UNIVERSITY OF DUNDEE
ORDINANCES

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University Ordinances

The University Court, in exercise of powers conferred upon it by Article 17(2) of the Royal Charter of Incorporation, has made the following Ordinances:

Ordinance 9 - Boards of Studies

Ordinance No. 483 (St Andrews No. 81- Boards of Studies) insofar as made applicable to the University of Dundee by the provisions of paragraph (8) of Statute 21, is hereby revoked.

Ordinance 12 - Research Fellows and Research Students

1. The University Court shall have power to make Regulations, on the recommendation of the Senatus Academicus, prescribing the conditions under which any person, who has given satisfactory evidence of his fitness to engage in special duty or research, may be admitted to the University as a Research Student.

2. The University Court shall have power to appoint Research Fellows on such terms and conditions as the University Court, after consultation with the Senatus, may determine.

3. Research Students and Research Fellows shall have access to, and the use of, the University laboratories, libraries and museums subject to the provisions of any Ordinance and under such conditions as the University Court, after consultation with the Senatus, may determine.

4. Ordinance No. 350 (General No. 12) is hereby revoked.

Ordinance 18 - Election of Members of the Court and the Senatus

1. The election of the members of the Court elected by the Senatus (Statute 9(1)(g)) shall take place in the second semester to enable, whenever possible, an announcement of the successful candidates to be made at the latest by the last Court meeting of the academic year in which an election falls due. Their periods of office shall be four years from the first day of August immediately following their election. They shall be eligible for re-election, but shall not hold office continuously for a longer period than eight years. A member of the Court elected by the Senatus who ceases for any reason to be a member of the Senatus shall simultaneously cease to be a member of the Court.

2. The election of the members of the Court elected by the Staff Council (Statute 9(1)(h)) and the members of the Senatus elected by the Staff Council (Statute 10(1)(d)) and by the Schools (Statute 10(1)(h)) shall take place in the second semester in accordance with the Regulations made by the Senatus after consultation with the Staff Council. The period of office of those elected shall be four years from the first day of August immediately following their election. They shall be eligible for re-election but the Members of Court and the Senatus elected by the Staff Council shall not hold office continuously for a longer period than eight years.

3. In elections to Court from either the Staff Council or the Senatus, candidates may not serve for more than eight years continuously in either category or in a combination of both.

4. If for any reason the elections described in sections 1 and 2 cannot be held in the second semester or, having been held, are declared to be invalid, then elections shall take place in the next semester as soon as possible. In the case of the members elected by the Staff Council and by the Schools the elections shall be as far as possible in accordance with the procedure prescribed in Section 2. The periods of office of the members previously elected and due to demit office shall be extended until the deferred elections have taken place. The periods of office of members elected in deferred elections shall be four years from the first day of August immediately following the second semester in which the elections should have taken place.

5. Elections to casual vacancies among members of the Court and the Senatus elected in accordance with the preceding Sections shall take place within a semester as soon as possible after the date when the
vacancy occurs. In the case of the members elected by the Staff Council and by the Schools the election shall be in accordance with the procedure prescribed in Section 2.

6 (1) In elections of members of the Court and of the members of the Senatus elected by the Staff Council the Secretary shall act as Returning Officer and shall be responsible for keeping the Electoral Roll. The Secretary shall fix the dates of the elections and shall determine the manner of election, provided that in doing so all members of staff eligible to vote are given the opportunity to vote in accordance with the provisions of this Ordinance. If for any reason the Secretary is unable to act, the Principal shall appoint a substitute.

(2) In elections by Schools to membership of the Senatus, the School Manager shall act as Returning Officer and shall be responsible for keeping the Electoral Roll. The School Manager shall fix the dates of the elections and shall determine the manner of election, provided that in doing so all members of staff eligible to vote are given the opportunity to vote in accordance with the provisions of this Ordinance. If for any reason the School Manager is unable to act, the Dean shall appoint a substitute.

7 Each School shall elect three members of staff from among its professors, readers, senior lecturers and lecturers to serve as members of the Senatus. At least one, but no more than two, must be a professor. For each election, candidate eligibility among academic staff groups will be determined on the basis of the balance of existing School members on the Senatus. For example, where an election falls due for one School member on the Senatus and the two sitting members are professors, eligibility will be restricted to readers, senior lecturers and lecturers, and vice versa.

Ordinance 20 - Graduates’ Association

1 The annual meeting of the Graduates’ Association shall be held during March, April or May on a date approved by the Business Committee. Other meetings may be called by direction of the Chairperson, by the direction of the Business Committee or on the requisition in writing of at least fifty members.

2 The appointment of the Graduates’ Association Member of Court shall be conducted according to procedures laid down in the Graduates’ Association Regulations.

3 Such graduates shall hold office for a period of four and shall be eligible for re-appointment but shall not hold office continuously for a longer period than eight years, except as may be permitted under statute 9 The Court.

Ordinance 27 - Staff Council

1 In the absence of the Principal from a meeting of the Staff Council, a Vice-Principal, if any, shall preside, and in the absence of both the Principal and a Vice-Principal, if any, the Convener of the Standing Committee shall preside. In the absence of all the foregoing persons, a Chairman for the time being shall be elected by the meeting from among the members of the Staff Council present.

2 (1) There shall be a Standing Committee of the Staff Council consisting of twenty-one members. Each School shall elect two members, one of whom shall be and one of whom shall not be an academic member of staff. The Professional Services shall elect three members.

(2) The manner of election of the members of the Standing Committee and their periods of office shall be as prescribed in the Regulations made by the Staff Council.

(3) The members of the Standing Committee shall annually elect one of their number to be Convener. The Convener shall, when present, preside over meetings of the Standing Committee; in the absence of the Convener from a meeting of the Standing Committee a Chairperson for the time being shall be elected by the meeting.

(4) Meetings of the Standing Committee shall be held from time to time as decided by the Committee. Special meetings may be convened at any time by the Convener or at the request of not less than four members of the Standing Committee.

(5) Six members of the Standing Committee shall constitute a quorum.
The functions of the Standing Committee shall be as follows:

(a) to prepare the agenda for meetings of the Staff Council;
(b) to advise concerning the calling of Special Meetings of the Staff Council under Statute 15(3) and on the calling of meetings of the Staff Council outside term time;
(c) such other functions as the Staff Council may from time to time determine.

