



# UNIVERSITY OF DUNDEE STATUTES

Dr Neale Laker

Director of Academic & Corporate Governance

*e-mail:* [n.laker@dundee.ac.uk](mailto:n.laker@dundee.ac.uk)

University of Dundee, Dundee, DD1 4HN, Scotland, UK

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# Statutes of the University

## 1 Definitions

In these Statutes:

'University' means the University of Dundee

'College' means Queen's College, Dundee, in the University of St Andrews

'Charter' means the Charter of the University

'Chancellor' means the Chancellor of the University

'Rector' means the Rector of the University

'Principal' means the Principal and Vice-Chancellor of the University

<sup>1</sup> 'Vice-Principal' means a Vice-Principal of the University

'Court' means the Court of the University

'Senatus' means the Senatus Academicus of the University

'Department' means a department of study in the University

'Graduate' means a person to whom a degree, other than an honorary degree, of the University has been granted or a person to whom a degree of the University of St Andrews has been granted and who pursued the whole or part of his studies at that University in the College or in the former University College, Dundee

'Honorary Graduate' means a person to whom an honorary degree of the University has been granted 'Professor', 'Reader', 'Senior Lecturer', 'Lecturer' and 'Assistant Lecturer' mean (except where the context otherwise requires in Statute 21) respectively a Professor, Reader, Senior Lecturer, Lecturer and Assistant Lecturer in the University

'Secretary' means the Secretary of the University

'Librarian' means the Librarian of the University

'Student' means a person pursuing any course of study in the University

<sup>2</sup>Subject to Statute 16 'Academic Staff' means the Professors, Readers, Senior Lecturers, Lecturers and Assistant Lecturers and any other officers of the University with teaching or research duties therein, and the Librarian 'Officer' means a person holding any office in the University established pursuant to the Charter or these Statutes 'Ordinance' means an Ordinance made pursuant to the Charter or these Statutes 'Regulation' means a Regulation made pursuant to the Charter, these Statutes or the Ordinances. Except where the context otherwise requires, the singular includes the plural and the masculine gender includes the feminine gender.

## 2 Members of the University

(1) The following persons shall be members of the University:

The Chancellor

The Rector

The Principal

<sup>1</sup>The Vice-Principals, if any

The Members of the Court

The Members of the Senatus

The Members of the Academic Staff

The Secretary

The Librarian

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<sup>1</sup> As amended by the Privy Council on 22 October 2002

<sup>2</sup> As amended by the Privy Council on 28 October 1992

The Graduates

The Students

Such other officers or former officers and such other persons as shall by Ordinance, or by decision of the Court, be granted the status of members.

- (2) Membership of the University shall continue so long only as one at least of the qualifications above enumerated shall continue to be held by the individual member.

### 3 The Chancellor

- (1) The successors to the first Chancellor shall be appointed by the Court after consultation with the Senatus.
- (2) The first Chancellor shall hold office during Her life or Her resignation. Any subsequent Chancellor shall hold office for such period as may be prescribed in the Ordinances or until his resignation.
- (3) The Chancellor may resign by writing addressed to the Court.

### 4<sup>3</sup> The Rector

- (1) The Rector shall be elected by a general poll of the matriculated students.
- (2) No member of staff or officer of the University and no no matriculated student of any university shall be eligible to be elected to the office of Rector.
- (3) The Rector shall hold office for a period not exceeding three years and shall be eligible for re-election for a second term of three years but no longer.
- (4) The process for nominating and electing the Rector, along with the process in the event of a casual vacancy in the office of Rector, shall be as prescribed in the Ordinances.

### 5 The Principal

- (1) The successors to the first Principal shall be appointed by the Court, after consultation with the Senatus, at a meeting specially called for the purpose.
- (2)<sup>2</sup> Subject to Statute 16 the Principal shall hold office on such conditions as may be determined by the Court.
- (3) The Principal shall, subject to such rules as may be framed by the Court, exercise general supervision over the University and shall be generally responsible for maintaining and promoting the efficiency and good order of the University.
- (4)<sup>4</sup> The Principal may exclude any person from any part of the University or its precincts, and may suspend any student from any class or classes, provided that any such exclusion or suspension shall be reported by the Principal to the Senatus at its next meeting.

### 6 The Secretary

- (1)<sup>2</sup> The Court shall appoint a Secretary with such duties, at such remuneration and (subject to Statute 16) upon such terms and conditions as it shall think fit. The Court, however, shall make such an appointment only after considering a report from a Joint Committee of the Court and Senatus.
- (2)<sup>5,6</sup> The Secretary shall be responsible for providing secretarial services for the Court, the Senatus, the Staff Council, and the Graduates' Association and, under the direction of the Principal, for the administration of the University.

