THE UNIVERSITY OF LANCASTER

Charter, Statutes

and Ordinances

of the

University of Lancaster

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I. CHARTER

At the Court at Buckingham Palace

THE 27TH DAY OF JUNE 2018

PRESENT,

THE QUEEN'S MOST EXCELLENT MAJESTY

IN COUNCIL

WHEREAS the Council of the University of Lancaster has duly made amendments to its Charter:

AND WHEREAS the amendments have been submitted for the allowance of Her Majesty in Council:

NOW, THEREFORE, Her Majesty, having taken the amendments into consideration, is pleased, by and with the advice of Her Privy Council, to allow them, as set out in the Schedule to this Order, with effect from 27 June 2018.

A. K. Galloway

SCHEDULE

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 a humble Petition has been presented unto Us by the Executive Council for the Establishment of a University at Lancaster praying that We should constitute and found a University within Our City and County Palatine and Duchy of Lancaster for the advancement and diffusion of learning and knowledge and to grant a Charter 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 for Us, Our Heirs and Successors do will and ordain as follows.

1. There shall be and there is hereby constituted and founded in Our said City and County Palatine and Duchy of Lancaster a University with the name and style of "The University of Lancaster" (hereinafter called "the University").

2. The Chancellor, the Pro-Chancellor, the Vice-Chancellor, and all other persons who are for the time being members of the University pursuant to this Our Charter and the Statutes of the University are hereby constituted and henceforth for ever shall be one Body Politic and Corporate with perpetual succession and a Common Seal by the name and style of "The University of Lancaster" 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 and to take and hold land and to do all other lawful acts whatsoever.

3. The objects of the University shall be to advance knowledge, wisdom and understanding by teaching and research and by the example and influence of its corporate life.

4. The University shall be both a teaching and an examining body and shall, subject to the provisions of this Our Charter and the Statutes of the University, have the following powers.

    (a) To provide instruction in such branches of learning as the University may think fit, whether for members of the University or for others, and to make provision for research and for the preservation, advancement and dissemination of knowledge in such manner as the University may determine.

    (b) To prescribe in its Ordinances the conditions under which persons may be admitted as students of the University or of any particular course of study provided by the University.

    (c) To grant, under conditions laid down in its Statutes or Ordinances, in its own right and/or jointly with another body with the power to do so, Degrees, Diplomas, Certificates and other academic distinctions to persons who shall have pursued a course of study approved by the University and shall have passed the examinations or other tests prescribed by the University.

    (d) To admit graduates of other Universities to Degrees of equal or similar rank in the University.

    (e) To grant, under conditions laid down in its Statutes or Ordinances, Degrees to any persons who hold office in the University or who shall have carried on research therein.

(f) To grant Diplomas, Certificates or other academic distinctions to persons who have pursued a course of study approved by the University under conditions laid down by the University in its Statutes or Ordinances.

(g) To grant to approved persons, under conditions laid down in its Statutes or Ordinances, Honorary Degrees or other academic distinctions.

(h) On what the Council and the Senate of the University shall deem to be good cause, to deprive persons of any Degrees, Diplomas, Certificates or other academic distinctions granted to them by the University.

(i) To accept the examinations and periods of study passed by students of the University at other Universities or places of learning as equivalent to such examinations and periods of study in the University as the Senate of the University may determine, and to withdraw such acceptance at any time.

(j) To admit to any of the privileges of the University or to recognise for any purpose, and either in whole or in part, any College or Institution or the members or staff or students thereof, on such terms and conditions as may from time to time be prescribed by the Statutes or Ordinances of the University.

(k) To enter into an agreement or agreements with the Executive Council for the Establishment of a University at Lancaster for taking over the rights, property, liabilities and engagements and for the winding up or dissolution of the said Executive Council.

(l) To enter into any agreement for the incorporation within the University of any other institution and for taking over its rights, property and liabilities and for any other purpose not repugnant to this Our Charter.

(m) To join with any other University or with any other public or private Body, Institution, Authority or Association having in view or promoting any purpose the same as or similar or related to any purpose of the University, or to appoint one or more representatives to act upon any such Body, Institution, Authority or Association, in either case for such purposes as may be agreed upon or as may be provided for or permitted by law, on such terms and conditions as may from time to time be prescribed by the Statutes or Ordinances of the University.

(n) To institute such offices as the purposes of the University may require, to appoint persons to and remove them from such offices, and to prescribe their conditions of service.