Ordinance 39 - Degrees, Diplomas and Certificates

1 (1) The University may confer the following degrees:

Bachelor of Accountancy (BAcc), Bachelor of Architecture (BArch), Bachelor of Arts (BA), Bachelor of Dental Surgery (BDS), Bachelor of Design (BDes), Bachelor of Education (BED), Bachelor of Engineering (BEng), Bachelor of Finance (BFin), Bachelor of Laws (LLB), Bachelor of Medical Science (BMedSc), Bachelor of Medicine and Bachelor of Surgery (MB, ChB), Bachelor of Midwifery (BMid), Bachelor of Nursing (BN), Bachelor of Science (BSc); Master of Accountancy (MAcc), Master of Architecture (MArch), Master of Arts (MA), Master of Business Administration (MBA), Master of Dental Science (MDSc), Master of Design (MDES), Master of Education (MED), Master of Engineering (MEng), Master of Finance (MFin), Master of Fine Art (MFA), Master of Forensic Medicine (MFM), Master of Forensic Odontology (MFOdont), Master of Laws (LLM), Master of Letters (MLitt), Master of Mathematics (MMath), Master of Medical Education (MMEd), Master of Medical Science (MMSc), Master of Nursing (MN), Master of Orthopaedic Surgery (MChOrth), Master of Philosophy (MPhil), Master of Public Health (MPH), Master of Research (MRes), Master of Science (MSc), Master of Science (MSci), Master of Social Work (MSW), Master of Surgical Science (MSSc); Doctor of Community Learning and Development (DCLD), Doctor of Dental Science (DDSc), Doctor of Education (DED), Doctor of Educational Psychology (DEdPsy), Doctor of Laws (LLD), Doctor of Letters (DLitt), Doctor of Medicine (MD), Doctor of Philosophy (PhD), Doctor of Science (DSc), Doctor of Social Work (DSW).

(2) The following degrees may be conferred honoris causa:

Master of Arts (MA), Master of Dental Science (MDSc), Master of Medical Science (MMSc), Master of Public Health (MPH), Master of Science (MSc), Master of Science (MSci), Master of Social Work (MSW), Master of Surgical Science (MSSc); Doctor of Laws (LLD), Doctor of Letters (DLitt), Doctor of Medicine (MD), Doctor of Philosophy (PhD), Doctor of Science (DSc).

2 The University may confer diplomas or certificates in such subjects as are approved from time to time by the Senatus Academicus and the University Court.

3 The University Court shall have power to make Regulations on the recommendation of the Senatus Academicus and with the advice of the appropriate School Board prescribing the entrance qualifications, the courses of instruction and the conditions of entry to these courses, the degree, diploma and certificate examinations, the extent of the evidence required of candidates' academic achievement, the conditions under which candidates may be exempted from attendance at any course of instruction or from examination and all other matters relating to any degree, diploma or certificate which may be conferred by the University under this Ordinance.

4 (1) The Examiners shall be such of the Professors, Readers, Senior Lecturers, Lecturers and Teaching Fellows (approved for this purpose by the relevant Dean) giving instruction in subjects qualifying for the prescribed examinations for any degree, diploma or certificate as the appropriate School Board shall from time to time determine and such External Examiners, not being members of the academic staff of the University, as may be appointed by the University Court.

(2) External examiners shall be appointed for specified time-limited periods and shall not be considered for re-appointment unless a specified period of time has elapsed since the end of the previous appointment, both periods to be defined in regulations approved by the Senatus.
(3) A former member of staff shall not normally be eligible for appointment as an external examiner either before the expiry of five years from the date of demiting office or after having ceased to hold an appointment in another University or equivalent institution.

5 A candidate who has satisfied all the conditions prescribed by this Ordinance and by the relevant Regulations made thereunder shall, after payment of the fees required, be entitled to receive the degree, diploma or certificate for which he is a candidate, with a statement of the subjects in which he has passed and, in the case of an honours degree, the class of honours obtained:

Provided that the Senatus Academicus shall have power at its discretion to refuse to authorise the granting of any degree, diploma or certificate to any person, otherwise qualified, who is at the time in debt to the University.

6 A graduate of the University of Dundee is a person who has been awarded one or more of the degrees or qualifications given in paragraph 1(1) and 2 above, or who has been awarded the Diploma of Higher Education or the Certificate of Higher Education; provided that as a condition of graduation and in accordance with paragraph (2) of Statute 20 they shall pay a registration fee. Such persons shall be members of the Graduates’ Association.

7 Ordinances Nos. 1, 2, 3, 4, 5, 6, 7, 8, 11, 13, 14, 15, 16, 17, 21, 22, 23, 24, 25, 29, 30, 31, 32, 33, 34, 35, 36, 37 and 38 are hereby revoked:

Provided that nothing in this section shall have the effect of reviving any Ordinance of the University of St Andrews which was revoked by any of the Ordinances specified herein.

Ordinance 40 – Student Discipline

Explanatory Note:

Being a student confers many rights and privileges. Amongst these, students are accorded a great deal of freedom, which arises from membership of an academic, residential and social campus community in which teaching, learning and research, and also tolerance and equality of opportunity, are of the utmost importance. This community can only function if the rights of each individual are carefully balanced against those of other individuals, and where others’ rights to study, to respect for property, home, family etc are respected.

Where this principle is transgressed, there is a liability to disciplinary proceedings in order to protect these other interests. In taking disciplinary action, the University may consider matters such as legal requirements, the protection of national security in a democratic society; public safety; the prevention of disorder or crime; the protection of health or morals, and the protection of the rights and freedoms of others. The University’s disciplinary procedures seek to deal with student discipline clearly, promptly, fairly, in compliance with natural justice, and with the provision of Hearings where specified under Ordinance 40.

Authorised Officers include the Principal, Vice-Principals, Deans, Director of Student Operations or Nominee, Wardens, Librarian, Director of UoDIT, the University Security Manager, and the Fire Safety Adviser (in respect of misconduct in University residences and University buildings in terms of breach of fire safety regulations).

Jurisdiction

1 (1) All students of the University are subject to the disciplinary jurisdiction of the Senatus Academicus in respect of their conduct both on and off University property. The authority of the Senatus in disciplinary matters shall normally be exercised by the Principal, acting on its behalf. In addition, full disciplinary powers are also permanently delegated by the Principal to the Vice-Principal(s).

(2) This Ordinance applies to former students of the University under paragraph 6(6) below.

(3) In general, Authorised Officers where relevant should consider the promotion of good race relations and racial harmony, and the University’s policies on disability, gender, race and other equal opportunities issues.
Authorised Officers

2 (1) The Principal has also delegated full disciplinary authority to all Vice Principals, and equivalents.

(2) The following officers may also exercise disciplinary powers, for which they shall be accountable to the Principal and/or to the Vice-Principal(s):

University Secretary

Director of Policy, Governance & Legal Affairs

Director of Legal Services & University Solicitor

Deans and Associate Deans of Learning (in respect of misconduct by students in their academic areas)

Director of Student Operations or nominees (in respect of misconduct in University Residences)

University Security Manager

The Librarian or Deputy Librarian or Medical Librarian (in respect of breaches of the Library Regulations),

The Director of UoDIT (in respect of breaches of the Regulations for the Use of Computing Facilities).

The President of the Dundee University Students’ Association (DUSA).

(3) The Principal and all others mentioned above exercising disciplinary powers under subsections (1) and (2) shall hereinafter be referred to as 'Authorised Officers'.

(4) The jurisdiction of all Authorised Officers includes all University premises/precincts and any other place where any alleged infringement of discipline regulations takes place.

