



University of Essex



University of Essex Ordinances

2023-24

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Table of Contents

University of Essex Ordinances	5
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Ordinance 1 - The Members of the University	5
Ordinance 2 - The Chancellor	5
Ordinance 3 - The Pro-Chancellors	6
Ordinance 4 - The Treasurer	7
Ordinance 5 - The Vice-Chancellor	7
Ordinance 6 - The Registrar and Secretary	8
Ordinance 7 - The Deputy Vice-Chancellor and Pro-Vice-Chancellors	9
Ordinance 8 - Deans	10
Ordinance 9 - Heads of Department	13
Ordinance 10 - The Council	14
Ordinance 11 - Appointment of Members of the Council	14
Ordinance 12 - Powers of the Council	16
Ordinance 13 - The Senate	18
Ordinance 14 - Powers of the Senate	20
Ordinance 15 – Standing Orders for the Council	23
Ordinance 16 - Standing Orders for Senate	31
Ordinance 17 - Senate Agenda Group	33
Ordinance 18 - Procedure for Election of Members of Academic Staff to the Senate	34
Ordinance 19 - Procedure for Filling a Casual Vacancy in the Elected Membership of Senate	35
Ordinance 20 - The Court	35
Ordinance 21 - Meetings of the Court	36
Ordinance 22 - The Boards and Committees of the Council and the Senate	36

Ordinance 23 - Procedure for the Boards and Committees of the Council and the Senate	37
Ordinance 24 - Reserved Business	38
Ordinance 25 - Faculties, Schools, Departments and Centres	38
Ordinance 26 - Academic Partnerships	40
Ordinance 27 - Departmental Meetings	40
Ordinance 28 - General Meeting of Staff	41
Ordinance 29 - The Students' Union	41
Ordinance 30 - The Alumni Association	41
Ordinance 31 - Graduation	42
Ordinance 32 - Honorary Degrees and Honorary Fellowships	42
Ordinance 33 - The Academic Staff	42
Ordinance 34 - Definition of Academic Staff	42
Ordinance 35 - Allocation of Posts on the Academic Staff	43
Ordinance 36 - Appointment of Professors	43
Ordinance 37 - Appointment of Readers and Senior Lecturers	45
Ordinance 38 - Appointment of Lecturers	46
Ordinance 39 - Functions of the Academic Staff	47
Ordinance 40 - Research Leave and Leave of Absence	47
Ordinance 41 - Grievance, Discipline, Dismissal and Related Matters	49
Ordinance 42 - Retirement, Resignation or Termination of Contract of Officers and Academic Staff	65
Ordinance 43 - Suspension or Removal of Officers and Members of the Council	65
Ordinance 44 - Emeritus Professors	67
Ordinance 45 - External Examiners	68
Ordinance 46 - Boards of Examiners	69
Ordinance 47 - Regulations, Policies and Procedures	69
Ordinance 48 - Year and Term	70

University of Essex Ordinances

Ordinance 1 - The Members of the University

1. The following persons shall be Members of the University:
 - The Chancellor
 - The Pro-Chancellors
 - The Treasurer
 - The members of the Court
 - The external members of the Council and its sub-committees
 - The staff of the University
 - The Emeritus Professors
 - The students of the University
 - The former students of the University
2. The Council, on the recommendation of the Senate, shall have the power to declare such other persons Members of the University as it may deem fit.

Ordinance 2 - The Chancellor

1. The Chancellor shall be appointed subject to the approval of the Senate and the Council on the recommendation of a Joint Committee of the Senate and the Council.
2. The membership of the Joint Committee shall be:
 - The Chair of the Council (Chair)
 - A Pro-Chancellor
 - The Vice-Chancellor
 - The Chair of the Senate Agenda Group
 - The Registrar and Secretary

Additional members may be co-opted at the discretion of the Chair of the Joint Committee.

3. The Chancellor shall hold office for a period of five years on terms approved by the Joint Committee.
4. Subject to the approval of the Council and the Senate, on the recommendation of a Joint Committee of the Council and the Senate (the membership of which is prescribed in clause 2 above), the Chancellor's period of office may be extended to a maximum total of ten years.
5. The Chancellor may resign by writing addressed to the Council.

Ordinance 3 - The Pro-Chancellors

1. The Pro-Chancellors shall be appointed by the Council on the recommendation of the Nominations Committee. There shall usually be three Pro-Chancellors in office at any one time, with a minimum of two Pro-Chancellors in office to accommodate short-term vacancies.
2. A Pro-Chancellor shall hold office until the end of the third year following their appointment, or until such earlier date as the Council may in each case determine and shall be eligible for re-appointment, normally for a further period of three years and a maximum total of nine years.
3. The Chair of the Council of the University shall be appointed by the Council, on terms approved by the Council, on the recommendation of the Nominations Committee. The Chair of the Council shall be selected from amongst those external members of the Council appointed as, or recommended to the Council by the Nominations Committee to be appointed as, a Pro-Chancellor.
4. The Chair of the Council shall hold office until the end of the third year following their appointment as Chair of the Council, or until such earlier date as the Council may in each case determine. The Chair shall be eligible for re-appointment, normally for a further period of three years and for a maximum total of nine years, or until the point at which their appointment as a member of the Council and Pro-Chancellor ceases, whichever is the earlier.
5. During a vacancy in the office of Chancellor, or during their inability through illness or any other cause to perform their functions, all of the functions of the Chancellor may be performed by one of the Pro-Chancellors or the Treasurer or, in their absence, by the Vice-Chancellor or, where permitted by these Ordinances, by any other Principal Officer of the University.
6. The longest serving Pro-Chancellor present, who is not the Chair of the Council, will chair the Remuneration Committee when it is considering the remuneration and conditions of service of the Vice-Chancellor.
7. When the Nominations Committee is considering succession to the role of the Chair of the Council, the Senior Independent Director should be invited to attend and Chair that portion of the meeting of the Nominations Committee.

8. A Pro-Chancellor may resign by writing addressed to the Council, provided that, if they are Chair of the Council, they shall at the same time resign the office of Chair of the Council.
9. Should a Pro-Chancellor not fulfil the terms of their appointment, or if their actions call them or the University into disrepute, they may be removed from office with the approval of the Council, in accordance with Ordinance 43.

Ordinance 4 - The Treasurer

1. The Treasurer shall be an external member of the Council appointed by the Council upon the recommendation of the Nominations Committee, on terms approved by the Council.
2. The Treasurer shall perform the functions of the Senior Independent Director and meet with the Chair of the Council annually to review their performance and provide feedback.
3. The Treasurer shall be Chair of the Audit and Risk Management Committee.
4. The Treasurer shall hold office until the end of the third year following their appointment or until such earlier date as the Council may in each case determine. They shall be eligible for re-appointment, normally for a further period of three years and a maximum of total of nine years.
5. The Treasurer may resign by writing addressed to the Council.
6. Should the Treasurer not fulfil the terms of appointment, or if their actions call them or the University into disrepute, they may be removed from office with the approval of the Council, in accordance with Ordinance 43.

Ordinance 5 - The Vice-Chancellor

1. The Vice-Chancellor shall be appointed by the Council after consideration by the Council of the report of a Joint Committee of the Senate and the Council. Upon the recommendation of Remuneration Committee, Council shall approve the Vice-Chancellor's salary, remuneration and conditions of service at the time of appointment.
2. The membership of the Joint Committee shall include:
 - The Chair of the Council (Chair)
 - Three external members of the Council appointed by the Council
 - Three Academic Staff members of the Senate appointed by the Senate.
3. Additional members of the Joint Committee may be co-opted at the discretion of the Chair.

4. During a vacancy in the office of Vice-Chancellor or during prolonged inability of the Vice-Chancellor through illness or any other cause to perform their functions, the Council may appoint a Committee with the membership as set out in paragraph 2 above, to recommend to the Council the appointment as Acting Vice-Chancellor, from the professorial members of the Senate, of a person acceptable to the Senate as Acting Vice-Chancellor, for such period and on such conditions as may be determined by the Council.
5. The Vice-Chancellor shall be ex officio, a member of the Court, the Council and its sub-committees, the Senate, and of all Joint Committees of these bodies except, the Joint Committee constituted under paragraph 1 of this Ordinance, Audit and Risk Management Committee, and Remuneration Committee.
6. The Vice-Chancellor shall have a general responsibility to the Council for maintaining and promoting the efficiency and good order of the University.
7. The Vice-Chancellor may refuse to admit any person as a student.
8. The Vice-Chancellor may:
 - (a) suspend any student from any teaching event; or
 - (b) exclude any student from any part of the University or its precincts for such period as they may determine.
9. The Vice-Chancellor may delegate all or any of their functions under paragraph 7 or paragraph 8 of this Ordinance to such Officer or Officers of the University as they may think fit.

Ordinance 6 - The Registrar and Secretary

1. The Council shall appoint a Registrar and Secretary of the University with such functions, at such remuneration and upon such terms and conditions as it may think fit.
2. The Registrar and Secretary shall be appointed by the Council after consideration by the Council of the report of a Joint Committee of the Council and the Senate.
3. The membership of the Joint Committee shall include:
 - The Chair of the Council (Chair)
 - The Vice-Chancellor
 - Two other external members of the Council, appointed by the Council
 - Two Academic Staff members of the Senate appointed by the Senate

- If any External Assessor is appointed they shall act in an advisory capacity to the Joint Committee.

4. The Council shall appoint the Registrar and Secretary to the role of Secretary to the Council.

Ordinance 7 - The Deputy Vice-Chancellor and Pro-Vice-Chancellors

1. The Deputy Vice-Chancellor and Pro-Vice-Chancellors shall be appointed from among the Academic Staff by the Council on the recommendation of the Senate. The Senate shall make the recommendation to the Council on the basis of a recommendation from a Selection Committee.
2. Recruitment to the roles of Deputy Vice-Chancellor and Pro-Vice-Chancellor will be through internal and external advertisement. Where an external applicant is appointed to one of these roles they will also (subject to clause 4 below) be appointed to a substantive chair in a University department, which is held independently of the appointment as Deputy Vice-Chancellor or Pro-Vice-Chancellor.
3. Normally, only Professors shall be eligible for appointment as Deputy Vice-Chancellor and Pro-Vice-Chancellor.
4. The composition of the Selection Committee shall normally be:
 - The Vice-Chancellor (Chair)
 - An external member of the Council
 - The Deputy Vice-Chancellor or a Pro-Vice-Chancellor
 - An Academic Staff member of Senate
 - The Registrar and Secretary

Additional members may be co-opted at the discretion of the Committee.

5. Where an application is being considered by a Selection Committee, the selection process will consider the applicant's credentials for the award of a substantive chair by the University as well as for the role of Deputy Vice-Chancellor or Pro-Vice-Chancellor for which they have applied. The Chair of the Selection Committee shall be responsible for ensuring that these credentials are tested in line with the University's normal practice for professorial appointments.

6. The Deputy Vice-Chancellor or a Pro-Vice-Chancellor shall hold office until the end of the third year following their appointment or until such earlier date as may in each case be determined by the Council on the recommendation of the Senate.
7. The Deputy Vice-Chancellor or a Pro-Vice-Chancellor shall be eligible for re-appointment for a further consecutive period of three years.
8. The re-appointment of the Deputy Vice-Chancellor or a Pro-Vice-Chancellor shall be proposed by the Vice-Chancellor and approved by the Council on the recommendation of the Senate.
9. The Deputy Vice-Chancellor or a Pro-Vice-Chancellor may exceptionally be re-appointed for a further consecutive period of up to three years, taking the period of their appointment to nine years. The re-appointment shall be proposed by the Vice-Chancellor and approved by the Council on the recommendation of the Senate.
10. The Deputy Vice-Chancellor and Pro-Vice-Chancellors will have a review period of six months prior to confirmation of their appointment to their role.
11. The Deputy Vice-Chancellor or a Pro-Vice-Chancellor shall cease to hold office should their employment as a member of the Academic Staff of the University cease.
12. In the absence of the Vice-Chancellor, the Deputy Vice-Chancellor shall act as Chair at meetings of the Senate. In the absence of both the Vice-Chancellor and the Deputy Vice-Chancellor, meetings of the Senate shall be chaired by a Pro-Vice-Chancellor.
13. The Deputy Vice-Chancellor or a Pro-Vice-Chancellor shall perform such other functions of the Vice-Chancellor as shall be delegated to them by the Vice-Chancellor.
14. If the Deputy Vice-Chancellor or a Pro-Vice-Chancellor becomes unable through illness or any other cause to perform their functions, the Council, or the Chair of the Council acting on behalf of the Council, may, on the recommendation of the Vice-Chancellor, terminate the appointment, appoint an Acting Deputy Vice-Chancellor or Acting Pro-Vice-Chancellor for a specified period or take any other action it thinks fit.
15. The Deputy Vice-Chancellor or a Pro-Vice-Chancellor may resign their office by writing addressed to the Council, subject to any contractual notice period.

Ordinance 8 - Deans

1. Executive Deans of Faculty, Deans with pan-University portfolios, and any deputies to these Deans (including Faculty Deans), shall be appointed from among the members of the Academic Staff by the Council on the recommendation of the Senate. The Senate shall make the recommendation to the Council on the basis of a recommendation from a Selection

Committee. Heads of Department who carry the title of Dean shall be appointed in accordance with Ordinance 9.

2. Recruitment to the role of Executive Dean will be through internal and external advertisement. Where an external applicant is appointed to one of these roles they will also (subject to clause 5 below) be appointed to a substantive chair in a University department, which is held independently of the appointment as Executive Dean.
3. Normally only Professors, shall be eligible for appointment as Executive Dean.
4. The composition of the Selection Committee for the role of Executive Dean shall normally be:
 - The Vice-Chancellor (Chair)
 - An external member of the Council
 - The Deputy Vice-Chancellor or a Pro-Vice-Chancellor
 - Two Heads of Department from the relevant Faculty
 - The Registrar and Secretary

Additional members may be co-opted at the discretion of the Committee.