(o) To prescribe rules for the discipline of the students of the University.

(p) To establish, maintain, administer, govern, license and supervise places of residence for officers and for students of the University.

(q) To institute and award Fellowships, Scholarships, Studentships, Prizes and other aids to study and research.

(r) To make provision for research, design, development, testing and advisory services and with these objects to enter into such arrangements with other institutions or with public or private bodies as may be thought desirable and to charge to the users of such services such fees as may be thought desirable.

(s) To print, reproduce and publish or to provide for the printing, reproduction and publication of research and other works to be issued by the University.

(t) To sell or provide for reward or otherwise such books, stationery and other goods and services as may be deemed expedient and consistent with the objects of the University as a place of education, learning and research.

(u) To demand and receive fees, to procure contributions to the funds of the University and to raise money in such other manner as the University may deem fit.

(v) To act as trustees or managers of any property, legacy, endowment, bequest or gift for purposes of education or research or otherwise in furtherance of the work and welfare of the University, and to invest any funds representing the same in accordance with the provisions of the Statutes annexed to this Our Charter.

(w) To do all such other acts and things (including the promotion of a Bill or Bills in Parliament) whether incidental to the powers aforesaid or not as may be requisite in order to further the objects of the University.

5. We, Our Heirs and Successors, Kings and Queens of the Kingdom, Realms and Territories aforesaid shall be in person and remain the Visitor and Visitors of the University and in exercise of the Visitorial Authority We and Our Heirs and Successors shall have the right from time to time and in such manner as We or They shall think fit to direct an inspection of the University, its buildings and equipment, and also an enquiry into the teaching, research, examinations and other work done by the University.

6. (1) There shall be a Chancellor of the University, who shall be entitled to confer Degrees which have been granted by the University.

(2) The first Chancellor shall be Our most dear and entirely beloved Cousin Princess Alexandra Helen Elizabeth Olga Christabel, the Honourable Mrs Angus Ogilvy, Dame Grand Cross of Our Royal Victorian Order.

7. (1) There shall be a Pro-Chancellor of the University who shall be the Chair of the governing body, the Council, and, exercise and perform all the functions of the Chancellor.

(2) The first Pro-Chancellor shall be Our right trusty and right well beloved Cousin Edward John Earl of Derby.

8. There shall be one or more Deputy Pro-Chancellors, none of whom shall be an employee or student of the University. In the absence of the Pro-Chancellor, or during a vacancy in that office, one of the Deputy Pro-Chancellors shall preside over the Council of the University, and may confer degrees which have been granted by the University.

9. (1) There shall be a Vice-Chancellor of the University who shall be the chief Academic and Administrative Officer of the University and shall be entitled to preside over meetings of the Senate of the University and to confer degrees which have been granted by the University.

(2) During the absence or incapacity of the Vice-Chancellor or during a vacancy in the office of Vice-Chancellor, the Council of the University may appoint an Acting Vice-Chancellor, who during such absence, incapacity or vacancy (as the case may be) shall exercise and perform all the functions of the Vice-Chancellor.

(3) The first Vice-Chancellor of the University shall be Our trusty and well-beloved Charles Frederick Carter, Esquire, Master of Arts.

10. There shall be a Deputy Vice-Chancellor and one or more Pro-Vice-Chancellors who shall subject to the Statutes of the University act for the Vice-Chancellor at his or her request, including the conferment of degrees which have been awarded by the University.

11. [deleted]

12. (1) There shall be a Council of the University (hereinafter called "the Council") which, subject to this Our Charter and the Statutes of the University (including the rights of the Senate of the University defined therein) shall be the Governing Body of the University.

(2) The Council shall have custody and use of the Common Seal of the University, and shall control, manage and administer all the revenue and property of the University.

(3) It shall be the duty of the Council to take into consideration any comments or representations on the affairs of the University made to it by the Senate of the University.

13. (1) There shall be a Senate of the University (hereinafter called "the Senate") which, subject to this Our Charter and the Statutes of the University, shall be responsible for the academic work of the University, both in teaching and in research, and for the regulation and superintendence of the education and discipline of the students of the University.

(2) The Senate may discuss any matters relating to the University, and may convey its opinions thereon to the Council.

14. [deleted]

15. (1) There shall be Colleges of the University, which shall be established by the Council taking into account the view of the Senate, each with such name and style as the Council shall determine.