(5) Where misconduct leading to proceedings under this Ordinance does not relate to the area of responsibility of any of the Authorised Officers listed under sub-section (2), or, though affecting the University as a whole, does not merit the attention of the Principal or other senior officer of the University, the Principal may appoint an appropriate ad hoc Authorised Officer.

(6) Any Authorised Officers are empowered to draw up and implement additional or supplementary disciplinary regulations in relation to their area of responsibility where appropriate, subject to consultation with the Vice-Principal concerned, including, for example, penalty points schemes applicable in any or all University residences, flats, halls or any other University accommodation.

(7) All Authorised Officers must comply with any disciplinary guidelines issued, and must report disciplinary action taken by them to the Vice-Principal(s) concerned.

(8) In the event of any issue involving disability, race or any other equal opportunities issue arises, any Authorised Officer has a discretion to adjourn proceedings to seek a report from any University or external adviser and/or to consider such a report or any related submission by any person, and to consider promotion of good race relations and racial harmony. This may be at any stage in any disciplinary matter, but is at the sole discretion of the Authorised Officer(s) concerned.

Misconduct

3 (1) All students shall comply with such Statutes, Ordinances, Regulations and Rules as may be prescribed for their conduct as students and with such instructions relating to their conduct as students as they may receive from members of the University staff in the exercise of their duties.

(2) A student shall be guilty of misconduct through:
(i)  failure to comply with any Statute, Ordinance, Regulation, Rule or instruction referred to in sub-section (1) or with any Disciplinary Bye-Law of the Students’ Association approved for the purposes of this Ordinance by the Senatus; or

(ii)  improper interference with the functioning or activities of the University, or those who work or study in the University; or

(iii)  action which otherwise damages the University.

(3)  By way of further definition of the rubric in sub-section (2)(ii) and (iii), but without derogating from their generality, the following shall constitute misconduct:

(i)  disruption of, or improper interference with, the academic, administrative, sporting, social or other activities of the University, whether on University premises or elsewhere;

(ii)  obstruction of, or improper interference with, the functions, duties or activities of any student, member of staff or other employee of the University or any authorised visitor to the University;

(iii)  violent, indecent, disorderly, threatening or offensive behaviour or language whilst on or off University premises or engaged in any University-related activity;

(iv)  fraud, theft, deceit, deception or dishonesty in relation to the University or its staff or in connection with holding any office in the University or in relation to being a student of the University;

(v)  action likely to cause injury or impair the safety or health of any person or persons, on or off University premises;

(vi)  sexual, racial, or disability-related, or any other bullying, harassment or intimidation by any means of any student, member of staff or other employee of the University or any authorised visitor to the University;

(vii) examination offences and offences within the jurisdiction of the Regulations governing Plagiarism and Academic Dishonesty;

(viii) damage to, or defacement of, University property or the property of other members of the University community caused intentionally or recklessly, and misappropriation of such property;

(ix)  misuse or unauthorised use of University premises or items of property, including computer misuse;

(x)  conduct which constitutes a criminal offence where that conduct:

(a)  takes place on University premises, or
(b)  affects or concerns other members of the University community, or
(c)  damages the good name of the University, or
(d)  itself constitutes misconduct within the terms of this Ordinance, or
(e)  is an offence of dishonesty, where the student holds an office of responsibility in the University;

(xi)  behaviour which may bring the University into disrepute;

(xii) failure to disclose name and other relevant details to an officer or employee of the University in circumstances when it is reasonable to require, or necessary, that such information be given;

(xiii) failure to comply with a previously imposed penalty under this Ordinance.

(xiv) Contravention of a penalty points scheme in University residences, flats, halls or any other University accommodation.
(xv) Any form of bullying, intimidation or harassment which does not fall under any other category.

(xvi) Research misconduct of any description which does not fall under any other disciplinary category.

(xvii) Raising unfounded or unsubstantiated complaints, appeals or disciplinary matters.

(xviii) Infringements of University parking regulations

Situations Requiring Urgent Action

4 (1) Any Authorised Officer is permitted to deal with any complaint of misconduct informally, by way of caution or otherwise, where, after careful consideration of the circumstances he or she considers such informal action appropriate.

(2) Where, in the view of any Authorised Officer, urgent action is required for reasons such as emergency circumstances; protection of student(s) and/or staff; health and/or safety-related issues, or any similar reason, however occurring, the Authorised Officer may proceed immediately by applying disciplinary action, either acting alone or co-opting any other member(s) of staff or other person(s) as required. Any or all disciplinary sanctions or penalties available under this Ordinance may be applied. The Authorised Officer(s) should subsequently review the initial decision after receiving representations or a defence by the student and may thereafter amend any disciplinary sanctions or penalty as appropriate. Notwithstanding any appeal subsequently lodged by the student, such a disciplinary decision shall continue to apply pending any appeal’s conclusion.

(3) In circumstances other than those described in para. 4(2) above, if any student admits a breach of disciplinary regulations, the Authorised Officer should advise the student of the consequences of the admission and of the range of disciplinary sanctions and penalties available and should thereafter seek information and representations in mitigation from (or on behalf of) the student(s) before determining the sanction(s) to be imposed. All decisions may be made by the Authorised Officer acting alone or with other member(s) of staff or other person(s) co-opted as required.

(4) Where an Authorised Officer applies disciplinary provision(s) under sections 4(1), 4(2) or 4(3), the student(s) may appeal under the provisions set out in section 7 below. The remaining procedural provisions of Ordinance 40 do not apply in such circumstances.

General Procedures

5 (1) Where, apart from section 4 above, any student denies the misconduct alleged, a Hearing should be held by the Authorised Officer to consider and to determine the matter. The Authorised Officer should decide, in the light of the seriousness of the alleged misconduct and all the circumstances, whether the Hearing should be formal or informal. The disciplinary allegations must be communicated in advance to the student(s), who has/have the right to attend the Hearing and be heard by the decision-makers, to present evidence, to make representations and to present a defence countering the disciplinary case against the student(s).

(2) An Authorised Officer may co-opt any other member(s) of staff and/or other person(s) to assist in determining any case at any stage. The references which follow below to “Authorised Officer” include anyone so co-opted.

(3) A student may be accompanied, assisted or represented at any Hearing by any person.

(4) The Authorised Officer may adjourn or postpone any Hearing at any time, and legal advice may be sought at any stage, on behalf of the University.

(5) If after the Hearing the Authorised Officer is satisfied, by finding the complaint substantiated (after balancing both sides of the case) or due to an admission by the student(s) involved, that the student(s) did breach disciplinary regulations, the Authorised Officer should provide an
opportunity if possible to seek information and representations in mitigation from, or on behalf of, the student(s) before determining the disciplinary sanction(s) (if any) to be imposed, unless the same considerations apply as in para. 4(2) in which case an immediate sanction may be applied.

(6) If the conduct is more serious than anticipated, the case may be referred by the Authorised Officer at any stage, for any purpose related to this Ordinance, to another Authorised Officer or to the Principal, who is also authorised in this eventuality to co-opt any other member(s) of staff and/or other person(s) to assist in determining any case at any stage.