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<sup>3</sup> As amended by the Privy Council on 20 November 2018

<sup>4</sup> Students excluded from the University under this Statute are permitted a right of appeal to the Chairman of Court. Such students are also accorded the right to a monthly review, by the Authorised Officer, of the decision and of the circumstances in which it was taken.

<sup>5</sup> As amended by the Privy Council on 11 February 2015

<sup>6</sup> As amended by the Privy Council on 12 April 2017

## 7 The Librarian<sup>2</sup>

The Court shall, after consultation with the Senatus, appoint a Librarian who shall, on appointment, become a member of the Senatus, with such duties, at such remuneration, and (subject to Statute 16) upon such terms and conditions of service as it shall think fit.

## 8 The Auditors

- (1) The Court shall appoint an Auditor or Auditors who shall hold office for such period, and on such remuneration, as may be determined by the Court.
- (2) Every such Auditor shall be a member of a body of accountants established in the United Kingdom and for the time being recognised by the Board of Trade for the purposes of Section 161 of the Companies Act 1948, or any statutory re-enactment thereof for the time being in force, but no person shall be appointed as Auditor who is, or any member of whose firm is, a member of the Court or an officer or employee of the University.
- (3) The Auditor or Auditors shall audit the annual statement of income and expenditure, the balance sheet and other accounts of the University and shall make a report to the Court at least once in each year.
- (4) The Auditor or Auditors shall have a right of access at all reasonable times to the books, records, accounts and vouchers of the University and shall be entitled to require from the officers of the University such information and explanations as may be necessary for the performance of his or their duties.
- (5) If the office of Auditor or Auditors shall become vacant by his or their death or resignation or any other cause before the expiration of his or their period of office, the Court shall forthwith appoint an Auditor or Auditors in his or their place for the remainder of such period.

## 9 The Court

- (1)<sup>7,8</sup> The Court shall consist of the following persons, namely:
  - (a)<sup>6</sup> A Chairperson (in terms of paragraph (3) below), who shall also be the senior lay member in terms of the Higher Education Governance (Scotland) Act 2016.
  - (b)<sup>6,9</sup> A Deputy Chairperson (in terms of paragraph (4) below).
  - (c)<sup>9</sup> The Principal or, in the absence of the Principal, a Vice-Principal.
  - (d)<sup>9</sup> The Rector or an Assessor nominated by him or her, after consultation with the Students' Association, to serve throughout the Rector's term of office.
  - (e)<sup>10</sup> One member nominated by the Dundee City Council Executive.
  - (f)<sup>6</sup> Three members of the Senatus elected from its members by the Senatus.
  - (g)<sup>6</sup> Two members of Staff Council elected by the Staff Council.
  - (h)<sup>6</sup> Two members nominated from among the students of the University by the Students' Association.
  - (i)<sup>6</sup> One member of academic staff nominated by a trade union having a connection with the University from among that union's members.
  - (j)<sup>6</sup> One member of support staff nominated by a trade union having a connection with the University from among that union's members.
  - (k)<sup>9</sup> Ten other persons, not holding appointments from Court, as may be co-opted by the Court, at least two of whom shall be graduates of the University. The Court shall nominate one of the members who is a graduate to act as intermediary between Court and the graduates of the University in a manner as prescribed in Ordinances.

Provided always that no matriculated full-time student of any university, other than the members nominated under sub-paragraph (h) of this paragraph, shall be a member of Court.

<sup>7</sup> As amended by the Privy Council on 21 July 2010

<sup>8</sup> As amended by the Privy Council on 25 January 2016

<sup>9</sup> As amended by the Privy Council on 29 January 2020

<sup>10</sup> As amended by the Privy Council on 14 July 2021

Provided also that no member of staff of the University may serve as a nominated or elected Assessor or representative save as provided for under sub-paragraphs (f), (g), (i) and (j) of this paragraph.

Provided further that no former member of staff of the University or former student of the University may serve on Court either as a Chairperson in terms of sub-paragraph (a), Deputy Chairperson in terms of sub-paragraph (b), an assessor in terms of sub-paragraphs (d) and (e), or as a co-opted member in terms of sub-paragraph (k) of this paragraph until four years have elapsed from the point at which that person ceased to be a member of staff or a student of the University.

