Charter of Incorporation

as amended

PREAMBLE

EDWARD VII, BY THE GRACE OF GOD, of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas, King, Defender of the Faith.

TO ALL TO WHOM these presents shall come, GREETING:

WHEREAS Petitions have been presented to Us by University College Bristol in the said City and by others praying Us to erect a University within the said City for the promotion of Arts Sciences and Learning and of the objects for which the said College was established and to grant a Charter with such appropriate provisions therein in that behalf as shall seem to Us meet and fit.

And whereas the Society of Merchant Venturers of the City of Bristol also presented a Petition to the same end.

And whereas We have taken the said Petitions into Our Royal consideration and are minded to accede thereto.

Now therefore Know Ye that We by Virtue of Our Royal Prerogative in that behalf and all other powers enabling Us so to do of Our special grace certain knowledge and mere motion by these Presents do for Us Our Heirs and Successors grant will direct and ordain as follows:

1. University of Bristol

There shall be from henceforth for ever in Our said City of Bristol a University by the name and style of “The University of Bristol” by which name the Chancellor and other Members of the University for the time being are hereby constituted one body politic and corporate with perpetual succession and a Common Seal and with full power by and in such name to sue and be sued and without any further licence to take by gift or
otherwise purchase and hold grant demise or otherwise dispose of real or personal estate and with other powers by this Our Charter prescribed.

2. Visitor

We Our Heirs and Successors Kings and Queens of the Kingdom aforesaid shall be and remain the Visitor and Visitors of the University of Bristol through the President of Our Council for the time being and in exercise of the Visitorial Authority We and 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 laboratories libraries and general equipment and also of the teaching examinations research and other work done by the University.

3. Powers

The University shall have the powers following:

(1) To grant and confer Degrees and other academic distinctions, including Degrees and other academic distinctions awarded jointly with other institutions, to and on persons who shall have pursued an approved course of study in or under the auspices of the University and shall have passed the examinations in or approved by the University under conditions laid down in its Statutes or Ordinances provided that degrees representing proficiency in technical subjects shall not be conferred without proper security for testing the scientific or general knowledge underlying technical attainments.

(2) To admit Graduates of other Universities to Degrees of equal or similar rank in the University.

(3) To confer Degrees of the University on any persons who hold office in the University as Professors Readers Lecturers or otherwise or who shall have carried on independent research therein.

(4) To grant Diplomas Certificates or other distinctions to persons who have pursued a course of study approved by the University under conditions laid down by the University.

(5) To confer Honorary Degrees or other distinctions on approved persons PROVIDED THAT all Degrees and other distinctions shall be conferred and
held subject to any provisions which are or may be made in reference thereto by the Statutes Ordinances or Regulations of the University.

(6) On good cause shown to deprive persons of any Degrees Diplomas Certificates or Distinctions granted to or conferred upon them.

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

(8) To examine and inspect schools and other educational institutions and grant Certificates of proficiency and to provide such lectures and instruction for persons not members of the University as the University may determine.

(9) 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.

(10) To affiliate other institutions or to admit the members thereof to any of its privileges and to accept attendance at courses of study in such institutions 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 or to recognise any members of the teaching staff of any College or institution whether affiliated to the University or not as teachers of the University.

(11) To co-operate by means of Joint Boards or otherwise with other Universities and Authorities for the regulation and conduct of Matriculation and other Examinations for the examination and inspection of schools and other academic institutions and for the extension of University teaching and influence in academic matters and for such other purposes as the University may from time to time determine.

(12) To enter into any agreement with any other institution for the incorporation of that institution in the University and for taking over its property and liabilities and for any other purpose not repugnant to this Our Charter.

(13) If necessary to promote a Bill or Bills in Parliament to confirm or carry out any such agreement as above referred to.
(14) To institute Professorships Readerships Lectureships Teacherships and any other offices required by the University and to appoint to such offices.

(15) To institute and award Fellowships Scholarships Exhibitions Bursaries and Prizes.

(16) To provide Halls for the residence of Students.

(17) To make provision for Research and to furnish Scientific Advice for public purposes and for these objects to enter into such arrangements with other institutions or with public bodies as may be thought desirable.

(18) 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 Teaching and Examining Body and to cultivate and promote Arts Science and Learning.

4. Authorities

The Authorities of the University shall be the Chancellor Pro-Chancellors Vice-Chancellor Pro-Vice-Chancellors the Court the Council the Senate and the Convocation.

5. Chancellor

The Chancellor of the University shall be the President of the Court and Convocation and shall hold office for such period as shall be determined by Statute. The Chancellor shall be elected by the Court of the University on the nomination of the Council.

6. Pro-Chancellors

There shall be a Pro-Chancellor or Pro-Chancellors of the University who or any one of whom may subject to the Statutes of the University in the absence of the Chancellor or pending a vacancy in the office of Chancellor exercise the functions of the Chancellor except the conferring of Degrees or the appointment of members of the Court and may preside at meetings of the Court.
7. Vice-Chancellor

There shall be a Vice-Chancellor of the University who shall be the principal Academic Officer of the University and ex officio Chairman of the Senate and who shall in the absence of the Chancellor confer degrees.

8. Pro-Vice-Chancellor

There shall be a Pro-Vice-Chancellor or Pro-Vice-Chancellors of the University who or any one of whom may subject to the Statutes of the University act for the Vice-Chancellor pending a vacancy in that office or during the absence or inability of the Vice-Chancellor or at the request of the Vice-Chancellor and may when so acting confer Degrees.

9. Treasurer and Other Officers

There shall be a Treasurer and other proper officers of the University.

10. The Council

Powers of Council

There shall be a Council which shall be the Governing Body of the University and have power to direct the use of the University Seal and subject to the Statutes of the University shall have the government and control of the finances of the University and of the affairs and property of the University. The Council shall submit a report to each annual meeting of the Court, including a report of changes to the Charter, Statutes and Ordinances.

Membership of Council

Statutes of the University shall regulate the election and continuance in office of the Members of the Council the filling of vacancies among the Members and all other matters relative to the Council which it may be thought are proper to be so regulated.
Statutes

The Council may make Statutes and amend add to or repeal the Statutes for the time being but no such Statute and no such amendment addition or repeal shall be valid or operative until allowed by the Privy Council.

Ordinances

Ordinances may be made by the Council for the regulation of all matters not required by this Our Charter to be dealt with by Statute.

11. The Court

Constitution of the Court

There shall be a Court which shall advise the Council on any matter relating to the University. The Council shall be required to report to the Court and to take into consideration any views expressed by the Court. The constitution of the Court shall be defined by Statute.

Except as herein provided and subject to the Statutes of the University the Court may determine all matters relating to the appointment and election of Members of the Court and their respective periods or terms of office and all other matters relating to the constitution of the Court.

Statutes of the University shall regulate the election and continuation in office of the Members of the Court the filling of vacancies among the Members and all other matters relative to the Court which it may be thought are proper to be so regulated.

Provided that Statutes for which this section provides shall be made or amended by the Council only with the consent of the Court, except that, if the Court at two consecutive annual meetings withholds its consent to an identical proposal by the Council to make or amend such a Statute, the Council may at its next meeting make or amend the Statute accordingly notwithstanding that the Court shall have withheld its consent.
12. The Senate

Powers of Senate

There shall be a Senate which shall subject to the Statutes and Ordinances of the University and the control and approval of the Council have the regulation and control of the Curriculum and Education afforded by the University and such other powers as may be conferred upon it by Statute or Ordinance.

Statutes of the University shall define the powers of the Senate.

13. The Faculties

Faculties

There shall be such Faculties as may from time to time be constituted by the University.

Board and Deans of Faculty

There shall be a Board and a Dean of each Faculty with such powers respectively as may be prescribed by Statute or Ordinance.

14. Convocation

Constitution of Convocation

There shall be a Convocation of the University which shall consist of the Chancellor the Pro-Chancellors the Vice-Chancellor the Pro-Vice-Chancellors the Members of the Senate such other Members of the staff and such other officers of the University as may be determined by Statute or Ordinance, the Graduates of the University and such other former students of the University as may be determined by Statute or Ordinance.

The Chancellor if present shall preside at its meetings.

Ordinances may prescribe the conditions of registration and fix a fee if it shall be considered necessary.

Provided that Statutes concerning the Convocation for which this section or section 15 below provides shall be made or amended by the Council only
with the consent of the Court, except that, if the Court at two consecutive annual meetings withholds its consent to an identical proposal by the Council to make or amend such a Statute, the Council may at its next meeting make or amend the Statute accordingly notwithstanding that the Court shall have withheld its consent.

15. **Union of Students**

**Union**

A Union of Students of the University may be constituted by Statute or Ordinance.

**Representation of convocation and union**

*Regulation thereof*

The Convocation and the Union of Students shall have such and so many representatives on the Court and on such conditions as may be provided by the Statutes of the University. Ordinances of the University may subject to the provisions of this Charter and of the Statutes prescribe and regulate the constitution functions privileges and all other matters relating to the Convocation and to the Union of Students.

16. **Statutes**

**Initiative in making statutes**

The Council shall have power to make Statutes.

**Powers of statutes**

All Statutes which are not repugnant to the provisions of this Charter or the Laws of the Realm shall be operative and have effect when allowed by the Privy Council and not before. Such allowance shall be conclusive evidence of the Statutes so allowed being authorised by the provisions of this Charter.

The Statutes of the University may direct that any of the matters by these Presents authorised or directed to be prescribed governed or regulated by Statutes of the University shall be prescribed governed or regulated by Ordinances of the University.
17. Ordinances

Initiative in making ordinances

*Academic ordinances*
Ordinances shall be made by the Council of the University. Provided that in matters referring to Courses of Study Degrees, Diplomas, Certificates, other academic awards or distinctions affiliation of Colleges and recognition of teachers Ordinances shall be made by the Council only with the consent of the Senate.

Amendment etc., of ordinances

Ordinances may add to amend alter or repeal Ordinances from time to time in force.

18. Examiners and Examinations

External examiners

All Examinations held by the University shall be conducted in such manner as the Statutes and Ordinances shall prescribe provided that at least one external and independent Examiner shall be appointed for each subject or group of subjects forming part of the course of studies required for University Degrees but this proviso shall not apply to Examinations for admission or entrance to the University.


Regulation of proceedings

The Council the Senate and the Faculties respectively may from time to time make regulations for governing subject to these Presents and the Statutes and Ordinances of the University the proceedings of those bodies respectively. The power to make regulations shall include the power to add to amend alter or repeal any theretofore made.

20. Eligibility

All posts and offices in the University, membership of any of its constituent bodies and all courses of study and academic awards in the University
shall be open to any person, irrespective of gender, race, religion, belief, sexual orientation, disability or age, subject to such conditions and regulations as may properly be prescribed or provided for by the University.

21. Bar to Dividends

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

22. Power to hold Real Property

In addition to the buildings lands and premises of the University used and occupied for the immediate purposes thereof the University shall have power to hold lands tenements and hereditaments.

23. “Special Resolutions”

The Council may at any time alter amend or add to these Presents and their Provisions by a Special Resolution in that behalf and such alteration amendment or addition shall when allowed by Us Our Heirs or Successors by and with the advice of Our Privy Council become effectual so that these Presents shall thenceforward continue and operate as though they had been originally granted and made as so altered amended or added to as aforesaid. This Article of these Presents shall apply to this Charter as altered amended or added to in manner aforesaid. A “Special Resolution” means a Resolution passed at one meeting of the Council and confirmed at a subsequent meeting held not less than one calendar month nor more than three calendar months after the former provided that the Resolution be passed at each meeting by a majority of not less than three-fourths of the members of the Council present and voting.

24. Definitions

In this Our Charter the “Statutes” mean the Statutes set forth in the Schedule hereto or any Statutes altering adding to or repealing the same or any of them which may hereafter be made and may be allowed by the Privy Council.

“Ordinances” means Acts of the Council made as provided for in this our Charter.
25. Construction

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

*Last revised 7 May 2005*
The University of Bristol Acts

THE UNIVERSITY OF BRISTOL ACT 1909

A.D. 1909
AN ACT

To dissolve University College Bristol and to transfer all the property and liabilities of that College to the University of Bristol and for other purposes.

PREAMBLE

WHEREAS a College (in this Act referred to as ‘the College’) was incorporated in the year One thousand eight hundred and seventy-six under the Companies Acts 1862 and 1867 by a Memorandum and Articles of Association under the name of ‘University College, Bristol’ to found establish endow maintain and conduct in or near the City of Bristol a College or Colleges, to promote the education of persons of both sexes and the study and advancement of Science Literature and the Fine Arts under the management of Governors and a Council appointed by or in pursuance of the said Articles of Association:

And whereas in the year One thousand eight hundred and ninety-three an Institution known as the Medical School then existing in the said City and affiliated with the College became incorporated with the College and now forms part thereof:

And whereas the College has made provision for teaching in the main subjects usually comprised in the Faculties of Arts Science and Engineering in Universities in the United Kingdom and by means of the said Medical School provides instruction in all the subjects required for a complete curriculum in the preparation for degrees and other qualifications in medicine and surgery:

And whereas on the Petition of the College His Majesty has granted a Charter constituting in the City of Bristol an University (in this Act referred to as ‘the University’) by the name and style of ‘The University of Bristol’ with Faculties of Arts Science Medicine Engineering and such other Faculties as may from time to time be constituted by the University and with power to grant degrees and to do all such other acts and things as may be requisite in order to further the objects of the University as a teaching and examining body and to cultivate and promote Arts Science and learning:

And whereas the Governors and Council of the College are desirous and it is expedient
that the College should be merged in the University and that all the property and liabilities of the College should be transferred to and vested in the University:

49 & 50 VICT. C. 48

And whereas it is expedient to empower the University to hold examinations under section 3 of ‘The Medical Act 1886’ and to elect a representative on the General Council mentioned in Section 7 of the same Act:
And whereas the objects of this Act cannot be attained without the authority of Parliament:

MAY IT THEREFORE PLEASE YOUR MAJESTY that it may be ENACTED AND BE IT ENACTED by the KING’S MOST EXCELLENT MAJESTY by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same follows (that is to say):

SHORT TITLE

1. This Act may be cited as ‘The University of Bristol Act 1909’.

DISSOLUTION OF COLLEGE AND TRANSFER OF PROPERTY TO UNIVERSITY

2. (1) On and as from the passing of this Act the College shall be by virtue of this Act dissolved and cease to exist and the Memorandum and Articles of Association of the College shall as to any prospective operation thereof be wholly void and all property real and personal of every description (including things in action) and all rights and privileges of the College which immediately before that date belonged to or were vested in the College shall subject to the provisions of this Act be by virtue of this Act without any conveyance transfer or other instrument transferred to and vested in the University for all the estate and interest therein of the College and shall be applied to the objects and purposes for which the University is incorporated.

(2) Any property which by any deed will or other instrument is allocated to any specific foundation or object of the College shall after the transfer be held upon trust for and applied by the University to the same specific foundation or object of the University as that for which such property was held in trust for and applied by the College previously to the transfer:

Provided that any such foundation or object may from time to time be varied or added to by deed under the seal of the University which shall have been approved at a meeting of the Court of the University by a majority of two thirds of such members of the said Court as may be present and vote at such meeting and confirmed at a subsequent meeting of the said Court held on not less than one calendar month and not more than six calendar months after such first-mentioned meeting by a majority of two thirds of such members of the said Court as may be present and vote at such subsequent
meeting but so that the funds and investments for the time being allocated to each special foundation or object shall remain allocated for and be distinguished as allocated to such special foundation or object:

Provided also that any such deed shall not be of any validity until the same shall have been submitted to and approved by the Privy Council and a Certificate of their approval thereof signed by the Clerk of the Privy Council shall be endorsed on such deed.

TRANSFER OF LIABILITIES

3. On the passing of this Act all debts and liabilities of the College shall by virtue of this Act be transferred and attached to the University and shall thereafter be discharged and satisfied by the University.

SAVING FOR AGREEMENTS DEEDS ACTIONS &C.

4. All Agreements awards contracts deeds and other instruments and all actions and proceedings and causes of action or proceedings which immediately before the passing of this Act were existing or pending in favour of or against the College shall continue and may be carried into effect enforced and prosecuted by or in favour of or against the University to the same extent and in like manner as if the University instead of the College had been party to or interested in the same respectively.

SAVING FOR EXISTING OFFICERS OF COLLEGE

5. All professors and other members of and persons attached to or associated with the teaching staff of the College and all salaried or paid officers and servants of the College shall hold as nearly as practicable the same offices and places in the University as they held in the College immediately before the passing of this Act and upon the same terms and conditions unless and until the Council of the University shall otherwise decide.

TRANSFER OF POWER TO NOMINATE MEMBERS OF CERTAIN GOVERNING BODIES

6. Any power or right of the College to appoint or nominate a member of the governing body of any educational charitable or other institution shall on the passing of this Act be transferred to and may be exercised by the Council of the University.

POWER OF UNIVERSITY TO HOLD EXAMINATIONS UNDER 49 & 50 VICT. C. 48

7. (Repealed by Section 57 of the Medical Act 1956, and replaced by Sections 3 and 7 of that Act.) The University is hereby empowered to hold qualifying examinations in medicine surgery and midwifery for the purpose of granting a diploma or diplomas conferring the right of registration under the Medical Acts as if the University had been a
University in the United Kingdom legally qualified at the passing of ‘The Medical Act 1886’ to grant diplomas in medicine and surgery and the provisions of Part I of that Act shall be read and have effect accordingly.

**POWER OF UNIVERSITY TO CHOOSE REPRESENTATIVE ON GENERAL MEDICAL COUNCIL**

8. *(Repealed by Section 57 of the Medical Act 1956, and replaced by Sections 3 and 7 of that Act.)* The Council of the University shall be entitled to choose one representative to be a member of the General Council constituted by the Medical Acts and Section 7 of ‘The Medical Act 1886’ shall be read and have effect as if the University had been expressly included therein. Provided always that the fees for attendance and the travelling expenses of such member payable under Section 12 of ‘The Medical Act 1858’ shall not be paid from the funds of the General Council or of the Branch Council for England until such time as upon the representation of the General Council or of the Privy Council made in the manner set forth in Sections 10 and 19 of ‘The Medical Act 1886’ and subject to the provisions therein contained His Majesty may by Order in Council appoint.

**EXTENSION OF CERTAIN PRIVILEGES TO GRADUATES OF THE UNIVERSITY**

9. Any graduate of the University having taken a degree which would if it had been granted by the University of Oxford Cambridge Dublin Durham or London have entitled such graduate to the privileges and exemptions conferred by Section 2 of ‘The Solicitors Act 1860’ shall by virtue of such degree be entitled to the like privileges and exemptions.

**APPLICATION OF SECTION 7 OF MORTMAIN &C. ACT 1888 (51 & 52) VICT. C. 42**

10. The University shall be deemed to have been included among the Universities mentioned in Section 7 of ‘The Mortmain and Charitable Uses Act 1888’ and that Act shall be read and have effect accordingly.

**CONSTRUCTION OF BEQUESTS IN FAVOUR OF COLLEGE**

11. Any will deed or other document whether made or executed before or after the passing of this Act (including any will made before the passing of this Act by a Testator living at the date of such passing) which contains any bequest gift or trust in favour of the College shall on and after the passing of this Act be read and have effect as if the University were therein named instead of the College.
AS TO THE CHARITABLE TRUSTS ACTS

12. The Charitable Trusts Acts 1853 to 1894 shall not extend to property held for the general purposes of the University or of any College or Hall therein.

COSTS OF ACT

13. The costs charges and expenses of and incidental to the preparing for obtaining and passing of this Act shall be defrayed by the University out of income or out of the Capital of the property by this Act transferred to the University or if the Council of the University think fit out of money to be raised by sale or mortgage of some part of the said property.

THE UNIVERSITY OF BRISTOL ACT 1960

8 & 9 Eliz. 2 Ch. xxvi.

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AN ACT

To provide for the pooling of investments and moneys of certain endowment funds of the University of Bristol and for other purposes.

29th July, 1960.

WHEREAS the University of Bristol (hereinafter referred to as 'the University') was established and incorporated by Royal Charter dated the twenty-fourth day of May nineteen hundred and nine with faculties and powers as therein provided and by the University of Bristol Act 1909 the property of University College Bristol previously existing in the city of Bristol was transferred to the University:

And whereas the University enjoys the benefit of numerous endowment funds the investments of which are held by and in the name of the University but as separate holdings on behalf of the particular funds to which they respectively relate and it is anticipated that from time to time in future the University will become the holder of the investments of other endowment funds similarly held and enuring for the benefit of the University:

And whereas it is expedient to make provision for the pooling of the investments belonging to the endowment funds held by the University and as to their investments:

And whereas it is expedient that the other provisions in this Act should be enacted:
And whereas the purposes of this Act cannot be effected without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen’s most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in the present Parliament assembled and by the authority of the same as follows:

SHORT TITLE AND COMMENCEMENT

1. (1) This Act may be cited as the University of Bristol Act 1960.

(2) This Act shall come into operation on the first day of August nineteen hundred and sixty.

INTERPRETATION

2. In this Act unless the subject or context otherwise requires the following expressions have the following meanings:

‘the University’ means the University of Bristol;

‘the charter’ means the charter incorporating the University granted by His Late Majesty King Edward the Seventh on the twenty-fourth day of May nineteen hundred and nine and includes any amendment alteration or addition thereto;

‘the council’ means the council of the University;

‘the treasurer’ means the treasurer of the University;

‘the auditor’ means the auditor of the University accounts;

‘the appointed day’ means the first day of August nineteen hundred and sixty;

‘accounting period’ means the yearly period commencing on the first day of August in each year or other the period for which the accounts and financial affairs of the University are for the time being made up arranged and calculated;

‘endowment fund’ means a fund which is applicable for the benefit of the University or any work purpose or feature thereof and the investments of which are for the time being held by and in the name of the University;

‘trustee securities endowment fund’ means an endowment fund the investments of which are by reason of the provisions of an instrument (including an Act of Parliament) relating to that fund to be confined to trustee securities;

‘the certified capital value’ means in reference to any investment with respect to which
the expression is used the capital value of that investment as certified by the treasurer or the auditor (as the case may be) in pursuance of the provisions of section 5 (Certification of capital values of investments) of this Act;

'the trustee securities pool' means the trustee securities pool set up in pursuance of the provisions of section 3 (Pooling of investments) of this Act;

'the general pool' means the general investment pool set up in pursuance of the provisions of section 3 (Pooling of investments) of this Act;

'investment unit' means a share in the trustee securities pool or the general pool as the case may be of the value determined from time to time pursuant to section 7 (Increase or reduction of value of investment unit) of this Act;

'trustee securities' means securities in which trustees are by law authorised to invest trust money at the date of the passing of this Act;

'commercial investments' has the meaning assigned to that expression by section 9 (Authorised securities) of this Act;

'authorised securities’ means investments which are either trustee securities or commercial investments;

'shareholding’ means in regard to the trustee securities pool or the general pool and in reference to any endowment fund with respect to which the expression is used the aggregate of the investment units in that pool to which such fund is entitled.

**POOLING OF INVESTMENTS**

3. (1) The council shall on the appointed day set up and shall thereafter maintain two investment pools which shall be called respectively ‘the trustee securities pool’ and ‘the general pool’ and shall be administered respectively by the council in the manner provided in this Act.

(2) On or at any time after the appointed day the council may carry into the trustee securities pool any trustee securities and money belonging for the time being to any trustee securities endowment fund.

(3) On or at any time after the appointed day the council may carry into the general pool any investments and money belonging for the time being to any endowment fund other than a trustee securities endowment fund. The council shall not carry into the general pool any investment of money belonging to any trustee securities endowment fund.

(4) The aggregate amount of the capital values certified at the date when they are carried in of all the investments and money belonging to any endowment fund which are carried into the trustee securities pool or the general pool (as the case may be) at any one time in pursuance of the provisions of this section shall be divided by the value at
that time of an investment unit. The result of such division (any fraction amounting to
less than one-half being ignored and any fraction amounting to one-half or more being
reckoned as one) shall be the number of investment units to which such endowment
fund is entitled in virtue of the investments and money so carried in.

ADMINISTRATION OF THE INVESTMENT POOLS

4. (1) Any amount of money for the time being in the trustee securities pool and
available for investment shall be invested in the name of the University in authorised
securities.

(2) Any amount of money for the time being in the general pool and available for
investment shall be invested in the name of the University in the purchase of or on the
security of such stocks funds shares securities and other investments (including subject
to the limitations imposed by the charter land of any tenure or any interest therein) of
whatsoever nature and wheresoever and whether involving liability or not and whether
or not authorised by law for the investment of trust funds and generally in such manner
as the council shall in their uncontrolled discretion think fit.

(3) Any amount of money for the time being comprised in the trustee securities pool or
the general pool and awaiting investment may be paid by the council into a bank to a
deposit or other account in the name of the University and all interest (if any) payable in
respect thereof shall be applied as if it were income from an investment comprised in
that pool.

(4) At any time after the appointed day the council if they for any of the purposes of any
endowment fund or in order to separate such fund in whole or in part from the pool
require to realise any investment units forming the whole or any part of the shareholding
of that fund in the trustee securities pool or the general pool may effect such realisation
by cancelling such investment units and withdrawing from the pool in which such
investment units are held either -

(a) An amount of money equal to the aggregate nominal value of the investment units
so cancelled; or

(b) Investments the certified capital value of which (as at the date of such withdrawal) is
equal to such aggregate nominal value; or

(c) An amount equal to such aggregate nominal value and composed partly of money
and partly of investments the certified capital value of which (as at the time of such
withdrawal) when added to the amount of such money gives a total amount equal to
such aggregate nominal value.

(5) The council may at any time sell any of the investments for the time being comprised
in the trustee securities pool or the general pool if such sale is required for the purpose
of realisation of any investment units in that pool or is thought by the council expedient.
(6) The council may at any time vary or transpose any investments in either pool for or into others of any nature authorised for such pool but subject in the case of the variation or transposition of investments comprised in the trustee securities pool to the provisions of section 9 (Authorised securities) of this Act.

(7) The income arising from the investments comprised from time to time in the trustee securities pool and the general pool respectively shall be dealt with in the manner specified in section 6 (Apportionment of income from pooled investments) of this Act.

CERTIFICATION OF CAPITAL VALUES OF INVESTMENTS

5. Whenever the capital value of any investment requires for any purpose of this Act to be certified the amount of such capital value shall be certified in writing by the treasurer: Provided that the council may if they think fit require that the value certified by the treasurer shall be revised by the auditor and in that event the auditor after consultation with the treasurer shall certify in writing the capital value of the investment and his certificate shall be substituted for that of the treasurer.

For the purpose of any such certification the treasurer or the auditor as the case may be shall ascertain calculate or estimate the capital value of the investment upon such basis as is in his judgment the most accurate and reliable basis available and in the case of any security for which reliable market prices are available the valuation shall be based on the mid-market price.

APPORTIONMENT OF INCOME FROM POOLED INVESTMENTS

6. (1) The net amount of the aggregate income for any accounting period from the investments comprised in the trustee securities pool or the general pool after deduction of -

(a) Any expenses of administration of that pool;

(b) Any amount which may be retained in that pool in pursuance of the provisions of subsection (2) of this section; and

(c) Any amount set aside in pursuance of the provisions of subsection (3) of this section;

shall be apportioned among the endowment funds entitled to share in that pool in proportion to the numbers of investment units in that pool to which such funds are respectively entitled and in the case of any investment unit or units to which an endowment fund was entitled during only a part of that accounting period after paying due regard to the time during which that fund was so entitled.

(2) The council may retain in the trustee securities pool or the general pool and carry to a reserve fund in the accounts of that pool at the end of any accounting period any such amount of income from the investments comprised in that pool not exceeding four per
centum upon the gross aggregate amount of such income for that accounting period as the council may consider it expedient to reserve with a view to supplementing the income from the investments comprised in that pool to be apportioned in any subsequent accounting period and so helping to equalise the rates of the annual distributions of income in respect of that pool. The whole or any part of the income thus held in reserve for the time being in the trustee securities pool or the general pool may be applied at the discretion of the council by way of addition to the amount of income otherwise falling to be apportioned in respect of any subsequent accounting period among the endowment funds entitled to share in that pool and as if it were part of that income.

(3) Where any investment of a redeemable or terminable nature has been purchased for or transferred to the trustee securities pool or the general pool at a price which would but for the provisions of this subsection result in a capital loss on the redemption or termination of such investment the council may set aside to a capital redemption account out of the income from the investments comprised in the trustee securities pool or the general pool as the case may be such sum or sums as in the aggregate shall not be greater than the amount of such capital loss.

(4) Any sums set aside pursuant to subsection (2) or (3) of this section may be invested by the council and the capital and income of such investments shall respectively form part of the capital and income of the trustee securities pool or the general pool as the case may be.

(5) If and when the council in pursuance of the provisions of section 4 (Administration of the investment pools) of this Act withdraw from the trustee securities pool or the general pool or sell any investment in respect of which any sum or sums has or have been set aside to a capital redemption account under this section the amount then standing to the credit of such account in respect of such investment shall be cancelled and enure for the general benefit of the pool to which it relates.

(6) The council shall apportion between the trustee securities pool and the general pool any expenses of administration incurred jointly for both of those pools in respect of any accounting period.

INCREASE OR REDUCTION OF VALUE OF INVESTMENT UNIT

7. (1) The treasurer and the auditor shall as soon as practicable after the end of each accounting period and at any other time if so required by the council respectively make to the council a report on the investments for the time being comprised in the trustee securities pool and in the general pool and if at any time the council after investigation and after receiving such reports shall come to the conclusion that by reason of appreciation or depreciation of the values of investments or by reason of the cancellation of any sum standing to the credit of a capital redemption account in pursuance of the provisions of subsection (5) of section 6 (Apportionment of income
from pooled investments) of this Act the aggregate amount of the capital values of the investments and any money for the time being comprised in the trustee securities pool or the general pool is substantially greater or substantially less than the total value of all the investment units in that pool the council shall make such an addition to or reduction of the nominal value of an investment unit in that pool as the council may deem appropriate under the circumstances so as to equate such total value with such aggregate amount.

(2) The initial value of an investment unit shall be five pounds.

EFFECT OF ACT ON OPERATION OF INSTRUMENTS

8. This Act shall have effect notwithstanding the provisions of any instrument relating to any endowment fund.

AUTHORISED SECURITIES

9. In addition to any securities in which trust moneys may be invested under the general law the University may invest moneys in the trustee securities pool in debentures debenture stock loan stock or stock or fully paid shares of any company (in this Act called 'commercial investments') subject at the time of investment to the following qualifications:

(a) A commercial investment must have a quotation on the London Stock Exchange;

(b) The proportion of the trustee securities pool which may be invested in commercial investments shall not exceed sixty-six and two-thirds per centum of the value of the whole of that pool;

(c) No investment shall be made in any company which has not paid a dividend of at least four per centum on the ordinary stock or shares of the company for each of the five years immediately preceding the date of investment or if the company has been incorporated or has been trading for less than five years before that date unless -

(i) The company has paid such dividend for each of the years since incorporation or commencement of trading as the case may be; or

(ii) In the case of a company which has not been incorporated or trading for at least one year before the date of investment but which has been formed by the amalgamation of other companies each of such other companies has paid a dividend of at least four per centum on its ordinary stock or shares for each of the five years immediately preceding the date of the amalgamation;

except in the case of a rights issue in respect of debentures stock or shares already held in the trustee securities pool.
EXCLUSION OF PREVENTION OF FRAUD (INVESTMENTS) ACT 1958
6 & 7 ELIZ. 2 c. 45

10. The provisions of sections 1 and 14 of the Prevention of Fraud (Investments) Act 1958 (which except in certain cases respectively prohibit dealing in securities without a licence and the distribution or possession for distribution of certain circulars) shall not apply to any dealings undertaken by or on behalf of the University in connection with the setting up or operation of the trustee securities pool or the general pool or to the distribution in that connection by or on behalf of the University of any document or to the possession of any document for the purpose of such distribution.

COSTS OF ACT

11. The cost charges and expenses of and incidental to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the University out of the general funds of the University.

THE UNIVERSITY OF BRISTOL ACT 1974

AN ACT

To amend the University of Bristol Act 1960; and for other purposes.

1974.

WHEREAS the University of Bristol (hereinafter referred to as ‘the University’) was established and incorporated by Royal Charter dated 24th May, 1909, with faculties and powers as therein provided and by the University of Bristol Act 1909 the property of University College Bristol previously existing in the city of Bristol was transferred to the University:

And whereas the University enjoys the benefit of numerous endowment funds the investments of which are held by and in the name of the University:

And whereas the University of Bristol Act 1960 made provision for the pooling of the investments belonging to the endowment funds held by the University and as to their investment:

And whereas the council of the University have in pursuance of the said Act of 1960 set up two investment pools known as ‘the trustee securities pool’ and ‘the general pool’:
And whereas it is expedient to make further provision with regard to the investment of moneys for the time being in the said trustee securities pool:

And whereas it is expedient that the other provisions in this Act should be enacted:

And whereas the purposes of this Act cannot be effected without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted, and be it enacted, by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in the present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the University of Bristol Act 1974.
2. The University of Bristol Act 1960 shall have effect subject to the following amendments:

(1) in section 2 (Interpretation) -

(a) in the definition of ‘investment unit’, after the word ‘the’ in the fourth place where it occurs, there shall be inserted the word ‘nominal’;

(b) for the definition of ‘trustee securities’ there shall be substituted the following:

“trustee securities” means securities in which trustees are for the time being authorised by law to invest trust property;’;

(c) the definitions of ‘commercial investments’ and ‘authorised securities’ shall cease to have effect;

(2) in section 4 (Administration of the investment pools) -

(a) for subsection (1) there shall be substituted the following subsection:
‘(1) Any amount of money for the time being in the trustee securities pool and available for investment shall be invested in the name of the University in any manner authorised by section 1 of the Trustee Investments Act 1961 as if the trustee securities pool were a trust fund:

Provided that -
(a) in its application to the powers of investment conferred by the said section 1, section 2 of the said Act of 1961 shall have effect subject to the provisions of subsection (8) of this section as if -

(i) in subsection (1) of that section for the words ‘the parts being, subject to the provisions of this Act, equal in value at the time of the division’ there were substituted the words ‘the value of the wider-range part at the time of the division bearing to the then value of the narrower-range part the proportion of two to one’;
(ii) in paragraph (b) of subsection (3) of that section for the words 'each part of the fund is increased by the same amount' there were substituted the words 'the wider-range part of the fund is increased by an amount which bears to the amount by which the narrower-range part of the fund is increased the proportion of two to one';

(b) nothing in section 3 or section 4 of the said Act of 1961 shall apply to the exercise of the powers of this Act.';

(b) in subsection (6), for the words 'section 9 (Authorised securities) of this Act' there shall be substituted the words 'the Trustee Investments Act 1961, as modified by subsection (1) of this section';

(c) after subsection (7) there shall be inserted the following subsection:

'(8) If and whenever the Treasury by order under subsection (1) of section 13 of the said Act of 1961 prescribe a proportion greater than two to one, subsection (1) of this section shall be amended by the substitution, in paragraph (i) and in paragraph (ii) of proviso (a) thereto, of that proportion for the proportion of two to one.';

(3) in subsection (2) of section 6 (Apportionment of income from pooled investments), for the words 'four per centum upon' there shall be substituted the words 'such percentage as the council may by resolution from time to time determine of';

(4) in section 7 (Increase or reduction of value of investment unit) -
(a) in subsection (1), after the word 'total' in the first place where it occurs, there shall be inserted the word 'nominal';

(b) in subsection (2), after the word 'initial', there shall be inserted the word 'nominal';

(5) section 9 (Authorised securities) shall cease to have effect.

