

Charter, Statutes & Ordinances 2017



Royal College of Art
Postgraduate Art & Design

Charter

ELIZABETH THE SECOND by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of Our other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith:

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING!

WHEREAS an humble Petition has been presented unto Us praying that We should grant a Charter to The Royal College of Art (hereinafter called "the existing College") which was incorporated as a Company limited by guarantee under the Companies Act, 1948, on the thirteenth day of February in the year of our Lord One thousand nine hundred and fifty-one with such provisions in that behalf as shall seem to Us right and suitable: AND WHEREAS We have taken the said Petition into Our Royal Consideration and are minded to accede thereto: NOW THEREFORE Know Ye that We by virtue of Our Prerogative Royal and of Our especial grace, certain knowledge and mere motion have willed and ordained and by these Presents do for Us, Our Heirs and Successors will and ordain as follows:-

1. The Members for the time being of the Court, the Council, the Senate, the Chapter of Fellows, the Academic Advisory Committee (subject to the provisions of Article 15 of this Our Charter), the Members of the Academic Staff, the Technical Instructors, the Graduates and the Students of the College, the Chancellor, the Pro-Chancellor, the Vice-Chancellor, the Treasurer, the Deputy Vice-Chancellor and Provost and all others who shall pursuant to this Our Charter and the Statutes of the College for the time being be Members of the College are hereby constituted and from henceforth for ever shall be one Body Politic and Corporate with perpetual succession and a Common Seal by the name and style of "The Royal College of Art" (hereinafter called "the College") with power to obtain through Our College of Arms a grant of armorial bearings (which shall be duly recorded in Our said College) and in that name to sue and be sued, to take, purchase, hold, charge, sell, exchange, demise or otherwise dispose of real and personal property, to invest, lend and borrow money and subject to the provisions of this Our Charter to perform such other acts as Bodies Corporate may by law do and the College shall have the constitution and powers and be subject to the regulations in this Our Charter prescribed or contained.

2. The objects of the College shall be to advance learning, knowledge and professional competence particularly in the field of fine arts, in the principles and practice of art and design in their relation to industrial and commercial processes and social developments and other subjects relating thereto through teaching, research and collaboration with industry and commerce.

3. The College shall be a teaching, a research and an examining body and shall, subject to this Our Charter and the Statutes, have the following powers:-

i) To prescribe in the Statutes, Ordinances or Regulations the requirements for matriculation and the conditions under which persons shall be admitted to the College or to any particular course of study therein.

ii) To confer and grant under conditions laid down in its Statutes or Ordinances Degrees, Diplomas, Certificates and other academic distinctions of the College on and to persons who shall have pursued a course of study approved by the College and shall have passed the examinations or other tests prescribed by the College.

- iii) To admit graduates of other Colleges and Universities to Degrees of equal or similar rank of the College.
- iv) To confer Degrees of the College on any persons who hold office in the College as Professors, Readers, Tutors or otherwise or who shall have carried on research therein under conditions laid down in its Statutes or Ordinances.
- v) To grant Diplomas, Certificates and other academic distinctions to persons who have pursued a course of study approved by the College under conditions laid down by the College.
- vi) To confer honorary Degrees and other distinctions on approved persons; provided that all honorary Degrees and other distinctions so conferred shall be conferred and held subject to any provisions which are or may be made in reference thereto by the Statutes, Ordinances or Regulations of the College.
- vii) To prescribe rules for the discipline of the Students of the College.
- viii) To provide instruction in art and design and in such branches of learning as the College may think fit, and to make provision for research and for the advancement and dissemination of knowledge in such manner as the College may determine.
- ix) To set and maintain standards in the practice of art and design and other subjects related thereto.
- x) To provide such lectures and instruction for persons not being Members of the College as the College may determine and to grant Diplomas and Certificates to such persons.
- xi) To promote exhibitions of art and design or other subjects connected with the purposes of the College for Members of the College and others.
- xii) To accept the examinations passed and periods of study spent by Students of the College at other places of learning including the existing College and periods of study at approved professional offices or industrial concerns as equivalent to such examinations and periods of study as the College may determine and to withdraw such acceptance at any time.
- xiii) To affiliate other institutions or branches or departments thereof and to recognise selected members of the staffs thereof as teachers of the College and to admit the members thereof to any of the privileges of the College and to accept attendance at courses of study in such institutions or branches or departments thereof in place of such part of the attendance at courses of study in the College upon such terms and conditions and subject to such regulations as may from time to time be determined by the College.
- xiv) To co-operate by means of joint boards or otherwise with other college or university authorities for the conduct of examinations and for such other purposes as the College may from time to time determine.
- xv) To enter into any agreement with the existing College for taking over all or any part of its rights, property and liabilities and if necessary to promote a Bill in Parliament to confirm or carry out such agreement.
- xvi) To enter into any agreement for the incorporation within the College of any other institution and for taking over its rights, property and liabilities and for any other purpose not repugnant to this Our Charter.

xvii) To institute Professorships, Readerships, Senior Tutorships, Tutorships and any offices of any kind whether academic or not as may be required by the College, to appoint persons to and remove them from such offices and to prescribe their conditions of service.

xviii) To institute and award Fellowships, Scholarships, Studentships, Exhibitions, Bursaries and Prizes and other aids to study and research.

xix) To establish and maintain and to administer and govern residential, studio, study and workshop accommodation for the Students of the College and to approve and inspect other places in which students of the College reside whether or not maintained by the College.

xx) To make provision for research, design, development and advisory services and for the promotion of such objects to enter into such arrangements with other institutions or with public bodies or industrial societies or concerns as may be thought desirable.

xxi) To provide for the printing or filming or making or publication of research and other works which may be issued by the College.

xxii) To demand and receive fees, to take such steps as may from time to time be deemed appropriate for the purpose of procuring contributions to the funds of the College and to raise money in such other manner as the College may deem fit.

xxiii) To provide, for reward or otherwise, such goods and services for Members of the College and their families, guests and servants as may be deemed expedient and consistent with the objects of the College as a place of education and learning.

xxiv) To act as trustee or manager of any property, legacy, endowment, bequest or gift for the purposes of education or research or otherwise in furtherance of the work and welfare of the College and to invest any funds representing the same in accordance with the provisions of the Statutes.

xxv) To buy, sell, acquire and otherwise deal in works of art and design, artists' and other materials, goods, tools, instruments and apparatus necessary for or to be used in connection with any lectures, courses, classes or projects arranged by the College and to sell or otherwise dispose of or turn to account goods, articles, designs and processes of all kinds made, executed or invented by Members of the College.

xxvi) To do all such other acts and things whether incidental to the powers aforesaid or not as may be requisite in order to further the objects of the College.

4. There shall be a Visitor of the College who shall have the right from time to time and in such manner as he shall think fit to direct an inspection of the College, its buildings, laboratories and general equipment and also an enquiry into the teaching, research, examinations and other work done by the College.

5. There shall be a Chancellor of the College who shall be the Head of the College and shall preside over Convocation and confer Degrees.

6. There shall be a Pro-Chancellor of the College who shall, subject to the Statutes, in the absence of the Chancellor or during a vacancy in the office of the Chancellor exercise all the functions of the Chancellor except presiding over Convocation and conferring Degrees and shall be ex officio the Chair for the time being of the Council referred to in Article 12 of this Our Charter.

7. There shall be a Vice-Chancellor of the College who shall be the principal Academic and Administrative Officer of the College and ex officio Chairman of the Senate referred to in Article 13 of this Our Charter and shall in the absence of the Chancellor or during a vacancy in the office of the Chancellor preside over Convocation and confer Degrees.

8. There shall be a Treasurer of the College and such other Officers of the College as the Council referred to in Article 12 of this Our Charter may from time to time appoint.

9. The first Visitor, Chancellor, Pro-Chancellor, Vice-Chancellor and Treasurer shall be the persons named in the First Schedule to this Our Charter.

10. There shall be a Deputy Vice-Chancellor and Provost of the College who shall, subject to the Statutes, in the absence of the Vice-Chancellor or during a vacancy in the office of the Vice-Chancellor perform the functions and duties of the Vice-Chancellor.

11. There shall be a Court of the College (hereinafter called "the Court") which, except as provided in Article 9 of this Our Charter, shall appoint the Visitor, the Chancellor and the Treasurer and shall receive an annual report on the workings of the College from the Vice-Chancellor and shall have all such other powers and duties as may be conferred upon it by the Statutes.

12. i) There shall be a Council of the College (hereinafter called "the Council") which shall, subject to the provisions of this Our Charter and the Statutes, be the governing body of the College.

ii) The Council shall have the custody and use of the Common Seal.

13. There shall be a Senate of the College (hereinafter called "the Senate") which shall, subject to the provisions of this Our Charter and the Statutes and to the general control and approval of the Council, be responsible for the academic work of the College both in teaching and in research and for the regulation and superintendence of the education and discipline of the Student of the College.

14. There shall be a Chapter of Fellows of the College (hereinafter called "the Chapter of Fellows") which shall appoint persons as Fellows and Honorary Fellows of the College and shall have such other powers and duties and shall consist of such persons as shall be determined by the Council in accordance with the Statutes.

15. i) For such period as shall be determined in accordance with the provisions of paragraph (ii) hereof there shall be an Academic Advisory Committee (hereinafter called "the Academic Advisory Committee") which shall consist of not less than five nor more than eight persons not being Members of the Staff of the College appointed in the manner prescribed in the Statutes together with the Vice-Chancellor and which shall be responsible for keeping under review the standard of the education provided in the College and of the Degrees awarded by the College and shall have such other powers and duties as may be conferred upon it by the Statutes.

ii) On the motion of the Council, the Lords of Our Most Honourable Privy Council may determine a date with effect from which the Academic Advisory Committee shall be dissolved.

16. The first members of the Academic Advisory Committee shall be the persons named in the First Schedule to this Our Charter.

17. i) There shall be Faculties established by the Council on the recommendation of the Senate with the approval of the Academic Advisory Committee (while that Committee exists).

ii) For each Faculty there shall be a Board with a Chairman.

18. i) Subject to the provisions of this Our Charter, Statutes may prescribe or regulate as the case may be:-

a) The status, election, appointment and continuance in office of the Visitor, the Chancellor, the Pro-Chancellor, the Vice-Chancellor, the Treasurer, the Deputy Vice-Chancellor and Provost and other Officers of the College.

b) The constitution, powers, duties, functions and business of the Court, the Council, the Senate, the Chapter of Fellows, the Academic Advisory Committee and the Boards of Faculties and the filling of vacancies among the Members of these bodies.

c) All such other matters as the Council may deem fit and meet with respect to or for the governing of the College, its Members and constituent parts or otherwise for the promotion of the objects of this Our Charter.

ii) The first Statutes shall be those set out in the Second Schedule to this Our Charter and shall remain in force until they have been amended, added to or repealed in the manner hereinafter prescribed.

iii) The Council may from time to time, with the agreement of the Senate, by Special Resolution make Statutes for the College which may amend, add to or repeal the Statutes for the time being in force; provided that such Statutes shall not be repugnant to the provisions of this Our Charter and provided further that no such Statutes shall have effect until approved by the Lords of Our Most Honourable Privy Council of which approval a certificate under the hand of the Clerk of Our said Privy Council shall be conclusive evidence.

