINANCES

In addition to the matters which may by virtue of the provisions of the Charter or of the Statutes be dealt with by Ordinances, the following matters shall be prescribed or regulated by Ordinances:-

- (a) The requirements to be complied with by students before qualifying for the award of Degrees, Diplomas, Certificates and other distinctions of the University.
- (b) The conduct of the examinations or other tests for the Degrees, Diplomas, Certificates and other distinctions of the University, the

admission of students thereto, exemptions therefrom and all other matters relating to examinations and tests.

- (c) The conditions under which a person may be deprived of a Degree or other distinction conferred on him or her or under which any Diploma or Certificate granted to him or her may be revoked by the University.
- (d) Such other matters, not otherwise dealt with in the Statutes and Ordinances, as the Council may deem fit to prescribe or regulate by Ordinance.

XX. REMOVAL OF CERTAIN OFFICERS AND MEMBERS

- 1. The Chancellor, the Pro-Chancellors, the Treasurer and any member of the Court (other than an *ex officio* member or a member who is also a member of the academic staff to whom Statute XXI applies) may be removed from their respective offices for good cause by the Court, and any member of the Council (other than an *ex officio* member or a member who is also a member of the academic staff to whom Statute XXI applies) may be removed from office for good cause by the Council.
- 2. For the purposes of this Statute “good cause” means:
 - (a) conviction for an offence which may be deemed by the Court or 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.

XXI. ACADEMIC STAFF

Part I Construction, Application and Interpretation

CONSTRUCTION

- 1. This Statute and any Ordinance or Regulation made under this Statute shall be construed in every case to give effect to the following guiding principles, that is to say:
 - (a) to ensure that academic staff have freedom within the law to question and test received wisdom, and to put forward new

ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their jobs or privileges;

- (b) to enable the University to provide education, promote learning and engage in research efficiently and economically; and
- (c) to apply the principles of justice and fairness.

REASONABLENESS OF DECISIONS

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

APPLICATION

- 3. (1) This Statute shall apply
 - (a) to the persons defined as “academic staff” in Statute I;
 - (b) to the Registrar & Secretary and the Librarian; and
 - (c) to the Vice-Chancellor to the extent and in the manner set out in the Annex to this Statute.
- (2) In this Statute any reference to “academic staff” is a reference to persons to whom this Statute applies.

INTERPRETATION

MEANING OF “DISMISSAL”

- 4. In this Statute “dismiss” and “dismissal” mean dismissal of a member of the academic staff and:
 - (a) include remove or, as the case may be, removal from office; and
 - (b) in relation to employment under a contract, shall be construed in accordance with section 55 of the Employment Protection (Consolidation) Act 1978.

MEANING OF “GOOD CAUSE”

- 5. (1) For the purposes of this Statute “good cause” in relation to the dismissal or removal from office or place of a member of the academic staff, being in any case a reason which is related to conduct or to capability or qualifications for performing work of

the kind which the member of the academic staff concerned was appointed or employed to do, means:

- (a) conviction for an offence which may be deemed by a Tribunal appointed under Part III to be such as to render the person convicted unfit for the execution of the duties of the office or employment as a member of the academic staff; or
 - (b) conduct of an immoral, scandalous or disgraceful nature incompatible with the duties of the office or employment; or
 - (c) conduct constituting failure or persistent refusal or neglect or inability to perform the duties or comply with the conditions of office; or
 - (d) physical or mental incapacity established under Part IV.
- (2) In this paragraph:
- (a) “capability”, in relation to such a member, means capability assessed by reference to skill, aptitude, health or any other physical or mental quality; and
 - (b) “qualifications”, in relation to such a member, means any degree, diploma or other academic, technical or professional qualification relevant to the office or position held by that member.

MEANING OF “REDUNDANCY”

6. For the purposes of this Statute dismissal shall be taken to be a dismissal by reason of redundancy if it is attributable wholly or mainly to:
- (a) the fact that the University has ceased, or intends to cease, to carry on the activity for the purposes of which the member of the academic staff concerned was appointed or employed by the University, or has ceased, or intends to cease, to carry on that activity in the place in which the member concerned worked; or
 - (b) the fact that the requirements of that activity for members of the academic staff to carry out work of a particular kind, or for members of the academic staff to carry out work of a particular kind in that place, have ceased or diminished or are expected to cease or diminish.