3. The costs, charges and expenses of and incidental to the preparing for, obtaining and passing of this Act or otherwise in relation thereto shall be paid by the University of Bristol out of the general funds of the University.
STATUTES

UNIVERSITY OF BRISTOL STATUTES

Statute 1

Preliminary

The Statutes shall be interpreted so as not to conflict with the Charter. Words defined in the Charter or the Statutes shall have the same meaning in the Ordinances and the Regulations unless the context clearly indicates otherwise. Words in the singular shall include the plural, and words in the plural shall include the singular.

15 March 2000

Statute 2

Members of the University

The following are Members of the University:

The Chancellor and Pro-Chancellors
The Treasurer
The University staff
The University students
The Members of Council
The Members of Court
The Members of Convocation
The Honorary Fellows
The Emeritus and Honorary Professors
The Emeritus Deans

7 May 2010
Statute 3

The Chancellor

Role
1. The Chancellor shall be the President of Court and Convocation and shall have the power to confer degrees.

Election
2. The Chancellor shall be elected by Court on the nomination of Council and shall hold office for a maximum period of ten years, unless Court by special resolution determines otherwise. A special resolution for this purpose is a resolution considered as a separate agenda item at a properly constituted meeting of Court and passed by a majority of those present and voting.

Resignation
3. The Chancellor may resign at any time by a letter sent to Court through the Secretary.

15 March 2000

Statute 4

The Pro-Chancellors

Role
1. The Pro-Chancellors may, in the absence of the Chancellor or during a vacancy in the office of Chancellor, exercise the functions of the Chancellor, save for the conferring of degrees and the appointment of members of Court, and they may preside at meetings of Court.

Election
2. The Pro-Chancellors shall be elected by Court on the nomination of Council. The Pro-Chancellors shall hold office for three year terms, subject to a maximum of two such terms, unless Court by special resolution determines otherwise. A special resolution for this purpose is a resolution considered as a separate agenda item at a properly constituted meeting of Court and passed by a majority of those present and voting.
Resignation
3. A Pro-Chancellor may resign at any time by a letter sent to Court through the Secretary.

Statute 5

The Vice-Chancellor

Role
1. The Vice-Chancellor shall be the Chief Officer of the University and the Chair of Senate.

Appointment
2. The Vice-Chancellor shall be appointed by Council after consultation with Senate, and shall hold office for such period and on such conditions as Council shall determine, subject to the provisions of Statutes and Ordinances.

Resignation
3. The Vice-Chancellor may resign by a letter sent to Council through the Secretary.

Statute 6

The Pro Vice-Chancellors

Role
1. A Pro Vice-Chancellor may exercise any of the functions of the Vice-Chancellor either at the request of the Vice-Chancellor, or in his or her absence, or during a vacancy in the office of Vice-Chancellor, and shall discharge such other responsibilities as may be conferred by ordinance.

Appointment
2. The Pro Vice-Chancellors shall be appointed by Council after consultation with Senate. The Pro Vice-Chancellors shall hold office for
such period and on such conditions as Council shall determine, subject to the provisions of Statutes and Ordinances.

23 February 2004

Statute 7

The Deans of the Faculties

1. Role
The dean of each faculty shall play a leading role in the formulation and implementation of University academic strategy and policy and shall be responsible for leading and managing the faculty. The dean shall be a member of all committees of the faculty. In the absence of the dean or during a vacancy in the office, a deputy dean or a senior member of staff chosen by the faculty board shall exercise the functions of the dean. There may be one or more deputy deans, who may exercise any of the functions of the dean either at the request of the dean or in the absence of the dean or during a vacancy in the office of the dean.

2. Appointment
The dean of each faculty shall be appointed in consultation with the faculty, as prescribed by ordinance. Deputy Deans shall be appointed from time to time by the dean, with the consent of the faculty board, from among the staff of the faculty. All the deputy deans in a faculty shall vacate office on the appointment of a new dean but shall be eligible for reappointment.

Statute 8

The Treasurer

Role
1. The Treasurer shall be the Chair of the Audit Committee of Council. The Treasurer shall not be a member of the University’s staff, neither shall the Treasurer have any executive authority other than that exercised within the context of membership of Council.
STATUTES

Appointment
2. The Treasurer shall be appointed annually by Court on the nomination of Council, subject to a maximum period in office of ten years, unless Court by special resolution determines otherwise. A special resolution for this purpose is a resolution considered as a separate agenda item at a properly constituted meeting of Court and passed by a majority of those present and voting.

Vacancy
3. If for any reason the office of Treasurer becomes vacant, Council shall forthwith appoint a Treasurer for the remainder of the unexpired term.

Resignation
4. The Treasurer may resign at any time by a letter sent to Council through the Secretary.

15 March 2000

Statute 9

The University Officers

Council shall appoint the following officers of the University for such period and on such conditions as it shall determine, subject to the Statutes and Ordinances:

The Registrar
The Secretary
The Finance Director
The Librarian
Such other officers as Council may by Ordinance determine.

15 March 2000
Statute 10

External Auditors

Appointment
1. At each Annual Meeting, Court shall appoint external auditors for a period of one year. The auditors shall be eligible for re-appointment. The auditors shall not be members of Council or Court.

Vacancy
2. Should the auditors resign or be removed from office by Court during the year, Council shall appoint auditors for the remainder of the unexpired term.

15 March 2000

Statute 11

Membership of Court

Members
The members of Court shall be as follows:

Category I – University
The Chancellor, the Pro-Chancellors, the Vice-Chancellor, the Pro-Vice-Chancellors, the Treasurer, the Chair of Council and the Chair of Convocation
The Honorary Fellows
The members of Council
The members of Senate
The Emeritus Professors
The Emeritus Deans
The Registrar, the Secretary, the Librarian and up to ten holders of such other offices as the Vice-Chancellor shall from time to time specify

For renewable three year terms: Fifteen elected members of the support staff, the method of election to be determined by Ordinance
For renewable four year terms: One hundred graduates of the University elected by Convocation

Category II – Benefactors
a) As members for life:
   Individual donors to University funds nominated by Council
b) As members for five years:
   The representatives of each of such corporate donors to University funds as Council may nominate

Category III – City of Bristol
a) The Master of the Society of Merchant Venturers of the City of Bristol and ten persons appointed by the Society for an initial term of up to three years with renewable three-year terms thereafter
b) The Chief Executive of the Bristol Chamber of Commerce and Initiative and ten persons appointed by the Bristol Chamber of Commerce and Initiative for an initial term of up to three years with renewable three-year terms thereafter
c) The President of the Bristol Trades Union Council and ten persons appointed by the Bristol Trades Union Council for an initial term of up to three years with renewable three-year terms thereafter
d) One person appointed by the Bristol Area Members Committee of the Co-operative Group for an initial term of up to three years with renewable three-year terms thereafter
e) Eight representatives of the voluntary sector in Bristol nominated by such body or bodies as from time to time shall be approved by Court for this purpose

Category IV – Local Authorities
Elected members or officers of local authorities in Bristol and the surrounding area appointed by the relevant local authority as follows:
Bristol City Council: Fifteen persons
Bath and North East Somerset Council, North Somerset Council, South Gloucestershire Council, Gloucestershire County Council, Somerset County Council and Wiltshire County Council: Three persons each

Category V – Special Appointments
To be appointed for an initial term of up to three years with renewable three-year terms thereafter:
a) Three persons appointed by the President of the Privy Council
b) Three persons appointed by the Chancellor of the University

Category VI – Institutions
To be appointed for an initial term of up to three years with renewable three-year terms thereafter:
a) One person appointed by each of such universities and colleges, up to a maximum of twenty, as Court on the recommendation of Council may from time to time determine
b) One person appointed by each of such learned bodies and national and international organisations, up to a maximum of forty-five, as Court on the recommendation of Council may from time to time determine
c) One person appointed by such of the institutions affiliated to or associated with the University, as listed in its Ordinances, as Court on the recommendation of Council may from time to time determine
d) One person appointed by each of such National Health Service bodies as Court on the recommendation of Council may from time to time determine

Category VII – House of Commons and European Parliament
The Members of Parliament elected for the parliamentary constituencies lying wholly or substantially within the City and County of Bristol, the Districts of Bath and North East Somerset, North Somerset and South Gloucestershire and the Counties of Gloucestershire, Somerset and Wiltshire
The Members of the European Parliament elected for the South West region

Category VIII – Holders of local offices
Such holders of local offices as Court on the recommendation of Council may from time to time determine, subject to a limit of sixty, which may include:
Lord Lieutenants of Bristol and adjoining counties; Lord Mayors and Mayors of local cities and towns; head teachers of local schools and principals of local colleges; local judges; the president, chief executive, head or leader or other officers of learned societies, religious organisations, charities, museums, libraries, professional bodies, and other organisations involved in the arts, the law, education, health and social services, trade and industry
STATUTES

Vacancies
Vacancies arising among the appointed members shall be filled as soon as possible by the appointing authority for the remainder of the unexpired term.

Resignation
Any member of Court may resign by a letter sent to Court through the Secretary.

2 July 2010
Statute 12

Meetings of Court

1. Place and Time

All meetings of Court shall be held in Bristol.

2. Annual Meeting

The Annual Meeting of Court shall normally be held in November or December. Council shall determine the date and place. Council shall present a report of its proceedings during the preceding academic year, including a report on changes to the Charter, Statutes and Ordinances, and an audited statement of accounts for the preceding financial year. A copy of the report and statement shall be sent to every member of Court at least seven days before the meeting.

3. Special Meetings

The Chancellor may call a meeting of Court at any time and shall call a meeting to be held within eight weeks of the receipt by him or her of a written request to do so from Council or from no fewer than twenty-five members of Court. The Chancellor shall determine the date and place of any meeting so called.

4. Notice

The Secretary shall send notice of every meeting of Court not less than thirty five days before the day fixed for such meeting. Any member of Court wishing to bring forward any business at a meeting shall give the Secretary written notice of it not less than twenty days before the day appointed for the meeting provided that such business shall not be included on the agenda unless no fewer than 9 other members of Court have indicated their support either by signing the notice or writing to the Secretary indicating their support for the business to be discussed. This shall not apply to business brought forward by Council. Not less than seven days before any meeting of Court the Secretary shall send every member of Court a statement of all business, and no business shall be considered at the meeting except that included in the statement. For the purposes of this
Statute, any notice or written communication to the Secretary may be given by email.

5. Quorum

The quorum of Court shall be forty-five. If there is not a quorum present at a meeting, the Chancellor shall adjourn the meeting to a time later the same day. If there is still no quorum present, the meeting may be adjourned to another day as the Chancellor thinks fit.

6. Procedure

The procedure at meetings of Court shall be in accordance with standing orders of Court.

21 March 2007

Statute 13

Powers of Court

Court shall have the following powers:

1. Comment and Advice

At each Annual Meeting of Court, Court shall receive a report from Council of its proceedings during the preceding academic year, including a report on changes to the Charter, Statutes and Ordinances, and an audited statement of accounts for the preceding financial year. Court may comment on the affairs of the University, may advise Council on any matter relating to the University, and may invite Council to review a decision. Council shall take into consideration any views expressed by Court. Court may require Council to send to the Chancellor, within three months, a written response to a point raised at a meeting of Court for circulation to members of Court.

2. Appointment of Officers

Court shall appoint the Chancellor, Pro-Chancellors and Treasurer on the nomination of Council, and appoint annually the external auditors.
3. Council Membership and Periods of Office

In accordance with Statute, Court shall elect fifteen members of Council in Class I from names put forward by the Nominations Committee of Court. Court shall have power to approve extensions to prescribed terms of office for the Chancellor, Pro-Chancellors and Treasurer, and to approve extensions to prescribed maximum periods of membership for members of Council.

4. Removal for Good Cause

Court may remove members of Court or Council, other than those who are members by virtue of their office or members of the academic staff, for good cause, as determined by Statute.

7 May 2005

Statute 14

Nominations Committee of Court

Members
1. The members of the Nominations Committee of Court shall be:

   Class I - Chair
   For renewable three year terms, subject to a maximum of three such terms:
   A Pro-Chancellor, who shall act as Chair, nominated by the Chancellor.

   Class II - Ex Officio
   The Chair of Council
   The Chair of Convocation.

   The Vice-Chancellor (or his/her nominee)

   Class III - Members of Council
   For renewable three year terms, subject to a maximum of three such terms:
   Three members of Council, elected by Council from among its lay members as determined by Ordinance.
Class IV - Members of Court
For renewable three year terms, subject to a maximum of three such terms:

Two members of Court elected by Court, as determined by Ordinance.

Members in Class IV must be members of Court, but may not be members of Council. If they become members of Council they must resign from the Nominations Committee of Court.

Right to attend
2. The University Secretary may attend meetings of the Nominations Committee of Court, but may not vote on any issue.

Selection of Members of Council
3. The Nominations Committee of Court shall put to Court each year at its Annual Meeting names for election to membership of Council in Class I in Statute 15 for a three year term. The Committee shall search for suitable candidates and shall give careful consideration to all names recommended to it. The Committee shall have regard to the need to find members of Council with a balance of skills and experience and shall ensure compliance with the University's Equal Opportunities Policy.

Court shall consider separately each name put to it by its Nominations Committee, and shall either accept or reject it. If Court rejects any of the names, the Nominations Committee shall choose a replacement for consideration by Court at its next Annual Meeting, to serve for the remainder of the three year term. In the interim the vacancy shall be filled by Council on the nomination of Court's Nominations Committee. Council may not appoint the rejected candidate.

Audit Committee of Council
4. The Nominations Committee of Court shall, in consultation with the Treasurer, nominate members of the Audit Committee of Council for appointment by Council. If Council rejects a nominee, the Nominations Committee of Court shall produce an alternative candidate for consideration by Council. The Chair of Council and members of the University's staff may not be members of the Audit Committee.

(Awaiting approval from The Privy Council)
Statute 15

Membership of Council

1. Members

The members of Council shall be as follows:

Class I – Lay Members

The Treasurer

For renewable three-year terms, subject to a maximum of three such terms unless Court by special resolution determines otherwise, where a special resolution for this purpose is a resolution considered as a separate agenda item at a properly constituted meeting of Court and passed by a majority of those present and voting:

One person appointed by Bristol City Council

One person appointed by the Society of Merchant Venturers

One person appointed by Convocation

Fifteen persons elected by Court, on the nomination of the Nominations Committee of Court

Lay members of Council in Class I may not be members of the University’s staff.

Class II – University Staff

The Vice-Chancellor

Three Pro Vice-Chancellors, nominated by the Vice-Chancellor

For renewable three-year terms, subject to a maximum of three such terms:

Two professors, elected as determined by Ordinance

Two members of the non-professorial academic staff, elected as determined by Ordinance
Two members of the support staff, elected as determined by Ordinance

*Class III – Students*

The President of the University of Bristol Union

Two full-time Union-Elected Officers, nominated by the Union

2. **Right to attend**

The Chancellor, Pro-Chancellors and Chair of Convocation, if not members of Council, and the Registrar and Finance Director, shall have the right to receive papers and attend meetings, but shall not have the right to vote on any issue.

3. **Vacancies**

All vacancies arising among the appointed or elected members shall be filled as soon as possible by the appointing or electing authority for the remainder of the unexpired term.

Vacancies arising among the lay members elected by Court shall be filled as soon as possible by Council, on the nomination of Court’s Nominations Committee, until the next Annual Meeting of Court.

4. **Resignation**

Any member of Council may resign by a letter sent to Council through the Secretary.

*2 July 2010*
Statute 16

Meetings of Council

Frequency
1. Council shall meet at least five times in every University academic year. The Chair may call a meeting at any time, and shall call a meeting to be held within three weeks of the receipt of a written request to do so from no fewer than ten members of Council.

Chair and Vice-Chair
2. Council shall each year appoint a Chair and Vice-Chair from among its lay members. The Chair and Vice-Chair should each normally serve for no more than six years in total.

Procedure
3. The procedure at meetings of Council shall be determined by Ordinance.

Quorum
4. The quorum of Council shall be ten. If there is not a quorum present at a meeting, the Chair shall adjourn the meeting to a time later the same day. If there is still no quorum present, the meeting may be adjourned to another day as the Chair thinks fit. If there are at least ten members present but without a lay majority, a majority of the lay members present may decide to defer business to the next meeting of Council, but business may be so deferred only once.

Reserved business
5. The Chair may require student members of Council to withdraw when matters are discussed relating to individual members of staff or individual students of the University and may withhold from student members papers relating to such matters.

19 November 2003


Statute 17

Powers of Council

Council shall be the governing body of the University, and shall have the following powers:

1. General

Council shall exercise all powers conferred on it by the Charter, Statutes and Ordinances, and shall put the Charter, Statutes, Ordinances and Regulations into effect. Council shall set the policy of the University, in consultation with Senate on matters of academic policy, and shall ensure that the Vice-Chancellor and the University officers act to further that policy.

2. Charter

Council may alter, amend or add to the Charter by a special resolution, passed at one meeting of Council and confirmed at a subsequent meeting held no less than one calendar month nor more than three calendar months after the former, provided that the resolution is passed at each meeting by a majority of not less that three-quarters of the members of Council present and voting. Any such changes made by Council shall not take effect unless and until they are allowed by the Queen in Council.

3. Statutes and Ordinances

Council may by special resolution make, amend, add to or repeal Statutes and Ordinances and shall report them to Court at Court’s Annual Meeting. A special resolution for this purpose is a resolution considered as a separate agenda item following a written report from the Secretary and either (i) passed by a two-thirds majority of those present and voting or (ii) passed by a simple majority of those present and voting and ratified at the next ordinary meeting. In matters relating to courses of study, degrees, certificates, diplomas and other academic awards or distinctions, affiliation of colleges and recognition of teachers, Ordinances shall be made by Council only with the consent of Senate. Statutes, and any amendments, additions or repeals, made by Council in accordance with the above procedure shall not take effect unless and until they are allowed by the Privy Council.
4. Regulations

Council may, subject to the Charter, Statutes and Ordinances, make Regulations to govern its affairs and those of the University.

5. Nomination of Lay Officers

Council shall nominate the Chancellor, Pro-Chancellors and Treasurer for appointment by Court.

6. Appointment of University Officers

Council shall appoint the Vice-Chancellor and Pro-Vice-Chancellors after consultation with Senate. Council shall appoint such other officers of the University as it thinks fit, in accordance with Statutes and Ordinances.

7. Academic Posts

Council may institute or abolish professorships, readerships, lectureships and other academic posts, after consultation with Senate.

8. Academic Appointments

Council shall appoint the professors of the University after report from Senate. Council may either delegate to Senate the appointment of academic staff of the University other than professors, or may appoint them after report from Senate.

9. Honorary Appointments

Council may, on the recommendation of Senate, appoint honorary professors, confer the title of emeritus professor on any professor who has retired from office, and confer the title of emeritus dean on any dean who has retired from the University without having been awarded the title of professor.

10. Honorary Degrees and Fellowships

Council may award honorary degrees on the recommendation of Senate, and may recommend to Court the award of honorary fellowships.
11. Contracts and Employment

Council may enter into, vary and cancel contracts on behalf of the University, including contracts of employment subject to the provisions of the Statute relating to academic staff. Council shall determine the terms and conditions on which employment is offered.

12. Academic Review

Council shall review and promote the teaching and research of the University.

13. Senate

Council shall supervise and give directions to Senate, and may refer back, amend or disallow any act of Senate, subject to the rights of the Senate concerning academic Ordinances and to be consulted on all academic matters.

14. Finances

Council shall manage all the University’s financial and other affairs, and may appoint bankers and other agents as it thinks fit.

15. Investments

Council shall make investments on behalf of the University as it thinks fit, subject to the Charter, Statutes and Ordinances.

16. Property

Council shall provide premises, furniture, apparatus and equipment needed for the work of the University. Council may sell, buy, exchange, lease and accept leases of real and personal property on behalf of the University.

17. Borrowing

Council may borrow money on behalf of the University and for the purpose may mortgage all or any part of the property of the University, whether real or personal, or give such other security upon such property as it thinks fit.
Council shall set borrowing limits and report them each year to the Annual Meeting of Court.

18. Seal, Arms and Mace

Council shall have the sole custody and use of the University seal, arms and mace.

19. Grievances

Council shall investigate and if appropriate redress any grievance brought by officers, staff or students of the University. Council may, at its discretion, appoint a committee to deal with a grievance.

7 May 2010

Statute 18

Statute 18 (Nominations Committee of Council) was repealed on 28 June 2011. The procedure for appointment of members of Council committees is now set out in paragraph 11 of Ordinance 3.

Statute 19

Membership of Senate

1. Members

The members of Senate shall be as follows:

Class 1 – Ex officio

The Vice-Chancellor, the Pro Vice-Chancellors, the Deans, the Registrar, the Librarian, the President of the Students’ Union, the Vice-President (Education) of the Students’ Union
Class 2 – Heads of school

The heads of the academic school or their nominees for any given academic year

Class 3 – Academic and other professional post-holders

Such holders of posts of academic and other professional responsibility, as shall with the consent of Senate be provided by Ordinance so as to ensure fair representation of all the faculties

Class 4 – Academic Staff

Such members of the academic staff, elected by such staff in each faculty from among their number, as shall with the consent of Senate be provided by Ordinance so as to ensure fair representation of all the faculties, for renewable three-year terms

Class 5 – Students

Up to six undergraduate students, elected as provided for in Senate’s Standing Orders, and three postgraduate students also elected or temporarily nominated in accordance with Standing Orders of Senate. In all cases election will be renewable for one-year terms, subject to a maximum of three consecutive terms

2. Vacancies

All vacancies arising among the elected members shall be filled as soon as possible for the remainder of the unexpired term.

2 July 2010

Statute 20

Meetings of Senate

Frequency
1. Senate shall meet at least once each term. The Vice-Chancellor may call
a meeting at any time, and shall call a meeting on receipt of a written
request to do so from no fewer than twenty members of Senate, within
such period as shall be prescribed by standing orders of Senate.

Chair
2. The Vice-Chancellor shall preside at meetings of Senate. In the Vice-
Chancellor’s absence, a Pro Vice-Chancellor may act as chair.

Procedure
3. The procedure at meetings of Senate shall be in accordance with
standing orders made by Senate.

Reserved business
4. The Chair may require student members of Senate to withdraw when
matters are discussed relating to individual members of staff or individual
students of the University and may direct that papers relating to such
matters shall be withheld from student members.

2 July 2010

Statute 21

Powers of Senate

Senate shall have the following powers:

Education and Research and Enterprise

1. Senate shall be responsible to Council for education and examinations
within the University, and shall promote and encourage research and
enterprise. No new degree or other academic award or distinction shall be
adopted by the University without Senate’s agreement.

Examiners

2. Senate shall appoint the internal and external examiners after report
from the Boards of Faculty concerned, or may delegate this power to the
appropriate Faculty Board. Senate may remove any examiner for
negligence or misconduct and may appoint a substitute for the remainder of the examinations.

**Academic ordinances and regulations**

3. Senate shall report to Council, after report from the Boards of Faculties concerned, on proposed changes to Ordinances and Regulations. Ordinances relating to courses of study, degrees, certificates, diplomas and other academic awards or distinctions, affiliation of colleges and recognition of teachers may be made by Council only with the consent of Senate.

**Faculties**

4. Senate shall supervise and give directions to the Faculties, may refer back, amend or disallow any act of a Faculty, and shall assign to the Faculties their respective subjects and report to Council on the organisation of schools.

**Academic posts**

5. Senate may make recommendations to Council as to the institution or abolition of professorships, readerships, lectureships and other academic posts or offices, and as to the abolition of faculties and schools.

**Academic appointments**

6. Senate may make recommendations to Council as to the appointment or removal from office of the Vice-Chancellor, Pro-Vice-Chancellors, professors and other members of the teaching and research staff of the University.

**Honorary appointments**

7. Senate shall recommend to Council the appointment of honorary professors and emeritus deans.

**Honorary fellowships and degrees**

8. Senate shall recommend to Council the award of honorary fellowships and degrees.
Fellowships, scholarships and prizes

9. Senate shall award fellowships, scholarships and prizes, subject to conditions made by the founders and accepted by Council.

Admission of students

10. Senate shall regulate the admission of students to the University, subject to the Charter, Statutes, Ordinances and Regulations.

Student discipline

11. Senate shall make regulations to provide for the discipline of students of the University. Subject to the regulations, Senate may suspend or expel any student.

Referral and delegation

12. Senate shall report back on any matter referred to it by Council.

Opinion and advice

13. Senate may discuss and declare an opinion on any matter whatsoever relating to the University and Council shall take into consideration any observations expressed by Senate.

25 November 2012

Statute 22

Faculties

Faculties
1. Schools shall be allocated to faculties as determined by Senate.

Faculty boards
2. Each faculty shall have a faculty board as determined by ordinance.
Responsibilities of faculty boards
3. Faculty boards are responsible to Senate for the academic activities carried out in the faculty, including the education and assessment of students and the promotion and encouragement of research, and for such other matters as Senate may require.

Committees
4. Faculty boards may establish committees to advise them on any matter, for such periods as they think fit, with such membership as they may approve. Faculties may establish committees jointly with another faculty or faculties.

Faculty Assemblies
5. Each Faculty shall have a Faculty Assembly as determined by ordinance.

Remit of Faculty Assemblies
6. The remit of the Faculty Assembly is to discuss issues which merit consideration by the Faculty as a whole.

23 March 2012

Statute 23

Membership of Convocation

Members
1. The members of Convocation shall be as follows:
The Chancellor
The Pro-Chancellors
The Vice-Chancellor
The Pro-Vice-Chancellors
The honorary fellows
The members of Senate
The professors, readers, lecturers and other members of the academic staff
The officers of the University
The graduates of the University, on such conditions as to fees as Council
may prescribe
Such other former students of the University as Convocation may by
Standing Order determine, on such conditions as to fees as Council may
prescribe
The honorary graduates of the University

**Associate Membership**
Categories of associate membership may be made by standing order.

**Register**
The Registrar shall keep a register containing the names of all members of
Convocation, which shall be conclusive as to the entitlement of any person
to vote in Convocation.

**Statute 24**

**Meetings of Convocation**

**Frequency**
1. Convocation shall meet at least once a year. The Chair may call a
meeting at any time, and shall call a meeting to be held within eight weeks
of the receipt of a written request to do so from no fewer than fifty
members.

**Chair**
2. The Chancellor if present shall preside at meetings of Convocation.
Convocation shall elect a Chair who will preside in the absence of the
Chancellor, and will be Chair of the Standing Committee of Convocation.

**Quorum**
3. The quorum of Convocation shall be fifty. If there is not a quorum
present, the Chair shall adjourn the meeting to a time later the same day. If
there is still no quorum present, the meeting may be adjourned to another
day as the Chair thinks fit.

**Notice of meetings**
4. Not less than twenty-eight days before the day fixed for a meeting of
Convocation, the Secretary shall send notice of the meeting to all
members. Not less than twenty-one days before the day appointed for the meeting, any member of Convocation wishing to bring forward business at a meeting shall give the Secretary written notice of it. Not less than seven days before any meeting, the Secretary shall send members a statement of all business, and no business shall be considered at the meeting except that included in the statement. Notice of meetings and elections shall be regarded as duly given if posted to a member’s last advised address, but no notice need be sent by the University if it has evidence that the member no longer resides there.

Procedure
5. Procedural matters relating to meetings of Convocation shall be prescribed by standing orders of Convocation.

Reports
6. At each Annual General Meeting of Convocation the Vice-Chancellor will report on the affairs of the University and Convocation will receive an account of meetings of Court.

15 March 2000

Statute 25

Powers of Convocation
Convocation shall have the following powers:

Court
1. Convocation shall appoint by election one hundred members of Court.

Council
2. Convocation shall appoint one member of Council.

Advice
3. Convocation may discuss and pronounce an opinion on any matter relating to the University and may enter into communication directly with Council, Court, or Senate on any such issue.

15 March 2000
Statute 26

Congregations

Congregations of the whole University for the conferring of degrees or other purposes shall be held in a manner to be prescribed by Ordinances and shall be presided over by the Chancellor or in his or her absence by the Vice-Chancellor.

7 May 2005

Statute 27

University of Bristol Union

Structure
1. There shall be a Union of students in the University, whose constitution and functions shall be prescribed by Ordinance. Council shall contribute annually to the Union such funds as it thinks fit.

Responsibility of Council
2. Council shall take such steps as are reasonably practicable to ensure that the Union operates in a fair and democratic manner and is accountable for its finances. The Union shall each year submit to Council its audited accounts.

15 March 2000

Statute 28

Examiners for Academic Awards

For all academic awards of the University there shall be at least two examiners. At least one must be external and independent and normally at least one must be a member of the academic staff of the University or otherwise eligible as having academic status.

23 February 2004
Statute 29

Committees

Power to appoint committees
1. Council, Court, Senate, boards of Faculties, Convocation and the University of Bristol Union may appoint committees to deal with any matter, and such committees may include persons who are not members of the bodies appointing them. Council shall establish an Audit Committee, Nominations Committee, Staff Committee and Remuneration Committee.

Powers and duties
2. The powers and duties of such committees shall be such as the bodies appointing them direct, save that Council may not delegate its power to decide that it is desirable that there should be a reduction in the number of academic staff by way of redundancy.

Regulations
3. Council may make regulations governing the proceedings of committees, but subject to these every committee may regulate its own meetings and procedure.

Membership
4. The Chair of Council and the Vice-Chancellor shall be members of every committee of Council and Court and of their joint committees, save as otherwise provided by Statute or Ordinance. The Vice-Chancellor shall be a member of all committees of Senate and Faculties. The Deans shall be members of all committees of their Faculties.

15 March 2000
Statute 30

Advisory Boards

Council
1. Council may appoint advisory boards on such terms as it thinks fit, subject to the Charter and Statutes and after consultation with Senate. Such boards may include members unconnected with the University. Council may refer to them for advice and report on any matter, and such advice and report shall be duly considered by bodies in the University as Council directs.

Senate
2. Senate at the instance of any faculty may approve the appointment of an advisory board, under conditions to be determined by Ordinance. Such boards will be subject to review by the Faculty. They may undertake matters delegated to them with regard to organisation, administration, or instruction in any subjects in the Faculty. Senate shall appoint the members on the nomination of the Faculty. Such boards shall include the examiners in the subjects concerned and may include members unconnected with the University.

15 March 2000

Statute 31

Removal of Officers, Auditors and Members

Officers
1. The Chancellor and Pro-Chancellors may be removed for good cause by the Visitor at the instance of Court. The Treasurer, Chair of the Council and Vice-Chair of Council may be removed for good cause by the Visitor at the instance of Council.

Auditors
2. The external auditors may be removed for good cause by Court.
Members of Council and Court
3. Any member of Council or Court, other than those who are members by
virtue of their office or members of the academic staff, may be removed for
good cause by Court.

Good cause
4. ‘Good Cause’ in this Statute means one or more of the following:

- conviction for an offence rendering the person convicted unfit for the
  execution of the duties of the office;
- improper conduct, incompatible with the duties of the office;
- conduct constituting persistent refusal, neglect or inability, including
  mental or physical inability, to perform the duties or comply with the
  conditions of office.

15 March 2000

Statute 32 - Academic Staff: Dismissal, Discipline,
Grievance Procedures and related matters

Part I: General

1. Application

(1) This Statute applies to the following:
i. the members of the academic staff (except for those excluded from Part
   II, which deals with redundancy, by clause 5(1) below);
ii. the Registrar, the University Secretary and the Librarian;
iii. such other members of staff or categories of staff of the University as
   are brought within its scope by Council;
and “member(s) of staff” in this Statute means those members of the staff
   to whom this Statute applies.

(2) This Statute will override any provision in any contract, term or condition
of employment which is inconsistent with this Statute, whether dated before
or after the commencement of this Statute, but –
i. it shall not affect the validity of any compromise agreement under section
203 of the Employment Rights Act 1996, or any similar agreement
permitted by law; and
ii. it shall not preclude any member of staff deciding or agreeing to terminate employment with the University, whether by voluntary severance, early retirement or otherwise, on whatever terms have been agreed.

(3) Parts II to VI of this Statute, dealing with dismissal, shall not apply to removal from an appointment as Pro Vice-Chancellor, Dean or Head of School, or such other posts as have been designated by Council, to which a member of staff has been elected or appointed and which is distinct from that individual’s substantive post, where dismissal from the substantive post is not contemplated, but Council shall by Ordinance prescribe a procedure for handling such removals prior to the prescribed or normal termination date, which shall include a hearing panel, the right to representation and an appeal panel.

(4) Subject to sub-clause (5) below, this Statute shall not apply to the Vice-Chancellor, even if he or she is also the holder of an academic post.

(5) Part III, which deals with disciplinary procedures, shall, unless Council with the Vice-Chancellor’s concurrence resolves otherwise, apply to the Vice-Chancellor in post at the time this Statute comes into effect, with such modifications and adaptations as Council, with the Vice-Chancellor’s concurrence, may prescribe.

2. General principles of construction and application

(1) This Statute and any Ordinances or Regulations made under it shall be applied and construed in every case to give effect to the following guiding principles:
   i. to ensure that members of staff have freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their jobs or privileges;
   ii. to enable the University to provide education, promote learning and engage in research efficiently and economically; and
   iii. to apply the principles of justice and fairness.

(2) Where, in any proceedings under this Statute, a member of staff invokes sub-clause (1) i above, that claim shall initially be considered by the Vice-Chancellor, who shall determine whether the member of staff has made out a prima facie case. If the Vice-Chancellor determines that there is
a prima facie case, the matter shall be considered as a preliminary issue by
a panel of three appointed by the Vice-Chancellor. The panel shall
comprise a Pro Vice-Chancellor and two academics, with no prior
involvement in the case. One of the academics shall be a member of the
academic staff of the University. The other, where practicable, shall be a
member of the academic staff of another university. If it is found that any
action has been taken against the member of staff because that member of
staff within the law questioned or tested received wisdom or put forward
new ideas or controversial opinions, the person or persons dealing with the
matter shall cancel that action and it shall be treated as invalid.

(3) Where there is any issue as to the meaning of “academic freedom” in
any proceedings under Parts II, III, IV, V, VI and VII of this Statute, regard
shall be had to Sections VI and VII of the Recommendation concerning the
Status of Higher-Education Teaching Personnel adopted by the General
Conference of the United Nations Educational, Scientific and Cultural

(4) This Statute deals with the dismissal of staff, but the University shall
ensure security and continuity of employment for as many of its staff as is
reasonably practicable. Fixed term contracts will only be used in specifically
defined circumstances. Every reasonable effort will be made to avoid
redundancy situations arising and to avoid making individual members of
staff redundant.

(5) Any reference in this Statute to a provision in an Act of Parliament shall
be taken to be a reference to that provision as it may have been amended
or superseded from time to time.

3. Dismissal

(1) For the purpose of this Statute, "dismissal" shall have the same
meaning as in section 95 of the Employment Rights Act 1996.

(2) A member of staff may be dismissed if that dismissal is for a reason set
out in section 98 of the Employment Rights Act 1996.

(3) A dismissal by reason of redundancy (other than the non-renewal of a
fixed-term contract) shall be handled in accordance with Part II; a dismissal
for disciplinary reasons shall be handled in accordance with Part III; a
dismissal on grounds of capability or performance shall be handled in
accordance with Part IV; a dismissal on health grounds shall be handled in accordance with Part V; and a dismissal on any other grounds, including the non-renewal of a fixed-term contract, shall be handled in accordance with Part VI.

4. Hearing, appeal and grievance panels

(1) Any panel established pursuant to clauses 8(1) (appeal against dismissal for redundancy), 10(ii)(d) (hearing under disciplinary procedures) and (g) (appeal against a decision of a disciplinary panel), 16(iii)(c) (hearing under capability and performance procedures) and (e) (appeal against a decision of a capability or performance panel), 19(2) (hearing under ill-health procedures and appeal against a decision of an ill-health panel), 22(2) (hearing for dismissal on other grounds and appeal against a decision of such a panel) and 24 (5) (hearing of a grievance) of this Statute shall consist of at least three persons, none of whom shall previously have had any involvement with the case, at least one of whom shall be a lay member of Council and one a member drawn by the Vice-Chancellor from a list agreed from time to time by Senate. Such panels shall be balanced in their membership and in particular shall include at least one person of each sex.