- (2)<sup>7,5</sup>
- (a) The Chancellor of the University shall have the right to receive Court papers and to attend Court meetings, but shall not be a member of the Court and shall not be entitled to vote at Court meetings.
  - (b) The Principal and the Rector shall hold office as long as they continue to occupy the positions named respectively.
  - (c) <sup>6,5</sup>The manner of election of the members of Court elected by the Senatus and by the Staff Council and their respective periods of office shall be as prescribed in the Ordinances.
  - (d) <sup>6,5,9</sup>The manner of appointment of the members nominated under sub-paragraphs (h), (i) and (j) of paragraph (l) shall be as prescribed in the Ordinances.
  - (e) <sup>8</sup>Where, under sub-paragraph (d) of paragraph (l) above, the Rector elects not to hold office as a member of Court, but to appoint an Assessor, the Rector shall nevertheless retain the right to receive Court papers and attend Court meetings, but shall not be a member of Court and shall not be entitled to vote at Court meetings. An Assessor so nominated by the Rector shall hold office until the expiry of the term of office of the Rector by whom he or she was nominated and shall be eligible for further nomination, but shall not hold office continuously for a longer period than six years:

Provided always that on the expiry of a Rector's term of office any serving Assessor shall continue to be a member of the Court until a new Rector is elected and joins the Court as a member or nominates a new Assessor to hold office as a member of the Court in his or her place.

- (f) <sup>5</sup>A co-opted member shall hold office for a period of four years from the date of co-option and shall be eligible for further co-option, but shall not hold office continuously for a longer period than eight years.
- (g) <sup>9</sup>The maximum total continuous period of office of a member of Court serving under the terms of sub-paragraphs (b), (f), (g) and (i) to (k) of paragraph (l) above, or under a combinations thereof, is eight years, subject to the terms of sub-paragraphs (h) and (j) below of this paragraph.
- (h) <sup>9</sup>Where a particular skill or expertise might otherwise be lost, the Court may exceptionally agree to extend by a maximum of two years the period of office of members serving under the terms of sub-paragraphs (b) or (k) or as an assessor in terms of sub-paragraphs (d) or (e) of paragraph (l) above;
- (i) <sup>6,5,8,9</sup>On expiry of their maximum period of office on Court, members shall not be permitted to seek re-election, re-nomination or re-appointment in any category until a period of at least four years has elapsed from the date on which their membership ceases. For this purpose membership includes any period of extension granted under sub-paragraph (h) of this paragraph.

Provided that in the case of the appointment of the Chairperson of Court, this rule shall not apply.

- (j) <sup>5,8</sup>Casual vacancies among the members of the Court shall be filled as soon as conveniently possible by the body which or person who appointed, nominated or elected the person whose place has become vacant, and the person appointed, nominated or elected to fill the vacancy shall begin a full term of office and shall be eligible for re-appointment, re-nomination or re-election in accordance with the relevant paragraphs of this statute and respectively with the appropriate Ordinances.

Provided that where such an appointment begins at a time of year other than 1 August, for the purposes of regulating the length of the term of office it shall be deemed to have begun on 1 August preceding the actual appointment where this is before 1 February and on 1 August following the actual appointment where this is on or after 1 February.