(2) Each student of the University, each officer of the University with teaching duties, the Librarian, and such other officers of the University as the Council may determine, shall be a member of a College.

(3) For each College there shall be a Syndicate which shall be a Committee of the Senate.

16. There may be Faculties, which shall be established or dis-established by the Council, taking into account the view of the Senate.

17. Subject to the provisions of this Our Charter, Statutes may prescribe or regulate as the case may be:

(a) The powers, duties, appointment and continuance in office of the Pro-Chancellor, Deputy Pro-Chancellors, Vice-Chancellor, Deputy Vice-Chancellor, Pro-Vice-Chancellors, and other officers of the University.

(b) The constitution, powers and business of the Council, the Senate, the Syndicates of Colleges, and the Faculties: the appointment and continuance in office of the members of those bodies, and all other matters relative to those bodies.

(c) Such other provisions or matters as the Council may deem fit and meet with respect of or for the governing of the University, its Members and constituent parts, or otherwise for the convenience, effective attainment, execution or promotion of the objects of this Our Charter.

18. (1) The Statutes scheduled to this Our Charter shall be the Statutes of the University until they shall have been amended, added to or repealed in the manner hereinafter prescribed.

(2) The Council may, from time to time, by Special Resolution, make Statutes for the University amending, adding to or repealing the Statutes for the time being in force. Provided that no such amendment, addition or repeal 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. (1) The Ordinances of the University shall be made by the Council.

(2) Ordinances may add to, amend or repeal the Ordinances from time to time in force.

19(A). The Council and the Senate may make Regulations in relation to any matter within the powers of each respective body. The power to make such Regulations shall include the power to add to, amend or repeal any such Regulation.

20. No test related to sex, race, colour or religious, moral or political belief, shall be imposed on any person in order to entitle him or her to be admitted as a member, teacher or student of the University or to hold office therein or to graduate thereat or to hold any advantage or privilege thereof.

21. The University shall not make any dividend, gift, division or bonus in money unto or between any of its members except by way of prize, reward or special grant.

22. The Council may at any time by Special Resolution amend, add to or repeal this Our Charter, and such amendment, addition or repeal shall, when allowed by Us, Our Heirs and 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 amended, added to or repealed. This Article shall apply to this Our Charter as amended, added to or repealed in manner aforesaid.

23. For the purposes of this Our Charter, a "Special Resolution" means a resolution passed at a meeting of the Council: provided that notice of the meeting shall be given to each member of the Council not less than fourteen days before the meeting be held, and that the resolution be passed at the meeting by a majority of not less than three-fourths of those present and voting.

24. Our Royal Will and Pleasure is that this Our Charter shall ever be construed benevolently, and in every case most favourable to the University and the promotion of the objects of this Our Charter.

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

WITNESS Ourself at Westminster the fourteenth day of September in the thirteenth year of Our Reign.

II. STATUTES

At the Council Chamber, Whitehall

THE 27TH DAY OF JUNE 2018

PRESENT,

BY THE LORDS OF HER MAJESTY'S MOST

HONOURABLE PRIVY COUNCIL

WHEREAS the Council of the University of Lancaster has duly made Statutes amending the University Statutes:

AND WHEREAS the Statutes have been submitted to the Lords of the Privy Council for approval:

NOW, THEREFORE, Their Lordships, having taken the Statutes into consideration, are pleased to approve them, as set out in the Schedule to this Order, which, subject to what follows, shall take effect from 1 August 2002. Those Statutes amending Statutes 9.2(c), 11.1 Class II, 13.2 and 21 shall take effect from 1 April 2003.

A. K. Galloway

Further amendments were made to Statutes 3 and 9 by Order of the Privy Council dated 3 July 2006 and have been incorporated. In addition further amendments were made to Statutes 11, 12, 13 and 17 by Order of the Privy Council dated 10 October 2007 and have been incorporated. In additional further amendments were made to Statutes 1, 2.1, 3.1, 3.2, 5, 7.1, 8.1-8.5, 9.1(b), 9.2(b), 9.3, 10(a), 10(j), 10(k), 10(o), 19.1, 19.3 and 23 by Order of the Privy Council dated 27 June 2018 and have been incorporated.

SCHEDULE

REVISED STATUTES OF THE UNIVERSITY OF LANCASTER

1. Definitions

In these Statutes:-

"University" means the University of Lancaster.