(7) If any Authorised Officer or any other co-opted person considers there to be a conflict of interest or significant prior involvement in a case, this should be declared and an alternate person included.

(8) Any Authorised Officer may deal under Ordinance 40 with any case referred from the disciplinary authorities at DUSA.

(9) A letter confirming the outcome of the Hearing with a summary of reasons for the decision and a note of any disciplinary sanctions/penalties imposed should be written to the student(s) as soon as possible after the completion of any Hearing other than an adjourned or postponed one.

**Penalties**

6 (1) Disciplinary sanctions applied should generally be proportionate to the misconduct involved. These may be imposed by the Principal, who has permanently delegated powers under Statute 18 and this Ordinance to the Vice-Principal(s) and to all other Authorised Officer(s) to apply all available disciplinary sanctions, whether acting alone or jointly with any persons co-opted to act with an Authorised Officer. A referral may be made to a more senior Authorised Officer for consideration and, if appropriate, application of any sanction. The delegated power to the DUSA President to apply any penalty only applies where he/she is acting as part of a Disciplinary Panel and does not extend to a power to act alone

(2) Penalties and sanctions may be temporary or permanent and include: expulsion, exclusion or suspension from the whole University, and/or from any academic or other course(s), and/or from the use of any or all IT facilities, and/or from participation in any or all University activities, and/or from any or all other privileges, and/or from any or all part(s) of the University’s precinct or premises, and/or from visiting, and/or residence in, and/or prevention from future application to, any or all University residences, flats, halls or any other University accommodation; a fine; a requirement to make good the cost of any damage or reimburse losses, a reprimand, a University Community service requirement; or the writing of an essay and/or any other penalty or sanction of any type which is appropriate in the circumstances. These penalties and sanctions apply whether or not any student has entered into a contract with the University for accommodation or for anything else.

(3) This Ordinance does not affect the operation of Statute 5, of which it is independent.

(4) All penalties or sanctions applied shall take immediate effect even if a student appeals.

(5) Schemes of penalty points may lead to exclusion from, or the imposition of any other penalty or sanction in connection with, any or all University residences, flats, halls or any other University accommodation including barring from residing there.

(6) Available penalties include the provision in the University Charter (clause 3(g)) that the University is authorised, "...[O]n what the Court and Senatus Academicus of the University shall after due enquiry deem to be good cause, to deprive any person of any degree, diploma, certificate or other academic award granted to him by the University."

**Appeals**

7 (1) Appeals shall only be considered if they are based upon:

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(i) substantive new evidence that has come to light since the original hearing of the case; or

(ii) allegations of procedural irregularities (including administrative error) such as might give rise to reasonable doubt as to whether the Authorised Officer(s) would have reached the same decision had they not occurred; or

(iii) allegations of prejudice or bias on the part of the Authorised Officer; or

(iv) submission that the penalty imposed is unduly harsh.

(2) A student who wishes to appeal against the decision of an Authorised Officer in his or her case, or against the penalty or sanction imposed, must within seven days of the decision, deliver to the Authorised Officer a notice in writing setting out the nature of the appeal (that is, whether it is an appeal against decision or against penalty, or both) and the ground(s) of the appeal. The student(s) must also deliver a copy of the notice to the Secretary of the University.

(3) The Secretary or his/her nominee shall, after due enquiry, determine whether the grounds of appeal fall within the provisions of sub-section (1) above. If they do not satisfy these provisions, the Secretary or his/her nominee shall notify the appellant accordingly.

(4) The Secretary or his/her nominee shall also consider whether a prima facie case for appeal has been made out by the student, and if not, shall notify the student in writing within a reasonable time. Where a prima facie case has been made out, the Secretary or his/her nominee may determine after due consideration and in all the circumstances that the appeal be dealt with informally. Otherwise, the Secretary shall send to the student by recorded delivery or registered or equivalent post, a written invitation to attend the hearing of the appeal. Where an appeal hearing is called, the procedure detailed in section 5 above shall apply, subject to the changes set out in this section and/or any other changes which are in the opinion of the Secretary or his/her nominee, acting reasonably, necessary for the appeal to be considered.

(5) The appeal hearing shall be considered by a member of the University Court or Senate or University Administration, who for this purpose is hereby designated by the Principal as an Authorised Officer under this Ordinance, provided that such a person shall not have had any significant involvement in the case previously. Such an Authorised Officer may in their discretion also co-opt any other member(s) of staff and/or other person(s) to constitute a committee to determine any appeal at any stage. A representative of the student body should be included within such a committee if available. The references which follow below to ‘Authorised Officer’ include any persons so co-opted.

(6) The Authorised Officer or Committee may seek legal advice at any stage or sit with a legal adviser if appropriate.

(7) The Authorised Officer initially dealing with the case may be called to attend for all or part of any hearing or to report, and the Authorised Officer or Committee may also call for any other witnesses or other evidence which appears to be necessary to resolve questions raised by the appeal. Both sides of the appeal shall be considered by the Authorised Officer or Committee, and appropriate evidence invited from both sides, whether the appeal is dealt with informally or by hearing.

(8) The appeal may be adjourned or postponed as the Authorised Officer or Committee considers necessary.

(9) At the conclusion of the consideration of the appeal, the initial disciplinary decision may be confirmed or set aside, in whole or in part, or it may be upheld, and/or alternative penalty/(ies) and/or sanction(s), whether greater or lesser than the initial ones, may be substituted following the appeal.

(10) If the matter is being considered by a Committee, it may arrive at its decision by a majority vote of its members.
(11) The Authorised Officer or the Committee shall inform the student in writing as soon as possible after the decision of a summary of the reasons for the decision of the appeal.

(12) The Authorised Officer’s, or Committee’s, decision on the appeal shall be final and no further representations may be made by the student in relation to the case.

(13) The Authorised Officer or Committee shall report the result of the appeal, including the reasons for the decision made, to the Court and to the Senatus, or alternatively to a committee monitoring such matters, at the next appropriate meeting.

(14) If the student fails without reasonable excuse to appear on the day appointed for dealing with the matter or the hearing, and the Authorised Officer or Committee is satisfied that he or she has been duly notified of the hearing or other process for dealing with the matter, the appeal may be considered in the absence of the student(s) involved and any sanction imposed as would have been the case if the student had attended.

**Criminal Proceedings**

8 (1) A finding of guilt or an acquittal in a criminal court shall not preclude proceedings under this Ordinance in respect of the same incident, provided that in the case of an acquittal no such proceedings shall be taken on specific allegations already considered and rejected in a criminal court.

(2) The following procedures shall apply where the alleged misconduct would also constitute an offence under the criminal law if proved in a court of law:

(i) Where the potential offence under the criminal law is considered to be not serious (which, as a general but not immutable rule, may be taken to mean an offence that is unlikely to attract a custodial sentence on conviction), action under this Ordinance may continue, but such action may be deferred pending any police investigation or prosecution.