INCIDENTAL, SUPPLEMENTARY AND TRANSITIONAL MATTERS

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

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

Provided further that disciplinary proceedings in relation to anything done or omitted to be done before that date may continue or be instituted after that date under the relevant Statutes of the University in force before that date.

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

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

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

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

Part II Redundancy

PURPOSE OF PART II

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

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

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

THE APPROPRIATE BODY

10. (1) The Council shall be the appropriate body for the purposes of this Part.
- (2) This paragraph applies where the appropriate body has decided that it is desirable that there should be a reduction in the academic staff:
- (a) of the University as a whole; or
 - (b) of any faculty, school, department or other similar area of the University by way of redundancy.
11. (1) Where the appropriate body has reached a decision under paragraph 10(2) it shall appoint a Redundancy Committee to be constituted in accordance with sub-paragraph (3) of this paragraph to give effect to its decision by such date as it may specify and for that purpose
- (a) to select and recommend the requisite members of the academic staff for dismissal by reason of redundancy; and
 - (b) to report their recommendations to the appropriate body.
- (2) The appropriate body shall either approve any selection recommendation made under sub-paragraph (1), or shall remit it to the Redundancy Committee for further consideration in accordance with its further directions.
- (3) A Redundancy Committee appointed by the appropriate body shall comprise -

- (a) a Chair; and
- (b) two members of the Council, not being persons employed by the University; and
- (c) two members of the academic staff nominated by the Senate.

NOTICES OF INTENDED DISMISSAL

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

Part III Discipline, Dismissal and Removal from Office

DISCIPLINARY PROCEDURES

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

Stage 1 - Oral Warning

If conduct or performance does not meet acceptable standards the member of the academic staff will normally be given a formal

ORAL WARNING. The member will be advised of the reason for the warning, that it is the first stage of the disciplinary procedure and of the right of appeal under this paragraph. A brief note of the oral warning will be kept but it will be spent after 12 months, subject to satisfactory conduct and performance.

Stage 2 - Written Warning

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

Stage 3 - Appeals

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

PRELIMINARY EXAMINATION OF SERIOUS DISCIPLINARY MATTERS

14. (1) If there has been no satisfactory improvement following a written warning given under Stage 2 of the procedure in paragraph 13, or in any other case where it is alleged that conduct or performance may constitute good cause for dismissal or removal from office, a complaint seeking the institution of charges to be heard by a Tribunal appointed under paragraph 16 may be made to the Registrar & Secretary who shall bring it to the attention of the Vice-Chancellor.
- (2) To enable the Vice-Chancellor to deal fairly with any complaint brought to his or her attention under sub-paragraph (1) the Vice-Chancellor shall institute such investigations or enquiries (if any) as appear to be necessary.
- (3) If it appears to the Vice-Chancellor that a complaint brought to attention under sub-paragraph (1) relates to conduct or performance which does not meet acceptable standards but for which no written warning has been given under paragraph 1 or which relates to a particular alleged infringement of rules, regulations or byelaws for which a standard penalty is normally

imposed in the University or within the faculty, school, department or other relevant area, or is trivial or invalid he or she may dismiss it summarily, or decide not to proceed further under this Part.

- (4) If the Vice-Chancellor does not dispose of a complaint under sub-paragraph (3) he or she shall treat the complaint as disclosing a sufficient reason for proceeding further under this Part and, if he or she sees fit, the member of the academic staff may be suspended on full pay pending a final decision.
- (5) Where the Vice-Chancellor proceeds further under this Part he or she shall write to the member of the academic staff concerned inviting comment in writing.
- (6) As soon as may be following receipt of the comments (if any) the Vice-Chancellor shall consider the matter in the light of all the material then available and may:
 - (a) dismiss it himself or herself; or
 - (b) refer it for consideration under paragraph 13; or
 - (c) deal with it informally himself or herself if it appears to the Vice-Chancellor appropriate to do so and if the member of the academic staff agrees in writing that the matter should be dealt with in that way; or
 - (d) direct the Registrar & Secretary to prefer a charge or charges to be considered by a Tribunal to be appointed under paragraph 16.
- (7) If no comment is received within 28 days the Vice-Chancellor may proceed as aforesaid as if the member concerned had denied the substance and validity of the alleged case in its entirety.