- (k) <sup>5</sup>Any member of the Court, not being an ex officio member, may resign at any time by writing addressed to the Secretary.
- (l)<sup>6,5</sup>
- (i)<sup>6</sup> The Court shall have the power after due investigation to remove the Chairperson or any other member of Court on the grounds of serious personal misconduct, inability to exercise the functions of Chairperson or of membership of the Court, abuse of the rights and privileges of membership of Court, bringing the University into disrepute, persistent absenteeism, medical incapacity or legal impediment.
  - (ii)<sup>6</sup> If a member of Court or any other person believes that there is a prima facie case under the terms of clause (i) of this sub-paragraph for the removal from office of the Chairperson or any other member of the Court, that person shall inform the Secretary, who shall make a recommendation to Court to investigate the case for removal from office. The Court shall appoint a committee to carry out such investigation, comprising the Chairperson of Court (or the Deputy Chairperson if the Chairperson is the subject of the investigation), one additional lay member of Court, one staff member and one student member.
  - (iii)<sup>6</sup> When an investigation of the case for removal from office of a member of Court has been instigated the individual concerned shall be suspended from Court membership without prejudice pending the outcome of the investigation and the Court's decision thereon, but shall have the right to make representation to, and to appear in person before, the investigating committee.
  - (iv)<sup>6</sup> If the investigating committee concludes that there are grounds for removal from office, it shall submit its recommendation, together with a summary of the supporting evidence, for the Court's decision. Having considered the report, the Court may decide to remove the member from office, provided that at least three-fourths of those present and voting are in agreement.
  - (v)<sup>6</sup> If the investigating committee concludes that the grounds for dismissal cannot be substantiated or are insufficient and if the Court accepts that conclusion, then the suspension of the member concerned shall be immediately rescinded.
  - (vi)<sup>6</sup> In the event that the Court decides to remove one of its members from office, that member shall have the right to seek a review of the decision. Such a review shall be conducted by a person not employed by the University, nor having been employed by the University within the previous four years, holding, or having held, judicial office or being an advocate or solicitor of at least ten years' standing. The decision of this person shall be final.
  - (vii)<sup>6</sup> In all proceedings under this paragraph the Court shall ensure that the requirements of human rights legislation are observed.
- (3)<sup>6,7</sup>
- (a)<sup>6,8</sup> A Chairperson of Court shall be appointed by the Court following an open advertising and recruitment process in accordance with the Higher Education Governance (Scotland) Act 2016. Students or members of staff of the University shall be ineligible to be appointed as the Chairperson, and as stated in paragraph (l), no former member of staff or student shall be eligible to be appointed as Chairperson until four years have elapsed from the point at which that person ceased to be a member of staff or a student of the University. The appointment process shall be as prescribed in the Ordinances.
  - (b)<sup>8</sup> The Chairperson so appointed shall begin a new term of office on the Court and shall hold office for a period of three years whereafter the Chairperson shall cease to be a member of the Court. Provided always that the Chairperson shall be eligible for re-appointment but shall not serve continuously for more than six years in that office.
  - (c)<sup>5,8</sup> <sup>9</sup>Any vacancy created as a result of the appointment of a new Chairperson of Court shall be filled in accordance with either sub-paragraph (k) of paragraph (1) or sub-paragraph (j) of paragraph (2), as appropriate.
  - (d)<sup>6,8</sup> The Chairperson shall preside over any meeting of the Court but in the absence of the Chairperson from a meeting of the Court or, in the event of the business of the Court making it inappropriate for the Chairperson to be present at any meeting or part thereof, the Deputy Chairperson shall preside over the meeting. In the absence of both the Chairperson and the

- Deputy Chairperson another member shall be elected from among its members who are not students or staff of the University to preside over the meeting.
- (e) The person presiding over any meeting of the Court shall have a deliberative vote and also a casting vote in case of equality.
- (4)<sup>6,8</sup> (a)<sup>6</sup> A Deputy Chairperson shall be appointed by the Court from amongst its members who are not students or staff of the University in such a manner and with such duties as shall be defined in Ordinance.
- (b)<sup>6</sup> The Deputy Chairperson so appointed shall begin a new term of office on the Court, shall hold office for a period of four years and shall be eligible for re-appointment. Provided always that the person so appointed may not exceed the maximum total continuous period of office on Court as set out in sub-paragraph (h) of paragraph (2) except as a result of an extension in terms of sub-paragraph (i) of the same paragraph.
- (c)<sup>6</sup> The vacancy created as a result of the appointment of a Deputy Chairperson of Court shall be treated as a casual vacancy and filled in accordance with sub-paragraph (k) of paragraph (2).
- (5) Seven members of the Court shall constitute a quorum. In the absence of a quorum, no business shall be transacted other than the adjournment of the meeting. At the adjourned meeting, the business for which the original meeting was called may be completed in the absence of a quorum. The manner of summoning the adjourned meeting and the period of notice to be given shall be prescribed in the Regulations.
- (6) Subject to the provisions of the Charter and these Statutes, the powers and functions of the Court shall, in addition to all other powers vested in it by the Charter and these Statutes, include the following:
- (a) (i) To accept transfer of the property, rights, liabilities and functions referred to in Article 3(j) of the Charter;
- (ii) To administer and manage the whole finances, accounts, investments, property, business and all affairs of the University, including endowment funds;
- (iii) To invest any moneys belonging to the University, including any un-applied income, in such stocks, funds, shares or securities as it shall from time to time think fit, whether authorised by law for the investment of trust moneys or not, and whether within or outside the United Kingdom, or in the purchase of heritable property in the United Kingdom, including feu-duties or rents, with the like power of varying such investments from time to time;
- (iv) To sell, buy, take on feu, feu, exchange, lease and accept leases of lands and other property heritable and moveable on behalf of the University;
- (v) To provide and maintain the buildings, premises, libraries, laboratories, museums, furniture and apparatus and other means needed for carrying on the work of the University;
- (vi) To borrow money from time to time on behalf of the University and for that purpose, if the Court thinks fit, to grant securities over, to mortgage or charge all or any part of the property of the University, whether heritable or moveable, real or personal, and to give such other security as the Court shall think fit;
- (vii) To enter into, vary, carry out or cancel contracts on behalf of the University;
- (viii) To give guarantees for the payment of any sums of money on the performance of any contract or obligation by any company, body, society or person if the Court considers that it is in the interests of the University to do so;
- (ix) To undertake all negotiations for obtaining grants from public bodies in aid of the work of the University;
- (x) To make provision for schemes of superannuation, pensions or retirement benefits for all salaried officers or their dependants and, so far as the Court may think fit, for other employees of the University or their dependants;
- (xi) To employ, remunerate and accept the advice of any person qualified to advise regarding any matter within the jurisdiction of the Court.