(ii) Without prejudice to the powers conferred on the Principal by Statute 5 or those in section 4 above, in the case of all other potential offences under the criminal law, no action may be taken under this Ordinance unless the matter has been reported to the police and either prosecuted or a decision not to prosecute has been intimated to the University, at which time the Principal or other Authorised Officer may decide whether disciplinary action under this Ordinance should continue or be taken.

(iii) Where a finding of misconduct is made and the student has also been sentenced by a criminal court in respect of the same facts, the court’s penalty shall be taken into consideration in determining the penalty made under this Ordinance.

**Ordinance 41 - Matriculation**

1 A person shall not be deemed to be a matriculated student in the University and shall not enjoy any of the privileges of a matriculated student unless, in addition to paying the appropriate consolidated annual fee, he is enrolled as a student in attendance in one or more classes or courses in the University:

Provided that nothing herein contained shall affect the right of the University Court to exact a fee in lieu of and not exceeding the appropriate consolidated annual fee from any candidate for any examination or for graduation, not being at the time a matriculated student, in addition to the fee payable for such examination or graduation.

2 To satisfy the requirements of Section 1 above a student who has been duly elected to an office of the Students’ Association which carries the privilege of sabbatical leave may complete a matriculation form and pay the prescribed registration fee in each academic year, not exceeding two, of such sabbatical leave.

3 (1) Entrant UK/EU students who are personally responsible for the payment of any element of their tuition fees under the Government’s student support arrangements may be permitted to matriculate for the session in which payment is due with the proviso that the whole of those
fees must be paid by a date during that session specified by the University Court otherwise their matriculated status may be withdrawn under section 4 below.

(2) A student who is in debt to the University or to the Students’ Association in respect of a fine or other penalty imposed under the Association’s Disciplinary Bye-Laws at the beginning of any session shall not be permitted to matriculate for that session until he has repaid the debt or has made arrangements for its repayment acceptable to the University Court or, in the case of repayment due to the Students’ Association, has otherwise obtained the express consent of the University Court to matriculate.

4 (1) Matriculated status may be withdrawn from students who are in debt to the University in respect of any fee or to the Students’ Association in respect of a fine or other penalty, if (a) they have not complied with the requirement for the payment of tuition fees in section 3(1) above, or (b) they have not complied with the arrangements for repaying debt made under section 3(2) above, or (c) the Secretary, after due enquiry which shall include an interview of the student or an offer of interview, considers that the student’s debt is unlikely to be repaid unless matriculated status is withdrawn or legal action is taken.

(2) The Secretary shall inform a student of the decision to withdraw matriculated status by letter handed to the student or sent to the student’s last known address.

(3) If a student’s matriculated status is withdrawn and subsequently reinstated, the student shall be liable to pay the appropriate tuition fee and/or residence fee for the period during which matriculated status was withdrawn save that, if the period is lengthy, the Secretary may, at his discretion, waive all or part of the tuition and/or residence fee for that period.

Ordinance No. 147 (General No. 32) insofar as made applicable to the University of Dundee by the provisions of paragraph (8) of Statute 21, is hereby revoked.

Ordinance 42 - Revocation of Ordinances

1 The Ordinances in the schedule to this Ordinance, made applicable to the University in terms of paragraph (8) of Statute 21, are hereby revoked.

2 Nothing in Section 1 of this Ordinance shall have the effect of reviving any Ordinance of the University of St Andrews which was revoked by an Ordinance specified in the schedule hereto.

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Ordinance 43 - Tuition and Other Fees
(An Ordinance made in terms of Statute 9(5) (q) and (r))

1 The amount and incidence of payment of any tuition fee or other fee payable by undergraduate or postgraduate students pursuing part-time or full-time courses of study offered by the University shall be determined by the University Court from time to time.

Undergraduate Course Fees
2 For each undergraduate degree course there shall be a consolidated annual fee covering matriculation, tuition, use of libraries, entrance to first sitting examinations and, where applicable, use of laboratory, clinical and computing facilities.
3 A matriculated, non-graduating student admitted to part of an undergraduate degree course shall pay a fee equal to one ninth of the consolidated annual fee for each term of any class in which he is enrolled: Provided that, if the combined fees for the number of classes and terms exceed four ninths of the consolidated annual fee, the consolidated annual fee shall become payable.
4 A final year MB, ChB or BDS student who has been referred shall pay a fee of one third of the consolidated annual fee for the period of referral up to and including the Autumn Term diet of examinations. Any such student who is again referred will be required to pay the balance of the consolidated annual fee.
5 There shall be an examination re-entry fee for each subject or combination of subjects assessed as one subject:
   Provided that the University Court may prescribe a maximum amount payable in terms of this section.
6 Any student who fails to matriculate by the prescribed date shall be liable to pay a late matriculation fee.
7 Paragraph revoked following approval by Court on 20 February 2012 and ratification on 23 April 2012.

Postgraduate Course Fees
8 For each postgraduate degree, diploma or certificate course taken either full-time or part-time, there shall be a consolidated annual fee covering, as appropriate, matriculation, tuition, supervision, use of libraries, entrance to first sitting examinations and, where applicable, use of laboratory, clinical and computing facilities.
9 Paragraph revoked following approval by Court on 20 February 2012 and ratification on 23 April 2012.
10 There shall be a resubmission fee payable by a higher degree candidate on resubmission of a thesis or dissertation which has been referred.
11 Paragraph revoked following approval by Court on 26 April 2011 and ratification on 13 June 2012.

General
12 There shall be a registration fee payable annually, on matriculating, by a student who is not liable to pay any of the fees prescribed by Sections 2, 3, 4, 8 and 9.

Ordinance 49 - Academic Staff - Discipline, Dismissal and Removal from Office
1 A Tribunal appointed by the Court under paragraph 16 of Statute 16 shall conduct its proceedings in private and in accordance with the provisions of Statute 16 and of this Ordinance.
2 The Tribunal and the member of academic staff concerned shall receive from the officer in charge of the proceedings, not less than twenty-one days in advance of the date set for the hearing, a formal written statement of the charge or charges on which the Tribunal is required to make its determinations, together with any documents therein specified.

Last updated 26 October 2017
3 The officer in charge shall present the charge or charges before the Tribunal, either personally or through another officer of the University or another representative who may or may not be legally qualified. The nomination of the person presenting the charge or charges shall be communicated to the member of academic staff not less than three days before the hearing.

4 The member of academic staff may present his or her own case before the Tribunal personally or shall be entitled to be represented by another person appointed by him or her, who may or may not be legally qualified and who may or may not be a member of the University. The nomination of any such representative shall be communicated to the officer in charge not less than three days before the hearing.

5 A charge shall not be determined without an oral hearing at which the member of academic staff concerned and any appointed representative are entitled to be present. Should the member of academic staff concerned or his or her appointed representative fail to appear at the hearing or any adjournment or postponement thereof, the Tribunal may at its discretion proceed with the hearing and determine the charge or charges in their absence.