INSTITUTION OF CHARGES

15. (1) In any case where the Vice-Chancellor has directed that a charge or charges be preferred under paragraph 14(6)(d), he or she shall request the Council to appoint a Tribunal under paragraph 16 to hear the charge or charges and to determine whether the conduct or performance of the member of the academic staff concerned constitutes good cause for dismissal or otherwise constitutes a serious complaint relating to the member's appointment or employment.
- (2) Where the Council has been requested to appoint a Tribunal under paragraph 16 the Registrar & Secretary or, if the Registrar

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

- (3) The officer in charge of the proceedings shall formulate, or arrange for the formulation of, the charge or charges and shall present, or arrange for the presentation of, the charge or charges before the Tribunal.
- (4) It shall be the duty of the officer in charge of the proceedings
 - (a) to forward the charge or charges to the Tribunal and to the member of the academic staff concerned together with the other documents therein specified, and
 - (b) to make any necessary administrative arrangements for the summoning of witnesses, the production of documents and generally for the proper presentation of the case before the Tribunal.

THE TRIBUNAL

16. A Tribunal appointed by the Council shall comprise:
 - (a) a Chair; and
 - (b) one member of the Council, not being a person employed by the University; and
 - (c) one member of the academic staff nominated by the Senate.

PROVISIONS CONCERNING TRIBUNAL PROCEDURE

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

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

NOTIFICATION OF TRIBUNAL DECISIONS

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

POWERS OF THE APPROPRIATE OFFICER WHERE CHARGES ARE UPHELD BY TRIBUNAL

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

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

APPROPRIATE OFFICERS

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

Part IV Removal for Incapacity on Medical Grounds

- 21. (1) This Part makes separate provision for the assessment of incapacity on medical grounds as a good cause for dismissal or removal from office.
 - (2) In this Part references to medical grounds are references to capability assessed by reference to health or any other physical or mental quality.
 - (3) In this Part references to the appropriate officer are references to the Vice-Chancellor or an officer acting as his or her delegate to perform the relevant act.
 - (4) References to the member of the academic staff include, in cases where the nature of the alleged disability so requires, a responsible relative or friend in addition to (or instead of) that member.
- 22. (1) Where it appears that the removal of a member of the academic staff on medical grounds would be justified, the appropriate officer:
 - (a) shall inform the member accordingly; and
 - (b) shall notify the member in writing that it is proposed to make an application to the member's doctor for a medical report and shall seek the member's consent in writing in

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

- (2) If the member shares that view the University shall meet the reasonable costs of any medical opinion required.
- (3) If the member does not share that view the appropriate officer shall refer the case in confidence, with any supporting medical and other evidence (including any medical evidence submitted by the member), to a Board comprising one person nominated by the Council; one person nominated by the member concerned or, in default of the latter nomination, by the Senate; and a medically qualified chair jointly agreed by the Council and the member or, in default of agreement, to be nominated by the President of the Royal College of Physicians.
- (4) The Board may require the member concerned to undergo medical examination at the University's expense.

TERMINATION OF EMPLOYMENT

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

Part V Appeals

PURPOSE OF PART V

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

APPLICATION AND INTERPRETATION OF PART V

25. (1) This Part applies:
 - (a) to appeals against the decisions of the Council as the appropriate body (or of a delegate of that body) to dismiss in the exercise of its powers under Part II;
 - (b) to appeals arising in any proceedings, or out of any decision reached, under Part III other than appeals under paragraph 13 (Appeals against disciplinary warnings);
 - (c) to appeals against dismissal otherwise than in pursuance of Part II or Part III;
 - (d) to appeals against discipline otherwise than in pursuance of Part III; and

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

INSTITUTION OF APPEALS

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

TIME FOR APPEALING AND NOTICES OF APPEAL

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

PERSONS APPOINTED TO HEAR AND DETERMINE APPEALS

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

PROVISIONS CONCERNING APPEAL PROCEDURES AND POWERS

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

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

NOTIFICATION OF DECISIONS

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

Part VI Grievance Procedures

PURPOSE OF PART VI

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

APPLICATION

32. The grievances to which this Part applies are ones by members of the academic staff concerning their appointments or employment where those grievances relate:
- (a) to matters affecting themselves as individuals; or

- (b) to matters affecting their personal dealings or relationships with other staff of the University;

not being matters for which express provision is made elsewhere in this Statute or in Statute XXII.⁶

EXCLUSIONS AND INFORMAL PROCEDURES

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

⁶ Amended by the Privy Council dated 29th August 2007 on special resolution of Council on 21st March 2007.