References to the "Charter", "Council", "Senate", "College", "Students' Union", and all other references to committees, faculties, departments, syndicates, councils, tribunals, and consultative groups, shall be construed as though the words "of the University of Lancaster" were added in each case.

"Academic staff" shall be such employees of the University (other than students) who are in the following functional groups:

Academic
Teaching Only
Research
Professional.

"Alumni" means graduates of the University.

"Employee of the University" means any person holding a contract of service with the University.

"Good cause" means:

(a) conviction for an offence which may be deemed by the Council to be such as to render the person convicted unfit for the execution of the duties of the role; or
(b) conduct of an immoral, scandalous or disgraceful nature incompatible with the duties of the role; or
(c) conduct constituting failure or persistent refusal or neglect or inability to perform the duties or comply with the conditions of office whether such failure results from physical or mental incapacity or otherwise; or
(d) an intentional deception practised on Lancaster University, the nature of which is of such significance that it outweighs any other cause(or causes) for the grant of an academic qualification or distinction granted to the individual by the University.

"Member of the University" shall have the meaning as set out in Statute 2.

"Non-academic staff" means such employees of the University as do not fall within the definition of "Academic staff".

"Officers" means the Chancellor, the Pro-Chancellor, the Deputy Pro-Chancellors, and all other holders of unpaid offices in the University established pursuant to the Charter and these Statutes and Ordinances, together with the persons who hold offices for which there may be payment in addition to their substantive contracts of service with the University.

"Registered graduates" means persons who for the time being appear on the University's Register of Graduates".

"Students" means persons pursuing any course of study in the University for which a fee is payable to the University and which leads to a Degree, Diploma, Certificate or other academic distinction of the University (other than officers of the University and persons who are students of an institution associated with the University under Article 4(m) of the Charter), together with such other persons pursuing courses of study in the University as the Senate may from time to time determine.

Words in the singular shall include the plural and words in the plural shall include the singular.

References in these Statutes to Acts of Parliament are deemed to refer to the relevant provisions of English law in force at any particular time.

2. The Members of the University

2.1 The following persons shall be members of the University:

The Chancellor.
The Pro-Chancellor.
The Vice-Chancellor.
The Lay Members of the Council.
The Employees of the University.
The Emeritus Staff.
The Alumni.
The Honorary Graduates.
The Students.

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

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

3. The Appointment of the Chancellor and the Vice-Chancellor

3.1 The Council shall appoint the successors to the Chancellor.

3.2 The Council shall appoint the successors to the Vice-Chancellor.

4. The Vice-Chancellor

The Vice-Chancellor shall have a general responsibility to the Council and the Senate for maintaining and promoting the effective working and good order of the University.

5. The Principals of Colleges

The Principal of a College shall be chairperson of the Syndicate of that College, and he or she shall be generally responsible to the Council and the Senate, via the Vice-Chancellor, for maintaining the effective working and good order of that College.

6. The Secretary of the University

6.1 [deleted 2016]

7. The Auditors

7.1 The Council shall appoint an Auditor or Auditors. Every such Auditor shall be a member of a body of accountants established in the United Kingdom and for the time being recognised by the Secretary of State. No person shall be appointed Auditor who is or any one of whose partners is a Member of Council or an officer of the University.

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

8. The Court

8.1 [deleted 2018]

9. The Council

9.1 *Membership of the Council*

The Council shall consist of the following persons:

(a) *Ex Officio Members*

The Pro-Chancellor*.
The Vice-Chancellor.
The Deputy Vice-Chancellor.
The President of the Students' Union.

(b) *Appointed Members*

Up to five officers of the University appointed by the Senate.

One student of the University appointed by the Students' Union.

No less than nine and no more than twelve persons (two of whom would be Deputy Pro-Chancellors) appointed by the Council on the recommendation of the Nominations Committee*.

* These members are independent, and may not include any person who has a contract of service with the University, or holds a paid office in the University, or any person who is a student pursuing any course of study in the University, for which a fee is payable to the University and which leads to a Degree, Diploma, Certificate, or other academic distinction of the University.

9.2 *Periods of Office of Members of the Council*

(a) *Ex Officio Members of Council*

Members of the Council *ex officio* remain members for so long as they hold the relevant office.

(b) *Appointed Members*

The term of office for lay members of Council will be for a maximum of three years, renewable twice for maximum terms of three years, except where they are subsequently undertaking a new or more senior role. Lay members will only be appointed and reappointed by Council following recommendation to Council through University appointment processes for lay members. The term of office for officers appointed by the Senate will be for a maximum of three years, renewable twice for maximum terms of three years. Persons appointed by the Students' Union shall hold office for a period which shall be determined by the Students' Union at the time of their appointment, provided they shall cease to be members of Council on ceasing to be students of the University.