19. i) The Statutes may direct that any of the matters prescribed or regulated by Statute as authorised or directed by this Our Charter shall be further prescribed or regulated by Ordinance; provided that any such further prescription or regulation shall not be repugnant to the provisions of the Statutes or of this Our Charter.

ii) Ordinances shall be made by resolution of the Council and shall have effect when such resolution has been confirmed at a subsequent meeting of the Council held not less than one calendar month nor more than three calendar months after the meeting at which the resolution was first passed; provided that in cases certified to be urgent by a vote of not less than three-fourths of the Members of the Council present and voting at the meeting of the Council, Ordinances may be made and shall have immediate effect; provided further that Ordinances dealing with courses of study, conditions of award of Degrees, Diplomas and Certificates, examinations, the powers and duties of Boards of Faculties, the affiliation of other institutions and the recognition of teachers shall not be made, added to, amended or repealed except on the recommendation of the Senate and with the approval of the Academic Advisory Committee (while that Committee exists).

iii) Ordinances may, subject to the foregoing provisions of this Article, be added to, amended or repealed from time to time.

20. Subject to the provisions of this Our Charter and the Statutes the Court, the Council, the Senate, the Chapter of Fellows and the Academic Advisory Committee respectively may from

time to time make Regulations for governing their proceedings and may add to, amend or repeal any Regulations theretofore made.

21. i) It shall be the duty of the Council to refer to the Senate any matters having academic implications and not previously considered by the Senate or which, in the opinion of the Council, ought to be dealt with by the Senate.

ii) It shall be the duty of the Senate to bring before the Council any matters having financial implications.

22. No religious, racial or political test shall be imposed by the College on any person seeking to be admitted as a Member of the College or to hold any office therein whether as Professor or otherwise or to graduate thereat or to hold any advantage or privilege thereof.

23. Men and women shall be equally eligible for any office or appointment in the College and for membership of any of its constituent bodies and all Degrees and courses of study in the College shall be open to men and women alike.

24. The College shall not make any dividend, gift, pension or bonus in money unto or between any of its Members except by way of prize, reward or special grant.

25. The Council may at any time amend, add to or repeal this Our Charter by a Special Resolution passed in that behalf and such amendment, addition or repeal shall, when allowed by Us, Our Heirs or Successors in Council, have effect so that this Our Charter shall thenceforward continue and operate as though it had been originally granted and made as so added to, amended or repealed in manner aforesaid. This Article shall apply to this Our Charter as amended, added to or repealed in manner aforesaid.

26. For the purpose of this Our Charter a "Special Resolution" means a resolution passed at one meeting of the Council and confirmed at a subsequent meeting held not less than one calendar month nor more than three calendar months after the former; provided that notice of each meeting shall be given to each Member of Council not less than fourteen days before the meeting be held and that the resolution be passed at each meeting by a majority of not less than three-fourths of those present and voting.

27. In this Our Charter "Statutes" means the Statutes set forth in the Second Schedule hereto and any Statutes amending, adding to or repealing the same or any of them which may hereafter be made and may be approved by the Lords of Our Most Honourable Privy Council. "Ordinances" means Acts of the Council which Our further sanction is not hereby or by Statute required. "Regulations", except when otherwise required by the context, means Regulations made pursuant to this Our Charter or to the Statutes.

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

IN WITNESS whereof We have caused these Our Letters to be made Patent.

WITNESS Ourselves at Westminster the eleventh day of September in the sixteenth year of Our Reign.

BY WARRANT UNDER THE QUEEN'S SIGN MANUAL.

Statutes

1. Definitions

1. In these Statutes:

“Academic Staff”	means (subject to Statute 23) Deans of Schools, Heads of Programmes, Professors, Readers, Senior Tutors, Research Leaders, Tutors and Research Fellows at the College and any other persons holding an appointment deemed equivalent by the Council and the Senate.
“Chapter of Fellows”	means the Chapter of Fellows of the College.
“Charter”	means the Charter of the College.
“College”	means The Royal College of Art.
“Council”	means the Council of the College.
“Court”	means the Court of the College.
“Faculties”	means a division of the College comprising one or more academic programmes.
“Honorary Fellows”	means Honorary Fellows and Senior Fellows of the College.
“Officer”	means a person holding any office in the College established pursuant to the Charter and these Statutes.
“Ordinances”	means Ordinances made pursuant to the Charter or these Statutes.
“Professors”	means Professors of the College.
“Regulations”	means Regulations made pursuant to the Charter, these Statutes or the Ordinances.
“Senate”	means the Senate of the College.
“Student”	means a registered post graduate, under-graduate or other student of the College whether full-time or part-time.
“Students’ Union”	means the Students’ Union of the College.

2. Words importing the masculine shall include the feminine and, unless the context otherwise requires, words in the singular shall include the plural and words in the plural shall include the singular.

3. Words defined in the Charter or these Statutes shall have the same meaning in the Ordinances and Regulations unless the context be repugnant thereto.

2. The Members of the College

1. The following persons shall be Members of the College only so long as they continue to hold the office or status by virtue of which they became members:

The Chancellor The Pro-Chancellor

The Vice-Chancellor

The Treasurer

The Deputy Vice-Chancellor and Provost

The Members of the Court The Members of the Council The Members of the Senate

The Members of the Chapter of Fellows

The Academic, Academic-related and non-Academic Staff of the College The Fellows and Honorary Fellows of the College

The holders of Honorary Degrees of the College

Such other Officers and former Officers and Members and former Members of the Staff of the College as shall by Ordinance be granted the status of Members.

The Graduates of the College The Students

2. The Council on the recommendation of the Senate shall have power to declare such other persons Members of the College as it shall deem fit.

3. The Visitor

1. The Visitor shall hold office during his life or until his resignation.

2. Successors to the first Visitor shall be appointed by the Court on the nomination of the Council.

3. The Visitor may resign by writing addressed to the Clerk to the Court.

4. The Chancellor

1. The Chancellor shall be appointed by the Court on the nomination of the Council.

2. The Chancellor shall hold office for such period not exceeding five years as the Council shall determine and the Court shall confirm and shall be eligible for reappointment by the Court on the nomination of the Council for one or more further periods, each as determined by the Council and confirmed by the Court but not exceeding five years.

3. The Chancellor may resign by writing addressed to the Clerk to the Court.

5. The Pro-Chancellor

1. The Pro-Chancellor shall be appointed by the Council.

2. The Pro-Chancellor shall hold office for such period not exceeding five years as the Council shall determine and shall be eligible for re-appointment by the Council for one or more further periods not exceeding five years each.

3. The Pro-Chancellor may resign by writing addressed to the Secretary of the Council.

6. The Vice-Chancellor

1. The Vice-Chancellor shall be appointed by the Council. The Council however shall not make such appointment except on the recommendation of the Senate and after considering a report from a Joint Committee of the Council and the Senate.
2. The Vice-Chancellor shall hold office for such period and (subject to Statute 23) under such conditions as the Council shall prescribe by Ordinance.
3. The Vice-Chancellor shall, subject to such rules as may be framed by the Council, exercise general supervision over the College and shall be generally responsible for maintaining and promoting the efficiency and good order of the College.
4. Subject to the procedures laid down by Ordinance, the Vice-Chancellor may refuse to admit any person as a Student without disclosing any reason to such person and may suspend a Student from any class or classes and may exclude a Student from any part of the College or its precincts; provided that the reasons for any suspension or exclusion shall be reported to the Council and the Senate at their next meetings. No suspension or exclusion of a Student shall extend beyond the meeting of the Senate next after that at which the report of the Vice-Chancellor shall have been made unless on or before such date the Senate shall have extended the period of such suspension or exclusion.
5. The Vice-Chancellor may resign by writing addressed to the Secretary of the Council.

7. The Treasurer

1. The Treasurer shall be appointed by the Court on the nomination of the Council.
2. The Treasurer shall hold office for such period not exceeding five years as the Council shall determine and the Court shall confirm and shall be eligible for reappointment by the Court on the nomination of the Council for one or more further periods, each as determined by the Council and confirmed by the Court but not exceeding five years.
3. The powers and duties of the Treasurer shall be prescribed by the Council.
4. The Treasurer may resign by writing addressed to the Clerk to the Court.

8. The Deputy Vice-Chancellor and Provost

1. The Council shall appoint the Deputy Vice-Chancellor and Provost with such powers and duties and upon such terms and conditions as it shall deem fit.

9. Chief Operating Officer

1. The Council shall appoint a Chief Operating Officer of the College with such powers and duties and upon such terms and conditions as it shall deem fit.
2. The Chief Operating Officer of the College shall be Clerk to the Court and to the Chapter of Fellows and Secretary of the Council.

10. The Academic Staff and other Officers

The Council shall appoint in such a manner as may be prescribed by Ordinance such Academic Staff and other Officers as it may deem necessary in accordance with the provisions of the Charter, these Statutes and the Ordinances and upon such terms and conditions as the Council may deem fit. In the case of Academic Staff the terms and conditions of appointment of Academic Staff shall be determined on the recommendation of the Senate.

11. The Auditor or Auditors

1. The Council shall appoint an Auditor or Auditors who shall hold office for such period and at such remuneration as may be determined by the Council.

2. Every such Auditor shall be a member of one of the bodies recognised by the Secretary of State for the purposes of paragraph (a) of subsection (1) of Section 389 of the Companies Act, 1985. No person shall be appointed as Auditor if he or his partner is a Member of the Court, the Council or the Staff of the College.

3. The Auditor or Auditors shall have a right of access at all reasonable times to the books, records, accounts and vouchers of the College and shall be entitled to require from the Officers such information and explanation as may be necessary for the performance of his or their duties.

4. If the office of the 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 Council shall forthwith appoint an Auditor or Auditors in his or their place for the remainder of such period.

5. An Auditor may resign by writing addressed to the Secretary of the Council.

6. The Auditor or Auditors shall make a report to the Council at least once in each year.

12. The Court

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

i) Ex officio Members:

a) The Pro-Chancellor

b) The Vice-Chancellor

c) The Treasurer

d) The Deputy Vice-Chancellor and Provost

e) The Professors

f) The Honorary Professors and Emeritus Professors

g) The Fellows and Honorary Fellows

h) Those Members of the Council who are not already Members of the Court by virtue of the foregoing provisions of this paragraph

i) The President and the Vice-President of the Students' Union

ii) Life Members:

Persons intimately connected with the work of the College as may from time to time be appointed by the Council.

iii) Appointed Members:

a) One person appointed by each of:

The Lord Archbishop of Canterbury
The Archbishop of the Roman Catholic Archdiocese of Westminster
The Chief Rabbi
The President of the Conference of the Methodist Church
The National Gallery
The National Portrait Gallery Tate
The British Museum
The British Museum (Natural History)
The Victoria and Albert Museum
The Science Museum The Ashmolean Museum
The Fitzwilliam Museum
The Courtauld Institute of the University of London
The University of London
The Imperial College of Science, Technology and Medicine
The Royal College of Music
The Association of Commonwealth Universities
The Royal Academy of Arts
The Royal Institute of British Architects
Arts Council England
The British Council
The Design Council
The Royal Society of Arts
The Faculty of Royal Designers for Industry
The Chartered Society of Designers
The British Film Institute
The Historic Buildings and Monuments Commission for England
The Museums Association
The Museums and Galleries Commission
The British Academy
The Royal Commission for the Exhibition of 1851
The Commonwealth Education Trust
The Royal Academy of Engineering
The Royal Society of London for Improving Natural Knowledge
The Crafts Council
The Engineering Council

b) One person appointed by such City Companies, trade associations, universities and other bodies and persons not exceeding seventy in all as may from time to time be specified by Ordinance.

iv) Academic Staff and Graduates:

a) Six Members of the Academic Staff appointed by the Senate.

b) Four Graduates of the College appointed in the manner prescribed by Ordinance.

v) Co-opted Members:

Such other persons not exceeding twelve in all as may be co-opted by the Court.