6 Written cases by the presenters and documentary evidence in support or in defence of the charge or charges, if any, shall be submitted to the Tribunal and to the other party not less than seven days before the hearing, but the Tribunal at its discretion shall have the power to admit additional documentary evidence at any stage.

7 Both parties shall be entitled to call witnesses and to question witnesses on evidence submitted as documents or orally. A list of the names of witnesses to be called shall be submitted to the Tribunal, to the member of academic staff concerned or his or her representative and to the officer in charge not less than seven days before the hearing. The Tribunal shall also have the power to question witnesses and the member of academic staff concerned and to call additional witnesses.

8 The Tribunal shall have power to determine its own procedures at the hearing, subject to the provisions of this Ordinance and having regard to the following normal sequence:

(i) The charge or charges against the member of academic staff concerned shall be presented first.

(ii) The member of academic staff or his or her representative shall be invited to make a statement in reply.

(iii) The presenter will then make the case and may call witnesses and refer to documentary evidence. The member of academic staff or his or her representative and members of the Tribunal may question the presenter and the witnesses on the evidence presented. Except with the leave of the Tribunal, a witness shall not be present when another witness is giving evidence.

(iv) The member of academic staff or his or her representative shall then present his or her case and may call witnesses and refer to documentary evidence. The presenter and members of the Tribunal may question the member of academic staff and his or her representative and the witnesses on the evidence presented. Except with the leave of the Tribunal, a witness shall not be present when another witness is giving evidence.

(v) The presenter may make a final submission to the Tribunal.

(vi) The member of academic staff or his or her representative may make a final submission to the Tribunal.

(vii) Thereafter everyone except the members of the Tribunal and its secretariat, if any, shall withdraw and the Tribunal shall consider its decision.

9 The Tribunal at its discretion may postpone or adjourn any hearing in order to allow additional evidence to be submitted relevant to the charges or for any reason which the Tribunal deems appropriate. It shall be its general intention however to hear and determine any charge as expeditiously as reasonably practicable.

10 The Tribunal may dismiss a charge where after presentation it considers a prima facie case has not been made, without hearing the presentation by or on behalf of the member of academic staff, or may remit a charge to the Principal for further consideration, before or after the commencement of the hearing. If it appears that accidental errors have been made in any material relating to the charge or
charges, then the Tribunal may, with the agreement of the parties, correct such errors for the record.

11 The decision of the Tribunal on any charge, which may be unanimous or by a majority, shall be transmitted to the Principal and to each party to the proceedings as soon as reasonably practicable after the hearing. The intimation shall, where appropriate, draw attention to the period of time within which any appeal should be made, in accordance with Part V of Statute 16.

Ordinance 50 - Academic Staff-Discipline, Dismissal and Removal from Office-Appeal Procedure

1 The person appointed by the Court under Paragraph 28 of Statute 16 to hear and determine an appeal shall conduct the proceedings in private and in accordance with the provisions of Statute 16 and of this Ordinance.

2 The Secretary shall provide to the person appointed, not less than seven days before the date set for the appeal hearing, copies of (i) the written notice with grounds of appeal as lodged by the appellant, and (ii) any written reports submitted by the relevant Committee, Tribunal or Board acting at first instance under Part II, Part III or Part IV of Statute 16.

3 The appellant may present his or her case to the person appointed personally or shall be entitled to be represented by another person nominated by him or her, who may or may not be legally qualified and who may or may not be a member of the University. The nomination of any such representative shall be communicated to the Secretary not less than three days before the date set for the appeal hearing.

4 The University Court may be represented at the hearing by the Principal or Secretary or other nominated officer of the University or by a nominated representative who may or may not be legally qualified and who may or may not be a member of the University. The nomination of any such representative shall be communicated to the appellant not less than three days before the date set for the appeal hearing.

5 An appeal shall not be determined without an oral hearing at which the appellant and any person nominated to represent him or her are entitled to be present and, with the consent of the person appointed to hear the appeal, to call witnesses. Should the appellant or his or her nominated representative fail to appear at the hearing or any adjournment or postponement thereof, the person hearing the appeal will have discretion to proceed with the hearing and determine the appeal in their absence.

6 The person appointed shall have power to postpone or adjourn the hearing, to dismiss the appeal for want of prosecution and to instruct correction of accidental errors. Time limits for each stage, including the hearing itself, may be set by the person appointed, with a view to hearing and determining the appeal as expeditiously as reasonably practicable.

7 The person appointed to hear the appeal shall otherwise have full power to determine procedure at the hearing, subject to the provisions of Statute 16 and this Ordinance, and shall have power to request additional documentation and to call witnesses.

8 The person appointed shall send the reasoned decision to the Principal and to the parties to the appeal as soon as practicable after the hearing.

Ordinance 54 – Fitness to Practise

Any School may develop criteria, committee(s), regulations and procedures in relation to Fitness to Practise for the professions, which shall be subject to the approval of the Senatus prior to implementation.

Ordinance 55 – Sports Union

The Sports Union may from time to time make alterations to its constitution, but only with the approval of the Court.

Last updated 26 October 2017
Ordinance 56 – The Colleges
Ordinances number 56- The Colleges is hereby revoked.

Ordinance 57 - Schools of Study
1 From the date on which this Ordinance shall come into operation, there shall be nine Schools as follows:

(a) The School of Art & Design
(b) The School of Dentistry
(c) The School of Education & Social Work
(d) The School of Humanities
(e) The School of Life Sciences
(f) The School of Medicine
(g) The School of Nursing & Health Sciences
(h) The School of Science & Engineering
(i) The School of Social Sciences

2 The Schools shall comprise such academic disciplines as shall be prescribed by the Senatus.

3.1 There shall be a Dean of each School who shall be appointed by the Court, in accordance with a process approved by the Court. Each Dean shall exercise general oversight and executive management of her or his School and shall have such powers and duties, shall be appointed under such terms and conditions and shall receive such remuneration as the Court may determine.

3.2 To support her or him in exercising these responsibilities, within each School there shall be constituted a School Executive Group, the composition of which shall be approved by the University Executive Group.

4 The Dean shall, when present, preside over meetings of the School Executive Group and the School Board.

5.1 For each School there shall be constituted a School Board as follows:

(a) The Dean, who shall be the convener;
(b) The members of the School Executive Group;
(c) One senior member of academic staff from another School, as determined by the University Executive Group on the recommendation of the Dean;
(d) The School President and any Vice-Presidents;
(e) An elected officer of the executive of the Students’ Association, as determined by the President of the Students’ Association in consultation with the Dean;
(f) Either: All other members of the academic staff of the School; Or: Members elected from the academic staff of the School, whose number, manner of election and period of office shall be agreed with the Senatus;
(g) A representative from each of the remaining staff groups within the School;
(h) Other persons at the invitation of the Dean and with the approval of the School Board.

5.2 Each School Board shall have the following functions:

(a) To advise the Dean and the School Executive Group on all matters relating to the organisation of education and research in the subjects of the School including curricula and examinations;
(b) To be responsible for the oversight of such operational aspects of student admissions, student administration, the management of learning and teaching, quality assurance and research as may be delegated to it by the Senatus;
(c) To discuss any matters related to the School and any matter referred to it by the Senatus, and to convey its views and recommendations thereon to the Senatus;

(d) Such other functions as the Senatus may authorise and prescribe.