- (b) To review any decision of the Senatus on representation made by a member of the Court, or a member of the Senatus, or other person having an interest in the decision, within such time as may be prescribed in the Ordinances:
- Provided always that the Court shall not review any decision of the Senatus in a matter of discipline except upon appeal taken either by a member of the Senatus or by a member of the University directly affected by the decision and that a person expelled from the University shall be deemed to be a member of the University for the purpose of this clause.
- (c) To appoint committees of its own number or others, to define the powers and to determine the membership and quorum of such committees, and to delegate to any such committee any powers or functions which the Court is itself competent to perform.
- (d) To establish joint committees of the Court and the Senatus to which the Court may appoint members of the Court and the Senatus may appoint members of the Senatus, to define the powers and to determine the membership and quorum of such joint committees and to delegate to any such joint committee any powers or functions which the Court is itself competent to perform.
- (e) To admit to membership of any joint committee of the Court and the Senatus representatives of the student body, to be appointed in such manner and subject to such conditions as may be prescribed in the Ordinances.
- (f) To establish a joint committee of the Court and representatives of the student body.
- (g) To elect the representatives of the University on the General Medical Council and the General Dental Council under the Medical Act, 1956, and the Dentists Act, 1957.
- (h) After consultation with the Senatus, to found new professorships and on the occasion of a vacancy in a professorship, and with the consent of the patrons, if any, to abolish, or alter the title of, such existing professorship, and with the consent of the incumbent and of the patrons, if any, to alter the title of an existing professorship.
- (i) (i) To authorise, after consultation with the Senatus, the establishment of Academic Staff in the University and to appoint to all posts so established: Provided that the Court may delegate the foregoing power to appoint Academic Staff to the Senatus under such terms and conditions as the Court may think fit, including, if thought fit, a provision that the Senatus may itself delegate the power so delegated to it to a Committee appointed by the Senatus in terms of paragraph (5)(n) of Statute 10;
- (ii) With the approval of the Senatus, to suspend or abolish any academic post except a post created by the Charter or these Statutes.
- (j) (i) To authorise the establishment of staff in the University other than Academic Staff and to appoint to all posts so established;
- (ii) To suspend or abolish any post other than an academic post or a post created by the Charter or these Statutes.
- (k) On the recommendation of the Senatus, to institute new degrees, diplomas, certificates and other academic awards and to prescribe Regulations therefor, and to add to or amend the Regulations for existing degrees, diplomas, certificates and other academic awards.
- (l) On the recommendation of the Senatus, to regulate the courses of study, the manner of teaching, the length of the academic session or sessions, and the manner of conducting examinations.
- (m)<sup>11</sup> With the approval of the Senatus, to regulate and alter the organisation and management of the academic disciplines of the University.
- (n) To appoint and determine the amount and manner of the remuneration of external examiners.
- (o) To regulate the salaries of all persons who are remunerated by the University and to determine the terms and conditions of service of such persons:
- Provided that the Senatus shall first have had the opportunity to comment on the proposed terms and conditions of service for members of the Academic Staff.

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<sup>11</sup> As amended by the Privy Council on 7 June 2006

- (p) To determine the conditions and the scale on which pensions may be granted to persons who are remunerated by the University.
- (q) To regulate the amount, manner of payment, and appropriation of fees and other payments made by students.
- (r) To prescribe by Ordinance or to decide such matters, not otherwise dealt with in these Statutes and the Ordinances, as the Court may deem fit to prescribe by Ordinance or to decide.

## 10 The Senatus

(1)<sup>8,12</sup> The Senatus shall consist of the following persons, namely:

- (a) The Principal
- (b)<sup>1</sup> The Vice-Principals, if any
- (c)<sup>8</sup> Deans of the Schools
- (d)<sup>6,11</sup> Two members of Staff Council elected by the Council
- (e)<sup>6,8,11</sup> The President and all student sabbatical officers of the Students' Association, having been elected for the purpose by the students of the University.

Provided always that the number of student members so elected shall not fall below one tenth of the total membership of the Senatus.