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

GRIEVANCE COMMITTEE PROCEDURE

34. If the grievance has not been disposed of informally under paragraph 33 (5), the Vice-Chancellor shall refer the matter to the Grievance Committee for consideration.
35. The Grievance Committee to be appointed by the Council shall comprise:
 - (a) a Chair;
 - (b) one member of the Council not being a person employed by the University; and
 - (c) one member of the academic staff nominated by the Senate.

PROCEDURE IN CONNECTION WITH DETERMINATIONS; AND RIGHT TO REPRESENTATION

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

NOTIFICATION OF DECISIONS

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

Annex

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

1. The Council may request its Chair to remove the Vice-Chancellor from office for good cause in accordance with the procedure described in this Annex.
 - (1) A complaint seeking the removal from office of the Vice-Chancellor for good cause may be made by not less than three members of the Council to the Chair of the Council.
 - (2) If it appears to the Chair of the Council, on the material before him or her, that the complaint raises a prima facie case and that this could, if proved, constitute good cause for dismissal or

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

- (3) If it appears to the Chair of the Council that a complaint made under sub-paragraph (1) does not raise a prima facie case or is trivial or invalid, he or she may recommend to the Council that no further action be taken upon it.
- (4) When the Council has appointed a Tribunal under sub-paragraph (2) it shall instruct a solicitor or other suitable person to formulate a charge or charges and to present, or arrange for the presentation of, the charges before the Tribunal.
- (5) A Tribunal appointed by the Council shall comprise:
 - (a) an independent Chair; and
 - (b) one member of the Council, not being a person employed by the University; and
 - (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 Chair 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 or her recommendations, if any, as to the appropriate penalty, to the Vice-Chancellor and to the Chair of the Council.
- (10) Where a charge or charges have been upheld by the Tribunal and not dismissed on appeal, the Chair 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 Chair of Council may suspend the Vice-Chancellor from his or her duties and may exclude the Vice-Chancellor from the precincts of the University or any part thereof without loss of salary.
3. "Good cause" in this Annex has the same meaning as in paragraph 5 of this Statute.
4. For the purpose of the removal of the Vice-Chancellor for incapacity on medical grounds, Part IV of this Statute shall have effect subject to the following modifications:
 - (a) for references to a member of the academic staff there shall be substituted references to the Vice-Chancellor;
 - (b) for any reference to the office of Vice-Chancellor there shall be substituted a reference to the office of Chair of the Council;
 - (c) for paragraph 23 there shall be substituted:

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

XXII. RETIREMENT OF MEMBERS OF STAFF

1. All members of staff shall retire from office on the 30th day of September following the date on which they attain the age of 65 years, subject to the University's operation of its Retirement Procedure in compliance with the Employment Equality (Age) Regulations 2006 whereby a member of staff shall have the right to request working beyond age 65 and the University shall have a duty to consider such requests.⁷
2. A member of the academic staff to whom Statute XXI applies shall be at liberty to resign his or her appointment and terminate his or her engagement with the Council on giving the Council in writing at least three months' notice to expire at the end of the University term or of the long vacation.

XXIII. SERVICE OF NOTICES AND DOCUMENTS

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

⁷ Amended by the Privy Council dated 29th August 2007 on special resolution of Council on 21st March 2007.

personally or by sending it by post to him or her to his or her last address registered by the University.

2. Where a notice or other document is sent by post, service thereof shall be deemed to have been properly effected by properly addressing and posting a letter containing the notice or other document, and shall be deemed to have been effected at the time at which the letter would in the ordinary course be delivered.
3. No meeting of any of the Statutory Bodies, or of a Committee established by one of the Statutory Bodies, shall be invalid by reason only of any failure to give notice of such meeting to any person or body entitled under the Charter or the Statutes to receive the same or by reason of failure of any such person or body to receive any notice.

XXIV. ACTS DURING VACANCIES

No act or resolution of the Statutory Bodies as defined by Statute I, or of a Committee established by one of the Statutory Bodies, shall be invalid by reason only of any vacancy in the body doing or passing it or by reason of any want of qualification by or invalidity in the election or appointment of any *de facto* member of the body whether present or absent.

XXV. TRANSITIONAL ARRANGEMENTS

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

1. If these Statutes are amended so as to alter the provisions governing the composition of, or periods of office of members of, the Court, Council or Senate, or if the membership for the time being of any of the Statutory Bodies is inconsistent with the provisions of these Statutes as extant, the Council may make transitional arrangements by Regulations, and the powers, functions, actions and decisions of those bodies shall be valid and effectual notwithstanding any such inconsistency. Such Regulations may authorise periods of office at variance with periods specified in these Statutes.