5. Where an application for the role of Executive Dean is being considered by a Selection Committee, the selection process will consider the applicant's credentials for the award of a substantive chair by the University as well as the role of Executive Dean. The Chair of the Selection Committee shall be responsible for ensuring that these credentials are tested in line with the University's normal practice for professorial appointments.
6. Recruitment to the role of a Dean with a pan-University portfolio, and to the role of deputy to these Deans or to any Faculty Deans, will normally be by internal advertisement.
7. Only Professors, Readers and Senior Lecturers shall be eligible for appointment as a Dean with a pan-University portfolio, or as a deputy to these Deans or as a Faculty Dean.
8. The composition of the Selection Committee for the role of a Dean with a pan-University portfolio and a deputy to these Deans, shall normally be:
 - The Deputy Vice-Chancellor or Pro-Vice-Chancellor (Education) (*Chair*)
 - An existing Dean or deputy to a Dean
 - Two Heads of Department
 - The Academic Registrar
9. The composition of the Selection Committee for a Faculty Dean shall normally be:

- The Executive Dean (*Chair*)
 - The Pro-Vice-Chancellor (Education) or the Pro-Vice-Chancellor (Research)
 - Two Heads of Department from the relevant Faculty
 - The Academic Registrar or The Director of the Research and Enterprise Office
10. The normal term of appointment for an Executive Dean, a Dean with a pan-University portfolio, or a deputy to a Dean or Faculty Dean shall be until the end of the third year following appointment or until such earlier date as the Council on the recommendation of the Senate may in each case determine. They shall be eligible for re-appointment for further consecutive periods of up to a total of three years; such periods shall be until the end of the third year from the first re-appointment or until such earlier date as the Council on the recommendation of the Senate may in each case determine.
 11. The re-appointment of an Executive Dean, a Dean with a pan-University portfolio, or a deputy to a Dean or Faculty Dean shall be proposed by the University Steering Group and approved by the Council on the recommendation of the Senate.
 12. An Executive Dean, a Dean with a pan-University portfolio, or a deputy to a Dean or Faculty Dean may exceptionally be re-appointed for a further consecutive period of up to three years, taking the period of their appointment to nine years. The re-appointment shall be proposed by the University Steering Group and approved by the Council on the recommendation of the Senate.
 13. An Executive Dean, a Dean with a pan-University portfolio, or a deputy to a Dean or Faculty Dean shall have such responsibilities as the Senate shall determine.
 14. An Executive Dean, a Dean with a pan-University portfolio or a deputy to a Dean or Faculty Dean shall cease to hold office should their appointment as a member of the Academic Staff of the University cease.
 15. If an Executive Dean, a Dean with a pan-University portfolio, or a deputy to a Dean or Faculty Dean becomes unable through illness or any other cause to perform their functions, the Council, or the Chair of the Council acting on behalf of the Council, may, on the recommendation of the Vice-Chancellor, terminate the appointment, appoint an Acting Dean or a deputy to a Dean for a specified period of up to three years or take any other action it thinks fit.
 16. Other Deans with specific functions not falling within paragraph 1 of this Ordinance (including deputies to such other Deans) may be appointed by Council on the recommendation of the Vice-Chancellor.

Ordinance 9 - Heads of Department

1. A Head of Department shall be appointed by the Council on the recommendation of the Senate on receipt of a joint nomination from the members of the Academic Staff holding posts allocated to the relevant Department and the Vice-Chancellor, determined in accordance with the published procedures for nomination of Heads of Department. These procedures shall also apply to Heads of Department who carry the title of Dean or other approved title. The nominee shall be a Professor, Reader or Senior Lecturer, normally holding a post allocated to the Department concerned.
2. A Head of Department shall hold office until the end of the third year following their appointment or until such earlier date as the Council on the recommendation of the Senate may in each case determine.
3. A Head of Department shall be eligible for re-appointment for further consecutive periods of up to a total of three years; such periods shall normally be until the end of the third year from the date of re-appointment or until such earlier date as the Council on the recommendation of the Senate may in each case determine.
4. A Head of Department who has held office for two consecutive periods shall normally be ineligible for further appointment until one year has elapsed from the date of completion of their second period of office. A Head of Department may exceptionally be re-appointed for further terms of office on the recommendation of the Senate on receipt of a joint nomination from the members of Academic Staff holding posts allocated to the Department and the Vice-Chancellor.
5. A Head of Department shall cease to hold office upon ceasing to be a member of the Academic Staff of the University.
6. If a Head of Department becomes unable through illness or any other cause to perform their functions, the Council (or, if authorised by the Council from time to time, the Chair of the Council on behalf of the Council) may, on the recommendation of the Vice-Chancellor, appoint an Acting Head of Department for a specified period or take any other action it thinks fit. In exceptional circumstances, a Lecturer may act as Acting Head. An Acting Head of Department shall be an ex officio member of the Senate during their period of office.
7. A Head of Department shall be responsible to the Executive Dean for maintaining and promoting the efficiency and good order of the Department, in accordance with the Charter, Ordinances and Regulations of the University, and the policies and procedures determined from time to time by resolutions of the Council and the Senate.
8. A Head of Department may resign their office by writing addressed to the Council, subject to any contractual notice period.

Ordinance 10 - The Council

1. The membership of the Council and their terms of office are set out in Section 1 of the Statutes.
2. The proceedings of the Council shall be governed by Standing Orders, which shall be determined and approved annually by the Council.

Ordinance 11 - Appointment of Members of the Council

Ex officio, elected and external members

1. Ex officio, elected and external members of the Council are appointed as set out in Section 1 of the Statutes.

Elected members from amongst the Academic Staff

2. The four Academic Staff members of the Senate elected by the Senate to the Council in accordance with Section 1(b) of the Statutes shall include at least two Heads of Department at the time of election to the Council, and at least one member of the Senate who is not a Professor at the time of election to the Council.
3. The normal term of office for members elected to the Council by the Senate shall be three years, and members may be re-elected for a further term of up to three years. Such members must stand down from membership of the Council if they cease to be an Academic Staff member of the Senate.
4. All Academic Staff members of the Senate who have a contract of employment commencing at least 20 working days prior to the call for electoral nominations shall be eligible to vote in the election, providing that their contract extends to at least 31 July in the following academic year.
5. The only persons entitled to stand for election and to be elected to the Council from among the Senate as the Academic Staff members shall be those persons who are also entitled to vote in that election.
6. A member of the Council elected by the Senate who has held office for two consecutive periods shall, upon completion of their second consecutive term of membership or upon resignation, be ineligible for further re-election until one year has elapsed from the date of completion of their second term of appointment or their resignation, as the case may be.
7. The method of election of members elected to the Council by the Senate and of filling casual vacancies among the same shall be determined by the Senate, except that all Academic Staff members of the Senate wishing to be nominated for election to the Council must first

demonstrate that they are free from any conflicts of interest that might preclude them from serving as a governor and trustee of the University, and that they meet the test of being 'fit and proper' persons.

8. Academic Staff members elected by the Senate to the Council may resign from the Council by writing addressed to the Chair of Council.

Elected staff members from amongst the Professional Services staff

9. There shall be one professional services (including technicians) staff member elected to the Council in accordance with Section 1(b) of the Statutes. The method of election of the professional services staff member shall be determined by the Council; except that all professional services staff members of the University wishing to be nominated for election to the Council must first demonstrate that they are free from any conflicts of interest that might preclude them from serving as a governor and trustee of the University, and that they meet the test of being 'fit and proper' persons.
10. All professional services staff that have a contract of employment commencing at least 20 working days prior to the call for electoral nominations shall be eligible to vote in the election, providing that their contract extends to at least 31 July in the following academic year.
11. The only persons entitled to stand for election and to be elected to the Council as the professional services staff member shall be those persons who are also entitled to vote in that election.
12. The normal term of office for the professional services staff member elected to the Council shall be three years, and the member may be re-elected for a further term of three years, except that they must stand down from membership of the Council if they cease to be a member of the professional services staff.
13. A professional services staff member of the Council who has held office for two consecutive periods shall, upon completion of such term or upon resignation from this role, or otherwise ceasing to be a professional services staff member of the Council, be ineligible for further re-election until one year has elapsed from the date of completion of their second consecutive term of appointment, their resignation from this role or when they otherwise cease to be a professional services staff member of the Council, as the case may be.
14. If an elected professional services staff member of the Council resigns, is suspended, or removed permanently from the Council during the course of their term of office, the Council, on the basis of a recommendation from the Nominations Committee, shall determine whether an alternate individual should take their place until they are able to return to their Council role if suspended, or for the remainder of their term of office if removed. The Council, on the basis of a recommendation from the Nominations Committee, shall determine the method by which an alternate individual may be selected.

15. The professional services staff member elected to the Council may resign from the Council by writing addressed to the Chair of Council.

Casual vacancies

16. A casual vacancy occurs by the death, resignation, or removal of an elected Council member, following the publication of an election result.
17. There shall be no requirement to hold a by-election to fill the casual vacancy, should it arise sixty calendar days prior to the scheduled end of the member's appointed term.

Student member

18. The duly elected President of the Students' Union is an ex officio member of the Council in accordance with Section 1(a) of the Statutes.
19. The President of the Students' Union shall remain a member of the Council only so long as they hold the office of President of the Students' Union.
20. If the President of the Students' Union, as the 'student member' of the Council, is suspended or removed from their position as President of the Students' Union during their term of office as a member of the Council, the Vice-President Education (or, if not possible, another member of the Sabbatical team as nominated by the trustees of the Students' Union) shall become the 'student member' of the Council during the period of suspension or, if necessary, until 30 June in that academic year.

Ordinance 12 - Powers of the Council

In accordance with the Charter, the Council shall exercise all the powers of the University and has the specific powers as set out in the Council's Statement of Primary Responsibilities below:

Statement of Primary Responsibilities

A Powers of appointment and employment

1. To appoint the Vice-Chancellor in accordance with the provisions of Ordinance 5 and to put in place suitable arrangements for monitoring their performance.
2. Jointly with the Senate to appoint the Chancellor on the recommendation of a Joint Committee of the Senate and the Council.
3. To appoint the Pro-Chancellors, the Treasurer and Senior Independent Director, and the external members of the Council.
4. To appoint the Registrar and Secretary as Secretary to the Council; to ensure that there is an appropriate separation in the lines of accountability.

5. To be the employing authority for all Staff in the University and to be responsible for establishing a human resources strategy.

B Financial and legal powers

6. To be the principal financial and business authority of the University, to ensure that proper books of account are kept, to approve the annual budget and financial statements, and to have overall responsibility for the University's assets, property and estate.
7. To be the University's legal authority and, as such, to ensure that systems are in place for meeting all the University's legal obligations, including those arising from contracts and other legal commitments made in the University's name.
8. To act as trustee for any property, legacy, endowment, bequest or gift in support of the work and welfare of the University.

C Planning, monitoring and control

9. To approve the mission and strategic vision of the University, long-term academic and business plans and key performance indicators, and to ensure that these meet the interests of stakeholders.
10. To delegate authority to the Vice-Chancellor, as chief executive, under policies, procedures and limits approved by the Council from time to time, for the academic, corporate, financial, estate and personnel management of the University; and to establish and keep under regular review such policies, procedures and limits.
11. To ensure the establishment and monitoring of systems of control and accountability, including financial and operational controls and risk assessment, and procedures for handling internal grievances and for managing conflicts of interest.
12. To ensure processes are in place to monitor and evaluate the performance and effectiveness of the University against the plans and approved key performance indicators, which should be, where possible and appropriate, benchmarked against other comparable institutions.
13. To conduct its business in accordance with best practice in higher education corporate governance and with the principles of public life drawn up by the Committee on Standards in Public Life.
14. To safeguard the autonomy, good name and values of the University of Essex.
15. To ensure compliance with the provisions of the Charter, Statutes and Ordinances at all times and that appropriate advice is available to enable this to happen.
16. To establish processes to monitor and evaluate the performance and effectiveness of the Council itself.

17. To promote a culture which supports equality, diversity, and inclusion across the University.
18. To maintain and protect the principles of academic freedom as set out in the University's Charter and freedom of speech within the law under relevant legislation.
19. To ensure that all students and staff have opportunities to engage with the governance of the University should they choose.
20. To ensure compliance with the initial and ongoing conditions of registration determined by the regulator of higher education in England.

D Delegation by the Council

21. In accordance with the Charter, and subject to sub-paragraph 21 below, the Council may delegate its powers under the Charter, the Statutes and Ordinances to:
 - a. an appropriately qualified member of the Council; or
 - b. an appropriately qualified committee that contains one or more members of the Council; or
 - c. an appropriately qualified member of the University's staff.
22. The Council may not delegate its powers:
 - a. to appoint and dismiss the Vice-Chancellor and to approve the Vice-Chancellor's terms and conditions on appointment;
 - b. to approve the annual budget;
 - c. to amend the Charter under the provisions of Article 18 of the Charter;
 - d. to make, amend or remove University Statutes under the provisions of Article 19 of the Charter;
 - e. to make, amend or remove University Ordinances under the provisions of Article 20 of the Charter;
 - f. to adopt the University's Annual Accounts; or
 - g. to appoint the University's Auditors.