(2) Ordinances may provide for any relevant National Health Service or other relevant body to be represented on any panel established under this Statute to deal with a member of staff falling within clause 23(1) (relating to clinical staff), below, and for the panel to be enlarged for this purpose.

(3) At any panel within sub-clause (1) above, the member of staff shall be entitled to be represented or assisted by any person.

(4) Any panel within sub-clause (1) above shall give a reasoned decision in writing, which shall be provided to the member of staff and reported to Council.

(5) Any dismissal under this Statute shall remain in force pending the outcome of an appeal.
Part II: Redundancy

5. Application

(1) The power to dismiss, and the procedures prescribed, under this Part shall not apply to those staff defined in sub-sections (3) to (6) of section 204 of the Education Reform Act 1988 (staff appointed prior to, and not promoted after, 20 November 1987), who shall for this purpose continue to be subject to such powers, if any, as applied to them prior to the introduction of the Statute made by the University Commissioners in the exercise of their powers under sections 203 and 204 of the Education Reform Act 1988.

(2) This Part shall not apply to the non-renewal of a fixed-term contract, which shall be dealt with under clause 21 relating to non-renewal of fixed-term contracts, below.

6. Definition of "redundancy"

Subject to clause 5(2) above, dismissal by reason of redundancy for the purpose of this Part has the same meaning as in section 139 of the Employment Rights Act 1996.

7. Procedure for dismissal by reason of redundancy

(1) Council shall by Ordinance prescribe the procedures for dismissing members of staff on grounds of redundancy, which shall include the following:

i. a preliminary stage involving consultation with appropriate representatives in accordance with and to the extent required by section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992 and discussion with the staff concerned;

ii. a procedure which is fair and which allows each staff member concerned, having been informed of the selection criteria for redundancy to be employed, to make written and oral representations on his or her behalf;

iii. provision for informing any member of staff dismissed under this Part of the reasons for the dismissal and, where selection has taken place, why he or she was selected; and
iv. authorising the Vice-Chancellor, or an appropriate person nominated by the Vice-Chancellor to act with full authority on his or her behalf, to dismiss any member of staff selected for dismissal under this Part and requiring reports of dismissals to be submitted to Council.

(2) The procedures following the preliminary stage may be used at any particular time only after Council has first determined that the circumstances are such that the procedures should be instituted.

8. Appeal against dismissal by reason of redundancy

(1) The Ordinances shall include provision for an appeal to a panel by a member of staff who has been given notice of dismissal under this Part.

(2) The panel shall be entitled to review all aspects of the matter other than Council’s determination under clause 7(2) above.

(3) The panel shall have the power to reach a final decision on the matter or to remit the matter for further consideration by the body whose decision is being appealed.

Part III: Disciplinary Procedures

9. Grounds for disciplinary action

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

i. conduct amounting to a criminal offence, whether or not there has been a prosecution and conviction, of a kind that is judged in all the circumstances to be relevant to the member of staff’s employment by the University;

ii. failure, refusal or neglect to perform some or all of the duties or to comply with some or all of the conditions attaching to the post, or to perform those duties or comply with those conditions in a satisfactory or adequate manner;

iii. conduct of a kind judged to be inappropriate or unacceptable on the part of a holder of the post held by the member of staff, such as (but not confined to) the following:
(a) breach of any obligation or duty arising under any of the University’s regulations regarding financial matters, harassment, equality and diversity, public interest disclosure, health and safety, data protection, computer misuse, conflict of interest or any other rules, regulations or codes binding on the member of staff;

(b) willful or negligent damage to or improper use of University facilities, premises, property or equipment;

(c) disruption of, or improper interference with, the activities of the University or of any employee, student, Council member or visitor (other than any lawful industrial action);

(d) violent, indecent, disorderly, threatening, abusive, insulting or harassing behaviour or language (whether written, spoken or in any other form);

(e) fraud, deceit, deception or dishonesty in relation to the University or any related activity, including research and examining;

(f) research misconduct;

(g) action likely to cause injury or impair safety;

(h) divulging information or material received in confidence (unless the disclosure is permitted under the Public Interest Disclosure Act 1998 or in accordance with the University’s Public Interest Disclosure Procedure).

10. Disciplinary procedures

Council shall by Ordinance promulgate disciplinary procedures for members of staff, which shall provide:

i. for less serious matters to be dealt with by warnings following a fair and appropriate procedure and for a member of staff to be able to appeal against the imposition of a warning to a person designated by the Vice-Chancellor; and

ii. for more serious matters to be dealt with by a fair and appropriate procedure, which shall include provision for the following:

(a) fair and reasonable time limits for each stage;
(b) investigating complaints and dismissing those found to be without substance;

(c) suspension on full pay by the Vice-Chancellor pending an investigation or hearing, where this is necessary for the protection of persons or property, subject to regular reviews;

(d) a hearing by a panel, authorised by the Vice-Chancellor, at which the member of staff against whom the complaint has been made shall have been informed of the complaint, shall be entitled to be present, to hear the evidence, to call relevant witnesses, and to examine and cross-examine witnesses;

(e) appropriate penalties, which shall include warnings and dismissal;

(f) designating a member of staff’s conduct as constituting “gross misconduct” such as to merit summary dismissal without notice; and

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

11. Code of Practice

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

12. Dismissal

(1) The Human Resources Director or other appropriate officer designated by the Vice-Chancellor shall give effect to a decision of a panel that a member of staff should be dismissed:

i. where the panel has designated the conduct as “gross misconduct” such as to merit summary dismissal pursuant to clause 10(ii)(f), by dismissing
the member of staff forthwith;
ii. in all other cases, by issuing the notice of dismissal.

(2) If an appeal panel decides that the member of staff should not be dismissed or should only be dismissed with notice, the Human Resources Director shall cancel or modify the dismissal accordingly.

13. Relationship with Part V

The Ordinances shall make provision for dealing with a case in progress under this Part or under Part IV where it emerges that the member of staff’s conduct or performance may have been wholly or partly attributable to a medical condition.

14. Clinical staff

Action under this Part or under Part IV or Part V may be taken against a member of staff falling within clause 23(1) on clinical staff, below, in respect of conduct, performance or incapacity arising in connection with that member of staff’s clinical work or activities as if the work or the activities were performed in and for the University.

Part IV: Capability and Performance

15. Grounds for action

Action under this Part may be taken in respect of inability to perform some or all of the duties or to comply with some or all of the conditions attaching to the post, or inability to perform those duties or comply with those conditions in a satisfactory or adequate manner.

16. Capability and Performance Procedures

Council shall by Ordinance promulgate procedures on capability and performance, which shall provide:

i. for additional support and training where appropriate;

ii. for less serious matters to be dealt with by notifications of concern or warnings following a fair and appropriate procedure, and for a member of
staff to be able to appeal against the imposition of a notification of concern or warning to a person designated by the Vice-Chancellor; and

iii. for more serious matters to be dealt with by a fair and appropriate procedure, which shall include provision for the following:

a) fair and reasonable time limits for each stage;

b) investigating allegations of lack of capability or poor performance and dismissing those found to be without substance;

c) a hearing by a panel, authorised by the Vice-Chancellor, at which the member of staff shall have been informed of the allegations of lack of capability or poor performance, shall be entitled to be present, to hear the evidence, to call relevant witnesses, and to examine and cross-examine witnesses;

d) appropriate sanctions, which shall include notifications of concern, warnings and dismissal; and

e) a right to appeal against the finding of, or outcome imposed by, the panel. An appeal shall not take the form of a re-hearing of the evidence and witnesses may be called only with the appeal panel’s permission.

17. Code of Practice

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

18. Dismissal

(1) The Human Resources Director or other appropriate officer designated by the Vice-Chancellor shall give effect to a decision of a panel that a member of staff should be dismissed by issuing a notice of dismissal.
(2) If an appeal panel decides that the member of staff should not be dismissed, the Human Resources Director shall cancel the dismissal accordingly.

Part V: Incapacity on Health Grounds

19. Dismissal on health grounds

(1) Council shall by Ordinance prescribe a procedure for dealing with staff, including dismissal, because of incapacity on health grounds, whether physical or mental.

(2) The procedure shall include a hearing by a panel, with a right of appeal to another panel, and both panels shall contain an appropriately medically qualified person.

Part VI: Other Dismissals

20. Non-renewal of a fixed-term contract

(1) The Vice-Chancellor, or other person or persons designated by the Vice-Chancellor, shall in every case where a fixed-term contract is due to terminate consider whether that contract should be renewed or extended or whether a permanent contract should be offered, having consulted the appropriate representatives in accordance with and to the extent required by section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992 and having given an opportunity to the member of staff to make representations.

(2) A decision not to renew or extend a fixed term contract or offer a permanent contract under the preceding paragraph must be justified on the basis of transparent, necessary and objective reasons, as set out by Ordinance.

(3) A member of staff whose fixed-term contract is not renewed or extended on termination or is not offered a permanent contract shall be given full reasons for the decision and shall be entitled to have the decision reviewed by a panel in accordance with a procedure to be prescribed by Ordinance.
(4) The panel, whose decision shall be final, shall consider whether the reasons advanced in support of the decision are reasonable and supportable.

21. Initial Service Review

(1) This clause shall apply to members of staff who have been appointed subject to initial service review.

(2) Council shall by Ordinance prescribe a procedure under which staff subject to an initial service review period shall be reviewed and shall include provision for non-confirmation in post during or at the end of the initial service review if their performance is found to be deficient or for any other substantial reason or reasons they are judged unsuitable to be confirmed in post.

(3) The review referred to in sub-clause (2) may encompass matters which, in other circumstances, would fail to be dealt with under Parts III, IV or V of this Statute.

(4) The substance of sub-clauses (3) and (4) of clause 20 shall apply to a member of staff who has not been confirmed in post under this clause.

22. Dismissal on other grounds

(1) This clause covers dismissals on any ground falling within clause 3(2) other than those covered by Parts II, III, IV, V and VI and clauses 20, 21, 22 and 23 of Part VI of this Statute (i.e. "some other substantial reason of a kind such as to justify the dismissal of an employee holding the position which the employee held" (Employment Rights Act 1996, s. 98(1)(b); “the employee could not continue to work in the position which he held without contravention (either on his part or on that of his employer) of a duty or restriction imposed by or under an enactment” (s. 98 (2)(d)).

(2) Dismissals covered by sub-clause (1) above shall be handled in accordance with a procedure prescribed by Ordinance, which shall include the right to be heard by a panel and the right to appeal to a panel.
23. Clinical staff

(1) This clause applies to a member of the clinical academic staff who is required to engage in clinical work or activities and for that purpose to be registered with the General Medical or Dental Council or similar body and/or to have an honorary or substantive contract or status with a National Health Service trust or similar body, and may by Ordinance be extended to other groups of staff in a similar situation.

(2) Where the registration, contract or status referred to in sub-clause (1) above is terminated, withdrawn or revoked, the Vice-Chancellor, or an appropriate person nominated by the Vice-Chancellor to act with full authority on his or her behalf, may, having first afforded an opportunity to the member of staff concerned to make representations, dismiss the member of staff concerned; and where the registration, contract or status is suspended, the Vice-Chancellor, or an appropriate person nominated by the Vice-Chancellor to act with full authority on his or her behalf, may suspend the member of staff from employment for so long as the registration, contract or status is suspended, that suspension from employment to be without pay where the registration, contract or status has been suspended as a substantive disciplinary measure.

Part VII: Grievance Procedure

24. Grievance Procedure

(1) Council shall by Ordinance promulgate a Grievance Procedure for members of staff and in doing so shall have regard to Section 2 of the ACAS Code of Practice (as may be amended or replaced from time to time) referred to in clause 11 above.

(2) Subject to sub-clause (3) the Procedure shall apply to grievances raised by members of staff concerning their employment, which relate to themselves as individuals or their personal dealings or relationships with other staff of the University.

(3) The Procedure shall not apply (a) to grievances for which provision is made elsewhere in this Statute or (b) in respect of the outcome of any matter dealt with under this Statute or (c) where Council has prescribed other procedures.
(4) The Procedure shall provide that consideration of a complaint under the Procedure may be deferred if other proceedings under this Statute concerning the individual and relevant to the application are pending or in progress.

(5) The Procedure shall provide for the fair and speedy resolution of complaints, informally wherever possible, and for the complainant to be entitled to be assisted by any other member of staff or by a trade union representative at any hearings prior to that under sub-clause (6) below.

(6) The Procedure shall make provision for a member of staff who is dissatisfied with the outcome of a complaint to be able to have the complaint heard by a Grievance Panel unless the complaint has been ruled frivolous, vexatious or invalid in accordance with the Procedure.”

7 July 2011

Statute 33

Validity of Acts of Court, Council and Senate

No act or resolution of Council, Court or Senate shall be invalid by reason only of a vacancy among its members, or lack of qualification or invalidity in the election or appointment of a member.

15 March 2000
Statute 34

Contracts

The University may make the following binding contracts:

(a) Any contract which if made between private persons would be by law required to be in writing and under seal, provided the contract is in writing and signed by two persons acting under the express or implied authority of Council under the University Seal.

(b) Any contract which if made between private persons would be by law required to be in writing and signed by the parties, provided it is in writing and signed by a person acting under the express or implied authority of Council.

(c) Any contract which if made between private persons would by law be valid even if made only verbally, provided it is made in writing or verbally on behalf of the University by any person acting under the express or implied authority of Council.

15 March 2000
Ordinance 1

Definitions

Statutes, ordinances and regulations
Unless the context indicates otherwise, references to statutes, ordinances, regulations and standing orders are to those currently in force. Subject to the statutes and ordinances, regulations may cover matters including admissions, teaching, examinations, research, conditions of study, qualifications for degrees, distinctions and prizes, fees, congregations and ceremonies, the management and use of museums and libraries, academic dress and discipline.

University bodies and standing orders
A University body is a body constituted by the Charter, statutes or ordinances of the University. A standing order is an order made by Council, Court, Senate, Convocation or any other University body, for the purpose of governing its procedure or the procedure of its committees.

Academic staff
Academic staff are the professors, readers, senior lecturers, lecturers and research staff on academic conditions of service, whether they are funded by the University or by outside bodies, but excluding honorary and visiting staff. However with regard to the statute on membership of Senate (Statute 19), “non-professorial academic staff” may include such other members of staff involved in the academic work of the faculty as the faculty may, with the agreement of Senate, stipulate from time to time.

University officers
References to University officers include persons appointed, in accordance with a duly approved scheme of delegation, to act on their behalf on a particular occasion or in specified circumstances.

Notice
Unless specified otherwise, any notice required by statutes, ordinances or regulations shall be deemed to have been served:
(a) when delivered by hand to the relevant address; or
(b) 48 hours after being sent by pre-paid first class post to that address; or
(c) where the recipient has given his or her consent to be served by email, one hour after being dispatched by email.
ORDINANCES

Ordinance 2

The Academic Year

Academic year of the University shall run from 1 August to 31 July.

5 July 2002

Ordinance 3

Council Procedure

Chair and Vice-Chair
The Chair and Vice-Chair will be elected by Council from among the lay members of Council. The Chair and Vice-Chair shall usually serve for an initial period of three years but their terms of office shall whenever practicable be staggered to avoid their terms expiring at the same time. They may be considered for re-election for two further periods of up to three years each. The election of the Chair or Vice-Chair shall normally take place no later than the first Council meeting of the academic year in which the term of office of the current Chair or Vice-Chair as the case may be is due to expire but the appointment will not take effect until immediately following the annual meeting of Court in that academic year. The role of the Vice-Chair is to chair meetings of Council in the Chair’s absence, and to provide other assistance to the Chair as required. Where necessary for the good of the University, the Chair may take decisions on Council’s behalf between meetings and will report such decisions to the next meeting.

Notice of business
The agenda and papers for business at a Council meeting will, whenever possible, be sent to members seven days in advance of the meeting. No substantive matter will be debated by Council without at least three days notice, unless Council declares the business to be urgent by a two thirds majority of those present.

Questions from members of Council
Members of Council may submit to the Secretary written questions addressed to the Vice-Chancellor or other University officers, to be placed on the agenda of a Council meeting. Unless urgent, such questions should
be sent in time to allow circulation with the other papers, seven days before the meeting.

Submission of items for discussion
Members of Council may submit to the Secretary items for discussion at a Council meeting, including proposed motions for debate and decision. Unless urgent, such questions should be sent in time to allow circulation with the other papers, seven days before the meeting. Council may adjourn such items for further information to be obtained.

Debate
The conduct of a debate will be determined by the Chair, who will not unreasonably refuse any member the right to speak. The Chair may require a member to leave a meeting in the event of his or her disruptive behaviour.

Amendments
Suggested amendments to any proposal must be put one at a time, before the debate on the original proposal is concluded. If an amendment is carried, further debate and decision will relate to the amended proposal.

Conflicts of Interest
In the performance of their functions, members of Council and Council committees and working groups are under an obligation to act in the best interests of the University. If a member has a financial, personal or family interest which might appear to put this obligation at risk, the member should make the conflict known as soon as reasonably practicable to the Chair or Secretary of Council.

Conflict of Interest at a Meeting
When attending meetings of Council or Council committees or working groups, members who have a financial, personal or family interest in any matter arising shall as soon as practicable disclose the interest. Unless the Chair rules that the interest is not material, the member shall withdraw from the relevant part of the meeting and may not vote on the issue.

These provisions do not normally apply to an interest which arises only because a member is an employee or student at the University. For example, a staff member of Council would not be excluded from discussion of conditions of employment or pay increases relating to all members of the
University’s staff, nor would students be excluded from discussion of tuition fees or rent increases in University student accommodation.

However the Chair may rule that the provisions do apply to an interest which concerns a member of staff or student specifically, for example his or her own conditions of employment or pay increase, or a disciplinary matter in which the member of staff or student was directly involved.

**Voting**
Voting on any issue will be by a show of hands. The Chair may vote, and in the event of a tied vote has the right to exercise a casting vote.

**Elections**
Elections for the Chair and Vice-Chair and for committee membership will be by show of hands unless a paper ballot is requested by a Council member.

**Committees**
The University Secretary or one of his or her staff should normally be secretary to Council committees. Council may appoint to committees lay persons who are not members of Council, but Chairs of Council committees should normally be members of Council.

The Chair of Council, having taken account of the needs of the committee and having consulted the relevant committee chair, will consult Council members about vacancies on Council committees and potentially suitable candidates. The Chair, in consultation with the relevant committee chairs, will make final recommendations for Council’s approval.

This process does not apply to the appointment of members of the Audit Committee, which is dealt with by the Nominations Committee of Court (Statute 14).

**Custom and precedent**
Where no written rules are laid down, custom and precedent will apply to the conduct of Council’s business.

*1 April 2011*
Ordinance 3a

Nominations Committee of Court Procedure

Chair and Vice-Chair
The Chair will be a Pro Chancellor. The Chair of Council will normally be the Vice-Chair.

The role of the Vice-Chair is to chair meetings in the Chair’s absence, and to provide assistance to the Chair as required.

In the event that an issue arises which is so urgent that a decision is required before the next meeting of the Committee, and the Chair considers that it is not appropriate or practicable to deal with the matter by correspondence, the Chair may decide that issue on the Committee’s behalf. The Chair will report any such decision to the Committee at its next meeting.

Notice of Business
The agenda and papers for business at a Nominations Committee of Court meeting will, whenever possible, be sent to members seven days in advance of the meeting.

Quorum
The quorum shall be five, including the Chair or Vice-Chair, if there is not a quorum present at a meeting, the Chair shall reconvene it within 14 days. If there is still no quorum present, business may be approved by a majority of those present and voting.

Business by Correspondence
Business may be conducted by correspondence (including by email) where the Chair deems it appropriate.

Election of Members
Election of members of the Nominations Committee of Court shall be by secret ballot, using the single transferable vote method.

(i) Election of three lay members of Council – Class III
All lay members of Council, with the exception of the Chair of Council and the Chair of Convocation (who are ex officio
members of the Nominations Committee of Court) are eligible to stand for election to the Nominations Committee of Court.

If, at any time, Convocation’s representative on Council is not the Chair of Convocation, he/she will be eligible to stand for election alongside the other lay members of Council.

At the appropriate Council meeting, those lay members of Council who wish to be considered for election to the Committee will be asked to put their names forward. Should there be more than three candidates for the three places, there will be a postal ballot.

(ii) Election of two members of Court – Class IV
At the appropriate time, the University Secretary will send to all members of Court a notice of an election for two members of Court to join the Nominations Committee of Court. Members of Court may stand for election to the Nominations Committee by sending the University Secretary a letter or support signed by five members of Court other than themselves, together with a short CV. Should there be more than two candidates for the two places there will be a postal ballot.

Members of Court who are also members of Council may not stand in these elections.

Selection Panel
An interview panel of no less than three people (who would normally be members of the Nominations Committee of Court) will be convened to interview candidates who have applied to become lay members of Council. The panel will normally include the Chair of the Nominations Committee and the Chair of Council.

The Committee will ensure compliance with the University’s Equal Opportunities Policy.

23 April 2012
Ordinance 4

Election to Court of Members of the Support Staff

The fifteen members of the support staff on Court will be elected separately in the following categories: technical services, operational services, and administrative and professional services, in proportion to their full-time equivalent numbers.

In each category, candidates may stand for election by sending the Secretary a letter of support signed by six members of staff in that category other than themselves, together with a short CV. Should there be more candidates than places, there will be a ballot. Each member of staff in the category may cast as many votes as there are vacancies. The candidates receiving the highest number of votes will be declared elected.

2 July 2010

Ordinance 5

Election to Council of Members of Staff

1. Professors

All members of the professorial staff shall be eligible for election to Council and shall form the electoral college for such elections. Candidates may be nominated by letter sent to the Secretary which shall be accompanied by a short curriculum vitae. Letters of nomination shall be signed by six members of the professorial staff other than the candidate nominated and shall contain a statement signed by the candidate indicating his willingness to accept the nomination.

2. Non-professorial academic staff

All members of the non-professorial academic staff shall be eligible for election to Council and shall form the electoral college for such elections. Candidates may be nominated by letter sent to the Secretary which shall be accompanied by a short curriculum vitae. Letters of nomination shall be signed by six members of the non-professorial academic staff other than
the candidate nominated and shall contain a statement signed by the candidate indicating his willingness to accept the nomination.

3. Support staff

The 15 members of the support staff who have been elected as such to Court shall be eligible for election to Council and shall form the electoral college for such elections. Candidates may be nominated by letter sent to the Secretary which shall be accompanied by a short curriculum vitae. Letters of nomination shall be signed by two other members of the support staff who have been elected as such to Court and shall contain a statement signed by the candidate indicating his willingness to accept the nomination.

4. Conduct of elections

Elections shall be conducted by secret ballot using the single transferable vote method of election.

2 July 2010

Ordinance 6

Membership of Senate

This ordinance puts into effect the provisions of Statute 19, Membership of Senate.

With regard to Class 3, (academic and other professional post-holders), the University Undergraduate Studies Committee and the University Graduate Studies Committee shall annually elect one of their number to serve on Senate from 1 August. Similarly, the Faculty Managers shall annually elect one of their number to serve on Senate from 1 August.

With regard to Class 4 (members of the academic staff), there shall be a total of twelve members of staff from each faculty in Class 2, (heads of school or their nominees), and Class 4 (academic staff) serving on Senate at any one time. The number of members of the academic staff serving on Senate from each faculty shall be calculated by deducting from twelve the number of staff in the faculty serving on Senate in Class 2. In Class 4, members of the academic staff serving on Senate shall be elected by single transferable vote by the academic staff of the faculty, to serve from 1
ORDINANCES

August for renewable three-year terms, in accordance with procedures formally adopted by the faculty board and approved by Senate.

1 April 2011

Ordinance 7

Faculty Boards and Faculty Assemblies

Faculty Boards

Membership of Faculty Boards
The Faculty Board shall comprise of the Dean of the Faculty (Chair), the Head of each constituent School of the Faculty, the Faculty Research Director(s), the Faculty Education Director(s), the Faculty Manager, the Faculty Financial Controller and the Faculty Human Resources Managers. Other persons, including student representatives, may attend one or more meetings of the Faculty Board at the invitation of the Dean. A Head of School who is unable to attend a Faculty Board meeting may nominate a deputy to attend on his/her behalf. A Faculty Board may co-opt up to three additional members as determined by Standing Orders.

Responsibilities of Faculty Boards
The Faculty Board debates and advises the Dean on the education and research strategies of the Faculty and is responsible for their implementation. The Faculty Board is also responsible for the management of the Faculty generally. The Faculty Board may delegate to Faculty committees or to its members such work as is appropriate, and shall ensure that the Board, directly or through its committees or members, discharge its responsibilities.

Subject to the overriding authority of Senate, the activities of Faculty Boards will include:

a) recommending to Senate changes and additions to statutes, ordinances and regulations
b) appointing examiners (other than examiners for higher degrees, who are appointed by the Deans, as set out in paragraph 2 of Ordinance 17: Assessment for Academic Awards)
ORDINANCES

c) advising the Dean of the Faculty
d) dealing with any matter referred by Senate
e) bringing to the attention of Senate matters of concern in the Faculty.
f) arranging election of Faculty representatives on Senate in accordance with statute and ordinance
g) discharging any other duty given to it by the University or its statutes, ordinances or regulations, or required of it by any other legitimate regulatory body
h) establishing appropriate procedures to ensure effective communication within the Faculty of the issues discussed and decisions taken by the Faculty Board.

Faculty Assemblies

Membership of Faculty Assemblies
The Chair of the Faculty Assembly will be appointed as provided by Faculty Assembly Standing Orders. All members of the Faculty and not less than ten of the Faculty’s elected Faculty and School student representatives may attend the Faculty Assembly. The arrangements for appointment of such student representatives to the Faculty Assembly will be determined by the Faculty Assembly’s standing orders. The Chair may invite other persons to attend as appropriate.

Meetings and Authorities of Faculty Assemblies
The Dean will schedule at least two meetings of the Faculty Assembly per session, and may schedule or call further meetings of the Faculty Assembly as appropriate. A meeting of the Faculty Assembly may also be called by constituent members of the Faculty Assembly in accordance with provisions to be set out in Standing Orders. The Faculty Assembly may formulate for consideration by the Faculty Board a resolution or opinion on any matter of relevance to the Faculty, but shall have no further authority. The Faculty Board shall, however, take into account in its future decision making such views expressed by the Faculty Assembly.

Standing orders
Faculty Boards and Faculty Assemblies will adopt standing orders to govern their procedure having regard to the template approved by Senate.

23 March 2012
Ordinance 8

Academic Schools

There shall be such academic Schools as Council shall, on the recommendation of Senate, from time to time determine. A Regulation of Academic Schools shall record such determination. For academic and administrative purposes, such Schools may be sub-divided into groups known as 'Primary Units'. Senate may designate any such individual or group of Primary Units as entitled to carry the title ‘Academic Department’. A Regulation of Primary Units and Primary Units designated as Academic Departments shall record such designation. Each Academic School shall be located in a Faculty and have a Head of School, appointed in accordance with the relevant ordinance. All staff appointed to an Academic School shall be members of that School. Subject to the approval of Senate, Academic Schools may jointly establish interdisciplinary centres or institutes.

All research and credit-bearing teaching in the University shall be carried out under the auspices of one or more of the Academic Schools.

2 July 2010

Ordinance 9

Primary Units

Primary units are groups of staff within an Academic School, working together for academic purposes. Primary Units, or a group of primary units may be designated as Academic Departments which notwithstanding that designation shall remain subject to the provisions of this Ordinance. Membership of Primary Units shall be decided by the Head of School in consultation with members of the School, subject to final decision by the Dean of the Faculty in the event of disagreement within the School.

Heads of Primary Units shall be appointed by the Head of School after consultation with the members of the Primary Unit. Heads of Primary Units
shall stand down at the conclusion of the term of office of their Head of School, but they shall be eligible for re-appointment.

The Head of a Primary Unit shall be responsible to the Head of School and his or her remit may include the following:

a) providing academic and intellectual leadership to colleagues within the Primary Unit;
b) advising the Head of School on the workload of members of the academic staff in the Primary Unit, including the balance between research, teaching and administration;
c) ensuring that staff reviews are conducted for staff in the primary unit, thus assisting in career development, setting research targets, identifying training needs and advising on performance;
d) facilitating consultative decision making within the Primary Unit, where appropriate involving all staff and students;
e) ensuring that the academic content of curricula in the relevant disciplinary areas is appropriate;
f) managing any budget allocated to the primary unit by the Head of School;
g) contributing to the running of the Academic School; and
h) risk management within the Primary Unit.

2 July 2010

Ordinance 10

Heads of Academic Schools

1. Role
The Head of an Academic School shall be responsible to the Dean for the following:

(a) playing a leading role in the formulation of academic strategy, policy and planning at School and faculty level;
(b) academic leadership in the School
(c) maintenance of academic standards in the School;
(d) championship of research in the School;
(e) the quality of education and educational support for students in the School;
(f) review and development of teaching and learning programmes;
(g) management, development and support for all School staff;
(h) delivery of the School budget as set by the dean and achieving value for money;
(i) long-term, strategic and operational planning in the School;
(j) health and safety in the School;
(k) security in the School;
(l) risk management;
(m) management of the School's daily affairs; and
(n) such other matters as the Dean shall direct.

2. Terms of Appointment
To encourage effectiveness in the role, Heads of Schools will usually be expected to serve from 1 August for an initial period of four years, although on the recommendation of the Dean a shorter period may be agreed. They shall be required to undertake a prescribed programme of training and development. Heads of Schools may be considered for appointment for further periods of up to four years. Extensions of the initial period for any period for up to 12 months may be authorised by the Vice-Chancellor on the recommendation of the Dean but any further appointment for any longer period should only be authorised after the appointment process set out in paragraph 3 below has been followed. Remuneration to reflect the responsibilities of the role shall be determined in accordance with the principles of the University’s job evaluation process.

3. Appointment Process
A job description and person specification for the particular post, consistent with this ordinance, shall be drafted by the Dean with the approval of a Pro Vice-Chancellor.

In the summer term before the final year of a Head of School’s term of office (whether the initial or a subsequent period), the Dean shall appoint two senior members of the academic staff as consulters, one of each gender, from outside the School but from within the same Faculty, to undertake a first consultation with all members of the School with the remit of identifying possible candidates for the post and discussing with persons so identified whether they would be willing to be considered for the position. The consulters have a duty to ensure that, as far as is possible, potential candidates of both genders are considered. All members of the School should be notified of the consultation and be invited to indicate to the
consulters their willingness to be considered but it should also be made clear that interest can be communicated at any time during the consultation process and others may be encouraged by the consultors to consider the position in the light of the consultation responses.

The consultors will report to the Dean the names of those candidates who are willing to be considered for the post of Head of School, together with any other potential candidates identified in the consultation as having relevant skills and experience for the position. All such persons will be invited by the Dean to apply formally for the position with a *curriculum vitae* and a brief statement setting out their view of the task as Head of School.

Those persons so applying for the position will meet with the Dean, together with a ‘recommendation panel’, which must consist of at least two but not more than four other senior persons (which will normally include a Pro Vice-Chancellor, and may include a serving Head of School in the same faculty and must include at least one person of each gender). The meeting will enable all issues to be explored including aptitude and suitability and how the position might impact upon the candidate’s research, teaching and career aspirations.

Following meetings with all candidates, the *curriculum vitae* and statements of those candidates who wish to be considered for the post will be published and circulated to all members of the School. The consultors will undertake a second consultation to seek the views of the members of the School on the candidates so identified. Taking full account of these views, they will submit a written report to the Dean on the results of their consultation and setting out the preferred and acceptable candidates to the School.

The Dean will consider the report with the recommendation panel and, having consulted with the Pro Vice-Chancellor with responsibility for the faculty in which the School lies, shall make a recommendation to the Vice-Chancellor. The report of the consultors must accompany that recommendation. If the Vice-Chancellor approves the person so recommended, the appointment will be reported to Senate and Council. If the Vice-Chancellor has reason to believe that the appointment of that person will not be in the best interests of the University, he or she may invite the Dean, after fresh consultation with the recommendation panel, to recommend an alternative candidate, provided that alternative candidate
did make application to the recommendation panel. If the Dean considers that there is no other candidate to recommend, and the Vice-Chancellor remains unwilling to accept the recommendation, then an appointment committee will be established, in the form and in accordance with the procedures set out in Ordinance 12(3). Such an appointment committee may, if it so decides, advertise the post outside the University immediately as well as within it.

2 July 2010

Ordinance 11

Pro Vice-Chancellors

1. Number
The number of Pro Vice-Chancellors shall be determined from time to time by Council on the recommendation of the Vice-Chancellor.

2. Role
Pro Vice-Chancellors shall be responsible to the Vice-Chancellor. In addition to their power to exercise the functions of the Vice-Chancellor, as conferred by statute, their responsibilities shall include:

   a) a leading role in the formulation and implementation of University academic strategy and policy;
   b) membership of the University Planning and Resources Committee, Senate and Council;
   c) managing, supporting and guiding the deans;
   d) academic leadership;
   e) promoting research and teaching within the University;
   f) maintaining academic standards in the University;
   g) risk management;
   h) preparing the University budget for presentation to Council;
   i) participation in particular projects and activities within the University, as requested by the Vice-Chancellor;
   j) operation of academic promotions procedures in the University;
   k) promoting and supporting a working partnership between academic and support staff; and
   l) communication and relationships between the University and outside organisations.
3. Terms of appointment
Pro Vice-Chancellors shall usually serve from 1 August for an initial period of four years. They may be considered for reappointment for further periods of up to three years. They shall be required to undertake a prescribed programme of training and development before taking up the post. Their salaries will be determined by the Remuneration Committee.

4. Appointment process
Unless the number of Pro Vice-Chancellors is to be reduced, in the spring term before the final year of a Pro Vice-Chancellor’s term of office, the Vice-Chancellor shall prepare a job description and person specification for the post of Pro Vice-Chancellor, consistent with this ordinance, as agreed with Senate and Council. Where the number of Pro Vice-Chancellors is to be increased, the Vice-Chancellor shall in like manner prepare a job description and person specification for the new post. The Vice-Chancellor shall advertise the job description and person specification within the University and call for applications from members of the University’s staff.

This procedure shall apply whether the term of office is the initial or a subsequent period, save that the Vice-Chancellor with the approval of Council may appoint a current Pro Vice-Chancellor for a subsequent period without inviting others to apply.

Council shall establish an appointments committee, comprising the Vice-Chancellor, who shall be Chair, two members of the academic staff appointed by Senate and two lay members of Council. The committee may invite particular individuals to apply. The committee shall shortlist and interview applicants and make a recommendation, through Senate, to Council.

In the event that no acceptable candidate within the University can be found, the post may be advertised outside the University for consideration by the appointments committee.

20 November, 2003

Appointment of Deputy Vice-Chancellor*
A Deputy Vice-Chancellor shall be appointed in accordance with the general provisions of Ordinance 11, save that at the discretion of the Vice-Chancellor, the post may be advertised externally at the same time as it is advertised internally.
ORDINANCES

The Vice-Chancellor may also use executive search consultants (head hunters) in a lead role to assist in the handling of applications.