2. A person who is appointed a Member of the Court by a body need not be a member of the body which appointed him.

3. i) Ex officio Members of the Court shall hold office so long as they continue to hold the position by virtue of which they became Members.

ii) Life Members of the Court shall hold office for their respective lives or until resignation or removal.

iii) Appointed members of the Court shall hold office for so long as the body or person who appointed them shall determine.

iv) Other Members of the Court shall hold office for three years and shall be eligible for re-appointment for one or more further periods not exceeding three years each.

v) Casual vacancies shall be filled as soon as conveniently possible by the body or person which appointed the Member of the Court whose place has become vacant.

vi) Any member of the Court may resign at any time by writing addressed to the Clerk to the Court.

4. The Court shall hold an Annual Meeting each year at which shall be presented the audited financial statements of the College for the previous year and a report by the Vice-Chancellor on the workings of the College during such year. Not more than fifteen months shall elapse between the date of one Annual Meeting and that of the next. A special Meeting of the Court may be convened at any time by the Council or on the written request of not less than fifty Members of the Court.

5. Twenty 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 of the Court.

6. Subject to the Charter and these Statutes, the Court shall, in addition to all other powers vested in it, have the following powers and functions:

i) On the nomination of the Council to appoint the Visitor, the Chancellor and the Treasurer.

ii) To appoint the Members of the Council specified in Statute 13.

iii) To receive from the Vice-Chancellor and to comment upon an annual report on the workings of the College and to receive the annual audited financial statements of the College.

13. The Council

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

i) Ex officio Members:

- a) The Pro-Chancellor
- b) The Vice-Chancellor
- c) The Treasurer

- d) The Deputy Vice-Chancellor and Provost
- e) The Chief Operating Officer
- f) The President of the Students' Union

ii) Members appointed by the Court:

Twelve persons, being neither Members of the Staff of the College nor Students.

iii) Members appointed by the Senate:

Seven Members of the Staff of the College appointed in the manner prescribed by Ordinance.

iv) One Student elected by the Students.

v) Co-opted Members:

Such other persons, being neither Members of the Staff of the College nor Students and not exceeding eight in all, as may be co-opted by the Council.

2. i) Ex officio Members of the Council shall remain Members only so long as they hold the office by virtue of which they became Members.

ii) Members of the Council appointed by the Court shall be elected at the Annual Meeting of the Court and shall hold office for such period as the Court shall determine ending no later than the date of the fifth Annual Meeting of the Court after the Meeting at which they are elected and shall be eligible for re-appointment for one or more such further periods.

iii) Members of the Council appointed by the Senate shall hold office for one year and shall be eligible for re-appointment for one further year but shall not then be eligible for further re-appointment until after the expiry of one year.

iv) The Student Member of the Council shall hold office for one year and shall be eligible for re-election for one further year only.

v) Co-opted Members of the Council shall hold office for such period not exceeding three years as the Council may determine in each case and shall be eligible for re-appointment for one or two further periods of three years. The period of membership for co-opted members should not normally exceed nine years in total.

vi) Casual vacancies among the Members of the Council appointed by the Court shall be filled by the Council until the next Annual Meeting of the Court, when the vacancies shall be filled in the manner prescribed in sub-paragraph (ii) above. All other casual vacancies shall be filled as soon as conveniently possible by the body which appointed the Member whose place has become vacant.

vii) Any Member of the Council may resign at any time by writing addressed to the Secretary of the Council.

3. Subject to the Charter and these Statutes, the Council shall, in addition to all other powers vested in it, have the following powers and functions:

i) To nominate to the Court a person for appointment as Chancellor.

- ii) To appoint a person, who shall be neither a Member of the Staff of the College nor a Student, as Pro-Chancellor.
- iii) Upon the recommendation of the Senate and after considering a report from a Joint Committee of the Council and the Senate, to appoint a person as Vice-Chancellor.
- iv) To nominate to the Court a person for appointment as Treasurer and to prescribe the powers and duties of the Treasurer.
- v) To appoint and to prescribe the powers and duties of the Deputy Vice-Chancellor and Provost
- vi) To appoint Life Members of the Court as provided for under Statute 12.
- vii) To co-opt Members of the Council as provided for under this Statute.
- viii) To prescribe the powers and duties and appoint Members of the Chapter of Fellows as provided for under Statute 15.
- ix) Upon the recommendation of the Senate, to approve persons of distinction to receive honorary degrees of the College and to determine what formalities and ceremonies attach to the conferment of honorary degrees.
- x) To authorise, on the recommendation of the Senate, the establishment of academic posts in the College and to suspend or abolish, on the recommendation of the Senate, any post except a post created by these Statutes.
- xi) To determine, on the recommendation of the Senate, the terms and conditions of appointment of the Academic Staff.
- xii) To determine the conditions of appointment for all other Members of the Staff of the College.
- xiii) To appoint persons as Members of the Academic Staff and as other Officers as provided for under Statute 10.
- xiv) Subject to these Statutes, upon the recommendation of the Senate to establish, or abolish, Faculties, Schools, Departments, Institutes, Research Centres and Boards, to prescribe their organisation, constitution and functions and to modify or revise the same.
- xv) To review the work of the College and, subject to the powers of the Senate, take such steps as it thinks proper for the purpose of advancing the interests of the College.
- xvi) To foster close association with industrial, commercial and research organisations and to make provision for research within the College.
- xvii) After considering the recommendations of the Senate, subject to any condition made by the founders, to institute Fellowships, Scholarships, Studentships, Prizes and other aids to study and research.
- xviii) In manner prescribed by Ordinance, to consider the appeal of any Student who shall have been expelled from the College by the Senate under the powers granted to the Senate under Statute 14.3.(x) and, having considered such appeal, to confirm the expulsion or, having upheld

the appeal, to reinstate the Student as a Student of the College.

xix) After considering the recommendations of the Senate, to determine all College fees.

xx) To review, amend, refer back, control or disallow any matter which the Senate is required under the Statutes to refer to the Council; provided that any such matter which is amended by the Council shall be referred again to the Senate for consideration and report before being put into effect.

xxi) Subject to the powers of the Senate, to take such steps as it thinks proper for the purpose of advancing the interests of the College, maintaining its efficiency, making provision for and encouraging teaching, the pursuit of learning, the advancement of art and design and the prosecution of research and development therein, and providing for the recreation and welfare of the Students and of the Staff of the College.

xxii) To govern, manage and regulate the finances, accounts, investments, property, business and all affairs whatsoever of the College and for that purpose to appoint bankers and any other Officers or agents who it may deem expedient to appoint and to cause proper books of account to be kept for all sums of money received and expended by the College and for the assets and liabilities of the College so that such books give a true and fair view of the state of the College's affairs and explain its transactions; provided that before determining any question of finances which directly affects the educational policy of the College the Council shall take into consideration any recommendation or report of the Senate.

xxiii) To invest any moneys belonging to the College including any unapplied income in such stocks, funds, fully paid shares or securities as the Council shall from time to time think fit whether authorised by the general law for trust moneys or not and whether within or outside the United Kingdom, or in the purchase of freehold or leasehold hereditaments in the United Kingdom including rents with the like power of varying such investments; provided that in the case of moneys held by the College as trustee the powers conferred by this paragraph shall be exercised subject to the provisions of the law relating to investment by trustees.

xxiv) To sell, buy, exchange, lease and to accept leases of real and personal property on behalf of the College.

xxv) To provide the buildings, premises, furniture and apparatus and other means needed for carrying on the work of the College and to license halls of residence, lodgings, apartments and other places of residence whether or not maintained by the College and upon and subject to such terms and conditions as the Council shall think fit.

xxvi) To borrow money on behalf of the College and for that purpose, if the Council thinks fit, to mortgage or charge all or any part of the property of the College whether real or personal and to give such other security as the Council shall think fit.

xxvii) To enter into, vary, carry out or cancel contracts on behalf of the College.

xxxviii) To represent the College in all negotiations for obtaining grants from public bodies for the work of the College.

xxix) To make suitable provision for schemes of insurance, superannuation, pensions or retirement benefits for the Staff of the College or their dependants.

xxx) To select a Seal and a Mace for the College and to have the sole custody and use of the Seal.

xxxi) Subject to the provisions of the Charter, to make Statutes.

xxxii) Generally to exercise all such powers as are or may be conferred on the Council by the Charter and these Statutes including the power to make Ordinances and to make Regulations in the exercise of all the powers expressly set out in this Statute and all the other powers vested in the Council.

4. One-third of the total actual membership of the Council (or the nearest whole number thereto) shall constitute a quorum provided that at least one-third of those present at any time shall be neither Members of the Staff of the College nor Students. In the absence of a qualifying 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 of the Council.

5. i) The Pro-Chancellor shall ex officio be Chair of the Council and shall preside at the Meetings of the Council.

ii) The Council shall appoint from among its own Members a Vice- Chair who is not a Member of the Staff of the College nor a

Student. He shall preside at Meetings of the Council in the absence of the Chair and shall hold office for such period not exceeding five years as the Council shall determine and shall be eligible for re-appointment.

6. i) The Council may establish Committees of its Members and may appoint as assessor Members of such Committees persons who are not Members of the Council; provided that such assessor Members shall not be entitled to vote at Meetings of the Committee.

ii) The Council may establish Joint Committees of the Council and the Senate to which the Council may appoint Members of the Council and the Senate may appoint Members of the Senate. The Council may delegate to any such Joint Committee any powers or functions which it is itself competent to perform. Provided that nothing in this paragraph shall enable the Council to delegate its powers to reach a decision under paragraph 10(ii) of Statute 23.

iii) Unless otherwise specifically provided in these Statutes the Pro-Chancellor, or in his absence the Vice-Chair of the Council, and the Vice-Chancellor, or in his absence the Deputy Vice-Chancellor and Provost, shall be ex officio members of all Committees of the Council and of all Joint Committees of the Council and the Senate.

iv) The Council may establish with the Students' Union Joint Committees of the Council and the Students' Union which may make recommendations to the Council on the administration of the College.