E Student welfare

23. To make such provision as it thinks fit for the general welfare of students, in consultation with the Senate.

Ordinance 13 - The Senate

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

Ex Officio Members:

- The Vice-Chancellor (Chair)
- The Deputy Vice-Chancellor (Deputy Chair)
- The Pro-Vice-Chancellors
- The Dean of Postgraduate Research and Education
- The Dean of Partnerships (Research)
- Executive Deans
- The Heads of the Departments

Appointed Member:

Academic Registrar

Elected Members:

Sixteen members of permanent Academic Staff, including at least nine of whom shall hold non-professorial posts at the time of election. Academic Staff members of the Senate shall be elected under an election procedure approved by Senate from time to time, and shall be Senate members on terms approved by Senate from time to time.

Co-opted Members:

- Chief Information Officer
- Director of Library and Cultural Services and University Librarian
- The Dean of Undergraduate Education (until 31 July 2024)

Student Members:

- President of the Students' Union
- Vice-President (Education) of the Students' Union
- Faculty Convenors (3)
- Postgraduate Convenor
- Two student members from within the Sabbatical Officers of the Students' Union nominated for the year by the President of the Students' Union and approved by the Students' Union Trustees.

2.

- (a) Members of the Senate appointed ex officio shall remain members only so long as they hold the offices by virtue of which they became members.
- (b) Elected Members of the Senate shall hold office until the end of the fourth year following their election or until such earlier date as may in each case be determined by the Senate to effect rotation; they shall be eligible for re-election for consecutive terms of office.
- (c) Elected members of the Senate may resign from the Senate in writing addressed to the Chair.
- (d) Appointed members of the Senate shall be appointed by the Vice-Chancellor.
- (e) Co-opted members of the Senate shall hold office for such periods as may be determined in each case by the Senate.
- (f) In nominating student members for the Senate, the Students' Union President must ensure the constitution of student members is able to represent undergraduate, postgraduate taught and postgraduate research matters, and the student experience across all three campuses, as appropriate to the remit of Senate.
- (g) If any student member ceases to hold the office to which they were elected or appointed, they shall cease to be a member of the Senate. For the remainder of their year of appointment, the Senate may, after consultation with the President of the Students' Union, or if this is not possible, with the Students' Union Trustees, co-opt another student member to take their place.

3. Observers shall be invited to attend meetings of the Senate at the discretion and by invitation of the Chair of Senate.

Ordinance 14 - Powers of the Senate

The Senate shall be the supreme academic authority of the University, responsible to the Council in line with Article 9 of the Charter, and shall, subject to the powers reserved to the Council by the Charter and these Ordinances, take such measures and act in such a manner as shall appear to it best calculated to promote the academic work of the University both in teaching and research and for the regulation and superintendence of the education and, subject to the powers of the Council and Vice-Chancellor, the discipline of the students of the University. The Senate shall, subject to the Charter and these Ordinances, in addition to all other powers vested in it, have the following powers:

Academic Policy and Strategy

1. To discuss, declare an opinion and make recommendations to the Council on any matter of academic policy and strategy concerning the University.
2. To maintain oversight of the quality of education and the arrangements for its enhancement.
3. To be responsible for the University's policy on admission of students.
4. To maintain oversight of the quality of research and the arrangements for its enhancement.
5. To review, amend, refer back or disallow any act of any committee or advisory group of Senate.

Powers of appointment

6. Jointly with the Council to appoint the Chancellor on the recommendation of a Joint Committee of the Senate and the Council.
7. To recommend to the Council the appointment of Pro-Vice-Chancellors, Deans and Heads of Departments, as prescribed by the Ordinances.
8. To review from time to time the conditions of service of all members of the Academic Staff and to make recommendations thereon to the Council.
9. To define the functions of Deans, as covered by Ordinance 8, and Heads of Departments and members of the Academic Staff.
10. To stipulate which posts shall qualify a person to be a member of the Academic Staff.
11. In accordance with the provisions of the Ordinances, to confer the title of Emeritus Professor and Honorary Fellow.
12. To stipulate which honorary titles may be assigned to visitors to the University.
13. To make recommendations to the Council for the appointment of members of the Academic Staff.
14. To establish the rules, procedures and criteria for the decisions of the Senate committees responsible for staffing matters.
15. To determine the conditions of appointment and service of examiners.
16. To elect members of the Senate to be members of the Council in accordance with the Ordinances.
17. To appoint a Senate Agenda Group in accordance with the Ordinances.
18. To co-opt members of the Senate in accordance with the Ordinances.

Degree regulation and awarding powers

19. To be responsible for the maintenance and assurance of academic standards by ensuring that the University has an effective quality assurance framework in place.
20. To be responsible for the approval, review and discontinuation of programmes of study.
21. To institute new awards of the University.
22. To approve the rules of assessment governing progression and the award of Degrees, Diplomas and Certificates.
23. To be responsible for the academic policies associated with programmes of study.
24. To arrange for the conferral of Degrees, Diplomas, Certificates and other awards of the University.
25. To revoke any Degrees, Diplomas or Certificates or other distinctions or titles conferred by the University on what the Senate deems to be good cause.

Academic Regulation

26. To review the research, teaching, staffing and general work of any School, Department or other academic unit of the University, and, if the Senate so wishes, to report and make recommendations thereon to the Council.
27. To institute a review of Schools, Faculties, Departments, Institutes, Centres or other academic units of the University, as appropriate.
28. To make recommendations to the Council to institute, merge, discontinue or otherwise modify Schools, Faculties, Departments, Institutes, Centres or other academic units of the University as appropriate.
29. To recommend to the Council the establishment of academic partnerships with other educational bodies, as appropriate.
30. To receive records and reports of the proceedings of Senate's committees, and to give directions to and to consider recommendations from the same.
31. To be responsible for the general policy concerning the University's Library and Information Systems, and to make recommendations thereon to Council, as Senate deems appropriate.
32. To oversee the arrangements for assuring the ethical conduct of research.

Student regulation

33. To regulate and superintend the discipline of the students of the University as agreed with the Council from time to time.

General

34. To conduct the business of the Senate in accordance with the Ordinances.
35. To report and make recommendations to the Council from time to time on the Ordinances.
36. To report to the Council on any matter referred to the Senate by the Council.
37. Generally to exercise all such powers as are or may be conferred on the Senate by the Charter and these Ordinances, including the power to make Regulations in the exercise of the powers hereinbefore expressly set out in this Section of these Ordinances and of all the other powers of the Senate, and to carry such Regulations into effect.

Ordinance 15 – Standing Orders for the Council

1. Ordinary Meetings

- 1.1. Ordinary Meetings of the Council shall be held on such days and at such times as are published in the University Calendar each year, provided that at least three Ordinary Meetings are held each year.
- 1.2. Notice of each Ordinary Meeting shall be circulated by the Registrar and Secretary, or their nominee, at least ten working days before the date of the meeting.
- 1.3. The Agenda for each Ordinary Meeting shall be circulated by the Registrar and Secretary, or their nominee, at least five working days before the date of the meeting.

2. Special Meetings

- 2.1. A Special Meeting of the Council may be convened at any time by the Chair, and shall be convened at the request of any one of the Pro-Chancellors, the Vice-Chancellor or the Treasurer, or at the written request of at least six other members of the Council.
- 2.2. At least three working days' notice of a Special Meeting, stating generally the nature of the business to be transacted, shall be sent to each member of the Council and the meeting shall not be competent to transact any business other than that mentioned in the notice or directly arising therefrom.

3. Attendance

- 3.1. Members should attend all meetings of the Council and Council Away Days. They may attend in person or virtually by means of video or teleconference, subject to the approval of the Chair.
- 3.2. Failure to attend two or more meetings of Council in a given academic year may result in the removal of membership of the Council and its committees, unless mitigating circumstances have

been notified to the Registrar and Secretary or their nominee, and accepted by the Chair of Council.

- 3.3. External members of the Council may request to take a period of leave in accordance with the University's *Leave Policy for External Council and Committee Members*.
- 3.4. Requests from internal members wishing to take a period of leave will be considered within the context of the University's suite of leave policies.

4. Quorum

- 4.1. There shall be a quorum at a meeting of the Council when not less than half of the members, rounded up to a whole number, which shall include a majority of external members, are present.
- 4.2. In the absence of a quorum no business shall be transacted other than the adjournment of the meeting. In such a case, the Chair shall appoint a date, time and place at which the meeting shall be reconvened. At least three working days' notice of the calling of the adjourned meeting shall be given.
- 4.3. The proceedings of the Council shall not be invalidated by any vacancy in its number or by any defect in the appointment or qualification of the members.

5. Adjourned Meetings

- 5.1. The procedures for adjournment owing to the absence of a quorum are set out in Standing Order 4.2.
- 5.2. When a meeting is adjourned temporarily for a brief period, for convenience, unruly behaviour, emergency or other cause, no special procedures are required when the meeting resumes. The remaining business shall be dealt with as if the meeting had been continuous.
- 5.3. When a meeting is adjourned to continue on another day, at least three working days' notice of the calling of the adjourned meeting shall be given. At the adjourned meeting, only the unfinished business for which the original meeting was called shall be transacted.
- 5.4. At the discretion of the Chair, when there are no matters of urgency to be resolved, the unfinished business may be referred to the next Ordinary Meeting of the Council, where it shall take precedence over other business except for the confirmation of the Minutes of the previous meeting.

6. Chair of the Council

- 6.1. In the absence of the Chair, the longest serving Pro-Chancellor present shall take the Chair at meetings of the Council. In the absence of the Chair and the Pro-Chancellors, the meeting shall elect its own Chair.

7. Secretary of the Council

- 7.1. The Registrar and Secretary shall be the Secretary of the Council. They, or a member of their staff to whom they have delegated the responsibility, shall have the duty of recording the proceedings of Council and of ensuring that its decisions and instructions are carried out.

8. Business for Meetings

- 8.1. Members of the Council intending to bring forward any item of business at an Ordinary Meeting shall give written notice of such business to the Registrar and Secretary or their nominee, at least ten working days before the date of the meeting. Business of this kind will not be considered in the absence of the member concerned unless that member has secured the agreement of another member to present it and has so informed the Registrar and Secretary or their nominee.
- 8.2. Where possible, at least two days' notice shall be given to the Registrar and Secretary or their nominee of any matter that a member wishes to raise under 'Any Other Business'. The Chair shall be duly notified by the Registrar and Secretary or their nominee, and have the right to rule whether any such items shall be taken at the meeting.
- 8.3. Papers for discussion at meetings shall be confined to those circulated by the Registrar and Secretary or their nominee. Papers will be made available in an electronic format only, except where the provision of hard copy papers constitutes a reasonable adjustment within the law, under relevant legislation.

9. Reserved Business

- 9.1. In accordance with Ordinance 24, paragraphs 1 and 2, a student member and observers in attendance shall be required to withdraw from a meeting when it discusses a reserved area of business. The minutes and other records which relate to the discussion of reserved areas of business shall not at any time be made available to student members or observers.
- 9.2. The Chair shall have power to declare whether a matter is a reserved area of business or not, consulting as appropriate, and their decision shall be final in accordance with Ordinance 24, paragraph 3.

10. Confidentiality

- 10.1. Confidential items, and any accompanying papers, shall be indicated as such on the Agenda and/or the cover sheet which accompanies the report. Such items shall not be made available to anyone other than members of the Council before, during or after the meeting at which they are considered. Council's discussion pertaining to these items shall not be disclosed to or discussed with anyone who is not a member of the Council, unless the Chair makes a declaration to the contrary.

- 10.2. Papers classified as 'Open' or without a classification, as indicated on the cover sheet which accompanies the report, shall not be divulged or disclosed to anyone who is not a member of the Council prior to the meeting. Unless stated otherwise at the meeting, papers classified as 'Open' may be shared without restriction upon the close of a meeting.

11. Starring of Agenda Items

- 11.1. Those items of business which the Registrar and Secretary has previously determined as requiring discussion by the Council shall be indicated as such by means of a star on the Agenda paper.
- 11.2. The first item of business at an Ordinary Meeting, following 'Welcome and Announcements' and 'Declarations of Interest', shall be 'Starring of Agenda Items'.
- 11.3. Members wishing to star additional items for discussion should notify the Registrar and Secretary or their nominee no later than noon two working days before the meeting. In exceptional circumstances and at the sole discretion of the Chair, items may be starred for discussion after this time but prior to the commencement of the meeting.
- 11.4. Council members wishing to star items for discussion following the commencement of a meeting are required to propose a motion to suspend the Standing Orders, in accordance with Standing Orders 13, 14, 17 and 23.
- 11.5. All unstarred items shall be deemed to have been noted or approved as appropriate without discussion.

12. Minutes

- 12.1. The Minutes shall be circulated to all members of the Council, save that the section of the Minutes relating to Reserved Business shall not be circulated to the student member or observers.
- 12.2. After the confirmation of the Minutes, amended if necessary, they shall be signed by the Chair.

13. Motions and Amendments

- 13.1. The Chair shall be able to propose a motion or amendment at any time without the need for it to be seconded.
- 13.2. No discussion shall be allowed on a motion or amendment which has not been seconded, but such a motion or amendment shall, if the mover so desires, be entered in the Minutes. All motions except formal motions and all amendments shall, if the Chair so decides, be handed to the Registrar and Secretary in writing, signed by the mover.
- 13.3. When seconding a motion or amendment, a member may, if the intention to do so is declared, reserve a supporting speech until later in the debate.

- 13.4. Every amendment must be relevant to the motion on which it is moved, and the question of relevancy shall be decided by the Chair.
- 13.5. Amendments shall not have the effect of negating the original motion.
- 13.6. When only one amendment is made upon a motion, it shall be discussed and a vote taken between the original and amended motions. Where there is more than one amendment, each shall be discussed separately, and a vote taken on whether it should be incorporated in the main motion. Finally, a vote shall be taken on the amended main motion.
- 13.7. The mover of a motion shall have the right of reply and shall be the last speaker, but they shall in their reply confine themselves to answering previous speakers and shall not introduce any new matter.
- 13.8. If an amendment is moved, the mover of the original motion shall also have a right of reply at the close of the debate on the amendment. The mover of the amendment shall have no right of reply to the debate on their amendment.