* Temporary Ordinance 11 approved 11 July 2006

Ordinance 12

The Deans of the Faculties

1. Role
The dean of the faculty shall be a member of the University Planning and Resources Committee and Senate. Advised by the faculty board, the dean is responsible to the appropriate Pro Vice-Chancellor for the following:

(a) playing a leading role in the formulation of University academic strategy and policy, acting in the best interests of the University, with the benefit of knowledge of the faculty
(b) providing academic leadership in the faculty
(c) leading the planning process within the faculty
(d) risk management within the faculty
(e) determining strategic priorities within the faculty, including use of space
(f) making an appropriate case to the University in support of the faculty’s plans
(g) promoting research and teaching within the faculty, in line with the University Vision and Strategy
(h) ensuring the quality of education in the faculty
(i) maintaining academic standards in the faculty
(j) acting as budget-holder for the faculty, determining the budgets of heads of budget units and delivering the faculty budget
(k) securing value for money within the faculty
(l) managing the faculty’s daily affairs
(m) managing, encouraging and guiding heads of school within the faculty
(n) leading the appointments, promotions and probation procedures in the faculty
(o) ensuring appropriate line management for all staff within the faculty
(p) chairing the faculty board
(q) presenting candidates in the faculty for degrees
ORDINANCES

(r) communications and relationships between the faculty and the University, and the faculty and outside organisations

2. Terms of appointment
Deans shall usually serve from 1 August for a period of five years. They shall be required to undertake a prescribed programme of training and development. Additional remuneration to reflect the responsibilities of the role will be determined by the Remuneration Committee.

3. Appointment Process
In the summer term before the final year of the current dean’s term of office, an appointment committee shall be established to find the dean’s successor. The membership shall comprise (i) the Vice-Chancellor, as Chair, (ii) a Pro Vice-Chancellor, (iii) the Chair of Council, (iv) one additional lay member of Council or one Pro-Chancellor, (v) the Registrar, (vi) four members of the faculty, to consist of two professorial, one non-professorial and one from support staff, selected by the faculty in whatever manner the faculty itself shall determine, and (vii) two members of Senate from outside the faculty. One of the two professorial members of the faculty on the appointment committee shall act as academic secretary to the committee. Duties will include reporting back all feedback from the faculty on candidates, including feedback from presentations to the faculty.

The committee shall prepare a job description and person specification for the dean, consistent with this ordinance, to be agreed by the faculty board, and the Vice-Chancellor. The committee shall advertise the job description and person specification formally within the faculty, setting a clear deadline for receipt of applications. Short-listed candidates will be interviewed and make a presentation to all members of the faculty.

When the appointment committee has reached a final decision to appoint a candidate, the offer and appointment will be made in accordance with relevant Statutes, Ordinances and Regulations.

In the event that no acceptable candidate is found within the University, the post may be advertised outside the University. The term of appointment of a dean may be extended during the term of office by the Vice-Chancellor for any single period not exceeding 12 months.

23 March 2012
ORDINANCES

Ordinance 13

University Officers
The following shall be Officers of the University:
a) Those listed in the relevant statute; and
b) Such others as Council shall approve from time to time on the recommendation of the Vice-Chancellor.

5 July 2002

Ordinance 14

Registrar

Role
The Registrar shall be the senior administrative officer of the University and the head of the University's professional and support services. He or she shall be responsible to the Vice-Chancellor. The Registrar's responsibilities shall include:

a) acting on behalf of the Vice-Chancellor at his or her request in the administrative, financial and business affairs of the University;
b) playing a leading role in the formulation and implementation of University strategy and policy;
c) membership of the University Planning and Resources Committee, Senate and Council committees as appropriate;
d) managing, supporting and guiding the heads of support service divisions;
e) leading the planning processes in support services;
f) acting as overall budget holder for the support services;
g) playing a leading role in preparing the University budget for presentation to Council;
h) ensuring delivery of value for money in the support services
i) risk management;
j) promoting and supporting a working partnership between academic and support staff; and
k) communication and relationships between the University and outside organisations.
ORDINANCES

Terms of appointment
The Registrar shall be appointed by Council. The Registrar’s salary shall be determined by the Remuneration Committee.

Delegation of Powers by the Registrar
The Registrar may nominate an alternate member of the University to exercise the powers and functions of the University Registrar as set out in Ordinances: 25 (Initial Service Review); 27 (Redundancy Procedure), 28 (Conduct Procedure for Members of Staff), 29 (Capability and Performance Procedure for Members of Staff), 32 (Staff Grievance Procedure) and 33 (Removal from an additional post). Similar delegation of powers may also be made for any matters that are specified as the responsibility of the Registrar under the University's academic regulations.

27 May 2011

Ordinance 15

Students

Student status
Student status is acquired on registration and terminates in the event of any of the following:

a) receipt of the academic award for which the student is registered;
b) the end of the maximum period of study for the programme, excluding periods of suspension and including periods of extension, which have been accepted by the faculty, as prescribed by regulation;
c) the student being required to leave the University, save that he or she will retain student status pending any internal appeal; and
d) the student otherwise leaving the programme.

Programmes of study
Matters relating to academic awards and programmes of study are governed by regulation.

Fees
The fees payable by a student are governed by regulation.
ORDINANCES

Library
Students may have access to the University Library and other facilities as governed by regulation.

Disciplinary and related matters
Disciplinary and related matters concerning students are governed by regulation.

5 July 2002

Ordinance 16

Awards and Distinctions

Academic awards
On the recommendation of the appropriate faculty board, subject to the overriding authority of Senate and Council, the University will grant an academic award to any person who has fulfilled all the conditions prescribed by statutes, ordinances and regulations.

Honorary degrees
On the recommendation of Senate, Council may award a degree of the University as an honorary degree, save that no degree may be awarded otherwise than by examination if it deems the holder to be fit to practice in a professional capacity.

Honorary fellowships
On the recommendation of Senate and Council, Court may confer the University’s highest distinction of Honorary Fellow on any person who has rendered exceptional service to the University.

Withdrawal
On the recommendation of Senate, Council may withdraw an academic award, distinction or prize of the University if it is subsequently discovered that the award, distinction or prize was improperly obtained.

Resignation
On the recommendation of Senate, Council may accept a request from any person to resign an academic award, distinction or prize of the University.
ORDINANCES

Restoration
On the recommendation of Senate, Council may restore an academic award, distinction or prize of the University to a person who has been deprived of it or has voluntarily resigned it.

Change of Name on Certificates issued by the University

The University will issue award certificates in the name in which the award is confirmed by the Faculty Examination Board. No subsequent changes will be permitted to the name shown on a certificate except where a graduate, who has undergone gender re-assignment, legally changes their name.

27 May 2011

Ordinance 17

Assessment for Academic Awards

1. Conduct of Assessment for Academic Awards
Assessment of students for academic awards shall be carried out under the direction of the appropriate examination board by properly appointed examiners. The following shall also be governed by regulations:

(a) assessment of University of Bristol students studying at other higher education institutions; and
(b) assessment of students by members of staff of industrial or other similar organisations.

2. Examiners
On behalf of Senate, the dean shall appoint examiners for higher degrees by research and faculty boards shall appoint other examiners, in accordance with regulations. Examiners shall be competent and respected individuals in their area of study. External examiners shall normally be members of the academic staff of other universities; they shall not be members of Council or of the University’s staff and shall not have been employed by the University within the previous five years.
3. Examination Boards

(a) An initial examination board comprising at least three persons shall be convened to approve every undergraduate and taught postgraduate academic award of the University.

(b) For undergraduate and taught postgraduate awards, the initial examination board shall comprise the internal and external examiners for each subject or group of subjects included in the programme of study for the award. This examination board shall make recommendations to the faculty examination board of the faculty in which the degree is awarded. The faculty examination board shall be chaired by the dean or his or her nominee and its composition shall be determined by the faculty board. The faculty examination board shall not question the academic judgment of the initial examination board, but shall ensure that proper procedures have been carried out, and that the treatment of special cases is fair across the faculty, including consideration given for illness and personal problems affecting a student’s performance, the award of aegrotat degrees and penalties imposed for plagiarism. Within this remit, the faculty examination board shall have the power to accept or amend recommendations made by the initial examination board.

(c) For all research degrees, the examiners shall make recommendations to the Research Degrees Examination Board, which shall have the power to accept or reject recommendations made by the initial examiner.

6 July 2012

Addition to Ordinance 17 (approved by Special Resolution at the Council meeting on 25th November 2011)

Notwithstanding anything contained to the contrary in the Ordinances, Regulations and Standing Orders of the University, in the event that any act or omission on the part of a member or members of the academic staff or any other persons appointed to deal with examinations or assessment within the University shall in the view of the Council disable the University from conducting examinations and assessment in the normal way, Council (acting in accordance with the provisions of Statute 17.1 and Statute 21.1) may order that the Vice-Chancellor representing Senate as its Chairman and acting in
his absolute discretion in what he considers to be in the best interests of the University and its students shall (subject always to the provisions of the Charter and Statutes of the University) have the power (after consulting with such members of Senate as he considers appropriate) to determine what methods of examination and assessment of a student’s ability or proficiency shall be adopted by any relevant internal examiners and the relevant external examiners of the University for the purpose of:

i. the award of any degree, diploma or certificate of the University

ii. the classification of any degree of the University

iii. the assessment of satisfactory performance or proficiency before any student is allowed to pass from one part of a programme of study or one University year to another;

and similarly have the power to exercise the authorities of University examination boards to approve the award of any degree, diploma or certificate so examined or assessed.

25 November 2012

Ordinance 18

Failure to Complete Assessment

Failure to complete part of the assessment
A candidate may be prevented by illness or other substantial cause from completing a minor part of the assessment for an academic award. Provided this does not exceed one quarter of the total, and provided there is sufficient evidence of the candidate’s ability, then on the recommendation of the relevant examination board for the programme of study, the faculty examination board may allow the candidate to pass, where appropriate with a classified award.

Aegrotat awards
Aegrotat awards do not include an honours degree or an award with commendation or distinction. They will not be made to candidates for academic awards which deem the holder to be fit to practice in a professional capacity. In the following circumstances the faculty examination board may decide
that an aegrotat award should be made:

a) if the candidate has been prevented by illness or other substantial cause from completing a minor part of the assessment for an academic award, as under Failure to Complete Part of the Assessment above, but there is insufficient evidence of the candidate’s ability for the examiners to make a classified award; or
b) the candidate has been prevented by illness or other substantial cause from completing the whole or a major part of the assessment; and in addition to case a) or b),
c) the candidate is unable to undergo assessment at a later date in accordance with regulations, or the department and student consider this undesirable or impracticable; and

d) the candidate has demonstrated that he or she is worthy of an aegrotat award; and
e) the candidate agrees to an aegrotat award.

5 July 2002

Ordinance 19

SUMMARY OF ACADEMIC AWARDS

The University of Bristol may make the awards listed below:-

Faculty of Arts

Undergraduate Awards

Preliminary Certificate in Arts denoted by PreCertArts
Pathway Certificate in Arts denoted by PathCertArts
Certificate of Higher Education in Arts denoted by CertHEArts
Diploma of Higher Education in Arts denoted by DipHEArts
Graduate Diploma denoted by GradDip
Bachelor of Arts denoted by BA
Bachelor of Arts in Theological Studies (Trinity College, Bristol) denoted by BA
Bachelor of Arts in Theology Studies (Trinity College, Bristol) denoted by BA
ORDINANCES

Bachelor of Arts in Theological Studies (Wesley College, Bristol) denoted by BA
Bachelor of Arts in Theology and Ministry (Wesley College, Bristol) denoted by BA

Postgraduate Taught Awards

Postgraduate Certificate in (subject) denoted by PGCert
Postgraduate Diploma in (subject) denoted by PGDip
Master of Arts denoted by MA
Master of Research in (subject) denoted by MRes

Postgraduate Research Awards

Master of Music denoted by MMus
Master of Philosophy denoted by MPhil
Master of Letters denoted by MLitt
Doctor of Philosophy denoted by PhD

Higher Doctorates

Doctor of Music denoted by DMus
Doctor of Letters denoted by DLitt

Faculty of Engineering

Undergraduate Awards

Preliminary Certificate in Engineering denoted by PreCertEng
Pathway Certificate in Engineering denoted by PathCertEng
Certificate of Higher Education in Engineering denoted by CertHEEng
Diploma of Higher Education in Engineering denoted by DipHEEng
Bachelor of Engineering denoted by BEng
Bachelor of Science denoted by BSc
Master of Engineering denoted by MEng

Postgraduate Taught Awards

Postgraduate Certificate in (subject) denoted by PGCert
Postgraduate Diploma in (subject) denoted by PGDip
ORDINANCES

Master of Science in (subject) denoted by MSc
Master of Research in (subject) denoted by MRes

Postgraduate Research Awards

Master of Science denoted by MSc
Engineering Doctorate denoted by EngD
Doctor of Philosophy denoted by PhD

Higher Doctorates

Doctor of Engineering denoted by DEng

Faculty of Medical and Veterinary Sciences

Undergraduate Awards

Preliminary Certificate in Medical Sciences denoted by PreCertMedSci
Preliminary Certificate in Veterinary Sciences denoted by PreCertVetSci
Pathway Certificate in Medical Sciences denoted by PathMedSci
Pathway Certificate in Veterinary Sciences denoted by PathVetSci
Certificate of Higher Education in Medical Sciences denoted by CertHEMedSci
Certificate of Higher Education in Veterinary Sciences denoted by CertHEVetSci
Diploma of Higher Education in Medical Sciences denoted by DipHEMedSci
Diploma of Higher Education in Veterinary Sciences denoted by DipHEVetSci
Bachelor of Veterinary Science denoted by BVSc
Bachelor of Science denoted by BSc
Master in Science denoted by MSci

Postgraduate Taught Awards

Postgraduate Certificate in (subject) denoted by PGCert
Postgraduate Diploma in (subject) denoted by PGDip
Master of Science in (subject) denoted by MSc
Master of Research in (subject) denoted by MRes
ORDINANCES

Postgraduate Research Awards

Master of Science denoted by MSc
Doctor of Medicine denoted by MD
Doctor of Philosophy denoted by PhD

Higher Doctorates

Doctor of Science denoted by DSc

Faculty of Medicine and Dentistry

Undergraduate Awards

Preliminary Certificate in Medicine denoted by PreCertMed
Preliminary Certificate in Dentistry denoted by PreCertDent
Pathway Certificate in Medicine denoted by PathCertMed
Pathway Certificate in Dentistry denoted by PathCertDent
Certificate of Higher Education in Medicine denoted by CertHEMed
Certificate of Higher Education in Dentistry denoted by CertHEDent
Diploma of Higher Education in Medicine denoted by DipHEMed
Diploma of Higher Education in Dentistry denoted by DipHEDent
Diploma in Dental Hygiene and Dental Therapy
Bachelor of Science denoted by BSc
The conjoined degree of Bachelor of Medicine and Bachelor of Surgery
denoted by MB,ChB
Bachelor of Dental Surgery denoted by BDS

Postgraduate Taught Awards

Postgraduate Certificate in (subject) denoted by PGCert
Postgraduate Diploma in (subject) denoted by PGDip
Master of Science in (subject) denoted by MSc
Master of Clinical Dentistry denoted by MClinDent
Master of Research in (subject) denoted by MRes
ORDINANCES

Postgraduate Research Awards

Master of Science denoted by MSc
Master of Surgery denoted by ChM
Doctor of Dental Surgery denoted by DDS
Doctor of Philosophy denoted by PhD
Doctor of Medicine denoted by MD

Higher Doctorates

Doctor of Science denoted by DSc

Faculty of Science

Undergraduate Awards

Preliminary Certificate in Science denoted by PreCertSci
Pathway Certificate in Science denoted by PathCertSci
Certificate of Higher Education in Science denoted by CertHESci
Diploma of Higher Education in Science denoted by DipHESci
Bachelor of Science denoted by BSc
Master in Science denoted by MSci

Postgraduate Taught Awards

Postgraduate Certificate in (subject) denoted by PGCert
Postgraduate Diploma in (subject) denoted by PGDip
Master of Science in (subject) denoted by MSc
Master of Research in (subject) denoted by MRes

Postgraduate Research Awards

Master of Science denoted by MSc
Doctor of Philosophy denoted by PhD

Higher Doctorates

Doctor of Science denoted by DSc
ORDINANCES

Faculty of Social Sciences and Law

Undergraduate Awards

Preliminary Certificate in Social Sciences denoted by PreCertSocSci
Preliminary Certificate in Law denoted by PreCertLaw
Pathway Certificate in Social Sciences denoted by PathCertSocSci
Pathway Certificate in Law denoted by PathCertLaw
Certificate of Higher Education in Social Sciences denoted by CertHESocSci
Certificate of Higher Education in Law denoted by CertHELaw
Diploma of Higher Education in Social Sciences denoted by DipHESocSci
Diploma of Higher Education in Law denoted by DipHELaw
Foundation Degree (Science) denoted by FDSc
Professional Graduate Certificate in Education
Bachelor of Science denoted by BSc
Bachelor of Laws denoted by LLB
Graduate Diploma denoted by GradDip
Master in Science denoted by MSci (Subject to Council’s approval at its meeting in October 2010, this award will be removed from this list as it is no longer awarded by the Faculty).

Postgraduate Taught Awards

Postgraduate Certificate in (subject) denoted by PGCert
Postgraduate Diploma in (subject) denoted by PGDip
Diploma in Advanced Social Work (Child Care) (subject to Council’s approval at its meeting in October 2010, this award will be removed from this list as it is no longer delivered by the Faculty)
Advanced Diploma in Legal Studies (subject to Council’s approval at its meeting in October 2010, this award will be removed from this list as it is no longer delivered by the Faculty)
Postgraduate Certificate in Education denoted by PGCE
Advanced Certificate in Education (subject to Council’s approval at its meeting in October 2010, this award will be removed from this list as it is no longer delivered by the Faculty)
Master of Arts in (subject) denoted by MA
Master of Science in (subject) denoted by MSc
Master of Science in Social Work denoted by MSc in Social Work
Master of Education in (subject) denoted by MEd
Master of Laws in (subject) denoted by LLM
Master of Social Science denoted by MSocSci
Master of Research in (subject) denoted by MRes
Master in Research and Professional Studies in Education
Master of Social Work denoted by MSW

Postgraduate Research Degrees

Master of Philosophy denoted by MPhil
Doctor of Education denoted by EdD
Doctor of Philosophy denoted by PhD
Doctor of Social Science denoted by DSocSci
Doctor of Educational Psychology denoted by DEdPsy

Higher Doctorates

Doctor of Science denoted by DSc
Doctor of Laws denoted by LLD

2 July 2010

Ordinance 20

Academic Status

Persons who are involved in the University’s teaching or research, but who are not members of staff, may be accorded academic status for a specified period in accordance with regulations. They shall then be eligible to examine students of the University. Academic status acknowledges the recipient’s contribution to the academic work of the University. Those with academic status are awarded a title and are permitted to use the Library and other University facilities.

5 July 2002
Ordinance 21

Congregations

Congregations of the University shall be held at least annually to confer degrees, at such time and place as Council may determine. The Chancellor shall preside, or in his or her absence the Vice-Chancellor or a Pro Vice-Chancellor. The Registrar or his or her nominee shall be present.

Recipients of degrees other than honorary degrees shall be presented for admission by the dean of the faculty to which the degree belongs, or by another senior member of the faculty appointed by the Vice-Chancellor.

Recipients of honorary degrees shall be presented for admission by a person appointed by Senate.

5 July 2002

Ordinance 22

Associated Institutions

Association
Council may by ordinance, on the recommendation of Senate, associate with the University an institution in which specialised teaching is given, or which has specialised research facilities, to supplement the teaching and research of the University. Teaching and supervision of University of Bristol students will be carried out by members of staff of the institution who have been accorded academic status in the University. Senate must approve the terms and conditions of any such association.

Changes
Any change to associations shall require the approval of Senate and Council, with appropriate notice to the institution.
ORDINANCES

Associated institutions
The following institutions are associated with the University:

(a) @Bristol
(b) The Bristol, Clifton and West of England Zoological Society
(c) The Bristol Institute for Transfusion Sciences
(d) The Bristol Urological Institute
(e) The British Institute of Florence
(f) The Burden Neurological Institute
(g) Hestercombe Gardens Trust
(h) The Institute for Animal Health
(i) The Institute of Grassland and Environmental Research, Aberystwyth
(j) The National Cancer Centre of Singapore
(k) The North Bristol NHS Trust
(l) Rolls-Royce plc
(m) Rothamsted Experimental Station
(n) The Veterinary Laboratories Agency, Weybridge
(o) The Wildfowl & Wetlands Trust, Slimbridge

22 October 2010

Ordinance 23

Affiliated Institutions

Affiliation
Council may by ordinance, on the recommendation of Senate, affiliate an institution with the University. Students taught at the institution are registered at the University of Bristol and receive degrees from the University of Bristol. The University will visit and inspect the institution, to ensure the quality of teaching and supervision, which will be carried out by members of staff of the institution who have been accorded academic status at the University.

Changes
Any change to affiliations shall require the approval of Senate and Council, with appropriate notice to the institution.
Affiliated institutions
The following institutions are affiliated to the University:

(a) The Baptist College, Bristol
(b) Trinity College, Bristol
(c) Wesley College, Bristol
(d) City of Bristol College
(e) Great Western Hospital NHS Foundation Trust
(f) Gloucestershire Hospitals NHS Foundation Trust
(g) North Bristol NHS Trust
(h) Royal United Hospital Bath NHS Trust
(i) Taunton and Somerset NHS Foundation
(j) University Hospitals Bristol NHS Foundation Trust
(k) Weston Area Health NHS Trust
(l) Yeovil and District Hospital NHS Foundation Trust

22 October 2010

Ordinance 24
University of Bristol Students' Union

Background
1. Pursuant to the provisions of the Charter of the University of Bristol (referred to in this Ordinance 24 as the "University"), there will be a union of students of the University known as the "University of Bristol Students' Union" (the "Union").

2. The Union will be established as a company limited by guarantee in order to promote the charitable object of the advancement of education of students at the University for the public benefit by:
ORDINANCES

(a) Promoting the interests and welfare of students at the University during their course of study and representing, supporting and advising its members.
(b) Being the recognised representative channel between students and the University and any other external bodies.
(c) Providing social, cultural, sporting and recreational activities and forums for discussion and debate for the personal development of its members.

3. The Union will be registered as a charity by the Charity Commission for England and Wales (the "Charity Commission") in accordance with the Charities Act 1993. The Union will also be a "students' union" within the meaning of the Education Act 1994.

Management and control
4. The Union will be managed and controlled in accordance with the provisions set out in its memorandum of association (the "Memorandum") and articles of association (the "Articles") from time to time. While the provisions of Ordinance 24.5 to 24.12 (inclusive) describe certain of the provisions of the Memorandum and Articles, it is the Memorandum and Articles which regulate the governance of the Union.

5. The Memorandum and Articles provide that the Union will be under the management and control of a group of trustees (together the "Trustees") made up of:
   (a) The "Sabbatical Trustees" appointed by secret ballot of the members of the Union.
   (b) "Student Trustees" elected by a student council (the "Student Council") elected by the members of the Union.
   (c) "Co-opted Trustees" appointed by the Trustees themselves.
   (d) "Nominated Trustees" appointed by the Council of the University (the "University Council").

The Trustees
6. The Trustees are the company directors (under company law) and charity trustees (under charity law) of the Union. All of the powers of the Union are exercisable by the Trustees, who may delegate some of their powers to an executive committee (and one or more other committees) in accordance with the Articles. The Trustees have the power to make, repeal or alter a set of rules (the “Rules”) to regulate the management,
administration and working practices of the Union. The Trustees have the power, acting jointly with the Student Council, to make, repeal or alter a set of bye-laws (the "Bye-Laws") to regulate the working practices of the Union that are not dealt with in the Rules.

Membership
7. Every full-time and part-time student of the University will be entitled to become a member of the Union (by becoming a member of the charitable company by which it is constituted), unless they give notice in accordance with the Articles that they choose not to be a member of the Union. The University and the Trustees from time to time are also members of the Union.

Major union offices
8. The "major union offices" for the purposes of Part II, Education Act 1994 are set out in the Articles (as they may be amended from time to time). The holders of the major union offices may, if they wish, withdraw from their course of study at the University during their period of office.

Budget
9. The Trustees must obtain the approval of the University Council of the budget for the Union in respect of each financial year before, or at the earliest possible date after, the start of the financial year in accordance with the Articles. Where the approval of the University Council has not been obtained before the start of the financial year, the Trustees may implement and act upon the draft budget notwithstanding that it has yet to be approved by the University Council but will agree any changes to the draft budget which may be required by the University Council in order to obtain its approval at the earliest possible date after the start of the financial year.

Annual members' meeting
10. There will be an annual members' meeting held once in each Academic Year on the date set aside in the University calendar to be free of teaching and otherwise in accordance with the Bye-Laws.

Chief executive
11. There will be a chief executive of the Union appointed jointly by the University Council and the Trustees. The chief executive will enter into a contract of employment with the Union.
Union Advisers
12. There will be legal and financial advisers to the Union appointed jointly by the University Council and the Trustees. The responsibility of the advisers will be specified in the Articles (as amended from time to time).

The University's role
13. The University Council is obliged by Part II, Education Act 1994 to take such steps as are reasonably practicable to secure that the Union operates in a fair and democratic manner and is accountable for its finances. In order to comply with this duty, certain powers are reserved to the University Council by the Memorandum and Articles.

Funding
14. The University may make financial contributions to the Union of such amounts and at such intervals as the University Council determines from time to time. The Trustees may make recommendations to the University Council in relation to such funding which the University Council may act upon (at its absolute discretion).

15. The University may make such arrangements (including such terms as to the payment of rent, repair and such other matters as may be agreed from time to time by the University and the Union) for the use or occupation of such parts of the University's premises by the Union as the University Council determines from time to time.

Student Affairs Committee
16. There will be a joint committee of the University Council and the Student Council called the "Student Affairs Committee". Subject to the provisions of Ordinance 24.17 below, the memberships and terms of reference of the Student Affairs Committee will be laid down by the University Council and may be amended from time to time by the Student Affairs Committee with the prior approval of the University Council.

17. The functions of the Student Affairs Committee shall include:

(a) monitoring reports on the financial and any other material affairs of the Union provided by the Trustees at such intervals and in such format as the Student Affairs Committee may determine from time to time and reporting on such financial and other material affairs to the
ORDINANCES

University Council in order to enable it to monitor whether such financial affairs of the Union are properly conducted;

(b) monitoring the conduct of all elections to major union office and reporting on such elections to the University Council in order to enable it to monitor whether such elections are fairly and properly conducted;

(c) receiving and scrutinising the budget for the Union for any financial period and reporting on the budget to the University Council in order to allow it to decide whether to give its approval in accordance with the Articles; and

(d) receiving recommendations from the Trustees in relation to funding for the Union and reporting on those recommendations to the University Council.

Alterations to Ordinance 24
18. Ordinance 24 may be altered by the University Council from time to time and in such manner as the University Council determines.

Statutory references
19. Any reference to a statute or statutory provision in this Ordinance 24 includes any statute or statutory provision which modifies, consolidates, re-enacts or supersedes it.

3 July 2009
Ordinance 25

Initial Service Review

1. Introduction
This initial service review procedure is designed to:

- support new members of staff while they are settling into the University;
- give the University time to assess the suitability of the new member of staff for continued employment; and
- provide a framework within which any areas of concern can be identified, addressed and resolved.

Managers shall ensure that new members of staff:

- understand their role and the expected standards of performance;
- have access to necessary information, equipment, training and other resources; and
- are aware of relevant rules, policies, procedures and standards of conduct.

Support shall be provided through regular discussions between the new member of staff and his or her manager or nominee. This shall be a two-way process, giving the member of staff an opportunity to raise issues, as well as enabling the manager to evaluate progress. While every effort will be made to support members of staff in successfully completing their initial review period, action under this procedure may be taken if their performance is found to be deficient or they are judged unsuitable to be confirmed in post, for example because of misconduct, inadequate performance, lack of capability through ill-health or for some other substantial reason.

2. Length of initial service review period
The length of the initial service review period is set out in the member of staff’s contract of employment. Where a member of staff is absent from work for a substantial proportion of his or her initial service review period, for example due to sickness absence or maternity leave, the University shall extend the initial service review period for a corresponding amount of time and shall notify the member of staff accordingly. Where a member of
staff is contracted on a part-year basis, such as term-time only, the length of the initial service review period shall be calculated in relation to time worked.

Where a significant and particular element of the work falls in a specific part of the year, the probationary period may be extended to ensure this period is adequately covered and to enable the individual to demonstrate their full capability in the respect of this particular element of their role.

3. Procedural issues
University Postholders and Appropriate Managers

For staff reporting within the academic school/faculty structure, references to Appropriate Manager shall usually be construed as referring to either the Head of School or School/Faculty Manager, but may in appropriate cases refer to a head of department or head of discipline. In support process areas, references to Appropriate Manager shall usually refer to either the Divisional Head, or in larger areas, other postholders within the line management structure as appropriate.

In this procedure, unless the context indicates otherwise, references to University postholders and Appropriate Managers shall be construed to refer either to the postholder or the Appropriate Manager or to an appropriate member of staff nominated by him or her to act with full authority on his or her behalf.

Confidentiality
Throughout any proceedings taken under this procedure, the University shall seek to ensure that a high standard of confidentiality is maintained, before and after the hearing as well as in relation to the hearing itself. Care shall be taken not to undermine the position of the member of staff concerned in relation to his or her colleagues. Investigations shall be undertaken with discretion. Where necessary to ensure confidentiality, administrative support shall be provided by Human Resources. Wherever practicable, hearings shall be held away from the member of staff’s normal place of work. None of this shall preclude information about the outcome being given to any person where this is appropriate.

Attendance at hearings
A member of staff who is subject to proceedings under this ordinance has the right to attend hearings and to be represented by an adviser, friend,
trade union or other representative. If the member of staff is for good
reason unable to attend a formal hearing, the hearing shall be adjourned to
a suitable alternative date within a reasonable time. However if there are
reasonable grounds to believe that the member of staff is refusing or failing
to attend a hearing without good cause, the member of staff will be
informed that a further hearing is being arranged. On that further occasion
the University may proceed in the absence of the member of staff, unless
satisfied that there are good grounds for his or her non-attendance. Any
submission concerning non-attendance made by the member of staff in
writing, or by his or her representative in person or in writing, shall be
considered before any decision is taken to hear the matter in his or her
absence. If the hearing proceeds in the member of staff’s absence, any
submission made about the substantial issues under consideration by the
member of staff in writing, or by his or her representative in person or in
writing, shall be considered at the hearing.

4. Formal review meetings
In the ordinary course of events, two formal reviews shall take place during
the initial service review period, the first half way through the initial service
review period and the second towards the end of the initial service review
period. Human Resources shall remind Appropriate Managers of the need
for a review and shall seek a brief report. The Appropriate Manager shall
then formally meet the member of staff to discuss progress. Where all
aspects of performance and conduct are satisfactory, written confirmation
that the member of staff has successfully completed the half way stage or
the whole initial service review period shall be sent to Human Resources
and copied to the member of staff. Where the review highlights problems,
the Appropriate Manager may take informal or formal action under this
procedure, having first sought advice from a human resources manager.

5. Dealing with conduct issues
There is a clear difference between conduct and performance. Where the
problems identified under this procedure concern conduct rather than
performance, the Appropriate Manager shall clearly specify whether
problems relate to conduct or performance. Where problems of both
conduct and performance are identified, they may be dealt with in the same
meeting, but they shall be clearly distinguished and separately discussed.
Where action is taken under this procedure in relation to issues of conduct,
these shall be properly investigated in line with the spirit of the Conduct
Procedure. Any alleged misconduct must be clearly set out and the
member of staff shall be given an opportunity to respond fully to the allegations. Appropriate Managers should not take more serious action under this procedure than would have been taken against another member of staff for similar conduct under the Conduct Procedure. Where an allegation of gross misconduct is made it shall be dealt with under the University’s Conduct Procedure.

6. Informal action
When the performance or conduct of a member of staff during the initial review period is causing concern, the Appropriate Manager’s first step will usually be to discuss the problem with the member of staff as soon as practicable. Such discussions shall identify the nature of the problem and consider its causes and possible solutions. The Appropriate Manager shall ensure that the member of staff is aware of the standards of performance or conduct expected, outline in what respect the member of staff’s performance or conduct is failing to meet an acceptable standard and, through discussion with the member of staff, seek to identify ways of resolving the problem. Measures that may be taken include supervisory support, training, mentoring, counselling and changes to working arrangements. Where the individual considers there are issues of discrimination, consideration shall be given to providing relevant supportive mentoring, for example by offering a female member of staff an appropriate female mentor. The Appropriate Manager shall ensure that the member of staff is clear about the standards of performance and conduct expected for the future and the timescales within which this standard is to be achieved.

Where there is continuing concern after such informal discussion, the Appropriate Manager shall make a brief note of the discussion and confirm the main points in writing to the member of staff, including future expectations, timescales within which improvement is expected, and the potential consequences of a failure to improve.

7. Formal action
Stage 1
Where informal discussions have not led to an improvement, or where, exceptionally, informal discussion is inappropriate, the Appropriate Manager, after consultation with a human resources manager, may consider taking formal action under Stage 1 of this procedure. Before any decision is taken to proceed with formal action under Stage 1, the Appropriate Manager shall where appropriate gather such further
information as may be required, with advice from a human resources manager. The Appropriate Manager shall inform the member of staff that an investigation is taking place and shall normally interview the member of staff. Written statements may be obtained.

If the Appropriate Manager decides that it is appropriate to consider giving the member of staff a Stage 1 warning, the Appropriate Manager shall arrange a hearing. The Appropriate Manager shall inform the member of staff in writing at least seven working days in advance that there is to be a hearing. The letter shall include:

- a statement of the grounds that have led to a warning being contemplated, including full details of the alleged misconduct or perceived inadequate performance;
- supporting information and evidence;
- the date, time and location of the hearing;
- the fact that the hearing is taking place under Stage 1 of this procedure;
- the right of the member of staff to attend and to be accompanied by an adviser, friend, trade union or other representative; and
- a copy of this procedure.

At the hearing the Appropriate Manager shall interview the member of staff, who shall be given the opportunity to respond. A human resources manager shall normally attend the hearing. The Appropriate Manager may, for good reason, request another member of staff to attend the hearing. Individuals may attend to give relevant evidence. The Appropriate Manager shall ensure that a note is taken of the hearing. The note shall normally be taken by a human resources manager. The meeting shall be conducted in a constructive manner, designed to achieve improved performance if possible, allowing opportunity for discussion of ways in which conduct or performance might be improved.

If, having considered the evidence, the Appropriate Manager is satisfied that a warning is appropriate, he or she shall inform the member of staff that a letter shall be sent within seven working days, giving a warning under the procedure and stating that the warning shall be in force for a particular period, after which it will be spent. The period of the warning may be the remainder of the initial service review period, or a shorter period, or a longer period, in which case the Appropriate Manager shall extend the
initial service review period to coincide with the termination of the warning. If the case concerns only misconduct, then the Appropriate Manager may issue a warning equivalent to a Stage 1 warning under the Conduct Procedure, for a period not exceeding six calendar months, without extending the initial review period.

The Appropriate Manager shall enclose a copy of the note of the hearing, and shall set out in the letter:

- the basis for the finding;
- the improvement expected;
- the time during which this improvement must be achieved;
- the duration of the warning, if longer than the period during which an improvement must be achieved;
- any training or support which may be available;
- the consequences of a failure to improve, which would include action under Stage 2 of this procedure and any of the outcomes possible under Stage 2; and
- the member of staff’s right to appeal against any outcome of Stage 1.

Progress shall then be monitored closely and discussed at regular intervals with the member of staff, who shall be shown any report on his or her conduct or performance prepared during the period in which the warning is current.

If, having considered the evidence, the Appropriate Manager is satisfied that a warning is not appropriate, he or she shall so inform the member of staff and shall confirm this by letter within seven working days.