9.3 *Removal from Office of Members of the Council*

Any person appointed as a member of the Council may be removed from membership for 'good cause' by the Council. No person shall be removed by the Council unless he or she shall have been given a reasonable opportunity to have been heard in person by the Council.

9.4 Casual vacancies shall be filled by the relevant appointing body or person for such period, not exceeding the normal period of appointment as may be determined by the appointing body or person.

9.5 Except where otherwise provided persons appointed need not be members of the Body by which they are appointed.

9.6 Any member of the Council, not being an ex officio member, may resign in writing addressed to the Council.

9.7 *Quorum for meetings*

The quorum for meetings of Council shall be no less than half the members, rounded up to a whole number, which shall include a majority of independent members. In the absence of a quorum, no business shall be transacted other than an adjournment of the meeting.

10. The Powers of Council

The Council shall have all such powers as are necessary for the discharge of its functions as they are defined in the Charter and in these Statutes, including the following.

(a) To govern, manage and regulate the finances, accounts, investments, property, business and all affairs whatsoever of the University and for that purpose to appoint bankers and any other officers or agents whom it may seem expedient to appoint and to cause books of account to be kept in such manner as to give a true and fair view of the state of the University's affairs and to explain its transactions. Provided that before the Council makes any decisions which may have a substantial effect upon the academic life of the University, or on the welfare of its students, it shall provide Senate with the opportunity to review those proposals and take into consideration any recommendations or report of the Senate.

(b) To invest any moneys belonging to the University in such stocks, funds, fully paid shares or securities as the Council shall from time to time think fit whether within the United Kingdom of Great Britain and Northern Ireland or not or in the purchase of freehold or leasehold hereditaments in the United Kingdom including rents; provided that in the case of moneys held by the University as trustees the powers conferred by this paragraph shall be exercised subject to the provisions of the law relating to investment by trustees.

(c) To sell, buy, exchange, lease and accept leases of real and personal property on behalf of the University.

(d) To provide the buildings, premises, furniture and equipment and other means required for carrying on the work of the University.

(e) To borrow money on behalf of the University and for that purpose to mortgage or charge all or any part of the property of the University whether real or personal unless the conditions of any Will, Deed or Gift or other similar instrument are thereby contravened and to give such other security whether upon real or personal property or otherwise as the Council may think fit.

(f) In furtherance of the objects of the University, and so far as is permitted by charity law, to give guarantees, to borrow and raise money and give security to loans and for those purposes to have authority to enter into any financial instruments which is ancillary to or incidental to the exercise of such powers.

(g) To enter into, vary, carry out and cancel contracts on behalf of the University.

(h) To make provision for schemes of insurance, superannuation, pensions or retirement benefits for all salaried officers and, so far as the Council shall think fit, for persons formerly in the employment of the University or their dependants or relatives.

(i) To provide for the welfare of the students of the University after taking into consideration any recommendations or reports by the Senate.

(j) To establish or disestablish, after consideration of the recommendation of the Senate, the colleges, faculties, departments and similar bodies, as may be required.

(k) To grant, following consideration of the recommendation by the Senate, the title of Emeritus Professor or other academic distinction. This power may be delegated directly to the Vice-Chancellor or other senior officer or an appropriate committee of the University, which will have the right of recourse to Council.

(l) To determine the duties and conditions of all employees. This determination shall be made after taking the advice of the Senate into consideration.

(m) To exploit for the University's benefit a facility or resource of the University including study, research, knowledge or intellectual property, or the practical application of study, research, knowledge or intellectual property, whether alone or with someone else.

(n) To make provision for the consideration of complaints and appeals by students, after taking into consideration the recommendations of the Senate.

(o) To amend, add to or repeal the Statutes (subject to the usual Privy Council approval of Statute amendments) and Ordinances, having taken into account the views of Senate where those changes relate to the academic life of the University, or on the welfare of its students.

11. The Senate

11.1 [deleted 2007]

11A. The Senate

11A.1 The Senate shall be responsible for the academic work of the University, consistent with Article 13 of the Charter, and in particular for the strategic development of the academic activities of the University and for the approval of policies to promote and ensure the quality of the academic work of the University including teaching and research.