14. Voting

- 14.1. Except where specifically provided otherwise, motions and amendments shall be determined by the majority of members present and voting. There shall be no casting vote allowed to the Chair and in the case of the voting being equal, the motion shall be lost.
- 14.2. Voting shall be by show of hands (or equivalent notification by any members attending by video or teleconference), unless any member requests a ballot which shall be taken if supported by a majority of members present in such manner as the Chair shall direct (taking account of any members attending the meeting by video or teleconference).
- 14.3. The number of members voting for and against an item of business shall, on the request of any member, be recorded in the Minutes. The name of any member voting for or against an item of business or abstaining from voting shall, on the request of that member, be recorded in the Minutes.

15. Points of Order

- 15.1. At any time in the course of a discussion, a member may speak to a point of order, and the discussion shall be suspended until the point of order has been decided by the Chair.

16. Conduct of Debate

- 16.1. The speech shall be directed to the question and discussion in hand or to a point of order or a point of explanation.

- 16.2. The Chair may impose a formal time limit on speech to ensure that there is an opportunity for a diverse range of voices and perspectives to be heard. The Chair may alter the time limit if necessary.
- 16.3. No member shall speak more than once on the same question, except at the invitation of the Chair, to second a motion, in reply to an amended motion, to provide an explanation or by leave of the meeting.
- 16.4. Those present by invitation as observers may speak in accordance with Standing Orders, but shall not be entitled to move or second a motion or amendment or to vote on any matter before the meeting.

17. Procedural Motions

- 17.1. When a motion or amendment is under debate, no other motion shall be moved except the following procedural motions:
- That the motion be not put
 - That the motion be now put (closure of the debate)
 - That Standing Orders be suspended for a specified item of business
 - That the meeting be adjourned to a specific time
 - That the matter be deferred to the next Ordinary Meeting
 - That the matter be referred to the appropriate committee
 - That the order of business be changed
 - That the voting figures be recorded in the Minutes
 - That speeches be not allowed to exceed a specified time
 - That a part or parts of a motion be voted on separately
 - That the meeting be closed
 - That the debate be adjourned
- 17.2. Procedural motions shall have a proposer and a seconder and shall be debated in order of precedence as indicated in 17.1 above. A motion for the closure of debate shall be put to the vote without discussion. If it is carried, the mover of the original motion shall have a right of reply as provided in Standing Order 13.7 and the original question shall then be put forthwith.

18. Disorderly Conduct

- 18.1. If any member persistently disregards the rulings of the Chair or behaves irregularly, or improperly, or offensively, or wilfully obstructs the business of the meeting, it shall be competent for a member to move 'that the member named be not further heard' or 'that the member named leave the meeting' and the motion, if seconded, shall be put and determined without discussion.
- 18.2. If, after a motion under Standing Order 18.1 has been carried, the misconduct or obstruction is continued and in the opinion of the Chair renders the due and orderly dispatch of business impossible, the Chair may, without the question being put, adjourn or suspend the sitting of the Council for such period as may be considered expedient.
- 18.3. In the event of general disturbance which, on the ruling of the Chair, renders the due and orderly dispatch of business impracticable, the Chair may, without the question being put, adjourn or suspend the sitting of the Council for such period as may be considered expedient.

19. Rescinding a Resolution

- 19.1. No resolution of the Council shall normally be rescinded within six calendar months.

20. Declaration of Interest

- 20.1. Any member of the Council who has a clear and substantial interest in a matter under discussion shall declare that interest whether or not that interest is already declared in the Register of Interests. Such declarations should make clear the interest and whether it carries either direct or indirect financial interest to the member.
- 20.2. Where such an interest constitutes a direct or indirect financial interest, the member involved shall withdraw from any meeting and not speak, participate in or otherwise seek to influence any decision taken by the Council relating to the matter under discussion.
- 20.3. Where a member has an interest which is not financial, but which is relevant to the activities of the University, that interest shall also be declared. Where the interest is substantial, the member involved shall withdraw from discussions or decisions relating to that interest. Where an interest arises from membership of a public body, and where there is no financial interest, full participation in the discussion and decision is permitted.
- 20.4. In all circumstances, members of Council shall ask themselves whether members of the public, knowing the facts of the situation, would reasonably conclude that the interest involved might influence the approach taken to the actions of Council. If so, the interest is sufficient for the member to declare that interest.
- 20.5. Members of staff of the University do not need to declare an interest or to withdraw from discussion when general terms and conditions of service of staff or a group of staff are considered. However, if a member of staff has a particular interest in the issue which is greater

than the interest of the group of staff as a whole, then that interest shall be declared and the member of staff shall withdraw from the meeting and not speak, participate in or otherwise seek to influence any decision taken by the Council relating to the matter under discussion.

20.6. Any such declarations of interest shall be recorded in the Minutes.

21. Delegation of Powers

21.1. In accordance with Section 2 of the University Statutes, there shall be Committees of the Council with responsibility for audit, remuneration and nominations. The Council may, from time to time, establish additional standing, special and advisory Committees, Sub- Committees or Boards. In accordance with Ordinance 22, the Council shall determine annually the membership and terms of reference of these committees, and these shall be published in the University Calendar.

21.2. In addition, there shall be a schedule of specific powers formally delegated by the Council to other bodies, over and above those covered by Standing Order 21.1, which shall be approved annually.

21.3. The Council may grant delegated authority to the Chair to act on its behalf between meetings on matters of routine business. The Chair shall be answerable to Council for any action which they take on its behalf and a written report shall be made to the next meeting of Council detailing any Chair's action taken for endorsement by Council.

21.4. In all cases, the Council shall be ultimately accountable and shall accept corporate responsibility for the actions taken.

22. Chair's Ruling

22.1. The Chair shall determine all questions of procedure not expressly provided for in these Standing Orders subject to the consent of the meeting, absence of consent being determined by a two-thirds majority in support of a challenge to the ruling of the Chair.

23. Suspension of Standing Orders

23.1. Any of these Standing Orders may be suspended at any meeting after a motion to that effect has been passed by a majority of two-thirds of the members present and voting. Such suspension shall be for a specified item of business only and shall lapse when that item is concluded.

24. Amendments to Standing Orders

24.1. Amendment or repeal of Standing Orders shall require the approval of two-thirds of those present and voting on the motion for amendment or repeal.

25. Code of Conduct

- 25.1. Contravention of Standing Orders 3, 10, 18 or 20 may constitute a breach of the Code of Governor Conduct and could result in the suspension or removal of membership of the Council and its committees. Allegations of misconduct will be investigated in accordance with Ordinance 41 and Ordinance 43, and the University's Whistleblowing Policy, as appropriate.

Ordinance 16 - Standing Orders for Senate

The proceedings of the Senate shall be governed by the following Standing Orders and rules of procedure.

Setting the Agenda

1. The elected Senate Agenda Group (as defined in Ordinance 17) may request that an item shall be placed on the Agenda of an Ordinary Meeting of Senate. Such a request together with papers and notice of motion shall be sent to the Registrar and Secretary at least ten working days before the meeting.
2. The Vice-Chancellor shall cause the Agenda and accompanying papers for Senate to be prepared in consultation with the Senate Agenda Group. Together they shall see that the Agenda and papers provide, as far as possible, notice of matters to be raised, essential information and, where appropriate, motions for consideration by the Senate.
3. The Agenda and Papers for a Senate meeting shall normally be available to all members of the Senate not less than five working days before the meeting.
4. The Vice-Chancellor, or their deputy, may waive any of the preceding rules but only in order to call an Extraordinary Meeting of the Senate to address urgent business.
5. The Agenda for a Senate meeting shall be divided into two parts: the first on matters of academic strategy and policy (including the Vice-Chancellor's report); the second on matters of academic business (including the reports from Senate's committees). All items of the first part shall be taken for discussion. All items of the second part shall be business taken without discussion, except when starred for discussion either by the Vice-Chancellor, or their deputy, or by any member of the Senate, no later than noon on the day before the Senate meets. All items remaining unstarred shall be deemed to have been approved, or recommended to the Council, without discussion.

Addressing the Agenda

6. At any meeting the business shall be confined to the particulars in the Agenda and accompanying papers, and no member shall be entitled to propose a motion other than one directly arising out of the discussion of a subject before the Senate.
7. The first item of business at an Ordinary Meeting shall be 'Welcome and Announcements', during which quoracy of the meeting shall be confirmed. This shall be followed by 'Declarations of Interest'. The Minutes of the last Ordinary Meeting and of any subsequent Extraordinary Meetings' and by 'Matters Arising from the Minutes'. Discussion on the Minutes shall normally be confined to errors and omissions. These items are categorised as 'General Business'.
8. After the conclusion of the 'General Business' part of the Agenda, the meeting will address the items on the first part of the Agenda, normally beginning with the Vice-Chancellor's report, before moving to discuss the starred items of academic business.
9. No resolution or recommendation of the Senate shall normally be rescinded within six calendar months.

Quorum

10. There shall be a quorum at the meeting of the Senate when not less than half of the members are present, rounded up to a whole number. In the absence of a quorum, no business shall be transacted other than the adjournment of the meeting. In such a case, the Chair shall appoint a date, time, and place at which the meeting shall be reconvened. At least three working days' notice of the calling of the adjourned meeting shall be given.
11. The proceedings of the Senate shall not be invalidated by any vacancy in its number or by any defect in the appointment or qualification of the members.

The Conduct of the Meeting

12. All motions and any questions where the sense of the meeting may be in doubt shall be decided by show of hands.
13. All members shall be allowed to put motions and amendments to motions, and all variations upon a motion shall be deemed amendments and treated as such.
14. No discussion shall be allowed on a motion or amendment which has not been seconded. All motions except procedural motions (see Standing Order 18) and all amendments shall, if the Chair so decides, be handed to the Registrar and Secretary in writing, signed by the mover.
15. The mover of a motion shall normally have the right of reply.

16. At any time in the course of a discussion a member may speak to a point of order, and the discussion shall be suspended until the point of order has been decided by the Chair.
17. A member may dissent from any resolution or recommendation come to by the Senate and shall be entitled to have their dissent recorded in the Minutes of the meeting, provided that they have proposed a motion or spoken on the matter under discussion.
18. No member shall speak more than once on the same item of business, subject to the mover's right of reply (Standing Order 13).
19. Any of the foregoing orders may be suspended at any meeting after a motion to that effect has been passed by a majority of two-thirds of the members present and voting. Such suspension shall be for a specified item of business only and shall lapse when that item is concluded.
20. The following procedural motions may be put and debated in the following order of precedence, provided they have a proposer and a seconder:
 - (a) the motion be not put
 - (b) the motion be now put (closure of debate)
 - (c) the meeting be adjourned to a specific time
 - (d) the matter be deferred to the next meeting
 - (e) the matter be referred to the appropriate committee
 - (f) the order of business be changed
 - (g) the voting figures be recorded in the Minutes
 - (h) a part or parts of a motion be voted on separately
 - (i) the meeting be closed

A motion for the closure of debate (b) shall be put to the vote without discussion, subject to the mover's right of reply (Standing Order 13).
21. The Chair shall determine all questions of procedure not expressly provided for in these Standing Orders subject to the consent of the meeting, absence of consent being determined by a two-thirds majority in support of a challenge to the ruling of the Chair.

Ordinance 17 - Senate Agenda Group

The appointment and proceedings of the Senate Agenda Group shall be governed by the following rules and Standing Orders:

1. The Senate Agenda Group shall normally comprise, (a) the members of the Senate elected to the Council and (b) the Students' Union representative on the Council.

2. Should there be a vacancy in the number of Senate members elected to the Council, with the agreement of the Chair of the Senate, the Senate Agenda Group may co-opt an additional member from amongst the academic staff members of the Senate for the period of the vacancy.
3. The Senate Agenda Group shall elect a Chair from among its Academic Staff members in category 1(a) above.
4. The Chair of the Senate Agenda Group shall normally meet with the Vice-Chancellor and/or their deputy prior to each ordinary meeting of the Senate to discuss items for the first part of the agenda. The Secretary to the Senate shall normally be in attendance.
5. The Senate Agenda Group may request that an item be placed on the agenda of an ordinary meeting of Senate, in accordance with Ordinance 16.
6. The Senate Agenda Group may recommend to the Vice-Chancellor or their deputy that an extraordinary meeting of the Senate be called to discuss any urgent matter of academic strategy or policy.

Ordinance 18 - Procedure for Election of Members of Academic Staff to the Senate

1. Elections to the Senate shall normally be held annually on a date or dates to be fixed on each occasion by the Registrar and Secretary or their nominee, who shall act as Returning Officer.
2. All academic staff that have a contract of employment commencing at least 20 working days prior to the call for electoral nominations shall be eligible to vote in the election, providing that their contract extends to at least 31 July in the following academic year.
3. The only persons entitled to stand for election and to be elected to the Senate as elected Academic Staff members shall be the permanent members of Academic Staff who are also entitled to vote in that election.
4. Not less than 20 working days before the date of an election, the Registrar and Secretary or their nominee shall invite all persons entitled to vote in that election to submit nominations of persons eligible to stand for election. Nominations shall be in writing, shall be signed by not less than two electors at least one of whom shall be the holder of a post allocated to a Department other than that to which the nominee's post is allocated, and shall include a statement signed by the nominee that they are willing to stand. Nominations shall be submitted to the Registrar and Secretary or their nominee not less than ten working days before the date of election.
5. If the number of persons nominated exceeds the number of vacancies there shall be an election. Voting shall be by secret ballot. The ballot paper shall indicate the post held by each candidate and the Department to which it is allocated, and a personal statement written by each candidate. It shall

also indicate the number of persons to be elected and each elector shall vote by placing the requisite number of crosses against the names of the candidates.