6 Each Dean shall ensure that there are opportunities for all members of the School to discuss, advise and express an opinion on matters of relevance to the School.

Ordinance 59 – Academic Freedom

1. In determining and maintaining policies and procedures in relation to the University’s staff, the Court, in accordance with Statute 16, must ensure the academic freedom of those members of staff engaged in teaching, the provision of learning or research. Academic freedom, as defined in Statute 16(1)(b), is 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.

2. This Ordinance sets out, in accordance with Statute 16(2), the procedure which applies to any such members of staff who believe that their academic freedom has been adversely affected.

3. Any member of staff engaged in teaching, the provision of learning or research who believes that their academic freedom has been adversely affected shall submit a written account of the specific matter to the University Secretary. The University Secretary shall arrange for the matter to be assessed to ascertain whether it should properly be investigated under this Ordinance.

4. Such an initial assessment shall be carried out by a committee of three senior members of academic staff, all of whom shall be members of the Senatus. The committee shall be known as the Academic Freedom Assessment Committee (the ‘Committee’) and its membership shall be drawn from a pool to be determined annually as required by the Senatus: Provided that its membership shall not include more than one member from any given School, nor a Vice-Principal or Dean.

5. If the Committee determines that the matter does not fall within the terms of this Ordinance, then the Committee shall recommend that the matter be considered under the appropriate general grievance procedure as approved and maintained under Statute 16(3).

6. If the Committee determines that the member of staff’s academic freedom may have been adversely affected, then the matter shall be considered by a panel which shall comprise:

   a) a Vice-Principal with no prior involvement in the case, who shall be Chair;

   b) a professor nominated by, but not necessarily a member of, the Senatus with no prior involvement in the case;

   c) a member of staff engaged in teaching, the provision of learning or research who has an understanding of the area of expertise of the member of staff raising the matter and who has no prior involvement with the case. In cases where there is no suitable member of the University’s staff, an external assessor may be appointed to the panel.

7. The member of staff raising the matter shall have the right to be accompanied by a work colleague or trade union representative at any meeting convened as part of the investigation under this Ordinance.

8. The panel convened under paragraph 6 shall reach a decision on whether the academic freedom of the member of staff bringing the case has been affected and shall make such recommendations for resolution of the matter as it shall think fit to the University Secretary.
9. If the panel determines that the member of staff’s academic freedom has not been adversely affected, that member of staff shall have the right of appeal against the decision of the panel. Such an appeal shall be heard by an appeal panel which shall comprise:

a) a lay member of Court with no prior involvement in the case, who shall be Chair;

b) a member of Senate with no prior involvement in the case;

c) an external assessor with an expert understanding of the academic discipline of the member of staff raising the matter.

10. The procedures and timescales to be followed in determining the matter shall in all other respects be in accordance with those set out for the consideration of matters as approved and maintained under Statute 16(3).

11. If the member of staff is subject to any other procedures as approved and maintained under Statute 16(3), these shall be suspended until the procedures under this Ordinance have been exhausted.

Ordinance 63 Deputy Chairperson of Court

(An Ordinance made in terms of Statute 9(3)(a) and 9(4)(a-b))

1. (1) The Deputy Chairperson of Court shall be appointed by the Court on the recommendation of the Governance & Nominations Committee. Before making its recommendation, the Committee shall:

(i) Establish a job description and person specification for the role, which shall take account of sub-paragraph (2) below;

(ii) Consult with all members of Court eligible for the role in terms of Statute 9(4)(a) in order to establish their candidacy;

(iii) Consult with all members of Court to obtain their views on the appointment.

(2) The Deputy Chairperson of Court shall preside over any meeting of the Court in the absence of the Chairperson or in the event of the business of the Court making it inappropriate for the Chairperson to preside over any meeting or part thereof.

(3) The Deputy Chairperson of Court be the senior independent member of Court and shall act as intermediary for members of Court who might wish to raise concerns about the conduct of the Court or of its Chairperson. He or she shall, at least annually, chair a meeting of the Court to discuss the performance of the Chairperson in the Chairperson’s absence.

Ordinance 64 – Students’ Assessor

(An Ordinance made in terms of Statute 10(1)(g))

1 On the recommendation of the Senatus and following consultation with the Students’ Association, the Court shall appoint at least one but no more than two Students’ Assessors, who shall become members of the Senatus.

2 Students’ Assessors shall be appointed for a period of three years, and shall be eligible for re-appointment, but shall not normally serve for more than six years.

3 Academic staff of the University shall be eligible for appointment as Students’ Assessor. It shall be the expectation of the appointment that it is not held by a Vice-Principal, a Dean, or a member of staff holding an equivalent or similar appointment.

4 The responsibilities of the appointment shall be as determined from time to time by the Senatus in discussion with the Students’ Association. They shall, however, be focused on ensuring student cases are dealt with in a manner which conforms to due process and shall normally include the following:
(1) Providing advice to students on framing appeals under the postgraduate and undergraduate appeals procedures;
(2) Providing advice to students on framing appeals under the termination of studies procedures;
(3) Membership of the Senate Termination of Studies (Appeals) Committee;
(4) Involvement in disciplinary or academic dishonesty hearings;
(5) Involvement in postgraduate and undergraduate appeals hearings;
(6) Providing advice as necessary to students with complaints about their treatment by academic departments or individual members of staff;
(7) Liaising with relevant University officers on the treatment of individual cases.

Ordinance 65 – Appointment of the Chairperson of Court

(An Ordinance made in terms of Statute 9(3)(a) and in accordance with sections (3)-(8) of the Higher Education Governance (Scotland) Act 2016.)

1. (1) In a year in which a vacancy in the position of Chairperson of Court arises, the Court shall establish an appointing committee.

   (2) The appointing committee shall include in its membership at least one member of staff, one student, and one graduate of the University. Only persons who have declared that they shall not seek candidacy for the vacancy may be members of the appointing committee. The members of the appointing committee shall normally be members of the Court, but the Court may appoint members to the committee from outside the Court or from outside the University. The Court shall ensure that there is an appropriate balance of membership of the committee in terms of accepted equality and diversity principles.

   (3) The appointing committee shall normally be chaired by the Deputy Chairperson of Court, unless that person wishes to be considered for the role of Chairperson, in which case the Court shall decide who, from among its lay members and from those who do not wish to be considered for the role, shall chair the committee.

2. The sitting Chairperson of Court shall take no part in the selection process for the new Chairperson and shall absent him or herself from any discussion.

3. Existing lay members of Court shall be eligible to apply to be appointed as Chairperson. Students or members of staff of the University shall be ineligible to be appointed as Chairperson, and 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.