14. The Senate

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

i) Ex officio Members:

- a) The Vice-Chancellor
- b) The Deputy Vice-Chancellor and Provost
- c) The Director of Research and Innovation
- d) The Deans of Schools
- e) The Director of Information, Learning and Technical Services
- f) The Director of the Helen Hamlyn Centre for Design
- g) The President of the Students' Union

ii) Representatives of the staff and students as prescribed by Ordinance.

2. i) Ex officio Members of the Senate shall remain Members only so long as they hold the office by virtue of which they became Members.

ii) The Members of the Senate appointed or elected in accordance with the provisions of sub-paragraph 1(ii) of this Statute shall hold office for one year and shall be eligible for re-appointment or re-election (as the case may be) for one or more such further periods, save that any Student Member shall be eligible for re-appointment for one further year only while he remains a registered student of the College.

iii) Any member of the Senate may resign at any time by writing addressed to the Secretary of the Senate.

3. The Senate shall exercise full responsibility over the academic work of the College and shall, subject to the powers reserved to the Council by these Statutes, take such measures and act in such manner as shall appear to it best calculated to promote the academic work of the College both in teaching and research and for the regulation and superintendence of the education, welfare and discipline of the students. The Senate shall, subject to the Charter and these Statutes and to the powers reserved thereby to the Council, have the following powers:

i) To appoint persons to be Members of the Court as provided for in Statute 12.

ii) To appoint persons to be Members of the Council as provided for in Statute 13.

iii) To prescribe the powers, functions and membership of any Boards of Faculties.

iv) To make recommendations to the Council on any academic matters whatsoever.

v) To regulate the admission of persons to courses of study.

- vi)
- a) To regulate all College examinations.
 - b) To appoint examiners whether internal or external.

vii) To prescribe the requirements of the College for graduation.

viii) To terminate the studies of any Student whose work is found after examination to be unsatisfactory.

ix) After considering a report by the Vice-Chancellor on any Student whom he has suspended or excluded under the powers given to him under Statute 6, either to reinstate such Student, or in cases where such Student appears to the Senate to have been guilty of serious misconduct, to expel such Student or, if the Senate shall think fit, to extend the period of suspension or exclusion imposed on him by the Vice-Chancellor: provided that the procedure for expulsion, suspension or exclusion of a Student by the Senate shall be prescribed by Ordinance and shall include provision for the Student to be heard by the Senate before it shall make any decision about his expulsion, suspension or exclusion.

x) To regulate and control all teaching and courses of study in the College and to prescribe the conditions to qualify persons to receive Degrees, Diplomas, Licences or Certificates or other awards of the College.

xi) To accept such examinations, courses of study and periods of study at such universities, institutions and any other place as the Senate may approve as equivalent to such examinations, courses of study and periods of study in the College as the Senate may determine.

xii) To determine what formalities shall attach to College ceremonies and to the conferment of Degrees and other distinctions other than honorary Degrees.

xiii) To recommend to the Council such persons as it may deem advisable to receive honorary Degrees of the College.

xiv) To recommend to the Council the establishment of academic posts in the College and, if it thinks fit, to recommend that any vacant post be not filled or that any post except a post created by these Statutes be suspended or abolished.

xv) To review from time to time the duties of and make recommendations to the Council upon the terms and conditions of appointment of the Academic Staff.

xvi) To make recommendations to the Council from time to time as to the expediency of the establishment, or abolition, of Faculties, Schools, Departments, Institutes, Research Centres or Boards and as to their organisation, constitution and function and the modification or revision thereof.

xvii) To review, amend, refer back, control or disallow any act of any Faculty, Board, School, Department, Institute, Research Centre or other Board.

xviii) To recommend to the Council the institution of Fellowships, Scholarships, Studentships, Prizes and other aids to study and research and to prescribe, subject to any condition made by the founders and to any directions of the Council, the terms and conditions of competition for such Fellowships, Scholarships, Studentships and Prizes and to examine for and award the same.

xix) To make recommendations to the Council regarding College fees.

xx) To regulate the discipline of the Students of the College.

xxi) To promote research within the College and to require reports from time to time on such research.

xxii) To be responsible for the general administration of the academic services of the College including the Library.

xxiii) To supervise the extra-mural work of the College.

xxiv) Except as otherwise provided, to appoint representatives of the College on other bodies.

xxv) To make recommendations to the Council for, and agree to, the amendment of, additions to or repeal of these Statutes and the Ordinances.

xxvi) Generally to exercise all such powers as are or may be conferred on the Senate by the Charter and these Statutes including the power to make Regulations in the exercise of the powers hereinbefore expressly set out in this Statute and of all the other powers of the Senate.

4. One-third of the total actual membership of the Senate (or the nearest whole number thereto) shall constitute a quorum provided that at least two-thirds of those present at any time shall be Members of the Academic Staff. In the absence of a qualifying 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 of the Senate.

5. i) The Senate may establish Committees of its Members and may appoint either as full Members or as assessor Members of such Committees persons who are not Members of the Senate; provided that assessor Members shall not be entitled to vote at meetings of the Committee. The Senate may delegate to any such Committee any powers or functions which it is itself competent to perform.

ii) The Vice-Chancellor shall be an ex officio Member of all Committees of the Senate.

iii) The Senate may establish with the Council Joint Committees of the Council and the Senate to which the Council may appoint Members of the Council and the Senate may appoint Members of the Senate. The Senate may delegate to any such Joint Committee any powers or functions which it is itself competent to perform.

iv) The Senate may establish with the Students' Union Joint Committees of the Senate and the Students' Union which may make recommendations to the Senate on academic affairs and on matters concerning Student welfare and discipline.

15. Fellows, Honorary Fellows and the Chapter of Fellows

1. Fellows and Honorary Fellows of the College shall be appointed by the Chapter of Fellows and shall have such privileges and duties as the Council shall prescribe by Ordinance.

2. i) The Chapter of Fellows shall consist of such persons as the Council shall prescribe by Ordinance.

ii) The Chapter of Fellows shall appoint persons as Fellows and Honorary Fellows of the College and have such other powers and duties as the Council shall prescribe by Ordinance, including the power to remove Fellows and Honorary Fellows.

16. Faculties

1. The Schools of the College shall also be its Faculties.
2. The Chairman of the Board of each Faculty shall be the person who has been appointed Dean of School.
3. The Board of each Faculty shall have such powers, functions and membership as may be conferred on it by the Senate. These shall include the following powers and functions:
 - i) To regulate, subject to these Statutes and the Ordinances, and to review the teaching and study of the subjects in the Faculty.
 - ii) To recommend examiners for appointment by the Senate.
 - iii) To recommend to the Senate Ordinances and Regulations dealing with examinations for Degrees, Diplomas, Certificates and other distinctions in the Faculty and with the entrance examinations of candidates seeking admission to the College.
 - iv) To consider and report to the Senate on any matter relating to the Faculty.

17. Reserved Business

1. In these Statutes, the Ordinances and the Regulations "Reserved Business" shall mean business concerning:
 - i) the appointment, promotion and dismissal, and other matters relating to the employment or the personal affairs, of individual Members of the Staff of the College.
 - ii) the admission, academic assessment, suspension and expulsion of individual Students.
2.
 - i) All Reserved Business shall be referred by the Council, the Senate or the Board of any Faculty to a Reserved Business committee set up or designated for the purpose in accordance with these Statutes, the Ordinances and the Regulations of the referring body.
 - ii) A Reserved Business committee shall consider the matter referred to it and report its findings without undue delay to the referring body.
 - iii) The referring body shall receive the report of the Reserved Business committee and pass any resolution in relation thereto in Reserved Business session.
 - iv) Students shall not be Members of any Reserved Business committee and shall not be present for any Reserved Business session of any meeting.
 - v) Save for the purpose of referring or reporting to some other body within the College as herein provided for, Reserved Business shall be confidential to the Members of the body concerned.

18. Honorary Degrees

1. The College may without examination confer an Honorary Degree of Master or Doctor or other honorary award on any person whom it may deem worthy of such a distinction; provided

that the holder of such an Honorary Degree or award shall not, by virtue of the fact that he has been admitted thereto, be entitled to practise any profession.

2. No person shall be admitted by the College to an Honorary Degree or award unless he has been approved by the Council, after considering the recommendations of the Senate.

3. The Council may make Regulations for governing the procedure to be followed in dealing with a proposal to confer an Honorary Degree or award.

19. Convocation

1. For the purpose of conferring Degrees and other awards of the College there shall be held from time to time a meeting of the whole College which shall be called a Convocation.

2. A Convocation shall be held at such time and place as shall be determined by the Council and shall be presided over by the Chancellor or in his absence by the Vice-Chancellor.

3. The Senate shall determine what formalities shall attach to ceremonial and conferment of Degrees, other than Honorary Degrees, at a Convocation.

20. The Students' Union

1. The Students' Union shall consist of the Students and shall appoint a President and a Vice-President.

2. The Constitution of the Students' Union, its powers and functions, and all other matters which it may be thought proper to regulate, shall be prescribed by Ordinance.

3. The Students' Union may establish with the Council Joint Committees of the Students' Union and the Council which may make recommendations to the Council on the administration of the College.

4. The Students' Union may establish with the Senate Joint Committees of the Students' Union and the Senate which may make recommendations to the Senate on academic affairs and on matters concerning Student welfare and discipline.

21. Retirement and resignation of Members of the Staff of the College

1. All Members of the Academic Staff, all Officers and all other Members of the Staff of the College shall retire by reason of age on such date as may be prescribed by Ordinance or by the terms of any particular appointment.

2. All Members of the Academic Staff, all Officers and all other Members of the Staff of the College shall be at liberty to resign their appointments and terminate their engagements on giving to the Secretary of the Council such notice in writing and on such terms as may be prescribed by Ordinance or by the terms of any particular appointment.

22. Removal from Office - Members of the Court and Council

1. Any Member of the Court (other than an ex officio Member or a Member of the Academic Staff to whom Statute 23 applies) may be removed from office for good cause by the Court and any Member of the Council (other than an ex officio Member or a Member of the Academic Staff to whom Statute 23 applies) may be removed from office for good cause by the Council.

None of the persons mentioned above shall be removed unless he shall have been given a reasonable opportunity of being heard by the Court or Council (as the case may be).

2. "Good cause" in the Statute means:

- a) conviction for an offence which may be deemed by the Court or the Council, as the case may be, to be such as to render the person convicted unfit for the execution of the duties of the office; or
- b) conduct of an immoral, scandalous or disgraceful nature incompatible with the duties of the office; or
- c) conduct constituting failure or persistent refusal or neglect or inability to perform the duties or comply with the conditions of office whether such failure results from physical or mental incapacity or otherwise."

23. Removal from Office and Disciplinary, Appeals and Grievance Procedures - Academic Staff

Part I : Construction, Application and Interpretation

1. Construction

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

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

2. Reasonableness of Decisions

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

3. Application

i) This Statute shall apply

- a) to the persons described as "Academic Staff" in paragraph 1 of Statute 1;
- b) to the Deputy Vice-Chancellor and Provost; and
- c) to the Vice-Chancellor to the extent and in the manner set out in the Annex to this Statute.

ii) In this Statute any reference to "Academic Staff" is a reference to persons to whom this Statute applies.