6. The election as a whole shall not necessarily be invalidated if an invitation to submit nominations or a ballot paper is inadvertently not sent to or not received by a person entitled to vote in the election.
7. Ballot papers which are submitted to the Registrar and Secretary or their nominee later than midday on the day of election shall be void.

Ordinance 19 - Procedure for Filling a Casual Vacancy in the Elected Membership of Senate

In the event of a casual vacancy occurring among the Elected Members of Senate during an academic year, the vacancy shall normally be filled by the person for whom the highest number of votes (excluding votes for members elected) was cast in the last elections to the Senate. Members so elected shall hold office for the remainder of the academic year in question and the next three academic years.

Ordinance 20 - The Court

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

Ex Officio Members:

- The Chancellor
- The Pro-Chancellors
- The Treasurer
- The external members of the Council and its Committees
- The Vice-Chancellor
- The Deputy Vice-Chancellor
- The Pro-Vice-Chancellors
- The Deans and Deputies to the Deans, in accordance with Ordinance 8
- Directors of Professional Services
- Directors of Education and Research
- The Emeritus Professors
- The Emeritus Librarians

- The Trustees, Chief Executive and Directors of the Students' Union
- Non-Executive Directors of the University's subsidiary companies

Appointed Members:

- Former external members of the Council and its committees
 - Former Chancellors of the University
 - Former Vice-Chancellors of the University
 - Recipients of University of Essex Honorary Degrees and Honorary Fellowships
 - Such other persons appointed by the Council on the recommendation of Nominations Committee.
2. Ex officio members of the Court shall remain members only so long as they continue to hold the office by virtue of which they became members.
 3. Persons appointed by the Council shall hold office for such periods as may be determined by the Council.
 4. Former members may be re-appointed.
 5. Any member of the Court may resign by writing addressed to the Registrar and Secretary.

Ordinance 21 - Meetings of the Court

1. Members of Court shall be invited to a meeting, normally at least once a year within 15 months of the preceding meeting.
2. The Chancellor or, in their absence, a Pro-Chancellor, the Treasurer, or other Principal Officer of the University, shall act as Chair of Court.
3. The Court will receive a report from the Vice-Chancellor on the workings and sustainability of the University since the last meeting.

Ordinance 22 - The Boards and Committees of the Council and the Senate

1. The Council and the Senate may appoint Boards and Committees consisting either wholly or partly of members of the Council and/or the Senate.
2. The Boards and Committees of the Council and the Senate shall be as published annually in the University Calendar.

3. The Council and the Senate shall determine annually the membership and terms of reference of their Boards and Committees, and these shall be published in the University Calendar.
4. The Council and the Senate may delegate such functions and the exercise of specified powers to Boards and Committees as it may think fit.
5. The Council and the Senate shall receive annually a schedule of delegated powers in accordance with paragraph 4.

Nothing in this Ordinance shall enable the Council to delegate its power to reach a decision under paragraph 8(b) of the Charter.

Ordinance 23 - Procedure for the Boards and Committees of the Council and the Senate

1. There shall be a quorum at the meeting of any Board or Committee of the Council and the Senate when not less than half of the members are present, rounded up to a whole number. In the absence of a quorum, no business shall be transacted other than the adjournment of the meeting. In such a case, the Chair shall appoint a date, time and place at which the meeting shall be reconvened. At least three working days' notice of the calling of the adjourned meeting shall be given.
2. The proceedings of any Board or Committee of the Council or the Senate, shall not be invalidated by any vacancy in its number or by any defect in the appointment or qualification of the members.
3. At meetings of the Boards and Committees, of the Council and the Senate, when a vote is taken, a matter shall be determined by the majority of the members present and voting on the matter. In the case of equality of votes the Chair shall have the casting vote.
4. In the absence of a person who is Chair by appointment or ex officio, any Board or Committee of the Council or the Senate shall elect a Chair for the meeting.
5. Boards and Committees of the Council may propose their own standing orders for approval by the Council or the Senate as appropriate.
6. Whether specifically empowered to do so or not, the Chair of any Board or Committee of the Council or the Senate, shall have the power in cases of urgency, to take action on behalf of the Board or Committee of which they are Chair, provided that they report any such action at the next meeting.
7. A member, other than an ex officio member of any Board or Committee of the Council or the Senate, may resign from the Board or Committee by writing addressed to the Chair.

Ordinance 24 - Reserved Business

1. Any student member(s) or observers in attendance at meetings of the Council or the Senate or a Board or Committee thereof shall be required to withdraw from a meeting when it is declared by the Chair of the meeting that the meeting is about to discuss a reserved area of business and shall not return to the meeting until the discussion on the reserved area of business is concluded.
2. Minutes and other records which relate to the discussion of reserved areas of business shall not at any time be made available to student members.
3. The Chair of the Council or the Senate or a Board or Committee thereof shall decide whether a matter is a reserved area of business or not, consulting as appropriate, and their decision shall be final.

Ordinance 25 - Faculties, Schools, Departments and Centres

1. There shall be Faculties in the University as follows:
 - Arts and Humanities
 - Science and Health
 - Social Sciences
2. There shall be Departments in the University as follows:
 - Department of Economics
 - Department of Government
 - Department of Language and Linguistics
 - Department of Literature, Film, and Theatre Studies
 - Department of Psychology
 - Department of Psychosocial and Psychoanalytic Studies
 - Department of Sociology and Criminology
 - East 15 Acting School
 - Edge Hotel School
 - Essex Business School

- Essex Law School
- Essex Pathways
- Institute for Social and Economic Research
- School of Computer Science and Electronic Engineering
- School of Health and Social Care
- School of Life Sciences
- School of Mathematics, Statistics and Actuarial Science
- School of Philosophical, Historical, and Interdisciplinary Studies
- School of Sport, Rehabilitation and Exercise Sciences
- The UK Data Archive

3. There shall be Centres and Institutes in the University, established from time to time by the Senate and the Council, and listed annually in the University Calendar.

4. The membership of Faculties shall be as follows:

Faculty of Arts and Humanities

- Department of Literature, Film, and Theatre Studies
- East 15 Acting School
- Edge Hotel School
- Department of History
- Essex Pathways
- Essex Law School (incorporating the Human Rights Centre)
- School of Philosophical, Historical, and Interdisciplinary Studies

Faculty of Science and Health

- Department of Psychology
- School of Computer Science and Electronic Engineering
- School of Health and Social Care
- School of Life Sciences

- School of Mathematics, Statistics and Actuarial Science
- School of Sport, Rehabilitation and Exercise Sciences

Faculty of Social Sciences

- Department of Economics
- Department of Government
- Department of Language and Linguistics
- Department of Psychosocial and Psychoanalytic Studies
- Department of Sociology and Criminology
- Essex Business School
- Institute for Social and Economic Research
- The UK Data Archive

5. Changes to the Faculties, Schools, Departments, Centres and Institutes in the University shall be approved by the Senate and the Council, in accordance with the respective powers of the Senate and the Council.

Ordinance 26 - Academic Partnerships

The University may establish academic partnerships with other educational bodies in accordance with the provisions of the Charter. A register of the University's academic partnerships shall be maintained by the Registrar and Secretary or their nominee.

Ordinance 27 - Departmental Meetings

1. A meeting of the Academic Staff holding posts allocated (primarily or otherwise) to a Department shall be known as a 'Departmental Meeting'.
2. The Head of each Department shall convene a Departmental Meeting at least once in each term, and at other times within five working days of them having received a request in writing signed by at least one quarter of the Academic Staff holding posts allocated to the Department that such a meeting should be convened.
3. The agenda for each Departmental Meeting shall contain a standing item in relation to the Senate. The item shall provide the Head of Department with an opportunity to update Academic Staff on Senate decisions and related activity and provide a forum for discussion.

Ordinance 28 - General Meeting of Staff

The Vice-Chancellor may at any time at their discretion, and shall, upon the request in writing of not fewer than 25 employees of the University, convene a General Meeting which shall be open to all employees of the University.

Ordinance 29 - The Students' Union

1. There shall be a Students' Union for the purposes of advancing the education and social welfare of students of the University, and to serve as a channel of communication between the members of the Students' Union and the University and other bodies.
2. The name of the Students' Union shall be 'The University of Essex Students' Union' (hereinafter referred to as 'The Students' Union').
3. All registered students of the University shall be Full Members of the Students' Union, unless they exercise their right to elect not to be a member of the Students' Union. Students who exercise that right shall not be unfairly disadvantaged with regard to the provision of services or otherwise by reason of having done so.
4. The Students' Union shall make a Constitution, which shall not conflict with the Charter and Ordinances of the University.
5. The Constitution of the Students' Union and any amendments thereto shall be approved by the Council of the University and shall be reviewed by the Council of the University at intervals of not less than five years.
6. The financial affairs of the Students' Union shall be properly conducted and its budget approved by the University Council, who shall also be responsible for monitoring its income and expenditure.
7. The procedures for a student to elect not to be a Full Member of the Students' Union and other matters governing the operation of the Students' Union and its relationship with the University shall be laid down in a Code of Practice which shall be approved by the Council of the University and shall be reviewed by the Council of the University at intervals of not less than five years.

Ordinance 30 - The Alumni Association

1. All persons who have been students of the University of Essex, and those persons on whom honorary degrees have been conferred, shall be invited to keep in touch with the University through its Alumni Network, formerly known as the the Alumni Association.
2. The principal function of the Alumni Network is to establish and develop a mutually beneficial relationship between the University and its body of alumni.

Ordinance 31 - Graduation

Degrees of the University shall be conferred at ceremonies held from time to time which shall be presided over by the Chancellor or, in their absence, a Pro-Chancellor or other Principal Officer of the University.

Ordinance 32 - Honorary Degrees and Honorary Fellowships

1. The Council, on the recommendation of the Senate, may agree recipients of honorary degrees of the University and may award honorary fellowships of the University.
2. The Honorary Degrees and Honorary Fellowships Committee shall consider candidates for the conferment of honorary degrees and the award of honorary fellowships, in accordance with the criteria for eligibility for these awards and the procedure approved by the Council.
3. The Honorary Degrees and Honorary Fellowships Committee is a joint committee of the Council and the Senate and shall report to the Council and to the Senate.
4. All members of the University shall have the right to submit, in confidence, proposals for the conferment of honorary degrees and the award of honorary fellowships, and all such proposals shall be considered by the Honorary Degrees and Honorary Fellowships Committee. Self-nominations will not be accepted.

Ordinance 33 - The Academic Staff

The Council shall appoint such Academic Staff and other Officers as it may deem necessary at such remuneration and upon such terms and conditions as it may think fit; provided that no permanent member of the Academic Staff shall be appointed except on the recommendation of the Senate.

Ordinance 34 - Definition of Academic Staff

‘Academic Staff’ means all persons holding appointments as Professors, Readers, Senior Lecturers, Senior Research Fellows, Lecturers, Research Fellows, Senior Research Officers or Research Officers of the University, or in other posts stipulated by the Senate.

Ordinance 35 - Allocation of Posts on the Academic Staff

1. For the purposes of these Ordinances, 'Department' shall mean one of those Departments and Schools established from time to time by the Senate and the Council and listed annually in the University Calendar. 'Head of Department' shall mean Head of Department or Head or Dean or Director or Principal of a School, provided the Department or School is listed in the University Calendar.
 - (a) The University Steering Group shall have the power to establish a post on the Academic Staff, to be allocated within a specified Department;
 - (b) The University Steering Group shall have the power subsequently to make changes to any such established post, save that no such change shall be made without having consulted with the current holder of the post;
 - (c) Every allocation of a post on the Academic Staff shall lapse on the promotion, resignation, retirement, removal from office, or death of the holder of the post;
 - (d) No post on the Academic Staff shall be filled by an appointment unless it has been established, or change approved, by the University Steering Group.
2. Where a post is allocated to more than one Department, the University Steering Group shall indicate to which Department the post is primarily allocated
3. The University Steering Group may also impose on such an allocation of constraints which it deems appropriate concerning the field of study, the duration of an appointment, and any other matter consistent with the Ordinances;
4. The University Steering Group may delegate its power set out in paragraphs 2 to 4 to an Executive Dean.

Ordinance 36 - Appointment of Professors

1. When the University Steering Group has resolved that a Professorship be established in a Department and does not constrain the appointment to be temporary, the following procedure shall be followed:
 - (a) The Vice-Chancellor shall appoint a Selection Committee, normally including the Vice-Chancellor as Chair, a Pro-Vice-Chancellor, an Executive Dean, the Head of the Department to which the Professorship is allocated, and up to five other persons of whom no member of the Academic Staff shall be appointed who has not been granted permanency of office;

- (b) The vacancy shall be publicly advertised, subject to any constraints laid down by the University Steering Group;
- (c) The Vice-Chancellor shall appoint at least two External Assessors who shall be neither members of the Academic Staff nor of the Selection Committee, to advise the Selection Committee on its decision;
- (d) The Selection Committee alone shall have the power to resolve the appointment of a person to the vacant Professorship. The Selection Committee shall report to the Senate and the Council the name of the person appointed to the vacant Professorship.
- (e) The Vice-Chancellor may delegate their powers as set out in paragraphs (a) and (c) above to a Pro-Vice-Chancellor or an Executive Dean.

2.