**Stage 2**

If the member of staff’s work remains unsatisfactory after a Stage 1 warning, or where there is reason to believe that the member of staff is unsuitable to be confirmed in post, the Appropriate Manager, after consultation with a human resources manager, may take action under Stage 2 of this procedure. Before any action is taken, the Appropriate Manager shall arrange a hearing. The Appropriate Manager shall inform the member of staff in writing at least seven working days in advance that there is to be a hearing. The letter shall include:
• a statement of the grounds that have led to the action contemplated, including full details of the alleged misconduct or failure in performance;
• supporting information and evidence;
• the date, time and location of the hearing;
• the fact that the hearing is taking place under Stage 2 of this procedure;
• the right of the member of staff to attend and to be accompanied by an adviser, friend, trade union or representative; and
• a copy of this procedure.

At the hearing the Appropriate Manager shall interview the member of staff, who shall be given the opportunity to respond. The Appropriate Manager shall arrange for a human resources manager to attend the hearing. The Appropriate Manager may, for good reason, request another member of staff to attend the hearing. Individuals may attend to give relevant evidence. The Appropriate Manager shall ensure that a note is taken of the hearing. The note shall normally be taken by a human resources manager.

If, having considered the evidence, the Appropriate Manager is satisfied that no formal action is appropriate, he or she shall so inform the member of staff and shall confirm this by letter within seven working days.

In cases of misconduct or inadequate performance, the Appropriate Manager may issue a warning, as set out under Stage 1. If the Appropriate Manager considers that further time is likely to enable the member of staff to reach the required level of improvement, the Appropriate Manager may decide to extend the member of staff’s initial service review period and set a further date for review. If the case concerns only misconduct, then the Appropriate Manager may confirm the member of staff in post, but issue a warning equivalent to a Stage 2 warning under the Conduct Procedure for a period not exceeding two years.

Alternatively, if the Appropriate Manager concludes that an extension of the initial service review period would not bring about the necessary improvement, he or she may take steps to dismiss the member of staff. In other cases where the Appropriate Manager is of the view that the member of staff is unsuitable to be confirmed in post, he or she may decide that the member of staff should be dismissed and instruct the Human Resources Director to take appropriate action.
Within seven working days of the hearing the Appropriate Manager shall send the member of staff a copy of the note of the hearing together with a letter confirming the finding, the basis for that finding, the action taken, and the right of appeal.

8. Suspension
A member of staff who is the subject of a complaint of misconduct or against whom a criminal charge is pending or who is the subject of police investigation, may be suspended on full pay by the Vice-Chancellor, pending disciplinary hearing or criminal trial. Suspension shall be employed where necessary to protect a member or members of the University community, or the property of the University or the property of a member or members of the University community, or to facilitate an investigation. Written reasons for the decision shall be recorded and made available to the member of staff. A member of staff who is suspended is prohibited from entering University premises and from participating in University activities. Subject to agreement with the member of staff, partial suspension may be employed, allowing the member of staff to engage in some of his or her normal duties.

Wherever possible, when suspension of a member of staff is being considered, the member of staff will be interviewed and invited to make representations before any suspension order is made. He or she will be entitled to be accompanied at any such interview by an adviser, friend, trade union or other representative. A member of staff who has been suspended may make representations to the Vice-Chancellor concerning the suspension as soon as is reasonably practicable. The representations may be made in person or in writing, as the member of staff chooses, and may be put forward by the member of staff or his or her adviser, friend, trade union or other representative. A decision to suspend a member of staff shall be subject to review at the request of the member of staff after four weeks. Such a review shall not involve a hearing, but the member of staff, either personally or through an adviser, friend, trade union or other representative, shall be entitled to make written representations. The review shall be conducted by the Vice-Chancellor. In addition to the initial review, the Vice-Chancellor shall review the suspension on receipt of evidence of altered circumstances which affect the original decision.

Where the Vice-Chancellor appoints a nominee, the same person may deal with the original suspension and any subsequent representations.
9. General

Trade union representatives
When formal proceedings under this procedure are contemplated against an accredited representative of a trade union recognised by the University, the Human Resources Director shall inform the Branch Chair, Secretary or full-time official of the Union of the circumstances before the hearing.

Academic freedom
Where members of staff are involved in teaching or research, whether or not they are covered by Statute 32, the University shall safeguard their freedom within the law to question and test received wisdom and to put forward new ideas and controversial or unpopular opinions, without suffering any detriment.

Staff transferring within the University
Members of staff transferring to another post within the University while subject to initial service review will continue the initial service review period in the new post. Where an initial service review has been successfully completed individuals will not be subject to another initial service review on transferring to an alternative role in the University.

10. Appeals
All appeals must be made in writing to the University Secretary within twenty working days of the date when the letter confirming the decision appealed against was sent. The appeal letter shall set out clearly the general grounds on which the appeal is based. A member of staff shall not normally be permitted to raise grounds at the appeal hearing if these were not raised in the original written appeal submission. An appeal may be made under this procedure after a member of staff has left the University following dismissal, however appeal proceedings may be suspended pending the outcome of an employment tribunal application.

Appeals against warnings or extensions
Appeals under this procedure against warnings or extension of the initial service review period shall be heard by the Dean of Faculty or Registrar, unless the original decision was taken by the Dean or Registrar, in which case the appeal shall be heard by a Pro Vice-Chancellor. Where the original decision was taken by a Pro Vice-Chancellor or the Vice-Chancellor, the appeal shall be heard by a senior member of staff appointed by the Vice-Chancellor. The decision shall be final. The person
hearing the appeal shall be advised by the Human Resources Director. The
member of staff may present his or her case in person or in writing, and
may be represented by an adviser, friend, trade union or other
representative. There shall be no entitlement to a rehearing of the case.
Grounds for appeal include (1) new evidence which could not reasonably
have been presented at the hearing at which the original decision was
taken, (2) that the original hearing was not conducted fairly, or (3) that the
original decision was unreasonable in the light of the findings of fact. In the
first case, the person hearing the appeal may remit the matter back for
reconsideration. In the second and third cases, the person hearing the
appeal shall overturn the original decision if he or she considers it just to do
so.

Appeals against dismissal
Appeals against dismissal shall take the form of a review. There shall be no
entitlement to a rehearing of the case and witnesses may be called only
with the appeal Committee’s permission. Grounds for appeal include (1)
new evidence which could not reasonably have been presented at the
hearing at which the original decision was taken, (2) that the original
hearing was not conducted fairly, or (3) that the original decision was
unreasonable in the light of the findings of fact. The committee shall
overturn the original decision if it considers it just to do so.

Council shall appoint a committee of three to consider the appeal, none of
whom shall have had any prior involvement in the case. The committee
shall include a lay member of Council as Chair, and, in the case of
members of staff to whom Statute 32 applies, shall also include a member
of the academic staff appointed by Senate. Where the appeal is made by a
member of the clinical academic staff, who is required to engage in clinical
work or activities and for that purpose to be registered with the General
Medical or Dental Council or similar body and/or to have an honorary or
substantive contract or status with a National Health Service trust or similar
body, then the committee may include, in addition to its other members, an
appropriate medically qualified representative of the National Health
Service, appointed by the Chief Executive of the Avon, Gloucestershire and
Wiltshire Strategic Area Health Authority or successor body.

The University Secretary shall act as secretary to the appeal committee.
The procedure shall be determined by the committee. (Guidelines on
procedure shall be issued from time to time). The member of staff may
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present the appeal in person, attend hearings and be represented by an adviser, friend, trade union or other representative. The University may be represented by a member of staff or lawyer. The committee may adjourn hearings, set time limits for stages of the proceedings, correct accidental errors and dismiss an appeal if there are undue delays in taking the matter forward. Every effort will be made to deal with the matter expeditiously. The committee shall give a reasoned decision in writing, which shall be sent to the member of staff and to Council. Any dismissal under this procedure shall remain in force pending the outcome of an appeal. If the decision to dismiss is overturned, continuity of employment shall be restored.

2 July 2010
Ordinance 26

Fixed-Term Contracts

1. Preliminary issues

Definitions
In this Ordinance, "fixed-term contract" is defined in accordance with the Fixed-Term Employees (Prevention of Less Favorable Treatment) Regulations 2002; that is, as a contract of employment that, under its provisions determining how it will terminate in the normal course, will terminate:

a) on the expiry of a specific term, or
b) on the completion of a particular task, or
c) on the occurrence or non-occurrence of any other specific event other than the attainment by the employee of any normal and bona fide retiring age in the establishment for an employee holding the position held by him or her.

A "permanent contract" is a contract which is open-ended and is not for a fixed-term, but any such contract may be lawfully terminated in various circumstances, including resignation, retirement, ill-health, gross misconduct and redundancy.

Exceptional circumstances
Where a member of staff disagrees that circumstances are exceptional as set out in this ordinance, he or she has a right of review as set out in section 8, below. In addition there will be six-monthly meetings between the University and the trade unions (subject to agreement with the unions) to discuss circumstances that have been determined by the University to be exceptional, and in the event of disagreement as to what amounts to exceptional circumstances, the principles to apply in future cases will be determined by the Personnel and Health and Safety Committee of Council. The trade unions will have the right to make written representations.

2. Equal treatment
The Fixed-Term Employees (Prevention of less Favourable Treatment) Regulations 2002 require that staff employed on a fixed-term basis enjoy the same terms and conditions as permanent staff. Members of staff on
fixed-term contracts shall:

a) receive a statement of their terms and conditions of employment;
b) be treated as favourably as those on permanent contracts, for example, in relation to pay, staff benefits, training, promotion, career development and information about job vacancies;
c) be able to discuss with their line manager whether permanent employment is justified under this ordinance;
d) be able to discuss with their line manager what their career options might be;
e) within 21 days of a request, receive a written statement explaining any differences in their employment arrangements from those of comparable permanent employees, taking into account the overall employment package; and
f) within 21 days of a request, in the circumstances where a member of staff has four years’ continuous service as set out in this ordinance, receive a written statement explaining whether the contract is permanent, or the objective reasons for continuing the fixed-employment.

3. Use of fixed-term contracts
Subject to the further qualifications set out below in section 5, fixed-term contracts will only be used in the University for transparent, necessary and objective reasons, as follows:

a) The post is a clearly defined training or career development position;
b) The post is a first research position and the fixed-term is for four years or fewer; this does not apply to an applicant for a researcher position who already has three years’ appropriate and relevant experience at another higher education institution;
c) The post is a secondment;
d) The post requires specialist skills for a limited period (although it could be argued that many academic and research posts require "specialist skills" this provision is intended to relate to other specialist skills which are required for a limited period. Use of this provision will be subject to six monthly review between the relevant Unions and the University to ensure that it is not used beyond its intended application) or is to accomplish a particular task or project for a limited period;
e) The appointment is to provide cover for a member of the University's staff who is absent for a limited period (for example on maternity leave, sickness absence, career break, secondment or sabbatical leave); and
f) Other exceptional circumstances.

In addition, no fixed-term contract will be awarded for a period longer than four years, other than in exceptional circumstances, and there will be no more than three successive renewals or extensions for periods of one year or less of a fixed-term contract of one year or less, other than in exceptional circumstances.

4. Open competition
Where a post has been created as a fixed-term post, but the University decides that it will become permanent, the fixed-term post-holder will be awarded the permanent contract unless the fixed-term post is (1) to be replaced by a permanent post with responsibilities that are substantially different to those currently being undertaken by the fixed-term post-holder and (2) after discussion with the individual and/or their representative, the University considers that it is appropriate to open the post to competition (use of this provision will be subject to a six monthly review between the relevant Unions and the University).

5. Renewal of fixed-term contracts after four years continuous service
In the light of the Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations 2002, unless there are objectively justifiable grounds to do otherwise, if all the following apply:

a) a member of staff is on a fixed-term contract at the University; and
b) the fixed-term contract has previously been renewed by the University, or the member of staff has previously been employed on a fixed-term contract at the University before the start of the present contract; and
c) the member of staff has been continuously employed at the University under the current contract, or under that contract taken with a previous fixed-term contract, for a period of four years or more,

then with effect from the later of the following two dates: namely (1) the date when the current contract was entered into or last renewed and (2) the date when the member of staff acquired four years continuous service, the
ORDINANCES

member of staff shall be deemed to hold a permanent contract (subject to transitional provisions agreed with the relevant Unions).

There are some objectively justified grounds for not awarding a permanent contract in those circumstances, as follows:

i. The post is part of a training programme that has been extended for a limited period;
ii. The post is wholly or mainly concerned with a specific business or academic activity which the University has decided will cease within one year; and
iii. Other exceptional circumstances which objectively justify use of a further fixed-term contract.

When considering the case for permanency, full account will be taken of the individual’s employment history with the University.

6. Procedure at the termination of a fixed-term contract
Wherever a fixed-term contract is due to terminate, the procedure shall be as follows:

a) Four months before the expiry of a fixed-term contract, the possible options for continued employment shall be discussed between the member of staff and his or her line manager, including renewal of the fixed-term contract in line with the categories listed in sections 3 and 5 above, award of a permanent contract and expiry of the fixed-term contract with no renewal. When considering the case for permanency, full account will be taken of the individual’s employment history with the University.
b) Three months before the expiry of the fixed-term contract, Human Resources shall send the member of staff written confirmation, subject to the consultation process, of any likely change in contractual terms or of the expiry of their employment contract, with information about entitlements such as redundancy pay.
c) Where the decision is that a contract should expire and not be renewed, Human Resources shall at once initiate consultation with the member of staff on possible options for redeployment within the University.
d) Human Resources shall give the member of staff information about other positions in the University.
e) Human Resources shall initiate consultation with the recognised trade union in accordance with statutory requirements.

f) Further consultation shall take place with the recognised trade union and member of staff as required.

7. Reasoned decision
If a fixed-term contract is not renewed or extended, or a permanent contract is not offered at the end of a fixed-term contract, at the earliest possible date and at the latest within fourteen days of the expiry of the contract, the University shall give the member of staff reasons for the decision in writing. The member of staff has the right to request a review of any such decision, as set out in section 8, below.

8. Right of review
Within twenty working days of receipt of notification of a decision concerning a fixed-term contract, the member of staff may request Council to review the decision. The request must be made to the University Secretary in writing, setting out clearly the grounds on which the request is made. Council shall appoint a committee of three to conduct the review, including a lay member of Council and, in the case of a member of staff to whom Statute 32 applies, a member of the academic staff appointed by Senate. The member of staff may address the committee in person and be represented by an adviser, friend or trade union or other representative. The University may be represented by a member of staff or lawyer. If the committee considers that the University’s decision was unreasonable, or insupportable in the light of legal considerations or the University’s statutes and ordinances, it may require the University to renew or extend a fixed-term contract or to offer the member of staff a permanent contract. The Committee’s decision shall be final. The committee shall give reasons for its decision, which shall be sent to the member of staff and reported to Council.

2 July 2010
Ordinance 27

Redundancy Procedure

1. Scope
This ordinance deals with redundancy. However it does not apply when a fixed-term contract ends by the expiry of the fixed-term, the completion of the task or the occurrence or non-occurrence of the specific event which defines the fixed-term. In such a case the procedure laid down in the ordinance on fixed-term contracts will apply.

2. University postholders may act through nominees
In this procedure, unless the context indicates otherwise, references to University postholders shall be construed to refer either to the postholder or to an appropriate member of staff nominated by him or her to act with full authority on his or her behalf.

3. General principle
The University shall ensure security and continuity of employment for as many of its staff as is reasonably practicable. Every reasonable effort will be made to avoid redundancy situations arising and to avoid making individual members of staff redundant.

4. Definition of redundancy
For the purposes of this procedure, dismissal by reason of redundancy has the meaning set out in section 139 of the Employment Rights Act 1996 (see the current HMSO website at http://www.hmso.gov.uk/acts/acts1996/96018--s.htm#139)

5. Consultation
Where there is a possibility that staff may be made redundant, at the earliest opportunity consultation shall take place between the University and appropriate representatives, as required by section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992 (See the current HMSO website at http://www.hmso.gov.uk/acts/acts1992/Ukpga_19920052_en_14.htm#mdiv188). Consultation shall also take place between the University and members of staff likely to be affected. In both cases, consultation shall be organised by the Human Resources Director and shall continue throughout the progress of the procedures.
The aim of the consultation shall be (1) to avoid dismissal if possible, for example by voluntary severance or redeployment, (2) to reduce the number of staff to be dismissed if redundancy is unavoidable, and (3) to mitigate the consequences of any dismissals.

6. Institution of procedures
In the case of members of staff to whom Statute 32 applies, Council shall consider whether the circumstances are such that the redundancy procedures should be instituted, and if so, whether this should primarily relate to a particular part or parts of the University.

In the case of members of staff to whom Statute 32 does not apply, the appropriate Dean or the Registrar, in consultation with the Human Resources Director, shall decide whether the circumstances are such that the redundancy procedures should be instituted.

7. Panel
In the case of members of staff to whom Statute 32 applies, if Council decides that redundancy procedures should be instituted, the Vice-Chancellor shall appoint a panel to oversee the procedures and to make decisions. The panel shall consist of at least five members and shall include at least one lay member appointed by Council and at least one member of the academic staff appointed by Senate. The Human Resources Director shall attend the meetings of the panel to provide information and advice.

In the case of members of staff to whom Statute 32 does not apply, if the Dean or Registrar decides that redundancy procedures should be instituted, he or she shall appoint a panel to oversee the procedures and to make decisions. The panel shall consist of at least five members, at least one of whom shall be a member of staff from outside the School or Division, who has had no direct involvement in the relevant area of work. The Human Resources Director shall attend the meetings of the panel to provide information and advice.

Where redundancy may affect both academic and other staff in a particular area of the University, one panel may be convened by the Vice-Chancellor to deal with both sets of staff.

8. Selection criteria
In all cases, the panel, advised by the Human Resources Director, shall
decide whether or not it is appropriate to invite applications for voluntary redundancy, and if so, on what basis these would be accepted. If there are insufficient agreed voluntary redundancies, the panel shall decide, on advice from the Human Resources Director, which members of staff fall within the pool for selection. It shall also decide, following consultation with the appropriate representatives, on the selection criteria for redundancy to be employed.

9. Representations
The panel will consider proposals from the Appropriate Manager in relation to the numbers of redundant posts, the appropriate pool and the selection criteria to be used. The Human Resources Director shall inform those members of staff falling within the pool for selection, in writing, of the selection criteria to be used. The Appropriate Manager will consider representations from those members of staff before applying the selection criteria. The Appropriate Manager will then recommend to the panel which members of staff should be made redundant. Any members of staff selected for redundancy and/or their representatives shall be invited to make representations to the panel orally or in writing. When a member of staff wishes to make oral representations, he or she may be represented by an adviser, friend, trade union or other representative.

10. Decisions
Throughout the process efforts will be made to find suitable alternative employment. Normally in the light of all the information provided and the representations made, the panel shall decide who shall be given notice of dismissal on grounds of redundancy and the panel shall report to Council. However where redundancies arise from the closure of the whole or a substantial part of a school/division the panel will make recommendations to Council as to who should be given notice of redundancy.

11. Informing staff
Within seven days of the panel’s decision, the Human Resources Director shall inform all staff in the pool for selection whether or not their employment is to be terminated on grounds of redundancy. Members of staff who are to be dismissed under this procedure shall be informed in writing of the reasons for the dismissal and, where selection has taken place, why they were selected.
12. Dismissal
The Human Resources Director shall dismiss the members of staff selected for dismissal under this procedure.

13. Appeal

13.1 Appeals
Those selected for redundancy may appeal to Council on any matter save the decision to institute the redundancy procedures. All appeals must be made in writing to the University Secretary within twenty working days of the date when the letter confirming the decision appealed against was sent. The appeal letter shall set out clearly the general grounds on which the appeal is based. A member of staff shall not normally be permitted to raise grounds at the appeal hearing if these were not raised in the original written appeal submission. An appeal may be made under this procedure after a member of staff has left the University following dismissal, however appeal proceedings may be suspended pending the outcome of an employment tribunal application.

13.2 Appeal Committee
Council shall appoint a committee of at least three to consider the appeal, none of whom shall have had any prior involvement in the case. The committee shall include a lay member of Council as Chair, and, in the case of members of staff to whom Statute 32 applies, a member of the academic staff appointed by Senate. Where the appeal is made by a member of the clinical academic staff, who is required to engage in clinical work or activities and for that purpose to be registered with the General Medical or Dental Council or similar body and/or to have an honorary or substantive contract or status with a National Health Service trust or similar body, then the committee may include, in addition to its other members, an appropriate representative of the National Health Service, appointed by the Chief Executive of the Avon, Gloucestershire and Wiltshire Strategic Area Health Authority or any successor body.

13.3 Procedure
The University Secretary shall act as secretary to the appeal committee. The procedure shall be determined by the committee (Guidelines on procedure shall be issued from time to time). The member of staff may present the appeal in person, attend hearings and be represented by an adviser, friend, trade union or other representative. The University may be
represented by a member of staff or lawyer. The committee may adjourn hearings, set time limits for stages of the proceedings, correct accidental errors and dismiss an appeal if there are undue delays in taking the matter forward. Every effort will be made to deal with the matter expeditiously. The committee may consider relevant oral and written evidence. The member of staff and University representative may call witnesses. Where witnesses are called in person, they may be questioned by the appellant and by the University representative, as well as by the committee. The committee may accept a witness’s written statement in evidence where it is impracticable for the witness to attend or where in the opinion of the committee it is for some other reason in the interests of justice to do so.

13.4 Decision
The committee shall have power to reach a final decision on the matter, or it may decide to remit the matter for further consideration by the original redundancy panel. In either case, the committee shall give a reasoned decision in writing, which shall be sent to the member of staff and reported to Council.

13.5 Dismissal in force
Any dismissal under this procedure shall remain in force pending the outcome of an appeal. If the decision to dismiss is overturned, continuity of employment shall be restored.

Appendix 1
Employment Rights Act 1996, Section 139
(1) For the purposes of this Act an employee who is dismissed shall be taken to be dismissed by reason of redundancy if the dismissal is wholly or mainly attributable to:

(a) the fact that his employer has ceased or intends to cease:
   (i) to carry on the business for the purposes of which the employee was employed by him; or
   (ii) to carry on that business in the place where the employee was so employed; or

(b) the fact that the requirements of that business:
   (i) for employees to carry out work of a particular kind; or
   (ii) for employees to carry out work of a particular kind in the
place where the employee was employed by the employer have ceased or diminished or are expected to cease or diminish.

(2) For the purposes of subsection (1) the business of the employer together with the business or businesses of his associated employers shall be treated as one (unless either of the conditions specified in paragraphs (a) and (b) of that subsection would be satisfied without so treating them).

(3) For the purposes of subsection (1) the activities carried on by a local education authority with respect to the schools maintained by it, and the activities carried on by the governors of those schools, shall be treated as one business (unless either of the conditions specified in paragraphs (a) and (b) of that subsection would be satisfied without so treating them).

(4) Where:
   (a) the contract under which a person is employed is treated by section 136(5) as terminated by his employer by reason of an act or event; and
   (b) the employee's contract is not renewed and he is not re-engaged under a new contract of employment, he shall be taken for the purposes of this Act to be dismissed by reason of redundancy if the circumstances in which his contract is not renewed, and he is not re-engaged, are wholly or mainly attributable to either of the facts stated in paragraphs (a) and (b) of subsection (1).

(5) In its application to a case within subsection (4), paragraph (a)(i) of subsection (1) has effect as if the reference in that subsection to the employer included a reference to any person to whom, in consequence of the act or event, power to dispose of the business has passed.

(6) In subsection (1) "cease" and "diminish" mean cease and diminish either permanently or temporarily and for whatever reason.

**Employment Rights Act 1996 Section 136 (5)**
(5) Where in accordance with any enactment or rule of law:
   (a) an act on the part of an employer; or
   (b) an event affecting an employer (including, in the case of an individual, his death),
operates to terminate a contract under which an employee is employed by him, the act or event shall be taken for the purposes of this Part to be a termination of the contract by the employer.

Appendix 2
Trade Union and Labour Relations (Consolidation) Act 1992, Section 188

(1) An employer proposing to dismiss as redundant an employee of a description in respect of which an independent trade union is recognised by him shall consult representatives of the union about the dismissal in accordance with this section.

(2) The consultation must begin at the earliest opportunity, and in any event-

(a) where the employer is proposing to dismiss as redundant 100 or more employees at one establishment within a period of 90 days or less, at least 90 days before the first of those dismissals takes effect;
(b) where the employer is proposing to dismiss as redundant at least 10 but less than 100 employees at one establishment within a period of 30 days or less, at least 30 days before the first of those dismissals takes effect.

(3) In determining how many employees an employer is proposing to dismiss as redundant no account shall be taken of employees in respect of whose proposed dismissals consultation has already begun.

(4) For the purposes of the consultation the employer shall disclose in writing to the trade union representatives-

(a) the reasons for his proposals,
(b) the numbers and descriptions of employees whom it is proposed to dismiss as redundant,
(c) the total number of employees of any such description employed by the employer at the establishment in question,
(d) the proposed method of selecting the employees who may be dismissed, and
(e) the proposed method of carrying out the dismissals, with due regard to any agreed procedure, including the period over which the dismissals are to take effect.
(5) That information shall be delivered to the trade union representatives, or sent by post to an address notified by them to the employer, or sent by post to the union at the address of its head or main office.

(6) In the course of the consultation the employer shall-

(a) consider any representations made by the trade union representatives, and
(b) reply to those representations and, if he/she rejects any of those representations, state his/her reasons.

(7) If in any case there are special circumstances which render it not reasonably practicable for the employer to comply with a requirement of subsection (2), (4) or (6), the employer shall take all such steps towards compliance with that requirement as are reasonably practicable in those circumstances.

(8) This section does not confer any rights on a trade union or an employee except as provided by sections 189 to 192 below.

Appendix 3
Redundancy Notice Provisions
(a) With the exception of staff covered by paragraphs (b) to (e), for whom protected arrangements will instead apply, staff will be given a minimum notice provision as follows in the event of dismissal by reason of redundancy:

- Staff employed by the University for less than 5 years: 3 months
- Staff employed by the University for at least 5 years but fewer than 7 years: 4 months
- Staff employed by the University for at least 7 years but fewer than 9 years: 5 months
- Staff employed by the University for 9 years or more: 6 months

(b) All staff employed by the University on a permanent academic or academic related contract before the 1 October 2004, or offered such employment on such terms before that date, will retain the right to a minimum of one year’s notice in the event of redundancy.
(c) All staff employed by the University on an academic or academic-related contract at the 1 October 2004 and who were offered a permanent contract on or after the 1 October 2004 will be entitled to a minimum of 6 months’ notice in the event of redundancy.

(d) All staff employed by the University on a permanent support staff contract at 30 April 2006, and those employed at that date on a fixed-term contract who subsequently transferred to a permanent contract, will be entitled to a minimum of 6 months’ notice in the event of redundancy.

(e) The employment of a member of staff, who is employed on a fixed-term contract and who is subsequently selected for dismissal in a situation of general redundancy, will end either at the termination of the fixed-term contract or following 3, 4, 5 or 6 months’ notice of redundancy in accordance with his or her length of service as set out in (a) above, whichever is the earlier.

Appendix 4 - Redundancy Pay
Any member of staff whose contract of employment is terminated by reason of redundancy will be entitled to receive a redundancy payment, based on length of service as follows. Enhanced redundancy payments applicable to redundancies effective from 1 May 2006 onwards.

Staff with 0-10 years’ service - Statutory Redundancy Pay only

Staff with 10-20 years’ service - Statutory Redundancy Pay x 2

Staff with 20 years’ + service - Statutory Redundancy Pay x 2 (with no cap on weekly pay but a cap on total figure of £20K. The “cap on weekly pay” is the maximum amount of money defined (by the government) as a “week’s pay” for the purposes of calculating a statutory redundancy payment.)

2 July 2010
Ordinance 28

Conduct Procedure for Members of Staff

1. Introduction
This procedure does not apply to:
   a) members of staff who are subject to an initial service review period, who are dealt with under a separate ordinance;
   b) cases which clearly involve performance rather than conduct, for example where there is a lack of capability, where the Capability and Performance Procedure shall apply; and
   c) cases which involve ill-health, where the Ill-Health Procedure shall apply.

Good conduct is essential for the efficient and orderly operation of the University’s activities and to ensure the safety and well-being of members of the University and its associates. The purpose of this procedure is to provide a constructive framework for dealing with staff conduct and to ensure that disciplinary action, where necessary, is applied fairly and consistently. The University’s Rules of Conduct for Members of Staff (see Appendix 1) set out the standards of behaviour expected of staff and give examples of behaviour considered by the University to amount to misconduct and gross misconduct, which may result in disciplinary action being taken. It is not possible to specify all forms of behaviour that will result in disciplinary action, nor the type of disciplinary action that may be taken in each situation and each case will be judged on its merits. The procedure shall be initiated at a stage appropriate to the seriousness of the alleged misconduct. With the exception of gross misconduct, no member of staff shall be dismissed for a first breach of the Rules of Conduct.

2. Procedural issues
University Postholders and Appropriate Managers
For staff reporting within the academic school/faculty structure, references to Appropriate Manager shall usually be construed as referring to either the Head of School, or School/Faculty Manager, but may in appropriate cases refer to a head of department or head of discipline. In support process areas, references to Appropriate Manager shall usually refer to either the Divisional Head, or in larger areas, other postholders within the line management structure as appropriate.
ORDINANCES

In this procedure, unless the context indicates otherwise, references to University postholders and Appropriate Managers shall be construed to refer either to the postholder or the Appropriate Manager or to an appropriate member of staff nominated by him or her to act with full authority on his or her behalf.

Confidentiality
Throughout any proceedings taken under this procedure, the University shall seek to ensure that a high standard of confidentiality is maintained, before and after the hearing as well as in relation to the hearing itself. Care shall be taken not to undermine the position of the member of staff concerned in relation to his or her colleagues. Investigations shall be undertaken with discretion. Where necessary to ensure confidentiality, administrative support shall be provided by Human Resources. Wherever practicable, hearings shall be held away from the member of staff’s normal place of work. None of this shall preclude information about the outcome being given to any person where this is appropriate.

Attendance at hearings
A member of staff who is subject to proceedings under this ordinance has the right to attend hearings and to be represented by an adviser, friend, trade union or other representative. If the member of staff is for good reason unable to attend a formal hearing, the hearing shall be adjourned to a suitable alternative date within a reasonable time. However if there are reasonable grounds to believe that the member of staff is refusing or failing to attend a hearing without good cause, the member of staff will be informed that a further hearing is being arranged. On that further occasion the University may proceed in the absence of the member of staff, unless satisfied that there are good grounds for his or her non-attendance. Any submission concerning non-attendance made by the member of staff in writing, or by his or her representative in person or in writing, shall be considered before any decision is taken to hear the matter in his or her absence. If the hearing proceeds in the member of staff’s absence, any submission made about the misconduct by the member of staff in writing, or by his or her representative in person or in writing, shall be considered at the hearing.

3. Informal action
When the conduct of a member of staff is causing concern, the normal management and staff review processes having failed to secure the
required improvement, the Appropriate Manager’s first step shall almost always be to discuss the problem with the member of staff informally under this procedure. Such discussions shall identify the problem and consider its causes and possible solutions. The Appropriate Manager shall ensure that the member of staff is aware of the standards expected and shall consider whether any further support or action might be appropriate.

Where there is continuing concern after such informal discussion, the Appropriate Manager shall make a brief note of the discussion and confirm the main points in writing to the member of staff, including future expectations and the potential consequences of a failure to improve.

Where a member of staff’s health appears to be a contributory cause, the Appropriate Manager shall consider whether it would be appropriate to seek a medical opinion, in which case advice shall be sought from a human resources manager. Where an underlying medical condition is established as a reason for conduct problems, it will normally be appropriate to take the matter forward under the Ill-Health Procedure.

4. Formal action
Stage 1
Where informal discussions have not led to improved conduct, or where, exceptionally, alleged misconduct is of such seriousness that informal discussion is inappropriate, the Appropriate Manager, after consultation with a human resources manager, may consider taking formal action under Stage 1 of this procedure. Before any decision is taken to proceed with formal action under Stage 1, the Appropriate Manager shall where appropriate gather such further information as may be required, with advice from a human resources manager. The Appropriate Manager shall inform the member of staff that an investigation is taking place and shall normally interview the member of staff. Written statements may be obtained.

If the Appropriate Manager decides that it is appropriate to consider giving the member of staff a Stage 1 warning, the Appropriate Manager shall arrange a hearing. The Appropriate Manager shall inform the member of

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*Throughout this procedure (subject to Ordinance 33 on removal from an additional post), if the Head of School/Divisional Head’s conduct is causing concern, the matter will be dealt with by the dean or Registrar, as appropriate; if the dean or Registrar’s conduct is causing concern, the matter will be dealt with by the appropriate Pro Vice-Chancellor; and if a Pro Vice-Chancellor’s conduct is causing concern, the matter will be dealt with by the Vice-Chancellor.*
staff in writing at least seven working days in advance that there is to be a hearing. The letter shall include:

- a statement of the grounds that have led to a Stage 1 warning being contemplated, including full details of the alleged misconduct;
- supporting information and evidence;
- the date, time and location of the hearing;
- the fact that the hearing is taking place under Stage 1 of this procedure;
- the right of the member of staff to attend and to be accompanied by an adviser, friend, trade union or other representative; and
- a copy of this procedure.

At the hearing the Appropriate Manager shall interview the member of staff, who shall be given the opportunity to respond. A human resources manager shall normally attend the hearing. The Appropriate Manager may, for good reason, request another member of staff to attend the hearing. Witnesses may attend to give relevant evidence. The Appropriate Manager shall ensure that a note is taken of the hearing. The note shall normally be taken by a human resources manager.

If, having considered the evidence, the Appropriate Manager is satisfied that a Stage 1 warning is appropriate, the Appropriate Manager shall inform the member of staff that a letter shall be sent within seven working days, giving a Stage 1 warning under the procedure, and that the warning will be in force for a period of six calendar months from the date of the letter, after which it will be spent. The Appropriate Manager shall enclose a copy of the note of the hearing, and shall set out in the letter:

- the basis for the finding;
- the standard of conduct expected;
- the time during which this improvement must be achieved;
- any training or support which may be available;
- the consequences of a failure to improve; and
- the member of staff's right to appeal.

The member of staff shall be shown any report on his or her conduct prepared during the period in which the Stage 1 warning is current. If, having considered the evidence, the Appropriate Manager is satisfied that a
Stage 1 warning is not appropriate, he or she shall so inform the member of staff and shall confirm this by letter within seven working days.

**Stage 2**
If the member of staff does not meet the required standard of conduct set out under the Stage 1 warning, or where, exceptionally, the alleged misconduct is such that it is appropriate to dispense with a Stage 1 warning, the Appropriate Manager, after consultation with a human resources manager, may consider taking formal action under Stage 2 of this procedure. Before any decision is taken to proceed with formal action under Stage 2, the Appropriate Manager shall where appropriate gather such further information as may be required, with advice from a human resources manager. The Appropriate Manager shall inform the member of staff that an investigation is taking place and shall normally interview the member of staff. Written statements may be obtained.

If the Appropriate Manager decides that it is appropriate to consider giving the member of staff a Stage 2 warning, the Appropriate Manager shall arrange a hearing. The Appropriate Manager shall inform the member of staff in writing at least seven working days in advance that there is to be a hearing. The letter shall include:

- a statement of the grounds that have led to a Stage 2 warning being contemplated, including full details of the alleged misconduct;
- supporting information and evidence;
- the date, time and location of the hearing;
- the fact that the hearing is taking place under Stage 2 of this procedure;
- the right of the member of staff to attend and to be accompanied by an adviser, friend, trade union or other representative; and
- a copy of this procedure.