Interpretation

4. Meaning of “dismissal”

In this Statute “dismiss” and “dismissal” mean dismissal of a Member of the Academic Staff and:

- a) include remove or, as the case may be, removal from office; and
- b) in relation to employment under a contract, shall be construed in accordance with section 55 of the Employment Protection (Consolidation) Act 1978.

5. Meaning of “good cause”

i) For the purposes of this Statute “good cause” in relation to the dismissal or removal from office or place of a Member of the Academic Staff, being in any case a reason which is related to conduct or to capability or qualifications for performing work of the kind which the Member of the Academic Staff concerned was appointed or employed to do, means:

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

ii) In this paragraph:

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

6. Meaning of “redundancy”

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

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

7. Incidental, supplementary and transitional matters

i) In any case of conflict, the provisions of this Statute shall prevail over those of any other Statute and over those of the Ordinances and Regulations and the provisions of any Ordinance made under this Statute shall prevail over those of any other Ordinance:

Provided that Part III of and the Annex to this Statute shall not apply in relation to anything done or omitted to be done before the date on which the instrument making these modifications was approved under subsection (9) of section 204 of the Education Reform Act 1988.

ii) Nothing in any appointment made, or contract entered into, shall be construed as overriding or excluding any provision made by this Statute concerning the dismissal of a Member of the Academic Staff by reason of redundancy or for good cause:

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

iii) Nothing in any other Statute or in any Ordinance or Regulation made thereunder shall authorise or require any person to sit as a Member of any Committee, Tribunal or body appointed under this Statute or to be present when any such Committee, Tribunal or body is meeting to arrive at its decision or for the purpose of discussing any point of procedure.

iv) In this Statute references to numbered Parts, paragraphs, and sub- paragraphs are references to Parts, paragraphs, and sub-paragraphs so numbered in this Statute.

Part II : Redundancy

8. Purpose of Part II

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

9. Exclusion from Part II of persons appointed or promoted before 20th November 1987

i) Nothing in this Part shall prejudice, alter or affect any rights, powers or duties of the College or apply in relation to a person unless:

- a) his appointment is made, or his contract of employment is entered into, on or after 20th November 1987; or
- b) he is promoted on or after that date.

ii) For the purposes of this paragraph in relation to a person, a reference to an appointment made or a contract entered into on or after 20th November 1987 or to promotion on or after that date shall be construed in accordance with subsections (3) to (6) of section 204 of the Education Reform Act 1988.

10. The Appropriate Body

i) The Council shall be the appropriate body for the purposes of this Part.

ii) This paragraph applies where the appropriate body has decided that it is desirable that there should be a reduction in the Academic Staff:

- a) of the College as a whole; or
- b) of any Faculty, School, Department, Institute, Research Centre or other similar area of the College by way of redundancy.

11. i) Where the appropriate body has reached a decision under paragraph 10(ii) it shall appoint

a Redundancy Committee to be constituted in accordance with sub-paragraph (iii) of this paragraph to give effect to its decision by such date as it may specify and for that purpose

- a) to select and recommend the requisite Members of the Academic Staff for dismissal by reason of redundancy; and
- b) to report their recommendations to the appropriate body.

ii) The appropriate body shall either approve any selection recommendation made under sub-paragraph (i), or shall remit it to the Redundancy Committee for further consideration in accordance with its further directions.

iii) A Redundancy Committee appointed by the appropriate body shall comprise:

- a) a Chairman; and
- b) two Members of the Council, not being persons employed by the College; and
- c) two Members of the Academic Staff nominated by the Senate.

12. Notices of intended dismissal

i) Where the appropriate body has approved a selection recommendation made under paragraph 11(i) it may authorise an officer of the College as its delegate to dismiss any Member of the Academic Staff so selected.

ii) Each Member of the Academic Staff selected shall be given separate notice of the selection approved by the appropriate body.

iii) Each separate notice shall sufficiently identify the circumstances which have satisfied the appropriate body that the intended dismissal is reasonable and in particular shall include:

- a) a summary of the action taken by the appropriate body under this Part;
- b) an account of the selection processes used by the Redundancy Committee;
- c) a reference to the rights of the person notified to appeal against the notice and to the time within which any such appeal is to be lodged under Part V (Appeals); and
- d) a statement as to when the intended dismissal is to take effect.

Part III: Discipline, Dismissal and Removal from Office

13. Disciplinary Procedures

i) Minor faults shall be dealt with informally.

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

Stage 1 - Oral Warning

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

Stage 2 - Written Warning

If the offence is a serious one, or if a further offence occurs, a WRITTEN WARNING will be given to the Member of the Academic Staff by the Dean of the Faculty, School or Department or equivalent officer. This will give details of the complaint, the improvement required and the timescale. It will warn that a complaint may be made to the Chief Operating Officer seeking the institution of charges to be heard by a Tribunal appointed under paragraph 16 if there is no satisfactory improvement and will advise of the right of appeal under this paragraph. A copy of this written warning will be kept by the Dean of the Faculty, School or Department or equivalent officer but it will be disregarded for disciplinary purposes after 2 years subject to satisfactory conduct and performance.

Stage 3 - Appeals

A Member of the Academic Staff who wishes to appeal against a disciplinary warning shall inform the Chief Operating Officer within two weeks. The Deputy Vice-Chancellor and Provost shall hear all such appeals and his decision shall be final.

14. Preliminary examination of serious disciplinary matters

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

ii) To enable the Vice-Chancellor to deal fairly with any complaint brought to his attention under sub-paragraph (i) he shall institute such investigations or enquiries (if any) as appear to him to be necessary.

iii) If it appears to the Vice-Chancellor that a complaint brought to his attention under sub-paragraph (i) relates to conduct or performance which does not meet acceptable standards but for which no written warning has been given under paragraph 13 or which relates to a particular alleged infringement of rules, Regulations or Ordinances for which a standard penalty is normally imposed in the College or within the Faculty, School, Department, Institute or other relevant area, or is trivial or invalid he may dismiss it summarily, or decide not to proceed further under this Part.

iv) If the Vice-Chancellor does not dispose of a complaint under sub-paragraph (iii) he shall treat the complaint as disclosing a sufficient reason for proceeding further under this Part and, if he sees fit, he may suspend the Member on full pay pending a final decision.

v) Where the Vice-Chancellor proceeds further under this Part he shall write to the Member of the Academic Staff concerned inviting comment in writing.

vi) As soon as may be following receipt of the comments (if any) the Vice-Chancellor shall consider the matter in the light of all the material then available and may:

- a) dismiss it himself; or
- b) refer it for consideration under paragraph 13; or
- c) deal with it informally himself if it appears to the Vice-Chancellor appropriate to do so and

if the Member of the Academic Staff agrees in writing that the matter should be dealt with in that way; or

d) direct the Chief Operating Officer to prefer a charge or charges to be considered by a Tribunal to be appointed under paragraph 16.

vii) If no comment is received within 28 days the Vice-Chancellor may proceed as aforesaid as if the Member concerned had denied the substance and validity of the alleged case in its entirety.

15. Institution of Charges

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

ii) Where the Council has been requested to appoint a Tribunal under paragraph 16 the Chief Operating Officer or, if he is unable to act, another officer appointed by the Vice-Chancellor shall take charge of the proceedings.

iii) The officer in charge of the proceedings shall formulate, or arrange for the formulation of, the charge or charges and shall present, or arrange for the presentation of, the charge or charges before the Tribunal.

iv) It shall be the duty of the officer in charge of the proceedings:

a) to forward the charge or charges to the Tribunal and to the Member of the Academic Staff concerned together with the other documents therein specified; and

b) to make any necessary administrative arrangements for the summoning of witnesses, the production of documents and generally for the proper presentation of the case before the Tribunal.

16. The Tribunal

A Tribunal appointed by the Council shall comprise:

a) a Chairman; and

b) one Member of the Council, not being a person employed by the College; and

c) one Member of the Academic Staff nominated by the Senate.

17. Provisions concerning Tribunal procedure

i) The procedure to be followed in respect of the preparation, hearing and determination of charges by a Tribunal shall be that set out in Ordinances made under this paragraph.

ii) Without prejudice to the generality of the foregoing such Ordinances shall ensure:

a) that the Member of the Academic Staff concerned is entitled to be represented by another person, whether such person be legally qualified or not, in connection with and at any hearing of charges by a Tribunal;

b) that a charge shall not be determined without an oral hearing at which the Member of the Academic Staff concerned and any person appointed by him to represent him are entitled to be present;

c) that the Member of the Academic Staff and any person representing the staff Member may call witnesses and may question witnesses upon the evidence on which the case against him is

based; and

d) that full and sufficient provision is made:

i) for postponements, adjournments, dismissal of the charge or charges for want of prosecution, remission of the charge or charges to the Vice-Chancellor for further consideration and for the correction of accidental errors; and

ii) for appropriate time limits for each stage (including the hearing) to the intent that any charge thereunder shall be heard and determined by a Tribunal as expeditiously as reasonably practicable.

18. Notification of Tribunal decisions

i) A Tribunal shall send its decision on any charge referred to it (together with its findings of fact and the reasons for its decision regarding that charge and its recommendations, if any, as to the appropriate penalty) to the Vice-Chancellor and to each party to the proceedings.

ii) A Tribunal shall draw attention to the period of time within which any appeal should be made by ensuring that a copy of Part V (Appeals) accompanies each copy of its decision sent to a party to the proceedings under this paragraph.

19. Powers of the appropriate officer where charges are upheld by Tribunal

i) Where the charge or charges are upheld and the Tribunal finds good cause and recommends dismissal or removal from office, but in no other case, the appropriate officer shall decide whether or not to dismiss the Member of the Academic Staff concerned.

ii) In any case where the charge or charges are upheld, other than where the appropriate officer has decided under sub-paragraph (i) to dismiss the Member of the Academic Staff concerned, the action available to the appropriate officer (not comprising a greater penalty than that recommended by the Tribunal) may be:

a) to discuss the issues raised with the Member concerned; or

b) to advise the Member concerned about his future conduct; or

c) to warn the Member concerned; or

d) to suspend the Member concerned for such period as the appropriate officer shall think fair and reasonable, not to exceed 3 months after the Tribunal's decision; or

e) any combination of any of the above or such further or other action under the Member's contract of employment or terms of appointment as appears fair and reasonable in all the circumstances of the case.

20. Appropriate Officers

i) The Vice-Chancellor shall be the appropriate officer to exercise the powers conferred by paragraph 19 and any reference to the appropriate officer includes a reference to a delegate of that officer.

ii) Any action taken by the appropriate officer shall be confirmed in writing.

Part IV: Removal for Incapacity on Medical Grounds

21. i) This Part makes separate provision for the assessment of incapacity on medical grounds

as a good cause for dismissal or removal from office.

ii) In this Part references to medical grounds are references to capability assessed by reference to health or any other physical or mental quality.

iii) In this Part references to the appropriate officer are references to the Vice-Chancellor or an officer acting as his delegate to perform the relevant act.

iv) References to the Member of the Academic Staff include, in cases where the nature of the alleged disability so requires, a responsible relative or friend in addition to (or instead of) that Member.