- (a) Under the provisions of Ordinance 22 the Senate shall appoint an Academic Staffing Committee, the membership and terms of reference of which shall be approved annually by the Senate and published in the University Calendar.
- (b) Subject to the provision of Ordinance 36(3), the Academic Staffing Committee alone shall have the power to resolve that a Reader, Senior Lecturer or Senior Research Fellow who is a member of the permanent Academic Staff should be promoted to a Professorship. The rules, procedures and criteria of the Academic Staffing Committee shall be determined from time to time by the Senate.
- (c) Subject to the provision of Ordinance 36(3), the Academic Staffing Committee shall report to the Senate and the Council the promotion of a member of Academic Staff to a Professorship.

3. In cases of urgency, the Vice-Chancellor shall be empowered to appoint a member of Academic Staff to a Professorship, subject to the following conditions:

- (a) That the member of Academic Staff has received a definite offer of a Professorship from another university or an offer at an equivalent level from outside the university sector;
- (b) That the following are consulted before the offer of a Professorship is made: the Pro-Vice-Chancellor (Education), the Pro-Vice-Chancellor (Research), the relevant Executive Dean, the permanent professorial staff and the Head of the member of staff's Department;
- (c) That at least two External Assessors appointed by the Vice-Chancellor are unambiguously of the opinion that the member of Academic Staff is a suitable person to appoint to a Professorship.

Appointments made in this way will be reported to the Senate and the Council.

Ordinance 37 - Appointment of Readers and Senior Lecturers

1. When the University Steering Group has resolved that a Readership or Senior Lectureship be established in a Department and does not constrain the appointment to be temporary, the following procedure shall be followed:
 - (a) The Vice-Chancellor shall appoint a Selection Committee, normally including the Faculty Executive Dean as chair, the Head of the Department to which the Readership or Senior Lectureship is allocated, and up to three other persons of whom no member of the Academic Staff shall be appointed who has not been granted permanency of office;
 - (b) The vacancy shall be publicly advertised, subject to any constraints laid down by the University Steering Group;
 - (c) The Vice-Chancellor shall appoint at least one External Assessor, who shall be neither a member of the Academic Staff nor of the Selection Committee, to advise the Selection Committee on its decision;
 - (d) The Selection Committee alone shall have the power to resolve the appointment of a person to the vacant Readership or Senior Lectureship. The Selection Committee shall report to the Senate and the Council the name of the person appointed to the vacant Readership or Senior Lectureship;
 - (e) The Vice-Chancellor may delegate their powers as set out in paragraphs (a) and (c) above to an Executive Dean.
2. The University Steering Group may delegate its powers set out in paragraph 1 to an Executive Dean.
3.
 - (a) Under the provisions of Ordinance 22 the Senate shall appoint an Academic Staffing Committee, the membership and terms of reference of which shall be approved annually by the Senate and published in the University Calendar.
 - (b) Subject of the provision of Ordinance 37(4), the Academic Staffing Committee alone shall have the power to resolve that a Lecturer who is a member of the permanent Academic Staff should be promoted to a Senior Lectureship, or that a Senior Lecturer who is a member of the permanent Academic Staff should be promoted to a Readership. The rules, procedures and criteria of the Academic Staffing Committee shall be determined from time to time by the Senate.

- (c) The Academic Staffing Committee shall report to the Senate and the Council the promotion of a member of Academic Staff to a Readership or Senior Lectureship.
4. In cases of urgency, the Vice-Chancellor shall be empowered to appoint a member of Academic Staff to a Readership or Senior Lectureship subject to the following conditions:
- (a) That the member of Academic Staff has received a definite offer of a Professorship, Readership or Senior Lectureship from another university or an offer at an equivalent level from outside the university sector;
- (b) That the following are consulted before the offer of a Readership or Senior Lectureship is made: the Pro-Vice-Chancellor (Education), the Pro-Vice-Chancellor (Research), the relevant Executive Dean, the permanent senior staff of the member of staff's Department;
- (c) That at least two External Assessors appointed by the Vice-Chancellor are unambiguously of the opinion that the member of Academic Staff is a suitable person to appoint to a Readership or Senior Lectureship.

Appointments made in this way will be reported to the Senate and the Council.

Ordinance 38 - Appointment of Lecturers

1. When the University Steering Group has resolved that a Lectureship be established in a Department and does not constrain the appointment to be temporary, the following procedure shall be followed:
- (a) The Vice-Chancellor shall normally appoint the relevant Faculty Executive Dean as Chair of a Selection Committee, and shall appoint to membership of that Committee the Head of the Department to which the post is allocated, and, on the nomination of the Chair of the Selection Committee, up to five other members of whom no member of the Academic Staff shall be appointed who has not been granted permanency of office and of whom at least one shall be a Professor, Reader or Senior Lecturer in a Department different from that to which the post is allocated. If the appointed Chair is unable to take the chair, a Pro-Vice-Chancellor or an Executive Dean shall do so;
- (b) The vacancy shall be publicly advertised, subject to any constraints laid down by the University Steering Group.
- (c) The Selection Committee alone shall have the power to resolve the appointment of a person to the vacant Lectureship. The Selection Committee shall report to the Senate and the Council the name of the person appointed to the vacant Lectureship.
- (d) The Vice-Chancellor may delegate their powers as set out in paragraph (a) above to an Executive Dean.

2. The University Steering Group may delegate its powers set out in paragraph 1 to an Executive Dean.

Ordinance 39 - Functions of the Academic Staff

1. The Academic Staff shall perform such functions as may from time to time be defined by the Senate, in accordance with the Charter and these Ordinances.
2. It shall be the duty of Professors, Readers, Senior Lecturers, or Lecturers to devote themselves to the advancement of knowledge in their subjects. It shall be the duty of all Academic Staff to give instruction in their subjects to students of the University and to take part in examining, and generally to promote the function of the University as a centre of learning and education. It shall also be their duty to undertake such functions of teaching and administration as may reasonably be assigned to them by the Head of the Department to which their posts are allocated.
3. Professors, Readers and Senior Lecturers shall, provided that they hold permanently established posts in the University, normally be appointed with permanency of office (subject to the provisions of the Ordinances as to termination). Lecturers who have held a permanent appointment in a teaching post in a university may, provided that they hold permanently established posts in the University, be appointed with permanency of office (subject to the provisions of the Ordinances as to termination). Lecturers who are appointed without having held a permanent appointment in a teaching post in a university shall normally be appointed subject to confirmation after a Pathway to Permanency period of three years, and if this appointment as Lecturer is confirmed they shall then have permanency of office (subject to the provisions of the Ordinances as to termination).
4. Decisions as to confirmation of an appointment which has been made with a view to permanency are made by Academic Staffing Committee. The Committee may make a decision on confirmation at any point prior to the end of the Pathway to Permanency period and the decision will be based on evidence that, having regard to their standing, experience and the opportunities which have been afforded to them, the member of Academic Staff under review has met the criteria laid down for Pathway to Permanency academics by the Committee.
5. Members of Academic Staff may undertake consultancy work in accordance with the terms of the University's Consultancy Policy, or other additional paid work with the permission of the Vice-Chancellor.

Ordinance 40 - Research Leave and Leave of Absence

This Ordinance applies only to those Academic Staff ('eligible Academic Staff') who have a contractual requirement to carry out research.

1. Each member of eligible Academic Staff employed as a Lecturer, Senior Lecturer, Reader or Professor has an entitlement to research leave. The fundamental purpose of research leave is to enable eligible Academic Staff to undertake research that contributes to the University's mission and research strategy and to the further development of the individual as a scholar.
2. The entitlement is one term of research leave with full salary for each six terms' service as a member of the full time eligible permanent or Pathway to Permanency Academic Staff. Temporary Academic Staff are not entitled to research leave. However, if a member of the temporary Academic Staff becomes permanent or on Pathway to Permanency, they can count their length of service as a member of the temporary Academic Staff for the purpose of accruing entitlement to research leave, provided that they are eligible for research leave. Part time Academic Staff who are eligible for research leave are entitled to research leave on a pro-rata basis. A term of research leave will start half-way between the end of the preceding term and the start of the term to be taken as research leave, and will end half-way between the end of the term taken as research leave and the start of the term in which duties re-commence. If more than one term of research leave is taken consecutively then the research leave will end half-way between the end of the final term and the start of the term in which duties re-commence.
3. For the purpose of accruing entitlement to research leave, time spent on maternity, paternity or adoption leave will count towards entitlement. Time spent on paid leave of absence (funded, for example, by a Research Council or academic foundation) which results in research that contributes to the University's mission will also count towards entitlement. Time spent on unpaid leave of absence, research leave or extended sick leave will not count towards entitlement. However, the Pro-Vice-Chancellor (Research) may agree to the counting of time spent on unpaid leave of absence or sick leave if this is clearly in the interests of the Department concerned.
3. Providing an eligible academic member of staff has accrued the necessary entitlement then research leave will be granted subject to the following conditions:
 - (a) that the work to be undertaken during a period of research leave is of benefit to the University, the Department and the individual member of staff
 - (b) that the application has been signed by the Head of Department (and, if appropriate, Executive Dean) who will comment on whether they approve the application in relation to content and timing
 - (c) that the research leave will be spent on the work specified in the application for leave; and
 - (d) that the member of staff submits a report on the study undertaken at the end of the period of research leave which indicates how far the stated objectives of the research leave have been achieved. In certain circumstances a member of staff may for good reason change their plans provided that a case has been made to their Head of Department.

(e) A satisfactory report on the research undertaken during a period of research leave is required before further applications for research leave can be approved.

4. Application for research leave for a particular term or terms shall be made by the member of staff, using the appropriate form, at least two terms before the first day of the term from which research leave is requested.

The Pro-Vice-Chancellor (Research) will be responsible for approving research leave applications. If the Pro-Vice-Chancellor (Research) does not approve an application they will give the reason(s) to the individual.

5. During a period of research leave a member of Academic Staff shall not be required to undertake teaching or administrative duties.
6. Members of staff are reminded that the purpose of research leave is to enhance the research profile of the University and the individual. It is not intended to function as an indirect subsidy for the research output of other universities. For that reason special provisions apply where a member of staff tenders their resignation immediately before or during a period of research leave. Following discussions with the member of staff, the University reserves the right to withdraw approval of research leave at the point where a member of staff tenders their resignation. The options to be discussed with the member of staff will be:
 - (a) To allow the member of staff to continue with their research leave where the planned programme of research is agreed to be in the interests of the University, the Department and the individual member of staff.
 - (b) To terminate the research leave and require the member of staff to undertake such teaching, research and administrative duties as reasonably allocated by the Head of Department.
 - (c) To waive the notice period in order to allow the member of staff to leave their employment with the University early and take up their new post.

In the event that neither (a), (b) nor (c) above are agreed and the member of staff does not return to work, the University will stop pay during what will then be deemed a period of unauthorised absence.

Ordinance 41 - Grievance, Discipline, Dismissal and Related Matters

Part I Construction, Application and Interpretation

Construction

1. This Ordinance or any Regulation made under this Ordinance shall be construed in every case to give effect to the following guiding principles, that is to say:

- (a) to ensure that Academic Staff have freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their jobs or privileges;
- (b) to enable the University to provide education, promote learning and engage in research efficiently and economically; and
- (c) to apply the principles of justice and fairness.

Reasonableness of Decisions

2. No provision in Part II or Part III shall enable the body or person having the duty to reach a decision under the relevant Part to dismiss any member of the Academic Staff unless the reason for their dismissal may in the circumstances (including the size and administrative resources of the University) reasonably be treated as a sufficient reason for dismissing them.

Application

- 3.
- (1) This Ordinance shall apply:
- (a) to the persons defined as 'Academic Staff' in Ordinance 34;
 - (b) to the Registrar and Secretary, University Librarian, Academic Staff and designated Senior Support Staff and
 - (c) to the Vice-Chancellor to the extent and in the manner set out in the Annex to this Ordinance.
- (2) In this Ordinance any reference to 'Academic Staff' is a reference to persons to whom this Ordinance applies.

Interpretation - Meaning of 'dismissal'

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

Meaning of 'good cause'

- 5.
- (1) For the purposes of this Ordinance 'good cause' in relation to the dismissal or removal from office or place of a member of the Academic Staff, being in any case a reason which is related to conduct or to capability or qualifications for performing work of the kind which the member of the Academic Staff concerned was appointed or employed to do, means:

- (a) conviction for an offence which may be deemed by a Tribunal appointed under Part III to be such as to render the person convicted unfit for the execution of the duties of the office or employment as a member of the Academic Staff; or
- (b) conduct of an immoral, scandalous or disgraceful nature incompatible with the duties of the office or employment; or
- (c) conduct constituting failure or persistent refusal or neglect or inability to perform the duties or comply with the conditions of office; or
- (d) physical or mental incapacity established under Part IV.

(2) In this paragraph:

- (a) 'capability', in relation to such a member, means capability assessed by reference to skill, aptitude, health or any other physical or mental quality; and
- (b) 'qualifications', in relation to such a member, means any degree, diploma or other academic, technical or professional qualification relevant to the office or position held by that member.

Meaning of 'redundancy'

6.

For the purposes of this Ordinance dismissal shall be taken to be a dismissal by reason of redundancy if it is attributable wholly or mainly to:

- (a) the fact that the University has ceased, or intends to cease, to carry on the activity for the purposes of which the member of the Academic Staff concerned was appointed or employed by the University, or has ceased, or intends to cease, to carry on that activity in the place in which the member concerned worked; or
- (b) the fact that the requirements of that activity for members of the Academic Staff to carry out work of a particular kind, or for members of the Academic Staff to carry out work of a particular kind in that place, have ceased or diminished or are expected to cease or diminish.

Incidental, Supplementary and Transitional Matters

7.