- (f)<sup>11</sup> Such other student representatives as the Court, on the recommendation of the Senatus, may from time to time determine.
- (g)<sup>8</sup> The Students' Assessors, if any, who shall be appointed in accordance with such procedures, and who shall hold office for such period and on such terms, as may be prescribed by Ordinance.
- (h)<sup>6,8,11</sup> A minimum number of twenty-seven Professors, Readers, Senior Lecturers and Lecturers who shall be elected in accordance with such procedures, and who shall hold office for such period and on such conditions, as may be prescribed by Ordinance.

Provided always that not less than one third of the total number that fall within this category shall be Professors and that not less than one third of that number shall be Readers, Senior Lecturers and Lecturers.

- (i)<sup>11</sup> Such other Professors, Readers, Senior Lecturers, Lecturers and officers of the University as the Court, on the recommendation of the Senatus, may from time to time determine and who shall hold office for such period and on such conditions as the Court shall decide.

- (2)<sup>1</sup>
  - (a)<sup>8</sup> In the absence of the Principal, a Vice-Principal, if any, shall preside at any meeting of the Senatus, and in the absence of the Principal and Vice-Principals, if any, the Dean who is most senior in order of precedence among the Deans present shall preside.
  - (b) The person presiding at any meeting of the Senatus shall have a deliberative vote and also a casting vote in case of equality.

(3)<sup>11</sup> Not less than one-third of the total actual membership of the Senatus shall constitute a quorum. In the absence of a quorum, no business shall be transacted other than the adjournment of the meeting. At the adjourned meeting, the business for which the original meeting was called may be completed in the absence of a quorum. The manner of summoning the adjourned meeting, and the period of notice to be given shall be as prescribed in the Regulations.

(4)<sup>11</sup> Subject to the provisions of the Charter and these Statutes and to the powers reserved to the Court, the powers and functions of the Senatus shall, in addition to all other powers vested in it by the Charter and these Statutes, include the following:

- (a) To regulate and superintend the instruction and teaching within the University and the examinations held by the University.
- (b) To regulate the admission of persons to the University and to courses of study in the University.

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<sup>12</sup> As amended by the Privy Council on 8 August 2000

- (c) To regulate and control the conditions qualifying for matriculation and for admission to the various degrees and other awards offered by the University.
- (d) To authorise the granting of degrees (including honorary degrees), diplomas, certificates and other awards to persons who shall satisfy the conditions for the award thereof as prescribed in these Statutes and the Ordinances.
- (e) To promote research within the University and to require reports from time to time on such research.
- (f) To prescribe, subject to any conditions made by the founders and to any directions of the Court, the times and conditions of competition for fellowships, scholarships, studentships, exhibitions, bursaries and prizes and to examine for and award the same.
- (g) To be generally responsible for the administration of the University Library.
- (h) To promote and administer the extra-mural work of the University.
- (i) Subject to the provisions of Statute 18 to regulate and superintend the discipline of the students, in accordance with the Ordinances.
- (j) To refuse, without assigning any reason, to admit any person as a student of the University.
- (k) To take such steps as it thinks proper for supervising organisations of students.
- (l) To make recommendations to the Court:
  - (i) For founding new professorships and for abolishing, or altering the title of existing professorships;
  - (ii) For the establishment of academic and other staff in the University and for suspending or abolishing any such post other than a post created by the Charter and these Statutes;
  - (iii) Of persons for appointment to the Academic Staff when so requested by the Court;
  - (iv) On terms and conditions of service of members of the Academic Staff;
  - (v) For instituting new degrees, diplomas, certificates and other academic awards and prescribing the regulations therefor and for adding to, or amending, regulations for existing degrees, diplomas, certificates and other academic awards;
  - (vi) For regulating and altering courses of study, the manner of teaching, the length of the academic session or sessions, and the manner of conducting examinations;
  - (vii)<sup>11</sup> For regulating and altering the organisation and management of the academic disciplines of the University;
  - (viii) For regulating the appointment and numbers of external examiners;
  - (ix) On any other matter in regard to which the Senatus is required by the provisions of the Charter and these Statutes to submit recommendations to the Court; and
  - (x) On any academic matter whatsoever and on any matter referred to it by the Court.
- (m) To discuss and declare an opinion on any matter whatsoever relating to the University.
- (n) To appoint committees of its own number or others, and, subject to the provisions of paragraph (2) of Statute 18, to delegate powers or business to such committees, and to determine the membership and quorum of such committees.
- (o) To appoint members of the Senatus as its representatives on any joint committee of the Court and the Senatus, and, subject to the provisions of paragraph (2) of Statute 18, to delegate to any such joint committee any powers or functions which the Senatus is itself competent to perform.
- (p) To establish a joint committee of the Senatus and representatives of the student body.
- (q)<sup>11</sup> To delegate powers or business to other subordinate bodies.
- (r)<sup>11</sup> To review, amend, refer back, control or disallow any act of any subordinate body or Board of Study and to give directions to any such body.
- (s) To prescribe the academic dress to be worn by the various officers and members of the University and the occasions on which it shall be worn.