22. i) Where it appears that the removal of a Member of the Academic Staff on medical grounds would be justified, the appropriate officer:

a) shall inform the Member accordingly; and

b) shall notify the Member in writing that it is proposed to make an application to the Member's doctor for a medical report and shall seek the Member's consent in writing in accordance with the requirements of the Access to Medical Reports Act 1988.

ii) If the Member shares that view the College shall meet the reasonable costs of any medical opinion required.

iii) If the Member does not share that view the appropriate officer shall refer the case in confidence, with any supporting medical and other evidence (including any medical evidence submitted by the Member), to a Board comprising one person nominated by the Council; one person nominated by the Member concerned or, in default of the latter nomination, by the Senate; and a medically qualified chairman jointly agreed by the Council and the Member or, in default of agreement, to be nominated by the President of the Royal College of Physicians.

iv) The Board may require the Member concerned to undergo medical examination at the College's expense.

23. Termination of Employment

If the Board determines that the Member shall be required to retire on medical grounds, the appropriate officer shall direct the Chief Operating Officer or his delegate to terminate the employment of the Member concerned on those medical grounds.

Part V: Appeals

24. Purpose of Part V

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

25. Application and interpretation of Part V

i) This Part applies:

a) to appeals against the decisions of the Council as the appropriate body (or of a delegate of

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

ii) No appeal shall however lie against:

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

iii) In this Part references to “the person appointed” are references to the person appointed by the Council under paragraph 28 to hear and determine the relevant appeal.

iv) The parties to an appeal shall be the appellant and the Chief Operating Officer and any other person added as a party at the direction of the person appointed.

26. Institution of Appeals

A Member of the Academic Staff shall institute an appeal by serving on the Chief Operating Officer, within the time allowed under paragraph 27, notice in writing setting out the grounds of the appeal.

27. Time for appealing and notices of appeal

i) A notice of appeal shall be served within 28 days of the date on which the document recording the decision appealed from was sent to the appellant or such longer period, if any, as the person appointed may determine under sub-paragraph (iii).

ii) The Chief Operating Officer shall bring any notice of appeal received (and the date when it was served) to the attention of the Council and shall inform the appellant that he has done so.

iii) Where the notice of appeal was served on the Chief Operating Officer outside the 28 day period the person appointed under paragraph 28 shall not permit the appeal to proceed unless he considers that justice and fairness so require in the circumstances of the case.

28. Persons appointed to hear and determine appeals

i) Where an appeal is instituted under this Part the Council shall appoint a person described in sub-paragraph (ii) to hear and determine that appeal.

ii) The persons described in this sub-paragraph are persons not employed by the College being persons holding, or having held, judicial office or being barristers or solicitors of at least ten years' standing.

iii) The person appointed shall sit alone unless he considers that justice and fairness will best be served by sitting with two other persons.

iv) The other persons who may sit with the person appointed shall be:

- a) one Member of the Council not being a person employed by the College; and
- b) one Member of the Academic Staff nominated by the Senate.

29. Provisions concerning appeal procedures and powers

i) The procedure to be followed in respect of the preparation, consolidation, hearing and determination of appeals shall be that set out in Ordinances made under this paragraph.

ii) Without prejudice to the generality of the foregoing such Ordinances shall ensure:

- a) that an appellant is entitled to be represented by another person, whether such person be legally qualified or not, in connection with and at any hearing of his appeal;
- b) that an appeal shall not be determined without an oral hearing at which the appellant, and any person appointed by him to represent him are entitled to be present and, with the consent of the person or persons hearing the appeal, to call witnesses;
- c) that full and sufficient provision is made for postponements, adjournments, dismissal of the appeal for want of prosecution and for the correction of accidental errors; and
- d) that the person appointed may set appropriate time limits for each stage (including the hearing itself) to the intent that any appeal shall be heard and determined as expeditiously as reasonably practicable.

iii) The person or persons hearing the appeal may allow or dismiss an appeal in whole or in part and, without prejudice to the foregoing, may:

- a) remit an appeal from a decision under Part II to the Council as the appropriate body (or any issue arising in the course of such an appeal) for further consideration as the person or persons hearing the appeal may direct; or
- b) remit an appeal arising under Part III for re-hearing by a differently constituted Tribunal to be appointed under that Part; or
- c) remit an appeal from a decision of the appropriate officer under Part IV for further consideration as the person or
- d) substitute any lesser alternative penalty that would have been open to the appropriate officer following the finding by the Tribunal which heard and pronounced upon the original charge or charges.

30. Notification of decisions

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

Part VI: Grievance Procedures

31. Purpose of Part VI

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

32. Application

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

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

33. Exclusions and Informal Procedures

i) If other remedies within the Faculty, School, Department, Institute or other relevant area have been exhausted the Member of the Academic Staff may raise the matter with the Dean of the Faculty, School, Department, Institute or other relevant area.

ii) If the Member of the Academic Staff is dissatisfied with the result of an approach under sub-paragraph (i) or if the grievance directly concerns the Dean of the Faculty, School, Department, Institute or other relevant area, the Member may apply in writing to the Vice-Chancellor for redress of the grievance.

iii) If it appears to the Vice-Chancellor that the matter has been finally determined under Part III, IV or V or that the grievance is trivial or invalid, he may dismiss it summarily, or take no action upon it. If it so appears to the Vice-Chancellor he shall inform the Member and the Grievance Committee accordingly.

iv) If the Vice-Chancellor is satisfied that the subject matter of the grievance could properly be considered with (or form the whole or any part of):

- a) a complaint under Part III;
- b) a determination under Part IV; or
- c) an appeal under Part V

he shall defer action upon it under this Part until the relevant complaint, determination or appeal has been heard or the time for instituting it has passed and he shall notify the Member and the Grievance Committee accordingly.

v) If the Vice-Chancellor does not reject the complaint under sub-paragraph (iii) or if he does not defer action upon it under sub-paragraph (iv) he shall decide whether it would be appropriate, having regard to the interests of justice and fairness, for him to seek to dispose of it informally. If he so decides he shall notify the Member and proceed accordingly.

34. Grievance Committee Procedure

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

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

- a) a Chairman; and
- b) one Member of the Council not being a person employed by the College; and
- c) one Member of the Academic Staff nominated by the Senate.

36. Procedure in connection with determinations; and right to representation

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

37. Notification of decisions

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

24. Acts During Vacancies

No act or resolution of the Court, the Council, the Senate, the Chapter of Fellows or any of the Committees or other bodies constituted in accordance with these Statutes 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 or appointment of, any de facto member of the body whether present or absent.

25. Service of Notices and Documents

1. Any notice or document required by or for the purposes of these Statutes to be given or sent to a Member of the College may be given or sent either personally or by sending it by post to him to his last address registered by him with the College. Failure to receive such notice or document shall not invalidate any proceedings, meetings or other engagements to which such notice or document relates.

2. Notices relating to retirement or termination of appointment shall be given or sent either personally or by registered post or recorded delivery.

3. Where a notice or other document is sent by post, service thereof shall be deemed to have been properly effected by properly addressing and posting a letter containing the notice or other document and shall be deemed to have been effected at the time at which the letter would in the ordinary course be delivered.

26. Interpretation of Statutes

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

Annex to Statute 23, paragraph 3 (i)(c)

1. Provisions as to the Vice-Chancellor

The Council may request the Pro-Chancellor to remove the Vice-Chancellor from office for good cause in accordance with the procedure described in this Annex.

i) A complaint seeking the removal from office of the Vice-Chancellor for good cause may be made by not less than six Members of the Council to the Pro-Chancellor

ii) If it appears to the Pro-Chancellor, on the material before him, that the complaint raises a prima facie case and that this could, if proved, constitute good cause for dismissal or removal

from office he shall request the Council to appoint a Tribunal to hear and determine the matter.

iii) If it appears to the Pro-Chancellor that a complaint made to him under sub-paragraph (i) does not raise a prima facie case or is trivial or invalid, he may recommend to the Council that no further action be taken upon it.

iv) When the Council has appointed a Tribunal under sub-paragraph (ii) it shall instruct a solicitor or other suitable person to formulate a charge or charges and to present, or arrange for the presentation of, the charges before the Tribunal.

v) A Tribunal appointed by the Council shall comprise:

- a) an independent Chairman; and
- b) one Member of the Council, not being a person employed by the College; and
- c) one Member of the Academic Staff.

vi) Subject to the principles of justice and fairness the Tribunal may determine its own procedure.

vii) The Tribunal shall send its reasoned decision on any charge referred to it together with its findings of fact regarding the charge and its recommendations, if any, as to the appropriate penalty to the Vice-Chancellor and to the Pro-Chancellor drawing attention to the period of time within which any appeal should be made.

viii) Persons appointed to hear such an appeal shall be persons independent of the College holding, or having held, judicial office or being barristers or solicitors of at least ten years' standing and the person so appointed shall, subject to the principles of justice and fairness, determine the procedure to be adopted in hearing the appeal.

ix) A person appointed shall send the reasoned decision on the appeal, together with any findings of fact different from those come to by the Tribunal and his recommendations, if any, as to the appropriate penalty, to the Pro-Chancellor and to the Vice-Chancellor.

x) Where a charge or charges have been upheld by the Tribunal and not dismissed on appeal, the Pro-Chancellor shall decide whether or not to dismiss the Vice-Chancellor.

2. Where a complaint is to be referred to a Tribunal under this Statute, the Pro-Chancellor may suspend the Vice-Chancellor from his duties and may exclude the Vice-Chancellor from the precincts of the College or any part thereof without loss of salary.

3. "Good cause" in this Annex has the same meaning as in paragraph 5 of this Statute.

4. For the purpose of the removal of the Vice-Chancellor for incapacity on medical grounds, Part IV of this Statute shall have effect subject to the following modifications:

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

These revised Statutes were approved by the Privy Council in July 2017

Ordinances

Ordinance 1. The Vice-Chancellor

1. The Vice-Chancellor shall in addition to the other powers and duties prescribed for him by the Charter, Statutes, Ordinances and Regulations:

i) be Chairman of the Senate;

ii) ex-officio be a member of all the examining bodies of the College.

iii) ex-officio be a member of all selection boards, except where otherwise provided.

2. The Vice-Chancellor shall be appointed, initially, for a period of five years or such shorter period as the Council may decide. The Council may continue the appointment of a Vice-Chancellor for further periods of five years or until retirement.

3. A Joint Committee of the Council and the Senate may recommend an extension of the period of service of the Vice-Chancellor of not more than two years beyond normal retiring age as defined in Ordinance 11.

Ordinance 2. The Deputy Vice-Chancellor and Provost and Chief Operating Officer

1. In the absence of the Vice-Chancellor the Deputy Vice-Chancellor and Provost and the Chief Operating Officer shall assume all the powers and responsibilities exercised by the Vice-Chancellor.