(1) In any case of conflict, the provisions of this Ordinance shall prevail over those of any other Ordinances and Regulations. Provided that Part III of and the Annex to this Ordinance shall not apply in relation to anything done or omitted to be done before the date on which the instrument making these modifications was approved under subsection (9) of section 204 of the Education Reform Act 1988.

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

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

- (3) Nothing in any Ordinance or Regulation made there under shall authorise or require any officer of the University to sit as a member of any Committee, Tribunal or body appointed under this Ordinance or to be present when any such Committee, Tribunal or body is meeting to arrive at its decision or for the purpose of discussing any point of procedure.
- (4) In this Ordinance references to numbered Parts, paragraphs, and sub-paragraphs are references to Parts, paragraphs, and sub-paragraphs so numbered in this Ordinance.

Part II Redundancy

Purpose of Part II

8.

This Part enables the Council, as the appropriate body, to dismiss any member of the Academic Staff by reason of redundancy.

Exclusion From Part II of Persons Appointed or Promoted Before 20 November 1987

9.

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

The Appropriate Body

10.

- (1) The Council shall be the appropriate body for the purposes of this Part.
- (2) This paragraph applies where the appropriate body has decided that it is desirable that there should be a reduction in the Academic Staff:
- (a) of the University as a whole; or
 - (b) of any school, department or other similar area of the University by way of redundancy.

11.

- (1) Where the appropriate body has reached a decision under paragraph 10(2) it shall appoint a Redundancy Committee to be constituted in accordance with sub-paragraph (3) of this paragraph to give effect to its decision by such date as it may specify and for that purpose:
 - (a) to select and recommend the requisite members of the Academic Staff for dismissal by reason of redundancy; and
 - (b) to report their recommendations to the appropriate body.
- (2) The appropriate body shall either approve any selection recommendation made under sub-paragraph (1), or shall remit it to the Redundancy Committee for further consideration in accordance with its further directions.
- (3) A Redundancy Committee appointed by the appropriate body shall comprise:
 - (a) a Chair; and
 - (b) two members of the Council, not being persons employed by the University; and
 - (c) two members of the Academic Staff nominated by the Senate.

Notices of Intended Dismissal

12.

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

Part III Discipline, Dismissal and Removal from Office Disciplinary Procedures

13.

(1) Minor faults shall be dealt with informally.

(2) Where the matter is more serious but falls short of constituting possible good cause for dismissal the following procedure shall be used:

Stage 1 - Oral Warning

If conduct or performance does not meet acceptable standards the member of the Academic Staff will normally be given a formal ORAL WARNING. The member will be advised of the reason for the warning, that it is the first stage of the disciplinary procedure and of the right of appeal under this paragraph. A brief note of the oral warning will be kept but it will be spent after 12 months, subject to satisfactory conduct and performance.

Stage 2 - Written Warning

If the offence is a serious one, or if a further offence occurs, a WRITTEN WARNING will be given to the member of the Academic Staff by the Executive Dean. (For posts within Professional Services coming within the scope of this ordinance a written warning will be issued by the appropriate Head of Section). This will give details of the complaint, the improvement required and the timescale. It will warn that a complaint may be made to the Registrar and Secretary seeking the institution of charges to be heard by a Tribunal appointed under paragraph 16 if there is no satisfactory improvement and will advise of the right of appeal under this paragraph. A copy of this written warning will be kept but it will be disregarded for disciplinary purposes after two years subject to satisfactory conduct and performance.

Stage 3 - Appeals

A member of the Academic Staff who wishes to appeal against a disciplinary warning shall inform the Registrar and Secretary within two weeks. The appropriate Pro-Vice-Chancellor shall hear all such appeals and their decision shall be final.

Preliminary Examination of Serious Disciplinary Matters

14.

(1) If there has been no satisfactory improvement following a written warning given under Stage 2 of the procedure in paragraph 13, or in any other case where it is alleged that conduct or performance may constitute good cause for dismissal or removal from office, a complaint seeking the institution of charges to be heard by a Tribunal appointed under paragraph 16 may be made to the Registrar and Secretary who shall bring it to the attention of the Vice-Chancellor.

- (2) To enable the Vice-Chancellor to deal fairly with any complaint brought to their attention under sub-paragraph (1) they shall institute such investigations or enquiries (if any) as appear to them to be necessary.
- (3) If it appears to the Vice-Chancellor that a complaint brought to their attention under sub-paragraph (1) relates to conduct or performance which does not meet acceptable standards but for which no written warning has been given under paragraph 13 or which relates to a particular alleged infringement of rules, regulations or byelaws for which a standard penalty is normally imposed in the University or within the School, Department or other relevant area, or is trivial or invalid they may dismiss it summarily, or decide not to proceed further under this Part.
- (4) If the Vice-Chancellor does not dispose of a complaint under sub-paragraph (3) they shall treat the complaint as disclosing a sufficient reason for proceeding further under this Part and, if they see fit, they may suspend the member on full pay pending a final decision.
- (5) Where the Vice-Chancellor proceeds further under this Part they shall write to the member of the Academic Staff concerned inviting comment in writing.
- (6) As soon as may be following receipt of the comments (if any) the Vice-Chancellor shall consider the matter in the light of all the material then available and may:
 - (a) dismiss it themselves; or
 - (b) refer it for consideration under paragraph 13; or
 - (c) deal with it informally themselves if it appears to the Vice-Chancellor appropriate to do so and if the member of the Academic Staff agrees in writing that the matter should be dealt with in that way; or
 - (d) direct the Registrar and Secretary to prefer a charge or charges to be considered by a Tribunal to be appointed under paragraph 16.
- (7) If no comment is received within 28 days the Vice-Chancellor may proceed as aforesaid as if the member concerned had denied the substance and validity of the alleged case in its entirety.

Institution of Charges

15.

- (1) In any case where the Vice-Chancellor has directed that a charge or charges be preferred under paragraph 14(6)(d), they shall request the Council to appoint a Tribunal under paragraph 16 to hear the charge or charges and to determine whether the conduct or performance of the member of the Academic Staff concerned constitutes good cause for dismissal or otherwise constitutes a serious complaint relating to the member's appointment or employment.

- (2) Where the Council has been requested to appoint a Tribunal under paragraph 16 the Registrar and Secretary or, if they are unable to act, another officer appointed by the Vice-Chancellor shall take charge of the proceedings.
- (3) The officer in charge of the proceedings shall formulate, or arrange for the formulation of, the charge or charges and shall present, or arrange for the presentation of, the charge or charges before the Tribunal.
- (4) It shall be the duty of the officer in charge of the proceedings:
 - (a) to forward the charge or charges to the Tribunal and to the member of the Academic Staff concerned together with the other documents therein specified, and
 - (b) to make any necessary administrative arrangements for the summoning of witnesses, the production of documents and generally for the proper presentation of the case before the Tribunal.

The Tribunal

16.

A Tribunal appointed by the Council shall comprise:

- (a) a Chair; and
- (b) one member of the Council, not being a person employed by the University; and
- (c) one member of the Academic Staff nominated by the Senate.

Provisions Concerning Tribunal Procedure

17.

- (1) The procedure to be followed in respect of the preparation, hearing and determination of charges by a Tribunal shall be that set out in Ordinance made under this paragraph.
- (2) Without prejudice to the generality of the foregoing such Ordinances shall ensure:
 - (a) that the member of the Academic Staff concerned is entitled to be represented by another person, whether such person be legally qualified or not, in connection with and at any hearing of charges by a Tribunal;
 - (b) that a charge shall not be determined without an oral hearing at which the member of the Academic Staff concerned and any person appointed by them to represent them are entitled to be present;
 - (c) that the member of the Academic Staff and any person representing the staff member may call witnesses and may question witnesses upon the evidence on which the case against them is based; and
 - (d) that full and sufficient provision is made:

- i. for postponements, adjournments, dismissal of the charge or charges for want of prosecution, remission of the charge or charges to the Vice-Chancellor for further consideration and for the correction of accidental errors; and
- ii. for appropriate time limits for each stage (including the hearing) to the intent that any charge thereunder shall be heard and determined by a Tribunal as expeditiously as reasonably practicable.

Notification of Tribunal Decisions

18.

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

Powers of the appropriate Officer where charges are upheld by Tribunal

19.

- (1) Where the charge or charges are upheld and the Tribunal finds good cause and recommends dismissal or removal from office, but in no other case, the appropriate officer shall decide whether or not to dismiss the member of the Academic Staff concerned.
- (2) In any case where the charge or charges are upheld, other than where the appropriate officer has decided under sub-paragraph (1) to dismiss the member of the Academic Staff concerned, the action available to the appropriate officer (not comprising a greater penalty than that recommended by the Tribunal) may be:
 - (a) to discuss the issues raised with the member concerned; or
 - (b) to advise the member concerned about their future conduct; or
 - (c) to warn the member concerned; or
 - (d) to suspend the member concerned for such period as the appropriate officer shall think fair and reasonable, not to exceed 3 months after the Tribunal's decision; or
 - (e) any combination of any of the above or such further or other action under the member's contract of employment or terms of appointment as appears fair and reasonable in all the circumstances of the case.

Appropriate Officers

20.

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

Part IV Removal for Incapacity on Medical Grounds

21.

- (1) This Part makes separate provision for the assessment of incapacity on medical grounds as a good cause for dismissal or removal from office.
- (2) In this Part references to medical grounds are references to capability assessed by reference to health or any other physical or mental quality.
- (3) In this Part references to the appropriate officer are references to the Vice-Chancellor or an officer acting as their delegate to perform the relevant act.
- (4) References to the member of the Academic Staff include, in cases where the nature of the alleged disability so requires, a responsible relative or friend in addition to (or instead of) that member.

22.

- (1) Where it appears that the removal of a member of the Academic Staff on medical grounds would be justified, the appropriate officer:
 - (a) shall inform the member accordingly; and
 - (b) shall notify the member in writing that it is proposed to make an application to the member's doctor for a medical report and shall seek the member's consent in writing in accordance with the requirements of the Access to Medical Reports Act 1988.
- (2) If the member shares that view the University shall meet the reasonable costs of any medical opinion required.
- (3) If the member does not share that view the appropriate officer shall refer the case in confidence, with any supporting medical and other evidence (including any medical evidence submitted by the member), to a Board comprising one person nominated by the Council; one person nominated by the member concerned or, in default of the latter nomination, by the Senate; and a medically qualified Chair jointly agreed by the Council and the member or, in default of agreement, to be nominated by the President of the Royal College of Physicians.

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

Termination of Employment

23.

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

Part V Appeals

Purpose of Part V

24.

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

Application and Interpretation of Part V

25.

(1) This Part applies:

- (a) to appeals against the decisions of the Council as the appropriate body (or of a delegate of that body) to dismiss in the exercise of its powers under Part II;
- (b) to appeals arising in any proceedings, or out of any decision reached, under Part III other than appeals under paragraph 13 (Appeals against disciplinary warnings);
- (c) to appeals against dismissal otherwise than in pursuance of Part II or Part III;
- (d) to appeals against discipline otherwise than in pursuance of Part III; and
- (e) to appeals against decisions reached under Part IV and 'appeal' and 'appellant' shall be construed accordingly.

(2) No appeal shall however lie against:

- (a) a decision of the appropriate body under paragraph 10(2);
- (b) the findings of fact of a Tribunal under paragraph 18(1) save where, with the consent of the person or persons hearing the appeal, fresh evidence is called on behalf of the appellant at that hearing;
- (c) any finding by a Board set up under paragraph 22(3).

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

- (4) The parties to an appeal shall be the appellant and the Registrar and Secretary and any other person added as a party at the direction of the person appointed.

Institution of Appeals

26.

A member of the Academic Staff shall institute an appeal by serving on the Registrar and Secretary, within the time allowed under paragraph 27, notice in writing setting out the grounds of the appeal.

Time for Appealing and Notices of Appeal

27.

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

Persons Appointed to Hear and Determine Appeals

28.

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

Provisions Concerning Appeal Procedures and Powers

29.

- (1) The procedure to be followed in respect of the preparation, consolidation, hearing and determination of appeals shall be that set out in paragraphs 2 and 3 below.

- (2) Without prejudice to the generality of the foregoing such Ordinances shall ensure:
- (a) that an appellant is entitled to be represented by another person, whether such person be legally qualified or not, in connection with and at any hearing of their appeal;
 - (b) that an appeal shall not be determined without an oral hearing at which the appellant, and any person appointed by them to represent them are entitled to be present and, with the consent of the person or persons hearing the appeal, to call witnesses;
 - (c) that full and sufficient provision is made for postponements, adjournments, dismissal of the appeal for want of prosecution and for the correction of accidental errors; and
 - (d) that the person appointed may set appropriate time limits for each stage (including the hearing itself) to the intent that any appeal shall be heard and determined as expeditiously as reasonably practicable.
- (3) The person or persons hearing the appeal may allow or dismiss an appeal in whole or in part and, without prejudice to the foregoing, may:
- (a) remit an appeal from a decision under Part II to the Council as the appropriate body (or any issue arising in the course of such an appeal) for further consideration as the person or persons hearing the appeal may direct; or
 - (b) remit an appeal arising under Part III for re-hearing by a differently constituted Tribunal to be appointed under that Part; or
 - (c) remit an appeal from a decision of the appropriate officer under Part IV for further consideration as the person or persons hearing the appeal may direct; or
 - (d) substitute any lesser alternative penalty that would have been open to the appropriate officer following the finding by the Tribunal which heard and pronounced upon the original charge or charges.

Notification of Decisions

30.

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

Part VI Grievance Procedures

Purpose of Part VI

31.

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

Application

32.