- (t) To do such other acts and things as the Court may authorise.

### **13 Acts during Vacancies<sup>11</sup>**

No act or resolution of the Court, the Senatus or of any committee or other body constituted in accordance with these Statutes or Ordinances shall be invalid by reason only of any vacancy in the body doing or passing it or by reason of any want of qualification by or invalidity in the election, nomination, co-option or appointment of any de facto member of the body.

### **14 Academic Ceremonies**

- (1) For the purpose of conferring degrees of the University or for other academic purposes there shall be held under the auspices of the Senatus a meeting of the University, which shall be called an Academic Ceremony.
- (2) An Academic Ceremony for the conferment of degrees shall be held at least once every year at such time and place as shall be determined by the Senatus. The degrees shall be conferred by the person presiding.
- (3)<sup>1</sup> An Academic Ceremony shall be presided over by the Chancellor or, in his absence, by the Principal, or in the absence of both the Chancellor and the Principal, by a Vice-Principal, if any. In the absence of the Chancellor, the Principal and the Vice-Principals, if any, a Professor nominated by the Senatus shall preside.
- (4) The procedure for summoning an Academic Ceremony, for the presentation of graduands and for conferring degrees in absentia and all other matters relating to Academic Ceremonies shall be determined by the Senatus.

### **15 Staff Council<sup>6</sup>**

- (1)<sup>6</sup> The Staff Council shall meet at least twice in each year.
- (2)<sup>6</sup> The Staff Council may at any of these meetings:
  - (a)<sup>6</sup> Discuss and declare an opinion on any matter whatsoever relating to the University including any matters referred to it by the Court or Senatus;
  - (b) Communicate directly with the Court or Senatus on any matter affecting the University.
- (3)<sup>6</sup> A Special Meeting of the Staff Council may be convened at any time by the Principal or on the written request of not less than twenty-five members of the staff of the University.

### **16 Staff of the University<sup>6</sup>**

- (1) This Statute and any Ordinance, policy or procedure adopted under paragraphs (2) and (3) shall in every case be construed to give effect to the following guiding principles, that is to say:
  - (a) to avoid unlawful discrimination and promote equality of opportunity, dignity at work and good relations within the University;
  - (b) to uphold the academic freedom of any member of staff who is engaged in teaching, the provision of learning or research. Academic freedom is taken to be the freedom to hold and express opinions, question and test established ideas or received wisdom, develop and advance new ideas or innovative proposals, and present controversial or unpopular points of view, without placing oneself in jeopardy of losing one's job, entitlements or privileges, provided always that such freedom is exercised lawfully and respects the academic freedom of others;
  - (c) to enable the University to provide education, promote learning and engage in research efficiently and economically; and
  - (d) to apply the principles of justice and fairness.
- (2) The Court shall, following consultation with the Senatus, approve and maintain in Ordinance the procedures which apply to any member of staff engaged in teaching, the provision of learning or research who believes their freedom, as defined in paragraph (1)(b) above, has been adversely affected.
- (3) In relation to the University's staff, the Court shall approve and maintain policies and procedures for:
  - (a) the handling of disciplinary cases and appeals against disciplinary action;

- (b) the handling of grievances raised by members of staff and appeals against the outcome of grievance proceedings;
  - (c) the avoidance of redundancy; and
  - (d) the dismissal of members of staff, whether by virtue of redundancy, unsatisfactory performance, capability, misconduct, ill health or medical incapacity, and appeals against such dismissals.
- (4) In approving Ordinances, policies and procedures under paragraphs (2) and (3), the University Court shall:
- (a) undertake to consult with the recognised Trade Unions with a view to reaching agreement with them;
  - (b) ensure that such policies and procedures are at all times compliant with any requirement contained in employment legislation which is in force at the time. In the event that any such policy or procedure is not so compliant, the relevant employment legislation shall prevail;
  - (c) ensure that such policies and procedures shall provide the right to a panel hearing of two or more persons at the final appeal;
  - (d) ensure that any panel convened to hear a case brought by or against a member of staff engaged in teaching, the provision of learning or research shall include amongst its members another such member of staff not connected with the case brought;
  - (e) oversee all cases of dismissal on the ground of redundancy of a person who is engaged in teaching or the provision of research or learning;
  - (f) ensure that panels taking decisions on dismissals on medical grounds have available to them appropriate expert medical advice;
  - (g) ensure that appeals against dismissal from a member of staff engaged in teaching, the provision of learning or research are heard by a panel that includes a lay member of the University Court as convener.
- (5) In any case of conflict, the provisions of this Statute along with the provisions of any Ordinance, regulation, policy or procedure made under this Statute shall prevail over those of any other Statute and over those of any other Ordinance, regulation, policy or procedure.
- (6) Notwithstanding paragraph (5) above, any Ordinance, policy or procedure adopted under this Statute shall not be repugnant to the general aims of this or other Statutes or of the Charter.