At the hearing the Appropriate Manager shall interview the member of staff, who shall be given the opportunity to respond. A human resources manager shall normally attend the hearing. The Appropriate Manager may, for good reason, request another member of staff to attend the hearing. Witnesses may attend to give relevant evidence. The Appropriate Manager shall ensure that a note is taken of the hearing. The note shall normally be taken by a human resources manager.
If, having considered the evidence, the Appropriate Manager is satisfied that a Stage 2 warning is appropriate, he or she shall inform the member of staff that a letter shall be sent within seven working days, giving a Stage 2 warning under the procedure, and that the warning will be in force for a period of up to two years from the date of the letter (subject to review at one year), after which it will be spent. The Appropriate Manager shall enclose a copy of the note of hearing, and shall set out in the letter:

- the basis for the finding;
- the standard of conduct expected;
- the time during which this improvement must be achieved;
- any training or support which may be available;
- the consequences of a failure to improve; and
- the member of staff's right to appeal.

The member of staff shall be shown any report on his or her conduct prepared during the period in which the Stage 2 warning is current. If, having considered the evidence, the Appropriate Manager is satisfied that a Stage 2 warning is not appropriate, he or she shall so inform the member of staff and shall confirm this by letter within seven working days. Alternatively the Appropriate Manager may instead issue a Stage 1 warning as set out under Stage 1 of this procedure.

**Stage 3**

If the member of staff does not meet the required improvements set out under the Stage 2 warning, or where gross misconduct is alleged, the Appropriate Manager, after consultation with the Human Resources Director and Pro Vice-Chancellor or Registrar, may set out allegations to be heard by a disciplinary panel.

In the case of a member of staff to whom Statute 32 applies, the Vice-Chancellor shall appoint to the panel three members with no prior involvement in the case, including a lay member of Council in the chair, and a member of the academic staff appointed by Senate. Where the case concerns a member of the clinical academic staff, who is required to engage in clinical work or activities and for that purpose to be registered with the General Medical or Dental Council or similar body and/or to have an honorary or substantive contract or status with a National Health Service trust or similar body, then the panel may include, in addition to its other members, an appropriate representative of the National Health Service,
appointed by the Chief Executive of the Avon, Gloucestershire and Wiltshire Strategic Area Health Authority or successor body.

In the case of a member of staff to whom Statute 32 does not apply, the dean or head of division shall appoint to the panel three members who have no prior involvement in the case, nominating one of them as Chair.

The Human Resources Director shall act as secretary to the panel, to give advice and to assist the panel, and shall arrange for a note of the proceedings to be taken. The panel may seek independent legal advice.

The Human Resources Director shall appoint a member of the University staff or a lawyer to present the allegation against the member of staff. The Human Resources Director shall ask the case presenter to set out the allegation or allegations in writing and these shall be sent to the member of staff at least seven working days before the hearing.

The Human Resources Director may call for written witness statements in support of the allegation, in which case copies of these shall be sent to the member of staff at least seven working days before the hearing.

Subject to the provisions of this ordinance and to representations made by the member of staff, the order of proceedings at the hearing shall be at the discretion of the panel (Human Resources will issue guidelines on procedure from time to time). The panel shall rely only on written or oral evidence presented at the hearing. Normally evidence shall be given by witnesses appearing in person, who may be called by the case presenter, the member of staff or the panel. All such witnesses may be questioned by the case presenter, the member of staff or his or her representative, and members of the panel. The panel may accept a written statement in evidence where the member of staff agrees that the author of the statement need not attend, or where it is impracticable for him or her to attend, or where in the opinion of the panel it is for some other reason in the interests of justice to do so. The panel may ask for additional enquiries to be undertaken, and may call for additional persons to attend.

While every effort will be made to ensure that the member of staff is not rushed in the presentation of his or her case, the panel may impose reasonable time limits on oral addresses and submissions. The panel shall refuse to admit evidence that is, in its opinion, irrelevant to the issues raised. The panel shall have power to adjourn a hearing to another date.
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The panel shall ensure that the proceedings are dealt with expeditiously. It may set time limits for each stage of the proceedings, and may dismiss the charges if there are undue delays by the University in taking the matter forward.

The panel shall find against a member of staff only if, on the evidence before it, it is satisfied that the allegations are proved. Normally a unanimous verdict will be expected, but if, exceptionally, the members of the panel cannot agree, the verdict of the panel shall be that of the majority of its members. The panel shall give a reasoned decision in writing, which shall be sent to the member of staff. The Vice-Chancellor, having consulted the Chair of the Personnel and Health and Safety Committee, has the power for good reason to suspend the activity of the panel, to stop the proceedings against the member of staff, or to require the proceedings or any stage of the proceedings to be concluded by a given date.

Disciplinary sanctions
Disciplinary sanctions normally open to the panel are:

a) A disciplinary warning; if a Stage 2 warning is given, the period during which the warning will remain active shall be determined at the time of the hearing and shall be notified in writing to the member of staff and in exceptional circumstances this period may exceed two years;

b) As an agreed alternative to dismissal, the award of a reasonable sum by way of compensation, either to the University or to an individual, in respect of identified and quantified loss;

c) Dismissal effected by the Human Resources Director, without notice in the case of gross misconduct.

If, having considered the evidence, the panel is satisfied that no action is appropriate, it shall so inform the member of staff and shall confirm this by letter.

5. Suspension
A member of staff who is the subject of a complaint of misconduct or against whom a criminal charge is pending or who is the subject of police investigation, may be suspended on full pay by the Vice-Chancellor, pending disciplinary hearing or criminal trial. Suspension shall be employed where necessary to protect a member or members of the University
community, or the property of the University or the property of a member or members of the University community, or to facilitate an investigation. Written reasons for the decision shall be recorded and made available to the member of staff. A member of staff who is suspended is prohibited from entering University premises and from participating in University activities. Subject to agreement with the member of staff, partial suspension may be employed, allowing the member of staff to engage in some only of his or her normal duties.

Wherever possible, when suspension of a member of staff is being considered, the member of staff will be interviewed and invited to make representations before any suspension order is made. He or she will be entitled to be accompanied at any such interview by an adviser, friend, trade union or other representative. A member of staff who has been suspended may make representations to the Vice-Chancellor concerning the suspension as soon as is reasonably practicable. The representations may be made in person or in writing, as the member of staff chooses, and may be put forward by the member of staff or his or her adviser, friend, trade union or other representative. A decision to suspend a member of staff shall be subject to review at the request of the member of staff after four weeks. Such a review shall not involve a hearing, but the member of staff, either personally or through an adviser, friend, trade union or other representative, shall be entitled to make written representations. The review shall be conducted by the Vice-Chancellor. In addition to the initial review, the Vice-Chancellor shall review the suspension on receipt of evidence of altered circumstances which affect the original decision.

Where the Vice-Chancellor appoints a nominee, the same person may deal with the original suspension and any subsequent representations.

6. General

Trade union representatives
When formal proceedings under this procedure are contemplated against an accredited representative of a trade union recognised by the University, the Human Resources Director shall inform the Branch Chair, Secretary or full-time official of the Union of the circumstances before the hearing.

Academic freedom
Where members of staff are involved in teaching or research, whether or not they are covered by Statute 32, the University shall safeguard their
freedom within the law to question and test received wisdom and to put forward new ideas and controversial or unpopular opinions, without suffering any detriment.

Warnings
Where a member of staff transfers to a new post within the University, any current disciplinary warnings will remain in force and the head of the school/division to which the member of staff is transferring will have been advised of this. Appropriate Managers shall refer to the University’s Staff Handbook or Recruitment Guide for advice on references.

A warning that is spent shall normally be disregarded for future disciplinary purposes. After a warning is spent, any notes and correspondence relating to the warning shall be destroyed, except for one copy which shall be held on the central personnel file, clearly marked as spent. However where a pattern emerges whereby the conduct of a member of staff is satisfactory throughout the period during which a warning is current only to fall below the required standard very soon thereafter, the warning may be borne in mind in deciding the type of disciplinary action to be taken in the future.

Clinical academic staff
Action may be taken under this procedure against a member of the clinical academic staff, whether on a substantive or an honorary contract, who is required to engage in clinical work or activities, and for that purpose to be registered with the General Medical or Dental Council or similar body and/or to have an honorary or substantive contract or status with an NHS trust or similar body, in respect of conduct arising in connection with his or her NHS work or activities, as if the work or activities were performed in and for the University. Where the registration, contract or status referred to above is suspended, during that period of suspension the Vice-Chancellor may suspend the member of staff from employment at the University. Where the outside suspension has been imposed as a substantive disciplinary measure, the University suspension will be without pay.

Other procedures
If a conduct case is in progress and it emerges that the member of staff’s behaviour may have been wholly or partly attributable to a medical condition or amounts to an issue of capability or performance, the Appropriate Manager may transfer the case to be dealt with under another appropriate procedure. Where it is unclear which procedure is the most
appropriate, the University shall decide which procedure to adopt, subject to representations made by the member of staff or his or her representative.

Deferral
The University may, but is not obliged to, defer action under this procedure pending the outcome of:

- investigation by the police;
- criminal prosecution;
- relevant disciplinary action taken outside the University, for example against a member of the clinical academic staff who is required to engage in clinical work or activities, and for that purpose to be registered with the General Medical or Dental Council or similar body and/or to have an honorary or substantive contract or status with an NHS trust or similar body, in respect of conduct arising in connection with his or her clinical work or activities.

7. Appeals
All appeals must be made in writing to the University Secretary within twenty working days of the date when the letter confirming the decision appealed against was sent. The appeal letter shall set out clearly the general grounds on which the appeal is based. A member of staff shall not normally be permitted to raise grounds at the appeal hearing if these were not raised in the original written appeal submission. An appeal may be made under this procedure after a member of staff has left the University following dismissal, however appeal proceedings may be suspended pending the outcome of an employment tribunal application.

Appeals against warnings
Appeals under this procedure against warnings shall be heard by the dean of faculty or Registrar, unless the original decision was taken by the dean or Registrar, in which case the appeal shall be heard by a pro vice-chancellor. Where the original decision was taken by a pro vice-chancellor or the Vice-Chancellor, the appeal shall be heard by a senior member of staff appointed by the Vice-Chancellor. The decision shall be final.

The person hearing the appeal shall be advised by the Human Resources Director. The member of staff may present his or her case in person or in
writing, and may be represented by an adviser, friend, trade union or other representative. There shall be no entitlement to a rehearing of the case. Grounds for appeal include (1) new evidence which could not reasonably have been presented at the hearing at which the original decision was taken, (2) that the original hearing was not conducted fairly, or (3) that the original decision was unreasonable in the light of the findings of fact. In the first case, the person hearing the appeal may remit the matter back for reconsideration. In the second and third cases, the person hearing the appeal shall overturn the original decision if he or she considers it just to do so.

**Appeals against decisions other than warnings**

Appeals against a decision other than a warning, whether against the finding of guilt or the penalty imposed, shall take the form of a review. There shall be no entitlement to a rehearing of the case and witnesses may be called only with the appeal committee’s permission. Grounds for appeal include (1) new evidence which could not reasonably have been presented at the hearing at which the original decision was taken (2) that the original hearing was not conducted fairly or (3) that the original decision was unreasonable in the light of the findings of fact. The committee shall overturn the original decision if it considers it just to do so.

Council shall appoint a committee of three to consider the appeal, none of whom shall have had any prior involvement in the case. The committee shall include a lay member of Council as Chair, and, in the case of members of staff to whom Statute 32 applies, a member of the academic staff appointed by Senate. In addition, in the case of members of staff to whom Statute 32 applies, the member of staff may request that an independent person from outside the University with relevant experience should sit as a fourth member of the committee. Where the appeal is made by a member of the clinical academic staff, who is required to engage in clinical work or activities and for that purpose to be registered with the General Medical or Dental Council or similar body and/or to have an honorary or substantive contract or status with a National Health Service trust or similar body, then the committee may include, in addition to its other members, an appropriate representative of the National Health Service, appointed by the Chief Executive of the Avon, Gloucestershire and Wiltshire Strategic Area Health Authority or successor body.
The University Secretary shall act as secretary to the appeal committee. The procedure shall be determined by the committee (Guidelines on procedure shall be issued from time to time). The member of staff may present the appeal in person, attend hearings and be represented by an adviser, friend, trade union or other representative. The University may be represented by a member of staff or lawyer. The committee may adjourn hearings, set time limits for stages of the proceedings, correct accidental errors and dismiss an appeal if there are undue delays in taking the matter forward. Every effort will be made to deal with the matter expeditiously. The committee shall give a reasoned decision in writing, which shall be sent to the member of staff and to Council.

Any dismissal under this procedure shall remain in force pending the outcome of an appeal. If the decision to dismiss is overturned, continuity of employment shall be restored.
## Appendix 1
### Summary of Disciplinary Action

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Appendix 2

Rules of Conduct for Members of Staff

Introduction

These Rules apply to all members of staff of the University and form part of their terms and conditions of employment. They set out behaviour which may amount to misconduct, resulting in disciplinary action. The Rules are intended to promote a productive, harmonious and safe working environment.

General Requirements

Members of staff are expected to:

   a) Comply with their contract and terms and conditions of employment;
   b) Fulfill the duties of their post as reasonably required by their Appropriate Manager;
   c) Observe relevant University rules, regulations, codes of practice and policy statements;
   d) Comply with health and safety and data protection requirements.

Misconduct

The following list gives examples of behaviour which may constitute misconduct. This list is not intended to be exhaustive:

   a) Conduct which constitutes a criminal offence, of a kind that is judged in all the circumstances to be relevant to the member of staff’s employment by the University, whether committed on University premises or elsewhere;
   b) Violent, indecent, disorderly, threatening, intimidating or offensive behaviour or language at work;
   c) Sexual, racial, or any other form of harassment, including bullying of any student or member of staff of the University, or any visitor to the University, or any other failure to respect the University’s Equal Opportunities and Dignity at Work Policies;
ORDINANCES

d) Incapacity at work through the use of alcohol or drugs;
e) Fraud, deceit, deliberate falsification of records, deception or dishonesty in relation to the University or its staff, students or visitors;
f) Theft, misappropriation or misuse of University property, or the property of the University’s staff, students or visitors, including intellectual property;
g) Fraud or plagiarism in connection with academic research or failure to comply with the University’s Research Misconduct Policy;
h) Computer misuse, contrary to the University’s regulations;
i) Misuse or unauthorised use of University premises, equipment or facilities;
j) Damage to University property, or the property of the University’s staff, students or visitors, caused intentionally or recklessly;
k) Action likely to cause injury or impair safety on University premises, or infringement of University Health and Safety policy;
l) Negligence which causes or might cause unacceptable loss, damage or injury;
m) Improper bias in relation to students, whether relating to admission or assessment;
n) Willful or negligent failure to respect confidentiality of information and/or breach of the University’s policy on Data Protection;
o) Failure to respect the rights of any student or member of staff of the University, or any visitor to the University, to freedom of belief and freedom of speech;
p) Breach of the provisions of any University code, policy, rule or regulation;
q) Misuse of the University’s name, or bringing the University into serious disrepute;
r) Undertaking paid work detrimental to or in conflict with the University’s interests without the University’s permission;
s) Unauthorised absence;
t) Poor timekeeping;
u) Failure to comply with a reasonable request or instruction from an appropriate person.
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Gross Misconduct

A member of staff who is found to have been guilty of misconduct shall normally in the first instance be given a warning. However gross misconduct, of such seriousness as to give good grounds for immediate dismissal, may lead to summary dismissal without warning. When determining whether an issue should be dealt with as misconduct or gross misconduct, the actual or potential consequences of the conduct shall be considered. Examples of behaviour which may constitute gross misconduct include assault or physical violence, theft, fraud, research misconduct and serious breaches of regulations relating to health and safety or data protection.

2 July 2010

Ordinance 29

Capability and Performance Procedure for Members of Staff

1. Introduction
This procedure is designed to provide a constructive framework within which to help members of staff who are failing to achieve a satisfactory level of performance at work to fulfill the duties of the role to the required standard. It is the University’s intention wherever possible to be corrective rather than punitive. This procedure does not apply to:

a) members of staff who are subject to an initial service review period, who are dealt with under a separate ordinance;
b) cases which clearly involve conduct rather than performance, where the Conduct Procedure shall apply; where it is considered that poor performance results from negligence or lack of application, it will normally be appropriate to use the Conduct Procedure;
c) cases which involve ill-health, where the Ill-Health Procedure shall apply.
2. Procedural issues

University Postholders and Appropriate Managers
For staff reporting within the academic school/faculty structure, references to Appropriate Manager shall usually be construed as referring to either the Head of School or School/Faculty Manager, but may in appropriate cases refer to a head of department or head of discipline. In support process areas, references to Appropriate Manager shall usually refer to either the Divisional Head, or in larger areas, other postholders within the line management structure as appropriate.

In this procedure, unless the context indicates otherwise, references to University postholders and Appropriate Managers shall be construed to refer either to the postholder or the Appropriate Manager or to an appropriate member of staff nominated by him or her to act with full authority on his or her behalf.

Confidentiality
Throughout any proceedings taken under this procedure, the University shall seek to ensure that a high standard of confidentiality is maintained, before and after the hearing as well as in relation to the hearing itself. Care shall be taken not to undermine the position of the member of staff concerned in relation to his or her colleagues. Investigations shall be undertaken with discretion. Where necessary to ensure confidentiality, administrative support shall be provided by Human Resources. Wherever practicable, hearings shall be held away from the member of staff’s normal place of work. None of this shall preclude information about the outcome being given to any person where this is appropriate.

Attendance at hearings
A member of staff who is subject to proceedings under this ordinance has the right to attend hearings and to be represented by an adviser, friend, trade union or other representative. If the member of staff is for good reason unable to attend a formal hearing, the hearing shall be adjourned to a suitable alternative date within a reasonable time. However if there are reasonable grounds to believe that the member of staff is refusing or failing to attend a hearing without good cause, the member of staff will be informed that a further hearing is being
arranged. On that further occasion the University may proceed in the absence of the member of staff, unless satisfied that there are good grounds for his or her non-attendance. Any submission concerning non-attendance made by the member of staff in writing, or by his or her representative in person or in writing, shall be considered before any decision is taken to hear the matter in his or her absence. If the hearing proceeds in the member of staff’s absence, any submission made about the capability and performance by the member of staff in writing, or by his or her representative in person or in writing, shall be considered at the hearing.

3. Informal action
This procedure is not intended to replace normal management processes as the way in which staff performance is supported and monitored. Issues of unsatisfactory performance will normally be dealt with through management and staff review, and this capability and performance procedure will be used only where the failure to reach a satisfactory level of performance is significant or persistent (issues of progression and salary increments are addressed elsewhere).

When the performance of a member of staff is causing such concern, the normal management and staff review processes having failed to secure the required improvement, the Appropriate Manager’s next step shall be to discuss the problem with the member of staff informally under this procedure. Such discussions shall identify clearly the problem and consider its causes and possible solutions. The Appropriate Manager shall ensure that the member of staff is aware of the standards expected and shall consider whether any further support or action might be appropriate. Further action might include training, increased supervision, counseling, mentoring or changed working arrangements. Where the individual considers there are issues of discrimination, consideration shall be given to providing relevant supportive mentoring, for example by offering a female member of staff an appropriate female mentor.

*Throughout this procedure (subject to Ordinance 33 on removal from an additional post), if the Head of School/Divisional Head performance is causing concern, the matter will be dealt with by the dean or Registrar, as appropriate; if a dean’s performance is causing concern, the matter will be dealt with by the appropriate pro vice-chancellor; and if the Registrar’s or a pro vice-chancellor’s performance is causing concern, the matter will be dealt with by the Vice-Chancellor.
Where there is continuing concern after such informal discussion, the Appropriate Manager shall make a brief note of the discussion and confirm the main points in writing to the member of staff, including future expectations, timescales within which improvement is expected, and the potential consequences of a failure to improve, namely the possibility of formal action under Stage 1 of this procedure.

Where a member of staff’s health appears to be a contributory cause, the Appropriate Manager shall consider whether it would be appropriate to seek a medical opinion, in which case advice shall be sought from a human resources manager. Where an underlying medical condition is established as a reason for performance problems, it will normally be appropriate to take the matter forward under the Ill-Health Procedure.

4. Formal action
Stage 1
Where informal discussions have not led to improved performance, the Appropriate Manager, after consultation with a human resources manager, may consider taking formal action under Stage 1 of this procedure. Before any decision is taken to proceed with formal action under Stage 1, the Appropriate Manager shall where appropriate gather such further information as may be required, with advice from a human resources manager. The Appropriate Manager shall inform the member of staff that an investigation is taking place and shall normally interview the member of staff. Written statements may be obtained. If the Appropriate Manager decides that it is appropriate to consider giving the member of staff a Stage 1 notification of concern, the Appropriate Manager shall arrange a hearing. The Appropriate Manager shall inform the member of staff in writing at least seven working days in advance that there is to be a hearing. The letter shall include:

- a statement of the grounds that have led to a Stage 1 notification of concern being contemplated, including full details of the perceived inadequate performance;
- supporting information and evidence;
- the date, time and location of the hearing;
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- the fact that the hearing is taking place under Stage 1 of this procedure;
- the right of the member of staff to attend and to be accompanied by an adviser, friend, trade union or other representative; and
- a copy of this procedure.

At the hearing the Appropriate Manager shall interview the member of staff, who shall be given the opportunity to respond. A human resources manager shall normally attend the hearing. The Appropriate Manager may, for good reason, request another member of staff to attend the hearing. Individuals may attend to give relevant evidence. The Appropriate Manager shall ensure that a note is taken of the hearing. The note shall normally be taken by a human resources manager.

If, having considered the evidence, the Appropriate Manager is satisfied that a Stage 1 notification of concern is appropriate, the Appropriate Manager shall consider representations from the member of staff on the period during which improvement in performance is to be achieved, and the period, which may be longer, during which the notification of concern shall remain in force. The latter shall not normally be more than two years.

The Appropriate Manager shall inform the member of staff that a letter shall be sent within seven working days, giving a Stage 1 notification of concern under the procedure, and stating that the notification of concern will be in force for a given period from the date of the letter, after which it will be spent. The Appropriate Manager shall enclose a copy of the note of hearing, and shall set out in the letter:

- the basis for the finding;
- the improvement expected;
- the time during which this improvement must be achieved, with dates for review of performance, which shall be at least every three months;
- the period during which the notification of concern will remain in force, which, if there is concern about the member of staff’s
ability to sustain an improvement over time, may be longer than the period during which improvement must be achieved;

- any training or support which may be available, and the period for which it will be available the consequences of a failure to improve, which might include action under Stage 2 of this procedure and any of the outcomes under Stage 2;
- the member of staff's right to appeal against the outcome of action under Stage 1.

The member of staff shall be shown any report on his or her performance prepared during the period in which the Stage 1 notification of concern is current.

If, while the Stage 1 notification of concern is still in force, the required improvements under it have been made and sustained to the satisfaction of the Appropriate Manager, he or she may decide that the notification of concern should be treated as spent and shall confirm this decision to the member of staff in writing.

If, having considered the evidence, the Appropriate Manager is satisfied that a Stage 1 notification of concern is not appropriate, he or she shall so inform the member of staff and shall confirm this by letter within seven working days.

**Stage 2**

If the member of staff has not met the required improvements within the timescale set out under the Stage 1 notification of concern, or where performance deteriorates while the notification of concern is in force, the Appropriate Manager, after consultation with a human resources manager, may consider taking formal action under Stage 2 of this procedure. Before any decision is taken to proceed with formal action under Stage 2, the Appropriate Manager shall where appropriate gather such further information as may be required, with advice from a human resources manager. The Appropriate Manager shall inform the member of staff that an investigation is taking place and shall normally interview the member of staff. Written statements may be obtained.

If the Appropriate Manager decides that it is appropriate to consider giving the member of staff a Stage 2 warning, the Appropriate
Manager shall arrange a hearing. The Appropriate Manager shall inform the member of staff in writing at least seven working days in advance that there is to be a hearing. The letter shall include:

- a statement of the grounds that have led to a Stage 2 warning being contemplated, including full details of the perceived inadequate performance;
- supporting information and evidence;
- the date, time and location of the hearing;
- the fact that the hearing is taking place under Stage 2 of this procedure;
- the right of the member of staff to attend and to be accompanied by an adviser, friend, trade union or other representative; and
- a copy of this procedure.

At the hearing the Appropriate Manager shall interview the member of staff, who shall be given the opportunity to respond. A human resources manager shall normally attend the hearing. The Appropriate Manager may, for good reason, request another member of staff to attend the hearing. Individuals may attend to give relevant evidence. The Appropriate Manager shall ensure that a note is taken of the hearing. The note shall normally be taken by a human resources manager.

If, having considered the evidence, the Appropriate Manager is satisfied that a Stage 2 warning is appropriate, the Appropriate Manager shall consider representations from the member of staff on the period during which improvement in performance is to be achieved, and the period, which may be longer, during which the warning shall remain in force. The latter shall not normally be more than two years.

The Appropriate Manager shall inform the member of staff that a letter will be sent within seven working days, giving a Stage 2 warning under the procedure, and that the warning will be in force for a given period from the date of the letter, after which it will be spent. The Appropriate Manager shall enclose a copy of the note of hearing, and shall set out in the letter:
• the basis for the finding;
• the improvement expected;
• the time during which this improvement must be achieved, with
dates for review of performance, which shall be at least every
three months;
• the period during which the warning will remain in force, which,
if there is concern about the member of staff's ability to sustain
an improvement over time, may be longer than the period
during which improvement must be achieved;
• any training or support which may be available, and the period
for which it will be available;
• the consequences of a failure to improve, which might include
action under Stage 3 of this procedure and any of the outcomes
under Stage 3 including dismissal;
• the member of staff's right to appeal against the outcome of
action under Stage 2.

The member of staff shall be shown any report on his or her
performance prepared during the period in which the Stage 2 warning
is current.

If, while the Stage 2 warning is still in force, the required
improvements under it have been made and sustained to the
satisfaction of the Appropriate Manager, he or she may decide that
the warning should be treated as spent and shall confirm this decision
to the member of staff in writing.

If, having considered the evidence, the Appropriate Manager is
satisfied that a Stage 2 warning is not appropriate, he or she shall so
inform the member of staff and shall confirm this by letter within
seven working days.

Alternatively the Appropriate Manager may instead extend a Stage 1
notification of concern.

Stage 3
If the member of staff does not meet the required improvements
within the timescale set out under the Stage 2 warning, or where
performance deteriorates while the Stage 2 warning is in force, the
Appropriate Manager, after consultation with the Human Resources Director, may set out a case to be heard by a panel.

In the case of a member of staff to whom Statute 32 applies, the Vice-Chancellor shall appoint to the panel three members with no prior involvement in the case, including a lay member of Council in the chair, and also including a member of staff of the academic staff appointed by Senate. Where the case concerns a member of the clinical academic staff, who is required to engage in clinical work or activities and for that purpose to be registered with the General Medical or Dental Council or similar body and/or to have an honorary or substantive contract or status with a National Health Service trust or similar body, then the panel may include, in addition to its other members, an appropriate representative of the National Health Service, appointed by the Chief Executive of the Avon, Gloucestershire and Wiltshire Strategic Area Health Authority or successor body.

In the case of a member of staff to whom Statute 32 does not apply, the dean or head of division shall appoint to the panel three members who have no prior involvement in the case, nominating one of them as Chair.

The Human Resources Director shall act as secretary to the panel, to give advice and to assist the panel, and shall arrange for a note of the proceedings to be taken. The panel may seek independent legal advice.

The Human Resources Director shall appoint a member of the University staff or a lawyer to present the case against the member of staff. The Human Resources Director shall ask the case presenter to set out the case in writing and this shall be sent to the member of staff at least seven working days before the hearing. Copies of any written statements shall be sent to the member of staff at least seven working days before the hearing.

Subject to the provisions of this ordinance and representations made by the member of staff, the order of proceedings at the hearing shall be at the discretion of the panel (Human Resources will issue guidelines on procedure from time to time). The panel shall rely only
on written or oral evidence presented at the hearing. Normally evidence shall be given in person, by individuals who may be called by the case presenter, the member of staff or the panel. All such persons may be questioned by the case presenter, the member of staff or his or her representative, and members of the panel. The panel may accept a written statement in evidence where the member of staff agrees that the author of the statement need not attend, or where it is impracticable for him or her to attend, or where in the opinion of the panel it is for some other reason in the interests of justice to do so. The panel may ask for additional enquiries to be undertaken, and may call for additional persons to attend.

While every effort will be made to ensure that the member of staff is not rushed in the presentation of his or her case, the panel may impose reasonable time limits on oral addresses and submissions. The panel shall refuse to admit evidence that is, in its opinion, irrelevant to the issues raised. The panel shall have power to adjourn a hearing to another date. The panel shall ensure that the proceedings are dealt with expeditiously. It may set time limits for each stage of the proceedings, and may dismiss the case if there are undue delays by the University in taking the matter forward.

The panel shall find against a member of staff only if, on the evidence before it, it is satisfied that the case is proved. Normally a unanimous verdict will be expected, but if, exceptionally, the members of the panel cannot agree, the verdict of the panel shall be that of the majority of its members. The panel shall give a reasoned decision in writing, which shall be sent to the member of staff.

The Vice-Chancellor, having consulted the Chair of the Personnel and Health and Safety Committee, has the power for good reason to suspend the activity of the panel, to stop the proceedings against the member of staff, or to require the proceedings or any stage of the proceedings to be concluded by a given date.

Sanctions
Sanctions normally open to the panel are as follows:

- If the panel believes that some improvement has been achieved and that the required improvement can be achieved within a
reasonable period, the panel may issue a Stage 2 warning. If a Stage 2 warning is given, the period during which it will remain active shall be determined at the time of the hearing and shall be notified in writing to the member of staff and in exceptional circumstances this period may exceed two years.

- As an agreed alternative to dismissal, the member of staff may be redeployed to a post with a lower grade and salary.
- The member of staff may be dismissed with notice by the Human Resources Director.

If, having considered the evidence, the panel is satisfied that no action is appropriate, it shall so inform the member of staff and shall confirm this by letter.

5. General

**Trade union representatives**

When formal proceedings under this procedure are contemplated against an accredited representative of a trade union recognised by the University, the Human Resources Director shall inform the Branch Chair, Secretary or full-time official of the Union of the circumstances before the hearing.

**Academic freedom**

Where members of staff are involved in teaching or research, whether or not they are covered by Statute 32, the University shall safeguard their freedom within the law to question and test received wisdom and to put forward new ideas and controversial or unpopular opinions, without suffering any detriment.

**Notifications of concern and warnings**

Where a member of staff transfers to a new post within the University, any current notification of concern or warning will remain in force and the head of the school/division to which the member of staff is transferring will have been advised of this. Appropriate Managers shall refer to the University's Staff Handbook or Recruitment Guide for advice on references.

A notification of concern or warning that is spent shall normally be disregarded if action is taken under this procedure. After a notification of concern or warning is spent, any notes and correspondence
relating to it shall be destroyed, except for one copy which shall be held on the central personnel file, clearly marked as spent.

**Clinical academic staff**
Action may be taken under this procedure against a member of the clinical academic staff, whether on a substantive or an honorary contract, who is required to engage in clinical work or activities, and for that purpose to be registered with the General Medical or Dental Council or similar body and/or to have an honorary or substantive contract or status with an NHS trust or similar body, in respect of performance issues arising in connection with his or her NHS work or activities, as if the work or activities were performed in and for the University.

**Other procedures**
If a case is in progress under this ordinance and it emerges that the member of staff’s performance may have been wholly or partly attributable either to a medical condition or is considered to include or amount to misconduct, the case shall usually be transferred to be dealt with under another appropriate procedure. Where it is unclear which procedure is the most appropriate, the University shall decide which procedure to adopt, subject to representations made by the member of staff or his or her representative.

**Deferral**
The University may, but is not obliged to, defer action under this procedure pending the outcome of relevant action taken outside the University, for example against a member of the clinical academic staff who is required to engage in clinical work or activities, and for that purpose to be registered with the General Medical or Dental Council or similar body and/or to have an honorary or substantive contract or status with an NHS trust or similar body, in respect of performance issues arising in connection with his or her clinical work or activities.

**6. Appeals**
All appeals must be made in writing to the University Secretary within twenty working days of the date when the letter confirming the decision appealed against was sent. The appeal letter shall set out clearly the general grounds on which the appeal is based. A member
of staff shall not normally be permitted to raise grounds at the appeal hearing if these were not raised in the original written appeal submission. An appeal may be made under this procedure after a member of staff has left the University following dismissal, however appeal proceedings may be suspended pending the outcome of an employment tribunal application.

**Appeals against notifications of concern and warnings**

Appeals under this procedure against notifications of concern and warnings shall be heard by the dean of faculty or Registrar, unless the original decision was taken by the dean or Registrar, in which case the appeal shall be heard by a pro vice-chancellor. Where the original decision was taken by a pro vice-chancellor or the Vice-Chancellor, the appeal shall be heard by a senior member of staff appointed by the Vice-Chancellor. The decision shall be final.

The person hearing the appeal shall be advised by the Human Resources Director. The member of staff may present his or her case in person or in writing, and may be represented by an adviser, friend, trade union or other representative. There shall be no entitlement to a rehearing of the case. Grounds for appeal include (1) new evidence which could not reasonably have been presented at the hearing at which the original decision was taken, (2) that the original hearing was not conducted fairly, or (3) that the original decision was unreasonable in the light of the findings of fact. In the first case, the person hearing the appeal may remit the matter back for reconsideration. In the second and third cases, the person hearing the appeal shall overturn the original decision if he or she considers it just to do so.

**Appeals against other decisions**

Appeals against a decision other than a notification of concern or warning shall take the form of a review. There shall be no entitlement to a rehearing of the case and witnesses may be called only with the appeal Committee’s permission. Grounds for appeal include (1) new evidence which could not reasonably have been presented at the hearing at which the original decision was taken, (2) that the original hearing was not conducted fairly, or (3) that the original decision was unreasonable in the light of the findings of fact. The committee shall overturn the original decision if it considers it just to do so.
Council shall appoint a committee of three to consider the appeal, none of whom shall have had any prior involvement in the case. The committee shall include a lay member of Council as Chair, and, in the case of members of staff to whom Statute 32 applies, a member of the academic staff appointed by Senate. In addition in the case of members of staff to whom Statute 32 applies, the member of staff may request that an independent person from outside the University with relevant experience should sit as a fourth member of the committee. Where the appeal is made by a member of the clinical academic staff, who is required to engage in clinical work or activities and for that purpose to be registered with the General Medical or Dental Council or similar body and/or to have an honorary or substantive contract or status with a National Health Service trust or similar body, then the committee may include, in addition to its other members, an appropriate representative of the National Health Service, appointed by the Chief Executive of the Avon, Gloucestershire and Wiltshire Strategic Area Health Authority or successor body.

The University Secretary shall act as secretary to the appeal committee. The procedure shall be determined by the committee (Guidelines on procedure shall be issued from time to time). The member of staff may present the appeal in person, attend hearings and be represented by an adviser, friend, trade union or other representative. The University may be represented by a member of staff or lawyer. The committee may adjourn hearings, set time limits for stages of the proceedings, correct accidental errors and dismiss an appeal if there are undue delays in taking the matter forward. Every effort will be made to deal with the matter expeditiously. The committee shall give a reasoned decision in writing, which shall be sent to the member of staff and to Council.

Any dismissal under this procedure shall remain in force pending the outcome of an appeal. If the decision to dismiss is overturned, continuity of employment shall be restored.
## Appendix 1
### Summary of Action

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*2 July 2010*
Ordinance 30

Procedure for Dismissal for Some Other Substantial Reason

1. Introduction
This procedure is designed to be used where it is believed that a member of staff should be dismissed and where the circumstances fall outside redundancy, conduct, capability or performance, ill-health, termination of a fixed-term contract, termination of employment during an initial service review period, or dismissal of a member of the clinical academic staff arising from the loss of registration, contract or status necessary for adequate performance in post.