11A.2 The composition, powers and functions of the Senate shall be as set out in the Ordinances.

12. The Powers of the Senate

12.1 [moved to Ordinances 2007]

13. Delegation of the Powers of the Council and the Senate without requirement of Confirmation

13.1 [moved to Ordinances 2007]

14. The Syndicates of the Colleges

14.1 [moved to Ordinances 2016]

15. The Faculties

15.1 [moved to Ordinances 2016]

16. The Departments

16.1 [moved to Ordinances 2016]

16A. The Students' Union

16A.1 There shall be a Students' Union of the University.

16A.2 The constitution of the Students' Union shall be approved by the Council in accordance with the Education Act 1994.

17. Committees

17.1 [moved to Ordinances 2007]

18. University Examinations

18.1 [deleted]

19. Removal From Office

19.1 [deleted 2018]

19.2 Any member of the University (other than an employee to whom Statute 20 applies) appointed to an office by the Council may be removed for good cause by the Council. No person shall be removed by the Council unless he or she shall have been given a reasonable opportunity to have been heard in person by the Council, with legal or other representation if he or she so wishes.

19.3 A person removed by the Council may appeal to the Visitor, whose decision shall be final.

20. Employment Matters

20.1 Introduction

This Statute relates to the suspension, discipline and proceedings which may lead to the dismissal of employees other than the Vice-Chancellor.

20.2 This Statute and any Ordinance or procedures 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 employees engaged in teaching or research (other than registered students) have freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their jobs or privileges;
(b) to enable the University to provide education, promote learning and engage in research efficiently and economically;
(c) to apply the principles of justice and fairness.

20.3 The Council shall ensure that the University has in place appropriate employment procedures for employees of the University and shall prescribe by one or more ordinances fair procedures for dismissing employees for reasons to do with redundancy, discipline, capability, contravention of statutory enactment or some other substantial grounds.

20.4 The Vice-Chancellor, or other designated person or persons may:

(a) discipline, or apply other sanctions as prescribed under any such procedure; and/or
(b) dismiss, with or without notice, on any ground permitted by section 98 of Employment Rights Act 1996 (as may be amended from time to time),

any employee to whom this Statute applies, subject to Statute 20.7 below.

Where an employee has been dismissed that employee may appeal against the dismissal.

20.5 The Vice-Chancellor, or nominated person or persons, may suspend from duty, with or without pay, any employee for alleged misconduct or for other good or urgent reason(s) or to enable an appropriate investigation into alleged misconduct or other good or urgent reason(s).

20.6 For the purposes of this Statute 20 the following terms shall have the following meanings:

(1) "dismissal" shall have the same meaning as in section 95 of the Employment Rights Act 1996 (as may be amended from time to time);

(2) "dismissal by reason of redundancy" shall have the same meaning as in section 139 of the Employment Rights Act 1996 (as may be amended from time to time).

20.7 The power to dismiss any employee by reasons of redundancy, and the procedures prescribed in relation to such power, under this Statute shall not apply to those staff defined in sub-sections (3) to (6) of section 204 of the Education Reform Act 1988 (that is staff appointed prior to, and not promoted after, 20 November 1987), who shall for this purpose continue to be subject to such powers, if any, as applied to them prior to the introduction of the Statute made by the University Commissioners in the exercise of their powers under sections 203 and 204 of the Education Reform Act 1988.

21. Appeals by Students

21.1 [deleted 2016 and replaced by Ordinance]

22. Complaints and Disclosures

22.1 [deleted 2016 and replaced by Ordinance]

23. Acts during Vacancies

No act or resolution of the Council, the Senate or of any Committee, Faculty or Syndicate 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.

24. Interpretation of Statutes

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

III. ORDINANCES

Ordinance 1:
Procedure for making Ordinances

1.1 In accordance with paragraph 19 of the Charter of the University, the Council may make Ordinances. Ordinances may add to, amend or repeal any Ordinance from time to time in force. Amendment to Ordinance 5 will require the recommendation of Senate.

1.2 Subject to paragraph 1.1 above, a draft Ordinance may be proposed either by the Council or by the Senate.

1.3 An Ordinance shall come into force on the date it is approved by the Council, or such later date as the Council may determine.

1.4 An Ordinance shall indicate the date of the decision of the Council by which it is made and the date it is to come into force.