2. The Deputy Vice-Chancellor and Provost and the Chief Operating Officer shall perform such other functions of the Vice-Chancellor as shall be delegated to him by the Vice-Chancellor.

Ordinance 3. Manner of Appointment of Academic Staff and Other Officers

1. All appointments of Academic Staff and other Officers other than the Chancellor, the Pro-Chancellor, the Vice-Chancellor, and the Treasurer shall be made by the Council upon the recommendation of the appropriate body or persons as provided for in paragraphs 2 to 5 of this Ordinance.

2. Recommendations for appointment of the Deputy Vice-Chancellor and Provost, Chief Operating Officer, Deans, Director of Information, Learning and Technical Services, Director of Finance, Director of Research and Innovation, Professors and Heads of Department, and such other senior members of staff as the Vice-Chancellor may determine shall be made by a Selection Board which shall consist of:

A Member of the Council not being a Member of the Academic Staff.

The Vice-Chancellor.

Chief Operating Officer or Deputy Vice-Chancellor and Provost

A Dean of School, Professor or a member of the Senate other than the Vice-Chancellor and the Deputy Vice-Chancellor and Provost or Chief Operating Officer to be selected by the Vice-Chancellor.

If the Vice-Chancellor shall so determine, an assessor of professional or academic standing

drawn from outside the College and appointed for the purpose by the Vice-Chancellor.

3. Recommendations for appointment of Heads of Programme and Senior Tutors shall be made by a Selection Board which shall consist of:

The Vice-Chancellor or the Deputy Vice-Chancellor and Provost or another senior member of staff nominated by the Vice-Chancellor.

The Dean of School concerned.

A Dean of School or Professor from another School to be selected in each instance by the Vice-Chancellor.

4. Recommendations for appointment of Tutors shall be made by the Dean of School following a Selection Board which shall include Programme staff.

5. Recommendations for appointment of non-academic Officers other than the Chief Operating Officer, the Director of Finance and the Director of Information, Learning and Technical Services shall be by the Vice-Chancellor who may delegate the power of recommendation to Chief Operating Officer.

Ordinance 4. Powers and duties of Auditors

1. In accordance with Statute 11, the Auditors shall report to the Council on the audited financial statement of the College at a convenient meeting each year. The report shall so far as relevant contain statements as to the matters mentioned in the Fourth Schedule to the Companies Act, 1985, or in any Act replacing it. Such report shall be made to the Council in writing and shall be open to inspection by any member of the Council.

2. Council shall approve the accounts and submit them, together with the Auditors' report, to the annual meeting of the Court, as prescribed in Statute 12.4.

3. The Auditors shall be entitled to receive all notices of and to attend any meeting of the Court or Council at which the audited accounts of the College are to be considered and to be heard on any part of the business of such meeting which concerns them as Auditors.

Ordinance 5. The Common Seal

1. The Council shall provide for the safe custody of the Seal which shall only be used pursuant to a resolution of the Council or a Committee of the Council authorised to use the Seal.

2. The Council may from time to time make such regulations as it shall think fit determining the persons and the number of such persons in whose presence the Seal shall be affixed and unless otherwise so determined (as to which no person dealing with the College shall be concerned to see or enquire) the Seal shall be affixed in the presence of:

i) two members of the Council of whom one shall be the Pro-Chancellor or the Vice-Chancellor or the Treasurer or the Vice-Chair or the Deputy Vice-Chancellor and Provost and

ii) the Chief Operating Officer or the Director of Finance

All three shall sign every instrument to which the Seal shall be affixed.

Ordinance 6. Representation on the Senate

1. Save in so far as they may by virtue of Statute 14.1(i) already be Members of the Senate, the following persons shall be Members of the Senate:

- (i) One Head of Programme from each of the Schools elected by the Academic Staff of the School.
- (ii) Three Tutors or Senior Tutors elected by the Academic Staff (excluding Senior Research Fellows, Research Fellows and Research Assistants).
- (iii) One Senior Research Fellow, Research Fellow or Research Assistant elected by the Senior Research Fellows, Research Fellows and Research Assistants.
- (iv) One member of the Non-academic staff (excluding the Technical staff) elected by the Non-academic staff (excluding the Technical staff)
- (v) One member of the Technical Staff elected by the Technical Staff.
- (vi) The Vice-President of the Students' Union

Ordinance 7. The College Library

1. The Senate shall be responsible for the general administration of the Library and subject thereto, the management and control of the Library shall be vested in the Director of Information, Learning and Technical Services who shall make regulations for the proper conduct of the Library, which regulations shall include conditions under which books, slides or other articles may be borrowed.
2. Subject to the regulations made by the Director of Information, Learning and Technical Services, all members of the College and members of the non-academic staff of the College may use the Library. Graduates of the College who are not members of the academic staff, may borrow books, slides or other articles only with the permission of the Director of Information, Learning and Technical Services.
3. In exceptional circumstances the Head of Information and Learning Services may, at his discretion, allow other persons to use the Library.
4. The Director of Information, Learning and Technical Services shall, after consultation with the Chief Operating Officer, have power to determine and to recover from any user or borrower the value or part of the value of any book, slide or other article forming part of the Library which has been lost or damaged.

Ordinance 8. The Chapter of Fellows

1. The Chapter of Fellows shall consist of the following persons:
 - i) Ex officio members:
 - The Pro-Chancellor
 - The Vice-Chancellor
 - The Treasurer
 - The Deputy Vice-Chancellor and Provost

ii) Appointed Fellows of the College:

One Senior Fellow

One Honorary Fellow One Fellow

iii) Co-opted members:

Such other persons being Senior Fellows, Honorary Fellows or Fellows of the College not exceeding four in all may be co-opted by the Chapter of Fellows.

2. Ex officio members of the Chapter of Fellows shall remain members only so long as they hold the office by virtue of which they became members.

3. Appointed members of the Chapter of Fellows shall hold office for three years from the date of appointment and shall be eligible for re-appointment.

4. Co-opted members of the Chapter of Fellows shall hold office for such period not exceeding three years as the Chapter of Fellows shall determine in each case.

5. Any member of the Chapter of Fellows may resign at any time by writing addressed to the Clerk to the Chapter of Fellows.

6. The Pro-Chancellor shall ex officio be President of the Chapter of Fellows and shall preside at the meetings of the Chapter of Fellows.

7. The Chief Operating Officer shall be Clerk to the Chapter of Fellows.

8. The Chapter of Fellows shall have the following powers and functions:

i) To appoint persons of distinction as Honorary Fellows of the College.

ii) To appoint members of the staff of the College as Fellows of the College.

iii) To remove Senior Fellows, Honorary Fellows and Fellows.

iv) Subject to the powers of Council, to approve the establishment of Foundations, Trusts and Societies and other such bodies for the purpose of advancing the interests of the College.

v) On behalf of the Council, to keep such bodies informed as far as is relevant of the activities, policies and development plans of the College and to consult with such bodies regarding their activities, and to report to the Council on such consultations and on the activities of such bodies.

vi) To receive recommendations from Council and to report to the Council concerning such recommendations.

Ordinance 9. Termination of studies, suspension, exclusion or expulsion of students

Part I

Under the powers conferred upon it by Statute 14.3(ix) the Senate may terminate the studies of any student where the work of such student is found after examination to be unsatisfactory. The functions of the Senate in relation to this part of the Ordinance shall be exercised by the Academic Board for Concessions and Discipline. The decision of the Academic Board for Con-

cessions and Discipline will be final, but will be reported to the Senate.

Part II

1. The Vice-Chancellor may exclude or suspend a student under the powers conferred on him by Statute 6.4 and subject to the provisions thereof.
2. The Vice-Chancellor may, after consulting with the Deputy Vice-Chancellor and Provost and the Student Support Manager, require the student to leave the College for a period of not more than two weeks, provided he makes a report thereon to the Council and the Senate within that period, which report shall be considered by the two bodies at their next meetings.
3. If the Vice-Chancellor wishes to impose a more severe punishment, a meeting of the Academic Board for Concessions and Discipline, acting on behalf of the Senate, shall be called (which unless the student shall otherwise request shall be not less than nine days and not more than fourteen days thereafter) to hear the evidence relating to the exclusion or suspension and to decide what action it should take thereon.
4. The Registrar shall inform the excluded or suspended student in writing at least nine days before the date appointed under paragraph 3 hereof of the grounds for exclusion or suspension and nature of the evidence and that he has the right to appear in person before the Academic Board for Concessions and Discipline on the date appointed and to call and question evidence before the Academic Board for Concessions and Discipline and to be advised or represented at the hearing by any one member of the academic staff of his choice (other than the Vice-Chancellor or the Deputy Vice-Chancellor and Provost or by one of the students).
5. If after notice shall have been duly given to the student in accordance with paragraph 4 hereof the student shall fail without good reason to attend the hearing on the date appointed, the Academic Board for Concessions and Discipline may consider the evidence and make its decision in his absence. The proceedings at the hearing shall be confidential.
6. After hearing the evidence the Academic Board for Concessions and Discipline, acting on behalf of the Senate, may decide, in accordance with Statute 14.3(ix) to reinstate the student or to expel the student or to extend the period of suspension or exclusion imposed by the Vice-Chancellor for a further specified period but so that the total period of suspension or exclusion shall not exceed one year.
7. The Registrar shall inform the student and the Senate and the Council in writing of the decision within seven days. If the Academic Board for Concessions and Discipline shall have expelled the student the Registrar shall also give to the Council and to the student a written summary of the Academic Board for Concessions and Discipline's findings.
8. If the Academic Board for Concessions and Discipline shall reinstate, suspend or exclude the student there shall be no appeal against such decision.
9. If the student shall have been expelled the student shall have a right of appeal to the Council in accordance with Statute 13.3(xviii). Notice of such right of appeal must be communicated to the student in writing, together with the notice of the decision of the Academic Board for Concessions and Discipline. Such notice must inform the student that if he intends to appeal he must notify the Registrar of such intention within two weeks of the date of such notice.
10. On receipt of notification of appeal the Registrar shall inform the Vice-Chancellor and the Council. The Council shall at its next meeting name a date and time to hear the appeal and to

make its decision.

11. The Registrar shall give notice to the student in writing at least nine days before the date appointed under paragraph 10 hereof and inform the student that he has the right to appear in person at the hearing of the appeal and to call and question evidence and to be advised or represented at the hearing by any one member of the academic staff of his choice (other than the Vice-Chancellor or the Deputy Vice-Chancellor and Provost or by one of the students. The proceedings at the hearing of the appeal shall be confidential.

12. If after notice has been duly given to the students in accordance with paragraph 11 hereof the student shall fail without good reason to attend the hearing of the appeal on the date appointed, the Council may consider the appeal and make its decision in the student's absence.

13. In accordance with Statute 13.3 (xviii) the Council may either confirm the expulsion or reinstate the student.

14. The Registrar shall inform the student, the Academic Board for Concessions and Discipline and the Senate in writing of the Council's decision within seven days.

15. For the purposes of Part II of this Ordinance the membership of the Academic Board for Concessions and Discipline shall be supplemented by one student nominated by the Student Council of the Students' Union.