Such a dismissal must be for some other substantial reason of a kind such as to justify the dismissal of an employee holding the position which the employee held or because "the employee could not continue to work in the position which he held without contravention (either on his part or on that of his employer) of a duty or restriction imposed by or under an enactment" (Section 98 of the Employment Rights Act 1996).

2. Procedural issues
University Postholders and Appropriate Managers
For staff reporting within the academic school/faculty structure, references to Appropriate Manager shall usually be construed as referring to either the Head of School or School/Faculty Manager, but may in appropriate cases refer to a head of department or head of discipline. In support process areas, references to Appropriate Manager shall usually refer to either the Divisional Head, or in larger areas, other postholders within the line management structure as appropriate.

In this procedure, unless the context indicates otherwise, references to University postholders and Appropriate Managers shall be construed to refer either to the postholder or the Appropriate Manager or to an appropriate member of staff nominated by him or her to act with full authority on his or her behalf.

Confidentiality
Throughout any proceedings taken under this procedure, the University shall seek to ensure that a high standard of confidentiality is maintained, before and after the hearing as well as in relation to the hearing itself. Care
shall be taken not to undermine the position of the member of staff concerned in relation to his or her colleagues. Investigations shall be undertaken with discretion. Where necessary to ensure confidentiality, administrative support shall be provided by Human Resources. Wherever practicable, hearings shall be held away from the member of staff’s normal place of work. None of this shall preclude information about the outcome being given to any person where this is appropriate.

**Attendance at hearings**
A member of staff who is subject to proceedings under this ordinance has the right to attend hearings and to be represented by an adviser, friend, trade union or other representative. If the member of staff is for good reason unable to attend a formal hearing, the hearing shall be adjourned to a suitable alternative date within a reasonable time. However if there are reasonable grounds to believe that the member of staff is refusing or failing to attend a hearing without good cause, the member of staff will be informed that a further hearing is being arranged. On that further occasion the University may proceed in the absence of the member of staff, unless satisfied that there are good grounds for his or her non-attendance. Any submission concerning non-attendance made by the member of staff in writing, or by his or her representative in person or in writing, shall be considered before any decision is taken to hear the matter in his or her absence. If the hearing proceeds in the member of staff’s absence, any submission made about the capability and performance by the member of staff in writing, or by his or her representative in person or in writing, shall be considered at the hearing.

**3. Formal action**
Where, with the approval of the Vice-Chancellor, the Human Resources Director is of the view that a member of staff should be dismissed for some other substantial reason, a panel shall be appointed to consider whether the member of staff should be dismissed.

In the case of a member of staff to whom Statute 32 applies, the Vice-Chancellor shall appoint to the panel three members with no prior involvement in the case, including a lay member of Council in the chair and a member of the academic staff appointed by Senate. Where the case concerns a member of the clinical academic staff, who is required to engage in clinical work or activities and for that purpose to be registered with the General Medical or Dental Council or similar body and/or to have
an honorary or substantive contract or status with a National Health Service trust or similar body, then the panel may include, in addition to its other members, an appropriate representative of the National Health Service, appointed by the Chief Executive of the Avon, Gloucestershire and Wiltshire Strategic Area Health Authority or successor body.

In the case of a member of staff to whom Statute 32 does not apply, the dean or head of division shall appoint to the panel three members who have had no prior involvement in the case, nominating one of them as Chair.

The Deputy Secretary shall act as secretary to the panel, to give advice and to assist the panel, and shall arrange for a note of the proceedings to be taken. The panel may seek independent legal advice.

The Deputy Secretary shall appoint a member of the University staff or a lawyer to present the case against the member of staff. The Deputy Secretary shall ask the case presenter to set out the case in writing and this shall be sent to the member of staff at least seven working days before the hearing. Copies of any written witness statements shall be sent to the member of staff at least seven working days before the hearing.

Subject to the provisions of this ordinance and representations made by the member of staff, the order of proceedings at the hearing shall be at the discretion of the panel (Guidelines on procedure shall be issued from time to time). The panel shall rely only on written or oral evidence presented at the hearing. Normally evidence shall be given in person, by individuals who may be called by the case presenter, the member of staff or the panel. All such persons may be questioned by the case presenter, the member of staff or his or her representative, and members of the panel. The panel may accept a written statement in evidence where the member of staff agrees that the author of the statement need not attend, or where it is impracticable for him or her to attend, or where in the opinion of the panel it is for some other reason in the interests of justice to do so. The panel may ask for additional enquiries to be undertaken, and may call for additional persons to attend.

While every effort will be made to ensure that the member of staff is not rushed in the presentation of his or her case, the panel may impose reasonable time limits on oral addresses and submissions. The panel shall
refuse to admit evidence that is, in its opinion, irrelevant to the issues raised. The panel shall have power to adjourn a hearing to another date. The panel shall ensure that the proceedings are dealt with expeditiously. It may set time limits for each stage of the proceedings, and may dismiss the case if there are undue delays by the University in taking the matter forward.

The panel may recommend to the Vice-Chancellor that no action is appropriate or that the member of staff should be dismissed with notice by the Human Resources Director. The panel shall find against a member of staff only if, on the evidence before it, it is satisfied that the case is proved. Normally a unanimous verdict will be expected, but if, exceptionally, the members of the panel cannot agree, the verdict of the panel shall be that of the majority of its members. The panel shall give a reasoned decision in writing, which shall be sent to the member of staff. The Vice-Chancellor, having consulted the Chair of the Personnel and Health and Safety Committee, has the power for good reason to suspend the activity of the panel, to stop the proceedings against the member of staff, or to require the proceedings or any stage of the proceedings to be concluded by a given date.

4. General

Trade union representatives
When formal proceedings are contemplated against an accredited representative of a trade union recognised by the University, the Human Resources Director will inform the Branch Chair, Secretary or full-time official of the Union of the circumstances before the hearing.

Academic freedom
Where members of staff are involved in teaching or research, whether or not they are covered by Statute 32, the University will safeguard their freedom within the law to question and test received wisdom and to put forward new ideas and controversial or unpopular opinions, without suffering any detriment.

Clinical academic staff
Action may be taken under this procedure against a member of the clinical academic staff, whether on a substantive or an honorary contract, who is required to engage in clinical work or activities, and for that purpose to be registered with the General Medical or Dental Council or similar body.
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and/or to have an honorary or substantive contract or status with an NHS trust or similar body, in respect of issues arising in connection with his or her NHS work or activities, as if the work or activities were performed in and for the University.

5. Appeals
All appeals must be made in writing to the University Secretary within twenty working days of the date when the letter confirming the decision appealed against was sent. The appeal letter shall set out clearly the general grounds on which the appeal is based. A member of staff shall not normally be permitted to raise grounds at the appeal hearing if these were not raised in the original written appeal submission. An appeal may be made under this procedure after a member of staff has left the University following dismissal, however appeal proceedings may be suspended pending the outcome of an employment tribunal application.

Appeals shall take the form of a review. There shall be no entitlement to a rehearing of the case and witnesses may be called only with the appeal committee’s permission. Grounds for appeal include (1) new evidence which could not reasonably have been presented at the hearing at which the original decision was taken (2) that the original hearing was not conducted fairly or (3) that the original decision was unreasonable in the light of the findings of fact. The committee shall overturn the original decision if it considers it just to do so.

Council shall appoint a committee of three to consider the appeal, none of whom shall have had any prior involvement in the case. The committee shall include a lay member of Council as Chair, and, in the case of members of staff to whom Statute 32 applies, a member of the academic staff appointed by Senate. In addition in the case of members of staff to whom Statute 32 applies, the member of staff may request that an independent person from outside the University with relevant experience should sit as a fourth member of the committee. Where the appeal is made by a member of the clinical academic staff, who is required to engage in clinical work or activities and for that purpose to be registered with the General Medical or Dental Council or similar body and/or to have an honorary or substantive contract or status with a National Health Service trust or similar body, then the committee may include, in addition to its other members, an appropriate representative of the National Health
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Service, appointed by the Chief Executive of the Avon, Gloucestershire and Wiltshire Strategic Area Health Authority or successor body.

The University Secretary shall act as secretary to the appeal committee. The procedure shall be determined by the committee (Guidelines on procedure shall be issued from time to time). The member of staff may present the appeal in person, attend hearings and be represented by an adviser, friend, trade union or other representative. The University may be represented by a member of staff or lawyer. The committee may adjourn hearings, set time limits for stages of the proceedings, correct accidental errors and dismiss an appeal if there are undue delays in taking the matter forward. Every effort will be made to deal with the matter expeditiously. The committee shall give a reasoned decision in writing, which shall be sent to the member of staff and to Council.

Any dismissal under this procedure shall remain in force pending the outcome of an appeal. If the decision to dismiss is overturned, continuity of employment shall be restored.

2 July 2010

Ordinance 31

Ill health procedure for members of staff

1. Introduction
The University wishes to treat sympathetically and sensitively those members of staff with serious or long-term illness. This procedure is only designed to deal with situations where a member of staff may be unable to perform his or her job satisfactorily, owing to persistent or serious ongoing or underlying physical or mental health problems, for example in the case of:

a) long term sickness absence;
b) frequent intermittent sickness absence, which is found to be attributable to an underlying medical condition;
c) sustained difficulty in fulfilling the required standards of a role due to an underlying medical condition, although the member of staff is not absent from work.
Frequent intermittent sickness absence not attributable to an underlying medical condition may be more appropriately dealt with under the University’s capability and performance procedure.

2. Procedural issues

2.1 University Postholders and Appropriate Managers
For staff reporting within the academic school/faculty structure, references to Appropriate Manager shall usually be construed as referring to either the Head of School or School/Faculty Manager, but may in appropriate cases refer to a head of department or head of discipline. In support process areas, references to Appropriate Manager shall usually refer to either the Divisional Head, or in larger areas, other postholders within the line management structure as appropriate.

In this procedure, unless the context indicates otherwise, references to University postholders and Appropriate Managers shall be construed to refer either to the postholder or the Appropriate Manager or to an appropriate member of staff nominated by him or her to act with full authority on his or her behalf.

2.2 Confidentiality
Throughout any proceedings taken under this procedure, the University shall seek to ensure that a high standard of confidentiality is maintained, before and after the hearing as well as in relation to the hearing itself. Care shall be taken not to undermine the position of the member of staff concerned in relation to his or her colleagues. Investigations shall be undertaken with discretion. Where necessary to ensure confidentiality, administrative support shall be provided by Human Resources. Wherever practicable, hearings shall be held away from the member of staff’s normal place of work. However none of this shall preclude information about the outcome being given to any person where this is appropriate, and the University shall disclose information:

a) to those who need to know in order to discharge their responsibilities;
b) where disclosure is necessary in the interests of health and safety at work or the welfare of other staff, students or the public;
c) where disclosure is required by law.
2.3 Attendance at hearings
A member of staff who is subject to proceedings under this ordinance has the right to attend hearings and to be represented by an adviser, friend, trade union or other representative. If the member of staff is for good reason unable to attend a formal hearing, the hearing shall be adjourned to a suitable alternative date within a reasonable time. However if there are reasonable grounds to believe that the member of staff is refusing or failing to attend a hearing without good cause, the member of staff will be informed that a further hearing is being arranged. On that further occasion the University may proceed in the absence of the member of staff, unless satisfied that there are good grounds for his or her non-attendance. Any submission concerning non-attendance made by the member of staff in writing, or by his or her representative in person or in writing, shall be considered before any decision is taken to hear the matter in his or her absence. If the hearing proceeds in the member of staff’s absence, any submission made about the capability and performance by the member of staff in writing, or by his or her representative in person or in writing, shall be considered at the hearing.

3. Investigation
3.1 Early discussion
Support provided in the early days of an illness may assist a member of staff to return to work or to full duties. Where the member of staff is absent from work through ill-health, both the Appropriate Manager and the member of staff have a duty to maintain contact with one another. Appropriate action will depend on the nature of the illness and the circumstances of the case. Normally after the member of staff has been absent from work for six weeks, the Appropriate Manager, together with a human resources manager, will review the case and determine what action should be taken. This may include a request to visit the member of staff at home for a meeting. The purpose of the meeting is to gain a clearer understanding of the situation and establish whether the member of staff needs help, support or assistance from the University. The meeting will also provide the member of staff with an opportunity to discuss any concerns or questions he or she may have.

The member of staff may be accompanied at the meeting by an adviser, friend, trade union or other representative. Following the meeting, a decision shall be made to review the situation at a later date, seek further
medical advice, or obtain advice from the University’s Occupational Health Service.

3.2 Suspension
The University may have reasonable grounds to believe that continuation at work by a member of staff will pose a risk to the health and safety of the member of staff or others. In these circumstances, the Vice-Chancellor may suspend the member of staff on full pay, requiring him or her to stay away from work pending medical advice. The decision to suspend the member of staff shall be confirmed in writing by the Human Resources Director. Written reasons for the decision shall be recorded and made available to the member of staff. A member of staff who is suspended is prohibited from entering University premises and from participating in University activities. Partial suspension may be employed, allowing the member of staff to engage in some only of his or her normal duties. The suspension shall not be classified as sick leave, and the member of staff shall not be required to produce medical certificates during the period of suspension.

Wherever possible, when suspension of a member of staff is being considered, the member of staff will be interviewed and invited to make representations before any suspension order is made. He or she will be entitled to be accompanied at any such interview by an adviser, friend, trade union or other representative. A member of staff who has been suspended may make representations to the Vice-Chancellor concerning the suspension as soon as is reasonably practicable. The representations may be made in person or in writing, as the member of staff chooses, and may be put forward by the member of staff or his or her adviser, friend, trade union or other representative. A decision to suspend a member of staff shall be subject to review at the request of the member of staff after four weeks. Such a review shall not involve a hearing, but the member of staff, either personally or through an adviser, friend, trade union or other representative, shall be entitled to make written representations.

The review shall be conducted by the Vice-Chancellor. In addition to the initial review, the Vice-Chancellor shall review the suspension on receipt of evidence of altered circumstances which affect the original decision. Where the Vice-Chancellor appoints a nominee, the same person may deal with the original suspension and any subsequent representations.
3.3 Medical advice
Where there are concerns about the health of a member of staff, the University may ask for consent to obtain a written report from the member of staff’s general practitioner or consultant, or to refer the member of staff to the University’s Occupational Health Adviser. This shall be arranged by Human Resources. The purpose is to obtain medical evidence and advice on issues such as:

a) the nature and extent of the health problems;
b) timescales for recovery;
c) whether there are contributory factors of which the University should be aware, whether or not work-related;
d) advice as to how the University might help towards an early return to work or to adequate performance;
e) whether there are likely to be any longer term effects that might require work adjustments;
f) whether there is anything the University should do to help prevent a future recurrence of illness;
g) whether ill health retirement might be considered.

On receipt of the medical report or reports, the human resources manager shall discuss with the member of staff and his or her Appropriate Manager the advice received. The human resources manager shall also discuss any adjustments which might be made to the member of staff’s job, taking account of the requirements of disability legislation. If a member of staff remains absent from work, he or she shall still need to maintain contact with his or her Appropriate Manager and continue to provide medical certificates.

4. Return to work
4.1 Adjustments
In many cases a member of staff will recover sufficiently to be able to return to full contractual duties. However in some circumstances temporary or permanent adjustments may be made to facilitate his or her return. These may include:

a) changes to working practices or patterns;
b) a restriction on duties or changes in the way in which work is carried out;
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c) provision of equipment;
d) changes in working hours.

4.2 Phased return to work
Sometimes a phased return to work may be indicated, particularly where the member of staff has been absent for a considerable period of time. Such arrangements shall normally only be put in place on medical advice and where the arrangements have been discussed and agreed beforehand between the member of staff and Appropriate Manager. A reduction in hours is not a permanent right, and shall be subject to ongoing negotiation with the Appropriate Manager. In such circumstances, the member of staff shall receive the normal full rate of pay for a maximum period of two months. If the arrangement needs to be extended beyond two months, the member of staff’s contractual hours of work and salary shall be adjusted accordingly, save that the member of staff’s salary shall not be reduced below that which he or she would have received had he or she remained away from work.

4.3 Redeployment
Where medical evidence indicates that it is unlikely that the member of staff will be able to return to his or her current role within a reasonable period of time, it may be possible to consider re-deployment to an alternative role (under the University’s Guidance for Managers for the Consideration for the Redeployment of Staff).

5. Termination of employment
5.1 Ill-health early retirement
Where the member of staff is a member of a pension scheme and has indicated a wish to pursue ill health retirement, Human Resources shall arrange for an application to be made to the scheme.

5.2 Consideration of dismissal
Where adjustments, re-deployment or ill-health early retirement are not viable options, the Human Resources Director shall write to the member of staff to the effect that his or her employment may be terminated on the grounds of incapability through ill health. This will be considered only as a last resort. The absence of medical diagnosis does not prevent dismissal. Under the Access to Medical Reports Act 1988 (as amended), members of staff have the right not to disclose their medical reports. In such cases, the member of staff shall be advised that in the absence of medical evidence,
his or her further employment shall be assessed on the information available.

5.3 Termination by mutual agreement
Where the Appropriate Manager and human resources manager consider that the circumstances may justify termination of the contract on the grounds of ill health, this shall be discussed with the member of staff. Where there is mutual agreement that termination of the contract is the most appropriate solution, the Human Resources Director shall write to the member of staff confirming this. Where a member of staff's employment is terminated, this shall be with contractual or statutory notice, whichever is greater, during which time the member of staff shall receive full pay.

5.4 Referral to a panel
Where the member of staff does not agree that the circumstances justify termination of his or her contract on the grounds of ill health, then the matter shall be referred to a panel.

6. Panel
6.1 Membership of the panel
In the case of a member of staff to whom Statute 32 applies, the Vice-Chancellor shall appoint to the panel three members with no prior involvement in the case, including a lay member of Council in the chair, and a member of the academic staff appointed by Senate. At least one member of the panel shall be medically qualified. Where the case concerns a member of the clinical academic staff, who is required to engage in clinical work or activities and for that purpose to be registered with the General Medical or Dental Council or similar body and/or to have an honorary or substantive contract or status with a National Health Service trust or similar body, then the panel may include, in addition to its other members, an appropriate representative of the National Health Service, appointed by the Chief Executive of the Avon, Gloucestershire and Wiltshire Strategic Area Health Authority or successor body. In the case of a member of staff to whom Statute 32 does not apply, the dean or head of division shall appoint to the panel three members who have no prior involvement in the case, at least one of whom shall be from outside the school or division, nominating one of them as Chair. At least one member of the panel shall be medically qualified.
6.2 Procedure
The Human Resources Director shall act as secretary to the panel, to give advice and to assist the panel, and shall arrange for a note of the proceedings to be taken. The panel may seek independent legal advice. The University shall normally be represented by the relevant human resources manager and Appropriate Manager. At least seven working days before the hearing the Human Resources Director shall circulate the relevant documentation to the panel, the member of staff and the Appropriate Manager, including representations from the member of staff, witness statements and medical evidence. Subject to the provisions of this ordinance, and to representations made by the member of staff, the order of proceedings at the hearing shall be at the discretion of the panel (Human Resources will issue guidelines on procedure from time to time).

The panel shall rely only on written or oral evidence presented at the hearing. Normally evidence shall be given by witnesses appearing in person, who may be called by the University, the member of staff or the panel. All such witnesses may be questioned by the University representative, the member of staff or his or her representative, and members of the panel. The panel may accept a written statement in evidence where the member of staff agrees that the author of the statement need not attend, or where it is impracticable for him or her to attend, or where in the opinion of the panel it is for some other reason in the interests of justice to do so.

The panel may ask for additional enquiries to be undertaken, further medical evidence to be obtained, and may call for additional persons to attend. The individual will be invited to produce further medical evidence should they so wish. While every effort will be made to ensure that the member of staff is not rushed in the presentation of his or her case, the panel may impose reasonable time limits on oral addresses and submissions. The panel shall refuse to admit evidence that is, in its opinion, irrelevant to the issues raised. The panel shall have power to adjourn a hearing to another date. The panel shall ensure that the proceedings are dealt with expeditiously. It may set time limits for each stage of the proceedings, and may specify dates by which any stage of the proceedings must be completed. The panel shall decide whether or not to terminate the employment of the member of staff. Normally a unanimous verdict will be expected, but if, exceptionally, the members of the panel cannot agree, the verdict of the panel shall be that of the majority of its members. In making
its decision it shall take into account factors which may include all or any of
the following:

a) the length and frequency of absences to date;
b) the likelihood of an improvement in the member of staff’s health
and subsequent ability within a reasonable period of time to return to
work or satisfactorily to carry out contractual duties;
c) the nature of the member of staff’s job and the likely impact of the
illness on that role;
d) the effect of past and likely future absences on the organisation
and other colleagues;
e) the University’s ability to provide continuing cover for the member
of staff’s absence;
f) whether there are any reasonable adjustments that could be made
to facilitate a return to work or to full contracted duties;
g) the availability of suitable alternative work;
h) efforts already made to rehabilitate or make adjustments.

If the panel decides not to terminate the member of staff’s employment, in
the light of any medical advice it may make recommendations for
consideration by the Appropriate Manager and Human Resources for
reasonable adjustments to working arrangements. Alternatively, where the
medical advice suggests that the member of staff’s return to work is likely
to be imminent, it may postpone a decision for a period not exceeding three
months.

The panel shall give a reasoned decision in writing, which shall be sent to
the member of staff. Where a member of staff’s employment is terminated,
this shall be with contractual or statutory notice, whichever is greater, and
the notice period shall attract full pay. The Human Resources Director shall
notify the member of staff of the decision within seven working days. The
Vice-Chancellor, having consulted the Chair of the Personnel and Health
and Safety Committee, has the power for good reason to suspend the
activity of the panel, to stop the proceedings against the member of staff, or
to require the proceedings or any stage of the proceedings to be concluded
by a given date.

7 Appeal to Council
All appeals must be made in writing to the University Secretary within
twenty working days of the date when the letter confirming the decision
appealed against was sent. The appeal letter shall set out clearly the
general grounds on which the appeal is based. A member of staff shall not
normally be permitted to raise grounds at the appeal hearing if these were
not raised in the original written appeal submission. An appeal may be
made under this procedure after a member of staff has left the University
following dismissal, however appeal proceedings may be suspended
pending the outcome of an employment tribunal application. Appeals shall
take the form of a review. There shall be no entitlement to a rehearing of
the case and witnesses may be called only with the appeal Committee’s
permission. Grounds for appeal include (1) new evidence which could not
reasonably have been presented at the hearing at which the original
decision was taken, (2) that the original hearing was not conducted fairly, or
(3) that the original decision was unreasonable in the light of the findings of
fact. The committee shall overturn the original decision if it considers it just
to do so.

Council shall appoint a committee of three to consider the appeal, none of
whom shall have had any prior involvement in the case. The committee
shall include a lay member of Council as Chair, and, in the case of
members of staff to whom Statute 32 applies, a member of the academic
staff appointed by Senate. At least one member of the panel shall be
medically qualified. In the case of members of staff to whom Statute 32
does not apply, the committee will include a member of the support staff
appointed by Council. Where the appeal is made by a member of the
clinical academic staff, who is required to engage in clinical work or
activities and for that purpose to be registered with the General Medical or
Dental Council or similar body and/or to have an honorary or substantive
contract or status with a National Health Service trust or similar body, then
the committee may include, in addition to its other members, an appropriate
medically qualified representative of the National Health Service, appointed
by the Chief Executive of the Avon, Gloucestershire and Wiltshire Strategic
Area Health Authority or successor body.

The University Secretary shall act as secretary to the appeal committee.
The procedure shall be determined by the committee (Guidelines on
procedure shall be issued from time to time). The member of staff may
present the appeal in person, attend hearings and be represented by an
adviser, friend, trade union or other representative. The University may be
represented by a member of staff or lawyer. The committee may adjourn
hearings, set time limits for stages of the proceedings, correct accidental
errors and dismiss an appeal if there are undue delays in taking the matter forward. Every effort will be made to deal with the matter expeditiously. The committee shall have power to reach a final decision on the matter, or it may decide to remit the matter for further consideration by the original panel. In either case, the committee shall give a reasoned decision in writing, which shall be sent to the member of staff and to Council. Any dismissal under this procedure shall remain in force pending the outcome of an appeal. If the decision to dismiss is overturned, continuity of employment shall be restored.

2 July 2010
Ordinance 32 (This Ordinance is currently being revised. It will be updated during the 2012/13 academic session)

Staff Grievance Procedure

1. General
   In this procedure, the term “complaint” is used for a matter of concern brought forward by a member of staff, and "grievance" for a complaint that is raised under section 6, below.

   The aim of the procedure is to settle or redress individual complaints or grievances promptly and fairly, by methods acceptable to all the parties involved. The procedure applies to complaints and grievances brought by members of staff concerning their employment, which relate to themselves as individuals or their personal dealings or relationships with other staff of the University. However the procedure does not apply to complaints, grievances or appeals where other procedures are already in place, for example those brought in relation to conduct, redundancy, dismissals for reasons of capability or ill-health, or academic promotion. Nor may this procedure be used to deal with disputes between the University and the trade unions, or to negotiate changes in collective terms and conditions of employment. Members of staff should also be aware of the University’s separate Public Interest Disclosure Policy, set out in the Staff Handbook.

   Consideration of a complaint or grievance under this procedure may be deferred, if other relevant proceedings concerning the individual are pending or in progress. Members of staff may request that common grievances be dealt with together. If members of staff bring grievances jointly with students, the procedure used shall be the staff grievance procedure.

   In this procedure, unless the context indicates otherwise, references to University postholders and heads of department shall be construed to refer either to the postholder or head of department, or to an appropriate member of staff nominated by him or her to act with full authority on his or her behalf. References to heads of department include heads of support departments.
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2. Dignity at work
The University has policies on dignity at work and study, and equal opportunities. The University will not tolerate harassment, bullying or victimisation in the workplace and will take steps to protect staff and students. Leaflets giving information and guidance are available from departments and Human Resources.

3. Those against whom a grievance lies
Anyone against whom a grievance is brought has the right to attend a hearing under this procedure, to put his or her case, and to be accompanied by an adviser, friend, trade union or other representative. There is no obligation on such persons to attend, but if they give no good reason, inferences may be drawn from their absence.

4. Confidentiality
If information relating to a complaint or grievance is to be kept confidential, the member of staff should make this clear to the person to whom the complaint or grievance is brought. In exceptional circumstances it may be difficult for confidentiality to be respected, for instance where a possible criminal offence has been disclosed. Members of staff should also understand that in some circumstances their demand for confidentiality may make it difficult for the University to deal with the matters raised. If confidentiality is a problem, members of staff are advised to discuss this with their human resources manager or with the Staff Mediation Officer.

5. Informal resolution and mediation
Unless there are good reasons not to do so, initially a member of staff bringing forward a complaint should attempt to deal with the matter on an informal basis within the department or through the Staff Mediation Officer.

Before using the grievance procedure set out below, or, with the consent of all parties to the grievance, at any stage in the procedure, a member of staff may bring a complaint or grievance to the Staff Mediation Officer. Where mediation is appropriate, the Staff Mediation Officer will refer the case to one of the University’s staff mediators, who are members of staff experienced in dealing with staff problems and trained in mediation.

The mediator’s task is to attempt to help the member of staff and others involved together to find a resolution to the problem. After referral by the Staff Mediation Officer, the mediator will contact the other persons involved
and attempt to help all those involved to resolve their difficulties or disagreements. The mediator will act promptly. The process is confidential (subject to some rare exceptions, for example where a matter is disclosed relating to health and safety which may be putting members of staff at risk). Further information about the process can be obtained from the Staff Mediation Officer.

If the matter is resolved, the mediator may put any agreement between the parties in writing for their benefit. If the matter remains unresolved, the mediator will refer the matter back to the Staff Mediation Officer, who will notify the parties of any other avenues that might be explored.

The Staff Mediation Officer and mediators will encourage good practice in the University and will present an annual report to the University Planning and Resources Committee, Personnel and Health and Safety Committee, Senate and Council.

6. Grievance procedure
   6.1 Stage 1
   Where informal approaches have failed or are inappropriate, the member of staff may write to the head of department, setting out the nature of the grievance, the allegations on which it is based and the remedy sought. If the grievance concerns the head of department, the member of staff may write to the dean of faculty or Registrar, as appropriate. If the grievance concerns the dean, the Registrar or a Pro Vice-Chancellor, the member of staff should write to the Vice-Chancellor. If the grievance concerns the Vice-Chancellor, the member of staff should write to the Chair of Council through the University Secretary.

   On receipt of the letter setting out the grievance, the relevant postholder shall consider whether it deals with matters which should be investigated by the University under other procedures.

   Where the relevant postholder decides that this should happen, the appropriate steps will be set in train and no further action will be taken on the grievance until that investigation has been completed. Where the relevant postholder decides that no such issues arise, or where the member of staff is not satisfied with the outcome of such an investigation, a meeting will be arranged to hear the grievance. This will be attended by a human resources manager. Both the member of staff raising the grievance
ORDINANCES

and any person against whom the grievance lies may be present at the meeting and may be accompanied by an adviser, friend, trade union or other representative. Witnesses may attend and give evidence. The written statement of grievance and any written evidence adduced shall be circulated to all parties at least seven working days before the meeting, and the postholder shall allow proper time for consideration and response. The postholder shall ensure that the matter is dealt with promptly, and that a note is taken of the meeting. The postholder shall attempt to resolve the grievance and shall inform the member of staff and any person against whom the grievance lies in writing of the outcome within seven working days.

6.2 Stage 2
If the grievance has not been resolved under Stage 1, the member of staff may bring the grievance to a committee of Council under Stage 2. Council shall appoint a committee of at least three to consider the grievance, none of whom shall have had any prior involvement in the case. The committee shall include a lay member of Council in the chair, and, in the case of members of staff to whom Statute 32 applies, a member of the academic staff appointed by Senate. Where the grievance is brought by a member of the clinical academic staff, who is required to engage in clinical work or activities and for that purpose to be registered with the General Medical or Dental Council or similar body and/or to have an honorary or substantive contract or status with a National Health Service trust or similar body, then the committee may include, in addition to its other members, an appropriate medically qualified representative of the National Health Service, appointed by the Chief Executive of the Avon, Gloucestershire and Wiltshire Strategic Area Health Authority or any successor body.

The grievance must be brought to the University Secretary within twenty working days of receipt of any letter giving the outcome of consideration of the grievance under Stage 1. The member of staff must set out clearly in writing the nature of the grievance, the allegations on which it is based and the remedy sought.

The University Secretary shall act as secretary to the Committee, to give advice and assist the Committee. The person bringing the grievance and any person against whom the grievance lies may be present at all hearings, and may be represented by an adviser, friend, trade union or other
representative. The University may be represented by a member of staff or other representative.

The Secretary, on behalf of the Committee, shall normally call for written witness statements and documents in support of the grievance, and for a written response to the grievance, written witness statements and documents from the other parties involved. Copies of all relevant material submitted shall be made available at least seven working days before any hearing to the Committee, the person bringing the grievance, any person against whom the grievance lies and the University representative.

If the Committee finds that the written evidence presented by the person bringing the grievance discloses no prima facie case, it shall dismiss the grievance without a hearing. If the Committee finds that there is a prima facie case, it shall conduct a hearing. Subject to the provisions of this ordinance, the order of proceedings at a hearing shall be at the discretion of the Committee (Guidelines on procedure will be issued from time to time). The Committee may adjourn the hearing to another date, as it thinks fit. The Committee shall ensure that the proceedings are dealt with expeditiously. It may impose time limits on addresses and submissions, and may specify dates by which any stage of the proceedings must be completed.

The evidence presented at the hearing shall normally be oral evidence, given by witnesses appearing in person. These witnesses may be called by the person bringing the grievance, any person against whom the grievance lies, the University or the Committee. All such witnesses may be questioned by the person bringing the grievance, and/or their representative, any person against whom the grievance lies, the University representative and the Committee. The Committee may accept a written statement in evidence where it is impracticable for the witness to attend, or where in the opinion of the Committee it is for some other reason in the interests of justice to do so. If the Committee accepts a written statement in evidence, it shall give reasons for doing so. The Committee may ask for additional enquiries to be undertaken, and may call for additional witnesses to attend. The Committee shall refuse to admit evidence that is, in its opinion, irrelevant to the issues raised.

The Committee shall take such action to resolve the grievance as it thinks fit and shall give a reasoned written report to Council. A copy of the written
report shall be sent to the member of staff bringing the grievance and/or their representative and to anyone against whom the grievance lies.

7. After employment
A former member of staff may bring a grievance after his or her employment has ceased. Where it is not reasonably practicable to apply the ordinary procedure above, or by agreement between the former member of staff and the University, a modified procedure shall apply. Under the modified procedure, the former member of staff shall set down in writing the nature of the alleged grievance and send it to the Human Resources Director. The University will consider the grievance and respond in writing.

Summary of Grievance Procedure

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1 January 2006
Ordinance 33

Removal from an additional post

1. Introduction
This ordinance applies only to remunerated posts in the University which are undertaken in addition to a member of staff’s substantive post. Such posts are referred to in this ordinance as “additional posts”. Save where a member of staff is appointed to one of these posts as his or her substantive post, additional posts shall be those of pro vice-chancellor, dean, head of school, research director, education director, graduate dean, undergraduate dean and head of primary unit. If a member of staff is appointed to one of these posts as his or her substantive post, the usual conduct, performance and ill-health procedures shall apply. This ordinance shall be used where it is considered that the member of staff may remain employed in his or her substantive post, but he or she may be unsuitable to continue in the additional post. Reasons for removing a member of staff from an additional post are:

   a) inadequate performance in the post;
   b) lack of capability to fulfill the duties of the post by reason of ill-health;
   c) misconduct in the post, contrary to the University’s Rules of Conduct for Members of Staff.

2. Procedural issues
University postholders
For each additional post there shall be designated a line manager. In the case of a pro vice-chancellor this shall be the Vice-Chancellor, for a dean it shall be the appropriate pro vice-chancellor, for a head of school, research director, education director, graduate dean or undergraduate dean it shall be the dean of the relevant faculty and for the head of a primary unit it shall be the head of school. In this procedure, unless the context indicates otherwise, references to the line manager shall be construed to refer either to the line manager or to an appropriate member of staff nominated by him or her to act with full authority on his or her behalf.

Confidentiality
Throughout any proceedings taken under this procedure, the University shall seek to ensure that a high standard of confidentiality is maintained,
before and after the hearing as well as in relation to the hearing itself. Care shall be taken not to undermine the position of the member of staff concerned in relation to his or her colleagues. Investigations shall be undertaken with discretion. Where necessary to ensure confidentiality, administrative support shall be provided by Human Resources. Wherever practicable, hearings shall be held away from the member of staff’s normal place of work. None of this shall preclude information about the outcome being given to any person where this is appropriate.

**Attendance at hearings**
A member of staff who is subject to proceedings under this ordinance has the right to attend hearings and to be represented by an adviser, friend, trade union or other representative. If the member of staff is for good reason unable to attend a formal hearing, the hearing shall be adjourned to a suitable alternative date within a reasonable time. However if there are reasonable grounds to believe that the member of staff is refusing or failing to attend a hearing without good cause, the member of staff will be informed that a further hearing is being arranged. On that further occasion the University may proceed in the absence of the member of staff, unless satisfied that there are good grounds for his or her non-attendance. Any submission concerning non-attendance made by the member of staff in writing, or by his or her representative in person or in writing, shall be considered before any decision is taken to hear the matter in his or her absence. If the hearing proceeds in the member of staff’s absence, any submission made about the substantial issues under consideration by the member of staff in writing, or by his or her representative in person or in writing, shall be considered at the hearing.