4. The appointing committee established under paragraph 1 shall have responsibility for:

   (i) Devising the relevant criteria with respect to the position of Chairperson of Court, which must include the availability, skills and knowledge that the appointing committee consider necessary or desirable to exercise the functions of Chairperson of Court and command the trust and respect of other members of the Court, of the members of the Senatus and of the staff and students of the University.

   (ii) Ensuring the efficiency and fairness of the process for filling the position of Chairperson of Court.

   (iii) Publishing anonymised data relating to the protected characteristics, as listed in section 149(7) of the Equality Act 2010, of the applicants, the applicants invited to interview, and the applicants entitled to stand as candidates in an election for the position.

   (iv) Advertising the vacancy widely sufficient to attract applications from a broad range of persons and in accordance with the requirements set out in section 4 of the Higher Education Governance (Scotland) Act 2016.

   (v) Interviewing those applicants who appear to the committee to meet the relevant criteria for the position.

   (vi) Declaring whether those applicants who have been interviewed have satisfactorily demonstrated that they meet the relevant criteria.
5. Applicants who are invited to interview shall also be invited to meet with the Principal and members of the senior management, with academic staff and with students. Each of these groups shall provide comments to the appointing committee to enable them to determine whether each applicant has satisfactorily demonstrated that he or she meets the relevant criteria for the position.

6. Applicants who have satisfactorily demonstrated to the appointing committee that they meet the relevant criteria are entitled to stand as candidates in an election for the position of Chairperson of Court. An election shall only take place in the event that there are two or more candidates. In the event that there is only one candidate, a new appointment process shall be commenced with the same appointing committee. The remaining candidate shall be entitled to stand for election without further interview.

7. The University Secretary shall act as the Returning Officer for an election for the position of Chairperson of Court.

8. The election shall take place using electronic voting.

9. Those eligible to vote in the election shall be the members of the governing body, the staff of the University and the students of the University. No person shall be entitled to cast more than one vote.

10. The candidate who secures a simple majority of the total number of votes cast shall be declared the winner. In the event of a tie, the winner shall be determined by lot in a manner to be decided by the Returning Officer.

11. The candidate who wins the election shall be appointed as Chairperson for a period of three years and shall be eligible for reappointment for a second term of three years on the recommendation of the Governance & Nominations Committee. In considering the re-appointment of the Chairperson for a second term, the Governance & Nominations Committee shall be chaired by the Deputy Chairperson.

Ordinance 66 – Nominations to the Court by the Trade Unions and the Students’ Association

(An Ordinance made in terms of Statute 9(1)(i-k) and in accordance with sections 10 and 12 of the Higher Education Governance (Scotland) Act 2016)

1. For the purpose of this Ordinance the University recognises the following trade unions: Unison, Unite and University & College Union.

2. Valid nominations of members of Court by the trade unions and the students’ association are those made in accordance with this Ordinance, and they shall also be subject to the general provisions governing Court membership as set out in Statute 9.

3. The nomination of such members by the trade unions and the students’ association shall take place in the second semester to enable, whenever possible, an announcement of the successful candidates to be made at the latest by the last Court meeting of the academic year in which a nomination is due.

4. (1) The period of office of members nominated by the trade unions shall be four years. Members so nominated shall be eligible for re-nomination, but shall not hold office continuously for a longer period than eight years. A member of Court nominated by a trade union who ceases either to be a member of the trade union or to be a member of staff of the University shall simultaneously cease to be a member of the Court.

(2) The nomination of an academic member of staff who is a member of a trade union shall be the responsibility of the local branch of the University & College Union, which shall make a nomination from within its own academic staff membership at the University.

(3) The nomination of a support member of staff who is a member of a trade union shall be the joint responsibility of the local branches of the Unison and Unite trade unions, which shall make a nomination from within their own memberships at the University.

(4) Each trade union shall ensure that it invites applications for nomination for membership of the Court from all of its members. The executive committee of the local branch of each trade union...
shall be responsible for determining its own preferred candidate for nomination and shall devise procedures which it shall advertise widely amongst its membership to ensure that the process of determining a nominee is fair, transparent and equitable.

(5) Once each trade union as set out in sub-paragraphs (2) and (3) above has determined its preferred candidate for nomination, all three trade unions shall meet to agree the final nominations for each of the two nominated positions on Court. In reaching the final nomination, the trade unions shall have due regard to accepted principles of equality and diversity and shall espouse the commitment of Court to achieving greater diversity in its membership.

(6) Where a casual vacancy arises in either of the nominations from the trade unions, the trade unions responsible shall seek to make a new nomination as soon as possible in accordance with the provisions of this Ordinance and with the procedures devised by the relevant trade union in line with sub-paragraph (4) of this paragraph. The new nominee shall begin a full term of office in accordance with Statute 9(2)(k).

5. (1) The period of office of students nominated by the Students’ Association shall be one year. Members so nominated shall be eligible for re-nomination, but shall not hold office continuously for a longer period than four years.

(2) A member of Court nominated by the Students’ Association who ceases to be a student shall simultaneously cease to be a member of the Court.

(3) The nominees of the Students’ Association shall be made by its Executive and shall be the President of the Students’ Association and a student elected for the purpose by the student body to be known as the independent student member on Court.

(4) The method of election and the procedure for nomination of candidates in the election of the independent student member of Court shall be as prescribed by the Students’ Association for the nomination and election of its own officers:

Provided that where no nominations for candidacy in the election are received by the due date, no election shall be held, and the Executive shall nominate another of its number to membership of the Court.

(5) Where a casual vacancy arises in members nominated by the students, the Executive of the Student’s Association shall seek to make a new nomination as quickly as possible. The Executive shall nominate one of its own number to fulfil the nomination, and that person shall hold office until 31 July of the academic year in question, whereafter the new Executive shall nominate two new members in accordance with sub-paragraphs (2) and (3) of this paragraph.

Ordinance 67 – Appointment of the Chancellor
(An Ordinance made under Statute 3)

1. The appointment of the Chancellor shall be made by the Court after consideration of a report of a joint committee of the Court and the Senatus. This Ordinance sets out the membership and operation of that committee and also specifies the term of office for the Chancellor.

2. Upon intimation of a vacancy in the office of the Chancellor, the Court shall direct the establishment of a joint committee of the Court and Senatus with the following membership:

   a) the Chairperson of Court, who shall be the Chair;
   b) the Principal;
   c) the President of the Students’ Association;
   d) two lay members of the Court, at least one of whom shall be a graduate of the University;
   e) three members nominated by the Senatus from its number, at least one of whom shall not be a professor, and one of whom shall be a professor.

3. The joint committee shall determine how the appointment process shall be conducted, including the preparation of any documentation. Upon conclusion of its work, the joint committee shall submit a
report to the Court in which it shall recommend a sole candidate for appointment. This report shall also be submitted to the Senatus for information.

4. The Chancellor shall be appointed for a period of five years from the date of the Court meeting at which the appointment was approved or from such future date as the Court may determine:

Provided that at the end of five years, the Chancellor may be re-appointed by the Court, after consultation with the Senatus, for a further period of five years but thereafter shall not be eligible for further re-appointment.