## 17 Retirement of Members of Staff <sup>2</sup>

Members of the Academic Staff and holders of any other posts specified by the Court for that purpose shall be required to retire from office on the thirtieth day of September following the date on which they attain an age which shall be specified in Ordinances.

## 18 Discipline

- (1) Without prejudice to the power of the Principal to exclude or suspend students as contained in paragraph (4) of Statute 5, the procedures governing the exclusion, suspension, expulsion or other punishment of students by the Senatus for infractions of discipline shall be prescribed by Ordinance. These punishments may include reprimands, monetary fines, and making good the cost of damage.
- (2)<sup>13</sup> The powers of the Senatus in regard to all prescribed punishments may be delegated to the Principal. As may be prescribed by Ordinance, limited powers of punishment may be delegated to other officers of the University.
- (3) The procedure for reporting any exclusion, suspension or expulsion of a student imposed in the exercise of delegated powers to the next meetings of the Senatus and the Court shall be prescribed by Ordinance. The procedure for reporting to the Principal any punishment imposed in the exercise of delegated powers of limited punishment shall be prescribed by Ordinance.

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<sup>13</sup> As Amended by the Privy Council on 20 November 1996

- (4) The procedures governing the right of students to be heard in person by the body or person exercising the disciplinary powers as provided for in paragraphs (1) and (2) of this Statute shall be prescribed by Ordinance and shall include the right of a student to be represented at a hearing, to call witnesses or to have reasons assigned (if asked for) for any decision taken by such body or person. These procedures shall also include provision for the exercise of such rights in regard to reviews carried out by the Court in terms of clause (b) of paragraph (5) of Statute 9 and shall ensure that no member of the Court with responsibility for the original sentence will participate in such a review.
- (5) The Students' Association shall be entitled to petition the Senatus with regard to any matter affecting the discipline of students in such manner as shall be prescribed by Ordinance. The Senatus shall dispose of the matter of the petition or shall, if so prayed, forward any such petition to the Court with such observations as it may think fit to make thereon.

## 19 Students' Association

- (1) (a) Subject to the provisions of this Senatus the functions of the Students' Association and the mode of election thereto shall be contained in Regulations which shall be subject to the approval of the Court and the Regulations as so approved or with such alterations as may from time to time be approved by the Court, shall form the constitution of the Students' Association.
- (b) The Students' Association may from time to time, but only with the approval of the Court, make alterations to its constitution.
- (2) (a) The Students' Association shall be entitled to petition the Senatus with regard to any matter affecting the teaching of the University, and the Senatus shall dispose of the matter of the petition, or shall, if so prayed, forward any such petition to the Court with such observations as it may think fit to make thereon.
- (b) The Students' Association shall be entitled to petition the Court with regard to any matter affecting the students other than those falling under clause (a) of this paragraph.
- (c) Nothing contained in this paragraph shall be held to prejudice any right of appeal which may be competent under clause (b) of paragraph (5) of Statute 9, or the powers and jurisdiction of the Senatus with regard to the teaching and discipline of the University.

## 20 Graduates' Association<sup>5</sup>

- (1) <sup>9</sup>The Graduates' Association, comprising the total number of all graduates of the University, shall specifically consist of the following persons:
- (a) Graduates of the University as defined by Ordinance.
- (b) Graduates of the University of St Andrews who pursued the whole or part of their University Studies in Queen's College, Dundee, in the University of St Andrews or in the former University College, Dundee, and who have elected to become members of the Graduates' Association.
- (c) Graduates and diplomates of the former Duncan of Jordanstone College of Art, Fife College of Health Studies, Tayside College of Nursing and Midwifery, Dundee College of Education and Northern College of Education (Dundee).
- (d) Honorary Graduates.
- (2) Members of the Graduates' Association shall have power to make representations to the Court on all Matters affecting the well-being and prosperity of the University. The manner wherein the Association shall make such representations shall be as prescribed in the Ordinances.

## 21 Interpretation of Statutes

These Statutes shall be interpreted in such manner as not to conflict with the Charter.