1.5 This Ordinance was approved by Council on 22 November 2002, with the concurrence of Senate at its meeting on 13 November 2002, and took effect immediately. It was amended by Council on 18 May 2018, with the concurrence of Senate on 2 May 2018, and took effect immediately.

Ordinance 2:
The Seal

2.1 The Council has custody and use of the Common Seal of the University and shall entrust the Seal to custody of the Vice-Chancellor.

2.2 The Council shall determine arrangements for the sealing of any instrument and shall cause to have these arrangements incorporated into the Minutes of its meeting.

2.5 This Ordinance was approved by Council on 20 November 2015, with the concurrence of Senate at its meeting on 4 November 2015, and took effect immediately.

Ordinance 3:
Periods of office of members of Council

3.1 [deleted 2015)

Ordinance 4:
Matters reserved to Council for decision

In accordance with Ordinance 6.2 Delegation of the Powers of the Council and Senate, the University Council hereby ordains as follows.

4.1 The Council may not delegate its responsibility for the following areas of business:

(i) consideration and approval of the University's strategic plans, including its annual operating plan, financial forecasts and significant forward commitments;
(ii) review and approval of the University's financial targets and strategy, budgetary systems, annual (revenue) budget, capital programme budget and financial statements (annual audited accounts);
(iii) approval in principle of major borrowing and leasing arrangements;
(iv) review and approval of the estate strategy, major capital projects, and sale or purchase of property;
(v) determination of whether there should be significant redundancies or voluntary severances among employees of the University, whether across the institution as a whole or in specific areas;
(vi) decisions on participation in national negotiations on salaries and other staffing matters;
(vii) approval and adoption of approved pension schemes;
(viii) approval of the LUSU constitution;
(ix) recognition of organisations representing alumni and former students of the University;
(x) establishment of companies and equivalent bodies, including approval of objectives, financial criteria and details of relationship with University, and the appointment of Directors;
(xi) formation of Trusts and appointment of Trustees;
(xii) decisions to commit the University to corporate membership of external organisations such as joint ventures, companies, trusts and partnerships;
(xiii) appointment of the Vice-Chancellor;
(xiv) appointment of Internal and External Auditors;
(xv) approval and amendment of Statutes and the Charter (for submission to the Privy Council) and Ordinances.

4.2 Subject to paragraph 4.1, the Council may delegate by regulation to a committee or committees or to an officer or officers such of its other powers as it sees fit in accordance with Ordinance 6. Such regulations shall state the terms of delegation, what confirmation, if any, is required and the duration of the delegation, and may subsequently be revoked at any time by the Council.

4.3 This Ordinance was approved by Council on 22 November 2002, with the concurrence of Senate at its meeting on 13 November 2002, and took effect immediately. It was amended by Council on 20 November 2015, with the concurrence of Senate on 4 November 2015, and took effect immediately.

Ordinance 5:
The Senate

Ordinance 5A: The Powers of Senate

(previously Statute 12)

5A.1 The Senate shall be responsible for the academic work, consistent with Article 13 of the Charter of the University, and shall, subject to the powers reserved to the Council by the Statutes and Ordinances, take such measures and act in such a manner as shall appear to it best calculated to promote strategic development activities of the University, to promote and enhance the academic work of the University both in teaching and research, and for the regulation and superintendence of the education and discipline of the students of the University. The Senate shall, subject to the Charter and the Statutes, in addition to all other powers vested in it, have the following powers.

(a) To regulate and control, after considering any views of members of the faculties, all teaching, courses of study and the conditions qualifying for admission to the various titles, degrees and other awards offered by the University.

(b) To regulate and control all teaching, courses of study and conditions qualifying for admission to the various titles, degrees and other awards offered by the University as validated awards, such regulation and control to be exercised in conjunction with other bodies in respect of validated awards upon such terms and conditions as may be required by the University.

(c) To regulate the admission of persons to courses of study and their continuance thereon.

(d) To make recommendations to the Council on the establishment and dis-establishment of such faculties, departments, colleges and equivalent bodies as may be required.

(e) To regulate all University examinations and assessments and to appoint examiners, both internal and external, in respect of all courses of study, as mentioned in (a) or (b) above.

(f) To direct, regulate and promote research within the University and to require reports from time to time on such research.

(g) To review proposed major alterations to the duties and conditions of service of members of staff and to advise the Council accordingly.

(h) To comment to the Council on the allocation of resources for teaching and research.

(i) To advise the Council on the long-term development of the University, including any capital and estate proposals.