16. The Student Support Manager shall be present at both the hearing by the Academic Board for Concessions and Discipline and the hearing of the appeal, if any, by the Council.

17. The functions of the Council in relation to Part II of this Ordinance shall be discharged by a Committee of the Council to be appointed from time to time by the Council. Such Committee shall consist of:

i) The Pro-Chancellor or in his absence the Vice-Chair of the Council

ii) The Vice-Chancellor or in his absence the Deputy Vice-Chancellor and Provost

iii) Four further members of the Council other than the members of the Committee of the Senate appointed under paragraph 15 hereof.

The Vice-Chancellor or the Deputy Vice-Chancellor and Provost as the case may be shall not vote in the final decision of the Committee as to the reinstatement or expulsion of the student.

Ordinance 10. Students' Union

1. The Students' Union shall have a written constitution which shall be approved by the Council. Any amendment or alteration to the constitution must be approved by the Council before it shall take effect.

2. Subject to the provisions of its constitution the affairs of the Students' Union shall be managed and regulated by the Student Council of the Students' Union which shall be elected annually by and from among the members of the Students' Union.

3. The Council may put at the disposal of the Students' Union such subventions as it shall decide. The Students' Union shall by 31st December annually provide the College with audited accounts for the preceding financial year and a budget for the current year.

Ordinance 11. Retirement and resignation of members of staff

1. Unless otherwise provided by the terms of any particular appointment the Vice-Chancellor, all members of the academic and non-academic staff and such officers and other members of the College staff as shall for this purpose be so specified by the Council shall retire on reaching such age as specified by employment legislation.

2. Unless otherwise provided by the terms of any particular appointment, the Vice-Chancellor, all members of the academic staff, all other officers and all other members of the College staff shall be at liberty to resign their appointments and terminate their engagements on giving the Council not less than three months' previous notice in writing.

Ordinance 12. The Professorial Board

1. There shall be a Professorial Board consisting of the following persons: The Vice-Chancellor
The Deputy Vice-Chancellor and Provost
The Director of Research and Innovation
The Deans of Schools
The Director of Information, Learning and Technical Services
The Professors
The Director of the Helen Hamlyn Centre for Design

2. Members of the Professorial Board shall remain members only so long as they hold the office by virtue of which they became members.

3. The Professorial Board shall advise the Vice-Chancellor on any matter which he shall refer to it and may make recommendations thereon to the Senate.

4. The Vice-Chancellor shall be Chairman of the Professorial Board.

Ordinance 13. Emeritus Professors

1. A Professor on retirement may be appointed Emeritus Professor by Council on the recommendation of the Senate.

2. An Emeritus Professor shall be appointed for life and shall on ceremonial occasions take precedence of Professors.

Ordinance 14. Membership of Court

The following City Companies, trade associations, universities and other bodies are pursuant to Statute 12.1 (iii)(b) specified to appoint one person each to be a Member of the Court:

City Companies:

Mercers

Grocers

Fishmongers

Goldsmiths

Skinners

Merchant Taylors

Haberdashers

Salters

Ironmongers

Cutlers in Hallamshire

Armourers and Brasiers
Carpenters
Painter-Stainers
Weavers
Coachmakers and Coach Harness Makers
Gold and Silver Wyre Drawers
Carmen
Furniture Makers.

Trade Associations, Universities and other bodies:

Confederation of British Industry
British Ceramic Confederation
British Glass
The Woolmark Company
Institute of Materials, Minerals and Mining
Furniture Industry
Research Association
Institute of Contemporary Arts
British Academy of Film and Television Arts
Institute of Practitioners in Advertising
The Newspaper Society
University of Cambridge
University of Oxford
Trades Union Congress
Kensington and Chelsea Borough Council
Westminster City Council.

Ordinance 15. Manner of Appointment of Graduates of the College as Members of the Court.

The Senate is pursuant to Statute 12.1 (iv)(b) prescribed to appoint four graduates of the College as Members of the Court. For the purpose of Statute 12.1 (iv)(b) and this Ordinance, graduates of the College shall mean persons who have obtained by examination the Diplomas ARCA or DesRCA or any Degree of the College.

Ordinance 16. The Treasurer

1. The Treasurer may, in addition to such other powers and duties as may be prescribed for him by the Council in accordance with Statute 7, be the Vice- Chair of the Council.
2. The Treasurer shall present the audited financial statements of the College at each Annual Meeting of the Court.

Ordinance 17. Contracts

1. The Chief Operating Officer and the Director of Finance shall in addition to the powers and duties prescribed by the Statutes and Ordinances have power to enter into contracts on behalf of the College save in so far as such contracts require to be given under the Common Seal.
2. If the office of Chief Operating Officer or of Director of Finance is vacant or there is for any other reason no Chief Operating Officer or Director of Finance capable of acting, the powers and duties of the Chief Operating Officer and Director of Finance shall be exercised by such member or members of the College Staff generally or specially authorised in that behalf by the Vice-Chancellor.

Ordinance 18. Senate Representation on the Council

The Senate is pursuant to Statute 13.1(ii), prescribed to appoint seven Members of the Staff of the College as Members of the Council.

The seven Members of the Staff, who need not be members of the Senate, shall be elected by the Senate.

Ordinance 19. Academic Board for Concessions and Discipline

1. There shall be an Academic Board for Concessions and Discipline to deal with student course concessions, admissions and academic disciplinary matters.

2. Subject to Ordinance 9 the Academic Board for Concessions and Discipline shall have such powers and functions as determined by the Senate to which it shall report.

Ordinance 20. Royal College of Art Helen Hamlyn Centre for Design

1. In accordance with the objects of the College as provided for in the Charter, including the advancement of knowledge in the field of art and design in their relation to industrial and commercial processes and social developments, the Royal College of Art Helen Hamlyn Centre for Design has been established to develop human-centred and inclusive design responses to social and demographic change through practical research and projects in collaboration with industry.

2. The Royal College of Art Helen Hamlyn Centre for Design shall be advised by a Board under the terms of the Memorandum of Understanding entered into between the Helen Hamlyn Foundation and the College in November 2001.

3. The College shall provide appropriate accommodation, staffing and facilities for the Royal College of Art Helen Hamlyn Centre for Design and support both its mission and integration into the work of the College.

Ordinance 21. Reserved Business

1. Reserved business concerning a Member of the Staff of the College shall be referred to the Staff Committee of the Council.

2. Reserved business concerning an individual student shall be referred to the Academic Board for Concessions and Discipline.

Ordinance 22. Tribunal Procedure

Pursuant to Statutes 23.17 the Tribunal procedure shall be:

1. The Member of the Academic Staff shall be given notice of the time and place of the Tribunal and the nature of the complaint in writing at least 28 days in advance and shall have the right to be represented by another person, whether such person be legally qualified or not, and shall be enabled to call witnesses and produce documents relevant to the proceedings. In certain circumstances, subject to the approval in advance of the Chairman, it may be necessary for there to be more than one employee representative and more than one representative of the College present at the Tribunal.

2. At the Tribunal the Chairman shall explain how the hearing will be conducted, who is present and why.
3. The Chief Operating Officer (or his representative) will present the charge or charges before the Tribunal. The Chief Operating Officer may call and question such witnesses as he wishes.
4. The Member of the Academic Staff (or the employee representative) will have the opportunity to question the Chief Operating Officer and the witnesses, present evidence and call and question witnesses.
5. The Chief Operating Officer (or his representative) may ask questions of any witnesses that the member of the academic staff may call.
6. The Tribunal members may ask questions at any stage of the proceedings.
7. The Chief Operating Officer (or his representative) and the Member of the Academic Staff (or the employee representative) will have the opportunity to sum up their cases if they so wish.
8. At the conclusion of the proceedings the members of the Tribunal shall deliberate in private together with the Secretary to the Tribunal only recalling the parties to the proceedings to clear points of uncertainty on evidence already given. If recall is necessary, both parties are to return, notwithstanding that only one is concerned with the point giving rise to doubt.
9. The Tribunal has the power to decide on postponements, adjournments, the dismissal of the charge or charges for want of prosecution, the remission of the charge or charges to the Vice-Chancellor for further consideration and for the correction of accidental errors.

Ordinance 23. Appeal Hearing Procedure

Pursuant to Statute 23.29 the Appeal Hearing procedure shall be:

1. The appellant shall be given notice of the time and place of the hearing in writing at least 14 days in advance and shall have the right to be represented by another person, whether such person be legally qualified or not, and shall be enabled to call witnesses and produce documents relevant to his appeal at the hearing.
2. At the hearing the person appointed to hear the appeal shall explain how the appeal will be conducted, who is present and why.
3. The College will be represented by the Chief Operating Officer or, if he is unable to act another officer appointed by the Vice-Chancellor.
4. The appellant (or the employee representative) will outline the grounds for the appeal. The appellant may call and question such witnesses as he wishes.
5. The Chief Operating Officer will have the opportunity to ask questions of the appellant and his witnesses.
6. The person or persons hearing the appeal may ask questions at any stage of the hearing.
7. The Chief Operating Officer and the appellant (or the employee representative) will have the opportunity to sum up their cases if they so wish.

8. At the conclusion of the proceedings the person or persons hearing the appeal shall deliberate in private, together with the Secretary of the appeal hearing, only recalling the parties to the appeal to clear points of uncertainty on evidence already given. If recall is necessary both parties are to return notwithstanding that only one is concerned with the point giving rise to doubt.

9. The person appointed has the power to decide on postponements, adjournments, the dismissal of the appeal for want of prosecution and for the correction of accidental errors.

10. The person appointed may set time limits in order that the appeal shall be heard and determined as expeditiously as reasonably practicable.

Ordinance 24. Grievance Committee Procedure

Pursuant to Statute 23.36 the Grievance Committee procedure shall be:

1. The Member of the Academic Staff shall be given notice of the time and place of the Grievance Committee hearing in writing at least seven days in advance and shall have the right to be accompanied by an employee representative (trade union officer or work colleague) of his choice and shall be enabled to call witnesses and produce documents relevant to the grievance.

2. The person representing the College shall be enabled to call witnesses and produce documents. Alternatively, the person against whom the grievance lies shall attend and shall have the right to be accompanied by an employee representative (trade union officer or work colleague) of his choice and shall be enabled to call witnesses and produce documents.

3. At the hearing the Chairman shall explain how the grievance will be considered, who is present and why.

4. The Member of the Academic Staff (or the employee representative) will outline the grievance and may call and question such witnesses as he wishes.

5. The person representing the College or the individual against whom the grievance lies may ask questions of any witnesses that the Member of the Academic Staff may call.

6. The Grievance Committee members may ask questions at any stage of the hearing.

7. The Member of the Academic Staff (or the employee representative) and the person representing the College or the individual against whom the grievance lies will have the opportunity to sum up their cases if they so wish.

8. At the conclusion of the proceedings the members of the Grievance Committee shall deliberate in private, together with the Secretary to the Committee, only recalling the parties to the hearing to clear points of uncertainty on evidence already given. If recall is necessary, both parties are to return, notwithstanding that only one is concerned with the point giving rise to doubt.