The grievances to which this Part applies are ones by members of the Academic Staff concerning their appointments or employment where those grievances relate:

- (a) to matters affecting themselves as individuals; or
- (b) to matters affecting their personal dealings or relationships with other staff of the University, not being matters for which express provision is made elsewhere in this Ordinance.

Exclusion and Informal Procedures

33.

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

to the interests of justice and fairness, for them to seek to dispose of it informally. If they so decide they shall notify the member and proceed accordingly.

Grievance Committee Procedure

34.

If the grievance has not been disposed of informally under paragraph 33(5), the Vice-Chancellor shall refer the matter to the Grievance Committee for consideration.

35.

The Grievance Committee to be appointed by the Council shall comprise:

- (a) a Chair; and
- (b) one member of the Council not being a person employed by the University; and
- (c) one member of the Academic Staff nominated by the Senate.

Procedure in Connection with Determinations; and Right to Representation

36.

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

Notification of Decisions

37.

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

Annex (See Paragraph 3(1)(c))

Provisions as to the Vice-Chancellor

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

- (3) If it appears to the Chair of the Council that a complaint made to them under sub-paragraph (1) does not raise a *prima facie* case or is trivial or invalid, they may recommend to the Council that no further action be taken upon it.
 - (4) When the Council has appointed a Tribunal under sub-paragraph (2) it shall instruct a solicitor or other suitable person to formulate a charge or charges and to present, or arrange for the presentation of, the charges before the Tribunal.
 - (5) A Tribunal appointed by the Council shall comprise:
 - (a) an independent Chair; and
 - (b) one member of the Council, not being a person employed by the University; and
 - (c) one member of the Academic Staff.
 - (6) Subject to the principles of justice and fairness the Tribunal may determine its own procedure.
 - (7) The Tribunal shall send its reasoned decision on any charge referred to it together with its findings of fact regarding the charge and its recommendations, if any, as to the appropriate penalty to the Chair of the Council and to the Vice-Chancellor drawing attention to the period of time within which any appeal should be made.
 - (8) Persons appointed to hear such an appeal shall be persons independent of the University holding, or having held, judicial office or being barristers or solicitors of at least ten years' standing and the person so appointed shall, subject to the principles of justice and fairness, determine the procedure to be adopted in hearing the appeal.
 - (9) A person appointed shall send the reasoned decision on the appeal, together with any findings of fact different from those come to by the Tribunal and their recommendations, if any, as to the appropriate penalty, to the Vice-Chancellor and to the Chair of the Council.
 - (10) Where a charge or charges have been upheld by the Tribunal and not dismissed on appeal, the Chair of the Council shall decide whether or not to dismiss the Vice-Chancellor.
2. Where a complaint is to be referred to a Tribunal under this Ordinance, the Chair of the Council may suspend the Vice-Chancellor from their duties and may exclude the Vice-Chancellor from the precincts of the University or any part thereof without loss of salary.
 3. 'Good cause' in this Annex has the same meaning as in paragraph 5 of this Ordinance.
 4. For the purpose of the removal of the Vice-Chancellor for incapacity on medical grounds, Part IV of this Ordinance shall have effect subject to the following modifications:
 - (a) for references to a member of the Academic Staff there shall be substituted references to the Vice-Chancellor;

- (b) for any reference to the office of Vice-Chancellor there shall be substituted a reference to the office of Chair of the Council;
- (c) for paragraph 23 there shall be substituted: '23. If the Board determines that the Vice-Chancellor should be required to retire on medical grounds, it shall ask the Chair as the appropriate officer, to decide whether or not to terminate the appointment of the Vice-Chancellor on those medical grounds.'

Ordinance 42 - Retirement, Resignation or Termination of Contract of Officers and Academic Staff

1. The members of the Academic Staff, the Vice-Chancellor, the Registrar and Secretary, and the holders of any other posts specified contractually for this purpose may retire from office on a date of their choosing subject to the provision of notice in accordance with paragraph 2.
2. The holder of any of the posts referred to in paragraph 1 shall be at liberty to resign their appointment and terminate their engagement with the Council on giving the Council in writing at least three calendar months' notice and shall include one complete full academic term, unless a longer period of notice is agreed mutually at the time of appointment.
3. The holder of any of the posts referred to in paragraph 1 whose employment with the University is to be terminated under Ordinance 41 shall be entitled to be given, in writing, three calendar months' notice.

Ordinance 43 - Suspension or Removal of Officers and Members of the Council

1. The Chancellor may be suspended or removed from office for a Substantial Reason.
2. Any member of the Council who is not employed by the University may be suspended or removed from any office and/or membership of the Council for a Substantial Reason.
3. Any member of the Council who is employed by the University (other than an ex-officio member to whom Ordinance 41 applies) may be suspended or removed from membership of the Council for a Substantial Reason.
4. Where a member of the Council who is also employed by the University is suspended from their employment with the University, the Registrar and Secretary (or relevant nominee) should be notified immediately or, if this is not possible, within two working days of the suspension being confirmed. The Registrar and Secretary (or relevant nominee) will notify the Chair of the

Nominations Committee as soon as is practicable so that a meeting can be scheduled to determine whether to suspend the individual from their role as a member of the Council.

Process for suspension or removal

5. Decisions to suspend or remove a member of the Council will be taken by the Nominations Committee. Where the need to suspend or remove a member of the Council is extremely urgent, the decision may be taken by the Chair of the Nominations Committee. Should the Chair be unable to fulfil their role due to incapacity or a conflict of interest, the role will be undertaken by the longest serving Pro-Chancellor. Any decision taken in this way should be reviewed and ratified by the Nominations Committee within three working days.
6. Where a member of the Council who is also employed by the University is suspended from employment with the University on the basis of a medical assessment (by a qualified practitioner in the University's Workplace Health and Wellbeing Team or an independent medical practitioner), the Nominations Committee shall consider whether an independent medical assessment should be sought in regard to their role as a member of the Council. In urgent situations, the suspension or removal from the Council may need to take place with immediate effect and before the independent medical assessment is received, but all efforts should be made to secure an independent medical assessment at the earliest opportunity, if this is required.
7. Before the Nominations Committee decides to suspend or remove, or to ratify an urgent suspension or removal of a member of the Council, the member shall be given a reasonable opportunity to be heard by the Nominations Committee, to see all evidence that is being considered in reaching a decision and to provide their own evidence and make representations.
8. When any decision is taken to suspend or remove a member of the Council, the reason for the decision and in the case of suspension, the duration and the mechanisms and timeframe for review, should be made clear to the individual concerned and reported to the Council within three working days of the decision having been made by the Nominations Committee.

Review of suspension

9. A member of the Council that has been suspended following the decision of the Nominations Committee may seek a review of the decision by making written representations to the Registrar and Secretary within 28 working days, following the date of notification of the decision of the Nominations Committee.
10. The Registrar and Secretary (or their nominee) shall bring any representations received (and the date when they were received) to the attention of the Council, and within seven working days of doing so, shall inform the suspended member of the Council in writing that they have done so. The written representations will be considered by the Council at its next scheduled meeting or at a

specially convened meeting if this is deemed preferable by the Chair of Council. Any decision of the Council following consideration of the written representations shall be communicated within 28 working days to the suspended member of the Council.

Termination of membership of the Council

11. Where a member of the Council is suspended from the Council, and during the period of that suspension, the term of appointment to the role comes to an end, they will cease to be a member of the Council at the end of the term of appointment.
12. Any member of the Council who is also employed by the University shall cease to be a member of the Council upon termination of their employment contract.
13. 'Substantial Reason' in this section means:
 - a. conviction of an offence which the Council decides, at its absolute discretion, renders the person convicted unfit for the execution of the duties of the office; or
 - b. conduct of an immoral, scandalous or disgraceful nature incompatible with the duties of the office; or
 - c. conduct constituting failure or persistent refusal or neglect or inability to perform the duties or comply with the conditions of office whether such failure results from physical or mental incapacity or otherwise; or
 - d. conduct which means that the member is no longer a fit and proper person for the requirements of any Regulatory Framework to which the University is subject; or
 - e. breach of the Governors' Code of Conduct applicable to Council members from time to time; or
 - f. medical incapacity which means that the member is no longer fit to undertake the duties of the office; or
 - g. any other substantial reason which is considered to justify suspension or removal.

Ordinance 44 - Emeritus Professors

A Professor, on retirement and in recognition of distinguished service to the University of Essex, may be granted by the Senate, the title Emeritus Professor. Emeritus Professors shall not have any specific duties or powers, but are expected to maintain contact with their School or Department and contribute, as appropriate and in so far as they are able, for the benefit of their School or Department and the University as a whole. As part of this association with the University, in accordance with Ordinance 20, Emeritus Professors shall be members of the Court.

Ordinance 45 - External Examiners

1. For every assessment for an award of the University there shall be at least one External Examiner.

Taught provision

2. An External Examiner may be appointed as an 'Award External Examiner' or a 'Module External Examiner'. No External Examiner shall be a current member of staff or shall have been a member of staff within the previous five years, either of the University of Essex or of a partner institution delivering programmes of study leading to a degree of the University. The Senate may designate awards of the University other than degrees, for which External Examiners should be appointed.
3. External Examiners shall be appointed for a period of four years by the Chair of the relevant Faculty Education Committee or nominee appointed by the Chair, or by the Dean of Partnerships or nominee appointed by the Dean of Partnerships, under powers delegated by the Senate, receiving nominations from the Departments or partner institutions concerned. Appointments may be terminated with two months' notice by either party. External Examiners for taught degree courses may not normally be re-appointed by the University for four years. Exceptional cases may require approval by the Pro-Vice-Chancellor (Education).
4. Decisions as to the classification of a degree and the conferment or not of a Bachelor's degree shall normally require the consent of the appropriate Award External Examiner. If the External Examiner cannot consent, the decision requires the consent of a two-thirds majority of the examination board, including the Chair. The exception to this is when the board is suspended under Regulation 6.28.

Research provision

5. In any examination for a research degree of the University there shall be at least one External Examiner.
6. External Examiners for research degrees shall be appointed by the Chair of the relevant Faculty Education Committee or nominee appointed by the Chair under powers delegated by the Senate, receiving nominations from the Departments or partner institutions concerned.
7. No External Examiner for research provision shall be a current member of staff or shall have been a member of staff within the previous five years, either of the University of Essex or of a partner institution delivering programmes of study leading to a degree of the University. Exceptional cases may require approval by the Pro-Vice-Chancellor (Education).

Ordinance 46 - Boards of Examiners

1. The Senate has responsibility delegated from Council to arrange for the conferral of Degrees, Diplomas, Certificates and other awards of the University. As such, Senate is responsible for the system of academic governance whereby final decisions on the results for modules, progression, awards and degree classification for all students of the University are determined.

Taught provision

2. The Senate has delegated to Boards of Examiners the power to make the final decision on the results for modules, progression, awards and degree classification for all students of the University, provided that the Board of Examiners is properly constituted in accordance with the procedures approved by the Senate.
3. In circumstances in which Boards of Examiners are not able to be properly constituted in accordance with the procedures approved by Senate, or are unable for any other reason to exercise the powers delegated to them by the Senate, the Chair of that board (or where this is not possible the Secretary) after taking all reasonable steps to address the situation shall be responsible for drawing this matter to the attention of the Chair of Senate and requesting that this power should revert to the Senate. The Chair of Senate may delegate authority to an alternative board of examiners which, provided it is properly constituted, can take forward the responsibilities subject to the normal powers outlined in (1) above.

Research provision

4. The Senate has delegated to the Chair of the relevant Faculty Education Committee or nominee appointed by the Chair the power to make the final decision on the results for all research degrees following recommendations from the examiners.

Ordinance 47 - Regulations, Policies and Procedures

The Senate shall determine University regulations, policies and procedures for all programmes of study of the University. The Academic Registrar shall ensure that accurate and timely information is published to students. No change of substance shall be made to the regulations, policies and procedures pertaining to programmes of study of the University unless such change has been approved by the Senate and published by the Academic Registrar in advance of the academic year in which the change is to apply or, in exceptional circumstances, to be approved in each case by the Chair of Senate, on behalf of the Senate, before the first day of the period of study in which the change is to apply. In-year changes are normally only made where they are designed to bring benefits to all affected students and/or they relate to changes in the law, statutory requirements or obligations imposed upon the University by the government. Such changes shall be enacted immediately, subject to approval by the

Chair of Senate shall be reported to the next meeting of the Senate and the Academic Registrar shall ensure the relevant information is published in a timely manner.

Ordinance 48 - Year and Term

1. In the Charter, Ordinances and Regulations 'year' shall be defined as 12 calendar months.
2. With reference to the report of the Auditors and the Accounts, 'year' shall be 12 calendar months from the first day of August, unless in a particular case the circumstances require otherwise.
3. With reference to the appointment of the Principal Officers of the University, 'year' shall be 12 calendar months from the first day of August, unless in a particular case the circumstances require otherwise.
4. With reference to meetings of the Council and the Senate and their Boards and Committees, and to the Annual Report, 'year' shall be 12 calendar months from the first day of August.
5. The period from the first day of the Autumn Term to the last day of September, both days included, shall be known as the 'academic year'.
6. The structure of the academic year shall be determined by the Senate.

Ordinance 49 - Use of the University Seal

1. All deeds and documents requiring to be sealed by the University shall be sealed in the virtual (whereby all participants can see and hear each other) and/or physical presence of two members of the Council, or of one member of the Council and the Registrar and Secretary or the Director of Finance, Planning and Data Insight, or of the Registrar and Secretary and the Director of Finance, Planning and Data Insight.
2. A Register shall be kept by the Registrar and Secretary, or their nominee, listing all deeds and documents signed under seal. The Register shall be available for inspection by any member of the Council.

Document Control Panel

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