**3. Informal action**
When the conduct or performance of a member of staff in an additional post is causing concern, the normal management and staff review processes having failed to secure the required improvement, the line manager’s first step will usually be to discuss the problem with the member of staff informally under this procedure. Such discussions shall identify the problem and consider its causes and possible solutions. The line manager shall ensure that the member of staff is aware of the standards expected and shall consider whether any further support or action might be appropriate. Where issues of discrimination are raised, consideration shall be given to providing relevant supportive mentoring, for example by offering a female member of staff an appropriate female mentor.
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Where there is continuing concern after such informal discussion, the line manager shall make a brief note of the discussion and confirm the main points in writing to the member of staff, including future expectations, timescales within which improvement is expected, and the potential consequences of a failure to improve.

4. Formal action

Stage 1

Where informal discussions have not led to an improvement, or where, exceptionally, conduct or performance is such that informal discussion is inappropriate, the line manager, after consultation with a human resources manager, may consider taking formal action under Stage 1 of this procedure. Before any decision is taken to proceed with formal action under Stage 1, the line manager shall where appropriate gather such further information as may be required, with advice from a human resources manager. The line manager shall inform the member of staff that an investigation is taking place and shall normally interview the member of staff. Written statements may be obtained.

If the line manager decides that it is appropriate to consider giving the member of staff a warning, the line manager shall arrange a hearing. The line manager shall inform the member of staff in writing at least seven working days in advance that there is to be a hearing. The letter shall include:

- a statement of the grounds that have led to a warning being contemplated, including full details of the inadequate performance or conduct;
- supporting information and evidence;
- the date, time and location of the hearing;
- the fact that the hearing is taking place under Stage 1 of this procedure;
- the right of the member of staff to attend and to be accompanied by an adviser, friend, trade union or other representative;
- a copy of this procedure.

At the hearing the line manager shall interview the member of staff, who shall be given the opportunity to respond. A human resources manager shall normally attend the hearing. The line manager may, for good reason, request another member of staff to attend the hearing. Individuals may
attend to give relevant evidence. The line manager shall ensure that a note is taken of the hearing. The note shall normally be taken by a human resources manager. If, having considered the evidence, the line manager is satisfied that a warning is appropriate, he or she shall inform the member of staff that a letter shall be sent within seven working days, giving a warning under the procedure, and that the warning will be in force for a period of one year from the date of the letter, after which it will be spent. The line manager shall enclose a copy of the note of hearing, and shall set out in the letter:

- the basis for the finding;
- the improvement expected;
- the time during which this improvement must be achieved;
- any training or support which may be available;
- the consequences of a failure to improve;
- the member of staff’s right to appeal.

The member of staff shall be shown any report on his or her conduct prepared during the period in which the warning is current. If, having considered the evidence, the line manager is satisfied that a warning is not appropriate, he or she shall so inform the member of staff and shall confirm this by letter within seven working days.

Stage 2

If the member of staff does not meet the required improvements set out under Stage 1, or where serious misconduct or inadequate performance is alleged, the line manager, after consultation with the Human Resources Director, may refer the matter in writing to the Vice-Chancellor, or in the case of a pro vice-chancellor, to the Chair of Council. The Vice-Chancellor or Chair of Council shall take one of the following steps:

a) take no further action;

b) instigate an enquiry into the allegations made, to be conducted by a senior member of staff with no prior involvement in the matter, to be referred back to the Vice-Chancellor or Chair of Council for further action under a) or c); or

c) establish a panel to consider the allegations and determine whether the member of staff should remain in the additional post.
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If a panel is established, it shall comprise two senior members of staff or emeritus professors appointed by Council who have had no prior involvement in the case, and a lay member of Council. The Human Resources Director shall act as secretary to the panel, to give advice and to assist the panel, and shall arrange for a note of the proceedings to be taken. The panel may seek independent legal advice.

The Human Resources Director shall appoint a member of the University staff or a lawyer to present the case against the member of staff. The Human Resources Director shall ask the case presenter to set out the case in writing and this shall be sent to the member of staff at least seven working days before the hearing. Copies of any written witness statements shall be sent to the member of staff at least seven working days before the hearing.

Subject to the provisions of this ordinance and to representations made by the member of staff, the order of proceedings at the hearing shall be at the discretion of the panel (Human Resources will issue guidelines from time to time). The panel shall rely only on written or oral evidence presented at the hearing. Normally evidence shall be given in person, by individuals who may be called by the case presenter, the member of staff or the panel. All such persons may be questioned by the case presenter, the member of staff or his or her representative, and members of the panel. The panel may accept a written statement in evidence where the member of staff agrees that the author of the statement need not attend, or where it is impracticable for him or her to attend, or where in the opinion of the panel it is for some other reason in the interests of justice to do so. The panel may ask for additional enquiries to be undertaken, and may call for additional persons to attend.

While every effort will be made to ensure that the member of staff is not rushed in the presentation of his or her case, the panel may impose reasonable time limits on oral addresses and submissions. The panel shall refuse to admit evidence that is, in its opinion, irrelevant to the issues raised.

The panel shall have power to adjourn a hearing to another date. The panel shall ensure that the proceedings are dealt with expeditiously. It may set time limits for each stage of the proceedings, and may dismiss the case if there are undue delays by the University in taking the matter forward. The
ordinances

Panel shall find against a member of staff only if, on the evidence before it, it is satisfied that the case is proved. Normally a unanimous verdict will be expected, but if, exceptionally, the members of the panel cannot agree, the verdict of the panel shall be that of the majority of its members. The panel shall give a reasoned decision in writing, which shall be sent to the member of staff and to the Vice-Chancellor, and in the case of a pro vice-chancellor, to the Chair of Council. The panel may recommend to the Vice-Chancellor that:

- no further action should be taken;
- a warning should be given;
- the member of staff be removed from the additional post, immediately or at a future date, and from the date of removal the additional salary associated with the post should no longer be paid;
- The Vice-Chancellor, having consulted the Chair of the Personnel and Health and Safety Committee, has the power for good reason to suspend the activity of the panel, to stop the proceedings against the member of staff, or to require the proceedings or any stage of the proceedings to be concluded by a given date.

5. Warnings

A warning that is spent shall normally be disregarded for future purposes. After a warning is spent, any notes and correspondence relating to the warning shall be destroyed, except for one copy which shall be held on the central personnel file, clearly marked as spent. However where a pattern emerges whereby the conduct or performance of a member of staff is satisfactory throughout the period during which a warning is current only to lapse very soon thereafter, the warning may be borne in mind in deciding future action.

6. Appeals

All appeals must be made in writing to the University Secretary within twenty working days of the date when the letter confirming the decision appealed against was sent. The appeal letter shall set out clearly the general grounds on which the appeal is based. A member of staff shall not normally be permitted to raise grounds at the appeal hearing if these were not raised in the original written appeal submission.

Appeals against warnings

Appeals against warnings shall be heard as follows: in the case of an appeal by a pro vice-chancellor, by a lay member of Council; in the case of
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an appeal by a dean, by the Vice-Chancellor; and in other cases by a pro
vice-chancellor. The decision shall be final.

The person hearing the appeal shall be advised by the Human Resources
Director. The member of staff may present his or her case in person or in
writing, and may be represented by an adviser, friend, trade union or other
representative. There shall be no entitlement to a rehearing of the case.
Grounds for appeal include (1) new evidence which could not reasonably
have been presented at the hearing at which the original decision was
taken, (2) that the original hearing was not conducted fairly, or (3) that the
original decision was unreasonable in the light of the findings of fact. In the
first case, the person hearing the appeal may remit the matter back for
reconsideration. In the second and third cases, the person hearing the
appeal shall overturn the original decision if he or she considers it just to do
so.

Appeals against removal from an additional post
Appeals against removal from an additional post shall take the form of a
review. There shall be no entitlement to a rehearing of the case and
witnesses may be called only with the appeal Committee’s permission.
Grounds for appeal include (1) new evidence which could not reasonably
have been presented at the hearing at which the original decision was
taken, (2) that the original hearing was not conducted fairly, or (3) that the
original decision was unreasonable in the light of the findings of fact. The
committee shall overturn the original decision if it considers it just to do so.

Council shall appoint a committee of three to consider the appeal, none of
whom will have had any prior involvement in the case. The committee shall
include a lay member of Council as Chair and a member of the academic
staff appointed by Senate.

The University Secretary shall act as secretary to the appeal committee.
The procedure shall be determined by the committee (Guidelines on
procedure shall be issued from time to time). The member of staff may
present the appeal in person, attend hearings and be represented by an
adviser, friend, trade union or other representative. The University may be
represented by a member of staff or lawyer. The committee may adjourn
hearings, set time limits for stages of the proceedings, correct accidental
errors and dismiss an appeal if there are undue delays in taking the matter
forward. Every effort will be made to deal with the matter expeditiously. The
committee shall give a reasoned decision in writing, which shall be sent to the member of staff and to Council.

2 July 2010

Ordinance 34

Procedure for dealing with a clinical academic contract where the honorary NHS contract has been compromised

1. Introduction
This procedure applies to a member of the clinical academic staff who is required to engage in clinical work or activities, and for that purpose to be registered with the General Medical Council, Dental Council or similar body, and/or to have an honorary or substantive contract or status with a National Health Service Trust or similar body. Where such registration, contract or status is terminated, withdrawn, revoked or suspended, this procedure shall apply for the purpose of determining whether the contract of employment between the University and the member of staff should either be terminated or suspended with or without pay. Suspension shall be without pay where the registration, contract or status has been suspended as a substantive disciplinary measure.

2. Procedural issues
Action before appeals
Nothing in this procedure shall prevent the University taking action before the hearing of any appeal by the member of staff against the termination, withdrawal, revocation or suspension of the registration, contract or status.

Nominees
In this procedure, unless the context indicates otherwise, references to the Vice-Chancellor shall be construed to refer either to the Vice-Chancellor or to an appropriate member of staff nominated by him or her to act with full authority on his or her behalf.

Confidentiality
Throughout any proceedings taken under this procedure, the University shall seek to ensure that a high standard of confidentiality is maintained,
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before and after the hearing as well as in relation to the hearing itself. Care shall be taken not to undermine the position of the member of staff concerned in relation to his or her colleagues. Investigations shall be undertaken with discretion. Where necessary to ensure confidentiality, administrative support shall be provided by Human Resources. Wherever practicable, hearings shall be held away from the member of staff’s normal place of work. None of this shall preclude information about the outcome being given to any person where this is appropriate.

Attendance at hearings
A member of staff who is subject to proceedings under this ordinance has the right to attend hearings and to be represented by an adviser, friend, trade union or other representative. If the member of staff is for good reason unable to attend a formal hearing, the hearing shall be adjourned to a suitable alternative date within a reasonable time. However if there are reasonable grounds to believe that the member of staff is refusing or failing to attend a hearing without good cause, the member of staff will be informed that a further hearing is being arranged. On that further occasion the University may proceed in the absence of the member of staff, unless satisfied that there are good grounds for his or her non-attendance. Any submission concerning non-attendance made by the member of staff in writing, or by his or her representative in person or in writing, shall be considered before any decision is taken to hear the matter in his or her absence. If the hearing proceeds in the member of staff’s absence, any submission made about the misconduct by the member of staff in writing, or by his or her representative in person or in writing, shall be considered at the hearing.

3. Enquiries
Before taking formal action under this procedure the Vice-Chancellor may make, or cause to be made, such enquiries as he or she considers appropriate. These enquiries may include considering what duties, if any, the member of staff could perform in the absence of the registration, contract or status, and whether there are any requirements for such duties to be performed. If the Vice-Chancellor considers it appropriate to make such enquiries, the member of staff shall be advised in writing that his or her employment position is being considered under this procedure and that enquiries are being made. He or she shall be invited to comment in writing. After completion of the enquiries, the member of staff shall be advised of
the outcome of the enquiries and of the action being contemplated under the procedure below.

4. Formal action
After enquiries have been made, or in a case where the Vice-Chancellor decides to proceed without making such enquiries, the Vice-Chancellor shall write to the member of staff. The Vice-Chancellor shall advise that:

- a) no action will be taken under this procedure;
- b) the University is contemplating suspending the member of staff with or without pay; or
- c) the University is contemplating terminating the contract of employment between the member of staff and the University.

If the Vice-Chancellor decides that it is appropriate to consider suspension or dismissal, he or she shall arrange a hearing. The Vice-Chancellor shall inform the member of staff in writing at least seven working days in advance that there is to be a hearing. The letter shall include:

- the reasons for the proposed action;
- supporting information and evidence;
- information about any alternative employment that might be available to the member of clinical academic staff if dismissal were to proceed;
- the date, time and location of the hearing;
- the fact that the hearing is taking place under this procedure;
- the right of the member of staff to attend and to be accompanied by an adviser, friend, trade union or other representative; and
- a copy of this procedure.

At the hearing, the Vice-Chancellor shall explain to the member of staff why he or she is considering dismissing or suspending the member of staff. The Vice-Chancellor shall interview the member of staff, who shall be given the opportunity to respond. The Vice-Chancellor may request a human resources manager or another member of staff to attend the hearing. Witnesses may attend to give relevant evidence. The Vice-Chancellor shall ensure that a note is taken of the hearing.

In a case where the registration, contract or status has been terminated, withdrawn or revoked, the Vice-Chancellor may, after the hearing, decide to dismiss the member of staff; or to dismiss the member of staff but offer
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alternative employment; or not to dismiss the member of staff. In a case where the registration, contract or status has been suspended, the Vice-Chancellor may decide to:-

- suspend the member of staff from his or her University duties with or without pay, for the period of suspension under the registration, contract or status;
- or to suspend, with or without pay, for some lesser period;
- or not to suspend the member of staff. The Vice-Chancellor shall write to the member of staff accordingly, giving reasons.

At any stage in this procedure the Vice-Chancellor may adjourn the hearing to a date to be agreed with the member of staff, to allow for such further investigation, evidence or consideration as the Vice-Chancellor shall consider appropriate. Further evidence may include a medical report on the member of staff’s health and fitness for performing his or her duties.

5. Appeals
All appeals must be made in writing to the University Secretary within twenty working days of the date when the letter confirming the decision appealed against was sent. The appeal letter shall set out clearly the general grounds on which the appeal is based. A member of staff shall not normally be permitted to raise grounds at the appeal hearing if these were not raised in the original written appeal submission. An appeal may be made under this procedure after a member of staff has left the University following dismissal, however appeal proceedings may be suspended pending the outcome of an employment tribunal application.

Appeals against suspension
Appeals against suspension will be heard by a pro vice-chancellor with no prior involvement in the case, whose decision shall be final. The pro vice-chancellor will be advised by the Human Resources Director. The member of staff may present his or her case in person or in writing, and may be represented by an adviser, friend, trade union or other representative. There shall be no entitlement to a rehearing of the case. The pro vice-chancellor may overturn the suspension if he or she considers it just to do so. In particular he or she may do so in the light of new evidence, or where it is considered that the original hearing was not conducted fairly, or where the decision was unreasonable in the light of the findings of fact.
Appeals against dismissal

Appeals against dismissal shall take the form of a review. There shall be no entitlement to a rehearing of the case and witnesses may be called only with the appeal committee’s permission. Grounds for appeal include (1) new evidence which could not reasonably have been presented at the hearing at which the original decision was taken (2) that the original hearing was not conducted fairly or (3) that the original decision was unreasonable in the light of the findings of fact. The committee shall overturn the original decision if it considers it just to do so.

Council will appoint a committee of three to consider the appeal, none of whom shall have had any prior involvement in the case. The committee shall include a lay member of Council as Chair, and a member of the academic staff appointed by Senate. The committee may include, in addition to its other members, an appropriate medically qualified representative of the National Health Service, appointed by the Chief Executive of the Avon, Gloucestershire and Wiltshire Strategic Area Health Authority or successor body.

The University Secretary shall act as secretary to the appeal committee. The procedure shall be determined by the committee (Guidelines on procedure shall be issued from time to time). The member of staff may present the appeal in person, attend hearings and be represented by an adviser, friend, trade union or other representative. The University may be represented by a member of staff or lawyer. The committee may adjourn hearings, set time limits for stages of the proceedings, correct accidental errors and dismiss an appeal if there are undue delays in taking the matter forward. Every effort will be made to deal with the matter expeditiously. The committee shall give a reasoned decision in writing, which shall be sent to the member of staff and to Council.

Any dismissal under this procedure shall remain in force pending the outcome of an appeal. If the decision to dismiss is overturned, continuity of employment shall be restored.

1 January 2006
Ordinance 35

Ordinance 35, which related to termination of employment of members of staff on grounds of retirement, was repealed on 1 August 2011, following abolition of the default retirement age.
Regulations and Code of Practice for Research Degree Programmes

Please refer to the University’s Regulations and Code of Practice for Research Degree Programmes (http://www.bris.ac.uk/esu/pg/cop-research-degrees.html) for further information about Research Degree Programmes.

Regulations and Code of Practice for Taught Programmes

Please refer to the University’s Regulations and Code of Practice for Taught Programmes (http://www.bris.ac.uk/esu/assessment/) for further information about Taught Programmes.
REGULATIONS: HIGHER DOCTORATES

Definition
Higher doctorates are a higher tier of research doctorates which may be awarded:

- on the basis of a formally submitted substantial body of published original research of a very high standard.

OR

- on an honorary basis (honoris causa ie. "for the sake of the honour") when a university wishes to formally recognize an individual's achievements and contributions to a particular field.

Higher doctorates are therefore not encompassed within the 'Regulations and Code of Practice for Research Degree Programmes'.

Regulations for Higher Doctorates by Published1 Work

Admission Requirements
Candidature for the degrees of Doctor of Engineering, Doctor of Letters, Doctor of Music, Doctor of Science and Doctor of Laws shall be open to:

(a). A graduate of the University of Bristol.

(b) A graduate of any other degree-awarding body, who has been a member of University staff for the last three years.

Qualification for the degree
The qualification for the degree shall be:

(a). A submission of original published work, of distinction, on any subject falling within the academic scope of the relevant faculty.

(b). Judgment of the work as being of sufficient merit to entitle the candidate to the degree, the candidate having, in the opinion of the examiners, established his or her reputation as an authority in their subject.

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1 Published work may be published in electronic or hard copy form.
Eligibility and Nature of Work Submitted

(a). Candidates may not submit work previously submitted for a higher doctorate.

(b). Candidates should indicate publications which have already been submitted for a degree other than a higher doctorate, stating how they support the present candidature.

(c). Published work must represent a very significant contribution to knowledge.

(d). Work will normally be regarded as published if it is listed in ordinary catalogues of published works and was obtainable, at or before the submission, by members of the public.

(e). The submission can include material already accepted for publication.

(f). The published work submitted by a candidate may range across different topics, but these should normally relate in a coherent way to a field of knowledge. The treatment of these topics should be substantial.

(g). Greater weight will be attached to a few substantial publications than to a larger number of brief items. It will not normally be possible to form an adequate judgment of the candidate's eligibility unless the amount of work submitted is considerable.

Procedure for registration

(a). The candidate should make contact with the graduate dean\(^2\) or head of school before submitting a formal application, providing a provisional list of publications.

(b). The candidate should register with the appropriate Faculty. A registration fee is payable at this time. See: http://www.bristol.ac.uk/academicregistry/fees/ for the current rate.

\(^2\) Graduate dean/faculty education director
(c). The graduate dean or head of school will appoint a supervisor, to advise the candidate on how to present the material, and ensure suitable examiners are selected.

(d). Candidature for a higher doctorate should normally be completed within one year.

Examiners

Three examiners (normally one internal and two external) should be appointed in consultation between the supervisor and the candidate. The recommendation is formally made by the head of school, with the approval of the graduate dean. An Appointment of Research Degree Examiners form should be completed before submission. The form is available at: [http://www.bristol.ac.uk/exams/forms/apptrdeform.doc](http://www.bristol.ac.uk/exams/forms/apptrdeform.doc)

Submission of work

The submission described below should be made to the Examinations Office, and can be at any time of year. A submission fee is payable at this time. See: [http://www.bristol.ac.uk/academicregistry/fees](http://www.bristol.ac.uk/academicregistry/fees) for the current rate.

Candidates should submit three copies of the following:

(a). The published work, indicating key publications OR for DMus, a folio of between five and seven compositions, comprising scores, primary documentation, electronic or recorded material (See also Appendix 1).

(b). An analytical account, of no fewer than 2,000 – 3,000 words, linking the published work and explaining its significance and coherence and incorporating the following:

(i) A synopsis of the candidate's record of research and scholarship;

(ii) an outline of research interests and achievements through reference to specific publications;
REGULATIONS: HIGHER DOCTORATES

(iii) evidence that the publications have been widely noted in the national and international academic community as making original or significant contributions to developments in the field.

(c). A signed statement indicating the level of contribution to each publication and role of the candidate as sole author, senior author or co-author.

(d). A numbered list of publications indicating books and monographs, chapters in books, edited works, papers in refereed journals, refereed conference proceedings and other work.

(e). A CV, including full name, present professional position, higher education and qualifications, lectures given in national and international conferences, invited seminars, invited overseas visits and lectures, awards, prizes, bursaries, composer-in-residence posts (for DMus), honours and research-related activities including membership of committees and editorships.

(f). Any appropriate supplementary data.

Reports

The examiners are required to make independent reports to the Research Degrees Examination Board, through the Examinations Office. Each report (1-2 pages of A4) should be sufficiently comprehensive and detailed to enable the Board to assess the scope and significance of the work submitted by the candidate, and should make a clear recommendation whether the degree is to be awarded. There is no viva examination.

Outcomes

Once all three reports have been received by the Examinations Office they will be submitted to the next available Research Degrees Examination Board. The Board will either pass or fail the candidate. No resubmission is permitted.
Copy in the University Library

A definitive copy of each set of publications or compositions successfully presented for the degree shall be submitted to the Examinations Office for deposit in the University Library.

Appendix 1 - Guidance on DMus submission

A DMus folio should demonstrate original and significant thinking in musical terms, and a high level of technical command in a variety of mediums. Where the composer is predominantly concerned with acoustic instrumental music, there should be evidence of extended structures such as symphonic work and carefully wrought music such as that associated with the string quartet medium, amongst contrasting work. Where the composer has concentrated on the development of other areas, such as mixed media, studio, ethnic or community approaches, the work should be of comparable quality in its field.

The folio should comprise:
   (a) a list of works (and recordings) submitted;
   (b) scores, primary documentation, electronic or recorded material;
   (c) recordings of performances.
REGULATIONS: ACADEMIC AND OFFICIAL COSTUME

Rules governing the wearing of academic dress by undergraduate members of the University

1. Full academic dress shall consist of a black stuff gown of the approved pattern, worn with a dark suit and black shoes, for men, or a dark skirt with a white shirt blouse and black shoes, for women; women may also wear a dark coat and may wear a soft square cap of black cloth.

2. Full academic dress shall be worn on all ceremonal occasions.

3. Students shall wear a black stuff gown of the approved pattern:
   
   (a) In Halls of Residence, if so required by the regulations of the Hall;
   (b) If so instructed, at oral examinations and when called for interview by an officer of the University.

4. Graduate students are expected to conform to the above rules governing the undergraduate members of the University so far as they are applicable.

Rules governing the wearing of academic dress by graduate members of the University for ceremonal occasions

1. Bachelor’s shall wear a black stuff gown of the Cambridge B.A. pattern. The gown of Bachelor’s of Medicine may be of stuff or of silk.

2. Master’s (including MSci and MEng) shall wear a black stuff or silk gown of the Oxford MA pattern, save that the sleeves shall be ended with rounded corners, and a slight concavity in the lower border without any nick in the side.

3. Doctors of Philosophy, Doctors of Education and Doctors of Medicine in undress shall wear a black silk gown of the same shape as that prescribed for Master’s.

4. Doctors of Philosophy, Doctors of Education and Doctors of Medicine in full dress shall wear a scarlet cloth gown of the Oxford M.D. shape. The facing of the gown, to a width of three inches and a half, shall be in the colour proper to the degree as hereinafter prescribed. In the sleeves the cloth shall show only for six or eight inches from the point of the shoulder downwards, the remainder of the sleeves being finished in or trimmed with
silk of the colour proper to the degree.

5. Doctors in particular faculties in undress shall wear a black silk gown of the same shape as that prescribed for Masters, but with the distinction of a triangular area of scroll work in black braid above each armhole.

6. Doctors in particular faculties in full dress shall wear a scarlet cloth gown of the Oxford M.D. shape, save that the sleeves shall be entirely of cloth. The facing of the gown, to a width of three inches and a half, shall be in the colour proper to the degree as hereinafter prescribed.

7. Graduates shall wear academic caps as follows:
   (a) Graduates shall wear square academic caps of the customary ‘mortar-board’ pattern; the caps of Masters and Bachelors being covered with black cloth and the caps of Doctors with black velvet; the tassels in all cases being of black silk.

   (b) Doctors other than Doctors of Philosophy, Doctors of Education and Doctors of Medicine when in full dress may wear a Doctor’s bonnet of the Cambridge pattern, viz.: a flat broad-brimmed bonnet of black velvet with a narrow cord of gold at the junction of the crown and the brim.

8. Graduates shall wear hoods of the Cambridge pattern. The hoods of Bachelors shall be of stuff or silk; those of Masters and Doctors of silk. Hoods shall in all cases be of a registered colour; which colour shall be called University red.

9. Bachelors’ hoods shall be lined as far as the visible parts are concerned with silk of a lighter shade of University red.

10. The hoods of Bachelors of Medicine and Surgery shall be lined throughout with the said lighter shade of University red, and the lining shall be bound at the edge with white silk to the depth of three-quarters of an inch.

11. The hoods of Bachelors of Law shall be lined throughout with the said lighter shade of University red and the lining shall be bound at the edge with violet silk to the depth of three-quarters of an inch.
12. The hoods of Bachelors of Music shall be lined throughout with lavender silk. The hood shall be bound at the edge with lavender silk to the depth of three-quarters of an inch.

13. Masters’ hoods shall be lined throughout with white silk.

14. The hoods of Doctors of Philosophy, Doctors of Dental Surgery, Doctors of Education, Doctors of Education Psychology, Engineering Doctorates, Doctors of Medicine and Doctors of Social Science shall be lined throughout with dark violet silk, the same being used for the facing and sleeves of the full dress gown of the degree.

15. The hoods of Higher Doctorates shall be lined throughout with salmon-coloured silk, the same being used for the full dress gown of the degree.

OFFICIAL COSTUME

1. The Chancellor’s robe shall be of black-figured satin of the pattern and with the gold ornaments customary in Chancellors’ robes.

2. A Pro-Chancellor shall wear a black silk gown of the same pattern as the undress Doctor’s gown, but with the ornaments above the sleeves and the loop and button at the back worked in gold instead of black silk.

3. The Treasurer shall wear a similar gown with a further distinction in gold on the upper part of the facing.

4. The Vice-Chancellor shall wear a full-sleeved gown of black figured satin, with the sleeves lined in University red, parted in front and looped with two loops of gold braid on each side.

5. A Pro Vice-Chancellor shall wear a gown of the same shape as the Vice-Chancellor’s, but of black corded silk, looped and buttoned in gold similarly to the Vice-Chancellor’s.

6. The Registrar shall wear a gown of black corded silk of the pattern of the Masters’ gown, but braided on the facings and over the armholes.

7. The above officers shall wear academic caps of the customary pattern covered with black velvet; the Chancellor’s cap being distinguished,
according to custom, by a gold tassel and gold braid binding, and the Vice-Chancellor’s by gold braid binding.

ROBE-MAKERS TO THE UNIVERSITY

(By appointment)
Messrs. Ede and Ravenscroft Ltd., 93 and 94 Chancery Lane, London, WC2A 1DU.
In accordance with the provisions of Ordinance 8, the following are specified as Academic Schools in the University:

**FACULTY OF ARTS**

Arts; Humanities; Modern Languages

**FACULTY OF ENGINEERING**

Merchant Venturers’ School of Engineering; Queen’s School of Engineering

**FACULTY OF MEDICAL AND VETERINARY SCIENCES**

Biochemistry; Cellular and Molecular Medicine; Veterinary Sciences, Physiology and Pharmacology

**FACULTY OF MEDICINE AND DENTISTRY**

Clinical Sciences, Oral and Dental Sciences, Social and Community Medicine

**FACULTY OF SCIENCE**

Biological Sciences; Chemistry; Earth Sciences; Experimental Psychology; Geographical Sciences; Mathematics; Physics

**FACULTY OF SOCIAL SCIENCES AND LAW**

Applied Community and Health Studies; Economics, Finance and Management; Graduate School of Education; Law; Policy Studies; Sociology, Politics and International Studies.
REGULATION OF PRIMARY UNITS AND OF PRIMARY UNITS DESIGNATED AS ACADEMIC DEPARTMENTS

In accordance with the provisions of Ordinances 8 and 9, the following are specified as Primary Units within the Academic Schools of each Faculty. Where Senate has designated an individual Primary Unit or group of Primary Units as entitled to carry the title ‘Department’, this is also indicated.

Faculty of Arts

School of Arts
Archeology and Anthropology (Department)
Drama: Theatre, Film and Television (Department)
Music (Department)
Philosophy (Department)

School of Humanities
Classics, Ancient History, Religious Studies and Theology (Department)
English (Department)
Historical Studies (Department)

School of Modern Languages
French (Department)
German (Department)
Italian (Department)
Russian (Department)
Spanish, Portuguese & Latin American Studies (Department)

Faculty of Engineering

Merchant Venturers’ School of Engineering
Computer Science (Department)
Electrical and Electronic Engineering (Department)
Engineering Mathematics (Department)

Queen’s School of Engineering
Aerospace Engineering (Department)
Civil Engineering (Department)
Mechanical Engineering (Department)
Faculty of Medical and Veterinary Sciences

School of Biochemistry

School of Cellular and Molecular Medicine

School of Veterinary Science
Centre for Comparative and Clinical Anatomy

School of Physiology and Pharmacology

Faculty of Medicine and Dentistry

School of Clinical Sciences
Cardiovascular Surgery and Vascular Biology
Regenerative Medicine and Immunity
Functional Neurosciences and Endocrinology
Clinical Neurosciences
Metabolism and Renal Cell Biology
Clinical Outcomes and Methodology

School of Oral and Dental Sciences

School of Social and Community Medicine
Aetiological Epidemiology
Health Care Research
Clinical Epidemiology
Health Care Evaluation.
REGULATION OF PRIMARY UNITS AND OF PRIMARY UNITS DESIGNATED AS ACADEMIC DEPARTMENTS

Faculty of Science

School of Biological Sciences

School of Chemistry

School of Earth Sciences

School of Experimental Psychology

School of Geographical Sciences

School of Mathematics

School of Physics

Faculty of Social Sciences and Law

School of Applied Community and Health Studies
Centre for Hearing and Balance Studies (to be closed from 1 August 2014)
Centre for Deaf Studies
Centre for Personal and Professional Development (to be closed from 31 October 2013)

School of Economics, Finance and Management
Economics (Department)
Accounting and Finance (Department)
Management (Department)
REGULATION OF PRIMARY UNITS AND OF PRIMARY UNITS DESIGNATED AS ACADEMIC DEPARTMENTS

Graduate School of Education
Learning Inquiry
Learning Lives
Learning Societies

School of Law
Four Primary Units – no specific nomenclature

School for Policy Studies
Centre for Family Policy and Child Welfare
Centre for Gender and Violence Research
Centre for Health and Social Care
Centre for Exercise, Nutrition and Health Science
Centre for the Study of Poverty and Social Exclusion
Centre for Urban Studies Exercise,
Norah Fry Research Centre

School of Sociology, Politics & International Studies
REGULATIONS: PERSONAL TUTORS

These regulations apply to all taught programmes, at undergraduate and postgraduate level. Continuing Professional Development (CPD) and Continuing Education (CE) programmes are exempt. They also do not apply to research postgraduates. The principles apply to the MB,ChB medical training programme, but separate provisions apply.

Departments are free to go above and beyond the minimum requirement set out in the regulations as they see fit.

How these minimum provisions are to be delivered is at the discretion of the department/faculty. Any deviation from these minimum provisions would have to be justified by the Head of Department to the Working Group of Undergraduate Deans/University Graduate Studies Committee (as appropriate) and Education Committee.

1. Tutees may raise any issue related to their study or life at the University with their personal tutor. This must not deter students from actively seeking help directly from other sources, for example the relevant student support service. Tutors should provide pastoral and academic support, with suitable referrals to other support services where appropriate. Both Tutors and Tutees can make use of the Student Help referral tool (available at http://www.bristol.ac.uk/studenthelp/).

2. The Head of Department (or equivalent), or their nominee, is assigned responsibility for managing the personal tutor system for that department.

3. Personal tutors are assigned to tutees for a minimum period of one academic year wherever possible. Departments will be expected to plan tutor/tutee assignments so that the tutor will be available in the department for the duration of that year.

4. Personal Tutors should meet with their tutees by the end of their first week of study, and if not, by the end of the second week.
5. Tutors should meet with their tutees a minimum of once per teaching block for at least the first two years of the programme, or for the length of their course (as appropriate). Departments need to actively consider how pastoral support is provided after the first two years. The meeting can be with a group; it need not be solely with an individual. It is the responsibility of the tutee to request a one-to-one meeting with their tutor where this is needed.

6. The once-per-teaching block tutorials will be arranged by the personal tutor. The tutee will be expected to raise issues with their tutor between these meetings when the need arises. There is a joint duty on the part of tutor and tutee to make the relationship work; it is important that responding to meeting requests promptly is seen as a necessary responsibility of both parties. It is far better to know the student in advance to deal with them better in time of crisis.

7. The department will need to establish a system of recording attendance from both tutors and tutees at the once-per-teaching block tutorials. Should students fail to attend appointments, the department will not be expected to chase the student to arrange a follow-up.

8. While the personal tutor can be contacted for academic support, responsibility for academic support rests with the Unit Director or equivalent.

9. Personal Tutors are expected to ask their tutees if they have fully understood the training given by departments, referring their tutee for further help and guidance, as appropriate. Tutors will not be expected to deliver guidance. Departments will continue to offer training programmes on plagiarism, health and safety and other issues relevant to their discipline.

10. Where a department engages in Personal Development Planning (PDP) for students, personal tutors may be expected to play a part, as directed by their Head of Department.

11. Tutees can approach their personal tutor for a reference and advice on obtaining one. However, tutors are under no obligation to write a reference if they do not feel it would be appropriate.
REGULATIONS: PERSONAL TUTORS

12. Clear arrangements for pastoral support and departmental liaison should be in place for students based away from the department: studying abroad, on placement, have suspended studies or are elsewhere.

13. In the case of joint degrees, the Head of Department or Programme Director (as appropriate) will assign a single personal tutor for a student.

14. In the case of intercalating students, the ‘host’ department (receiving the student from another department) will provide a personal tutor for the intercalating period. The original department will also continue to offer a personal tutor as a ‘fallback’.

15. Staff will be expected to act as tutors as arranged by the Head of Department. Where the tutor/tutee relationship is proving a particular problem for a member of staff, they will be expected to raise this with their Head of Department or the member of the Department responsible for Personal Tutors.

16. The minimum academic position to act as a personal tutor is Teaching Fellow or Lecturer. Heads of Department can engage exceptional postdoctoral staff if they feel it necessary.

17. Tutees must have access to a minimum of two different individuals from whom they can request support. By way of example, this could include personal tutor, programme director, research supervisor or head of department. Departments must arrange staffing to ensure that where an individual acts in a number of capacities that there are still two separate people for the student to approach.

18. Students wishing to change personal tutor can do so at any time and without explanation. Departments will need to have a mechanism whereby this can be actioned without the student having to explain to the outgoing tutor as to why.

19. Tutors and Tutees will be told if their personal tutor arrangements are to change.
EDUCATIONAL PARTNERSHIPS

Further information about Educational Partnerships, including the Regulations and Code of Practice for Educational Partnerships can be found on the Educational Support Unit webpages at

http://www.bris.ac.uk/esu/edpart/educationalpartnerships/