

24 Academic Staff

PART I CONSTRUCTION AND APPLICATION

(1) Construction

The University's policies and procedures 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 and privileges;
- (b) to enable the University to provide education, promote learning and engage research efficiently and economically;
- (c) to apply the principles of justice and fairness in line with relevant legislation, regulation and good employment practices; and
- (d) to avoid unlawful discrimination and promote equality of opportunity, dignity at work and good relations with the University.

(2) Interpretation

This Statute shall apply:

- (a) to Academic Staff, that is those who are employed on Academic, Research Only and Teaching Only and Clinical Academic, Research Only and Teaching Only terms of employment.
- (b) to the Vice-Chancellor to the extent and in the manner set out in the Annex to this Statute.

PART II APPEALS

(3) Purpose of Part II

This Part establishes the procedure for hearing and determining appeals by members of the Academic Staff (as defined in (2)(a) above), who are dismissed or under notice of dismissal (except where dismissed for incapacity on medical grounds) and where they invoke (1)(a) above. In all other circumstances the appeal procedure under the relevant policy will apply.

(4) Institution of Appeals

A member of the Academic Staff shall institute an appeal under this Part by serving on the Registrar, within two weeks of receipt of written notification of the decision to dismiss, notice in writing setting out the grounds of appeal and on what basis he/she asserts that (1)(a) is invoked.

(5) Persons appointed to hear and determine appeals

Where an appeal is instituted under this Part the University shall appoint a panel of three persons to hear the appeal as follows:

- (a) one member of the Council not being a person employed by the University;
- (b) a senior member of Academic Staff; and
- (c) a designated representative of the Registrar.

(6) Provisions concerning appeal procedures and powers

- (a) The detailed procedure for hearing the appeal shall be for the persons appointed under (5) to determine but shall be broadly in line with the appeal procedure under the relevant policy. A reasoned decision shall be issued in writing as soon as is reasonably practicable.
- (b) The persons hearing the appeal may allow or dismiss an appeal in whole or in part, which may include reinstatement and/or the imposition of a lesser sanction in respect of dismissals under the disciplinary and sickness absence policies and procedures; or reinstatement/redeployment in respect of an appeal against redundancy.

ANNEX

PROVISIONS AS TO THE VICE-CHANCELLOR

[to be completed]

Ord. [number tbc] - Policies and Procedures for employees relating to Grievance, Redundancy, Disciplinary and Removal for incapacity on medical grounds

(1) The University shall have policies and procedures in place governing its employees. These policies and procedures shall include but shall not be limited to those listed in paragraphs 2 below. The University shall ensure that these policies and procedures are in line with relevant legislation and good employment practices.

(2) The University shall have in place policies and procedures concerning:

- Grievance
- Redundancy
- Discipline
- Removal for incapacity on medical grounds (which forms part of the Sickness Absence Policy and Procedure)

Any substantial changes to the above policies and procedure will be reviewed and endorsed by the Council and shall be consulted upon with the University's recognised trade unions as appropriate.

(3) In applying these policies and procedures the University shall act in such a way as to deliver its aims, objectives and associated activities efficiently and effectively, whilst:

3.1. subscribing to the University's principles of equality and academic freedom, which are enshrined in the Statute;

3.2. acting, as is reasonable in all the relevant circumstances, in a manner that is just and fair; and

3.3. avoiding unlawful discrimination and promoting equality of opportunity, dignity at work and good relations with the University.