(j) To advise the Council on the welfare of the students of the University.

(k) To regulate the discipline of the students of the University.

(l) To exclude any student, permanently or for a stated time, from any part of the University or its precincts, or from attendance at any course or from entry to any examination or other form of assessment.

(m) To recognise such examinations and periods of study at such universities and places of learning as the Senate may approve as equivalent to such examinations and periods of study in the University as the Senate may determine.

(n) To make recommendations or to express an opinion to the Council for consideration or approval on any matter of interest to the University and its affairs.

5A.2 This Ordinance was approved by Council on 18 June 2007, with the concurrence of Senate at its meeting on 23 May 2007 and took effect on 10 October 2007. It was amended by Council on 18 May 2018, with the concurrence of Senate on 2 May 2018, and took effect immediately.

Ordinance 5B: Matters Reserved to Senate for Decision
(previously Ordinance 5)

5B.1 In accordance with Ordinance 6 Delegation of the Powers of the Council and Senate, the University Council hereby ordains as follows.

(a) The Senate may not delegate its responsibility for the following areas of business:

(i) strategic development of the academic activities of the University;
(ii) approval of policies to promote and ensure the quality of the academic work of the University, including teaching and research;
(iii) determining the various degrees and other awards offered by the University and the conditions qualifying admission to these awards;
(iv) the award of honorary degrees;
(v) approval of institutions as Associated or Accredited Institutions of the University;
(vi) recommending to Council the establishment and dis-establishment of faculties, departments, colleges and equivalent bodies;
(vii) advising the Council on:
- any proposed major alterations to the duties and conditions of service of members of staff
- the allocation of resources for teaching and research
- the long-term development of the University, including any capital and estates proposals
- the welfare of students of the University;

(viii) approval of the constitutions of faculties and of Colleges.

5B.2 Subject to paragraph 5B.1, the Senate may delegate by regulation to a committee or committees or to an officer or officers such of its other powers as it sees fit in accordance with Ordinance 6. Such regulations shall state the terms of delegation, what confirmation, if any, is required and the duration of the delegation, and may subsequently be revoked at any time by the Senate.

5B.3 This Ordinance was approved by Council on 22 November 2002, with the concurrence of Senate at its meeting on 13 November 2002. It was subsequently amended by Council on 18 June 2007, with the concurrence of Senate at its meeting on 23 May 2007, and took effect on 10 October 2007. It was amended by Council on 20 November 2015, with the concurrence of Senate on 4 November 2015, and took effect immediately.

Ordinance 5C: Membership of the Senate
(previously part of Statute 11)

5C.1 The Senate shall consist of the following persons, namely:

Class I : Ex Officio Members

The Vice-Chancellor
The Deputy Vice-Chancellor
The Pro-Vice-Chancellors
The Provost for Student Experience, Colleges and the Library
The University Dean for Academic Quality
The Faculty Deans
The Heads of Departments
The College Principals
The President of the Students' Union
The Vice-President Education of the Students' Union

Class II : Elected and Appointed Members

One Associate or Deputy Dean appointed by and from each Faculty

One lecturer elected by and from each Faculty by academic staff from the Faculty

One member of staff who is not a member of the teaching or research staff, elected by employees in the same category

Four student faculty representatives appointed by LU Students' Union

For the avoidance of doubt an elected or appointed member may not continue to serve in this capacity if they cease to be eligible within the category in which they were elected or appointed.

5C.2 The elected and appointed members who are not students shall be members of the Senate for three years commencing from the date at which they are elected or appointed and at the expiry of this term they shall not until three further years have elapsed be eligible for re-election or re-appointment to the Senate, though they may be co-opted. The appointed members who are students shall hold office for a period of one year, which is renewable once provided that they shall cease to hold office on ceasing to be students.

5C.3 [deleted September 2019]

5C.4 This Ordinance was approved by Council on 18 June 2007, with the concurrence of Senate at its meeting on 23 May 2007, and took effect on 10 October 2007. It was amended by Council on 20 November 2015, with the concurrence of Senate on 4 November 2015, and took effect immediately. It was amended by Council on 25 November 2016, with the concurrence of Senate on 9 November 2016, and took effect immediately. It was amended by Council on 20 September 2019, with the concurrence of Senate on 11 September 2019.

Ordinance 6:
Delegation of the Powers of the Council and the Senate without Requirement of Confirmation

(previously Statute 13)

6.1 The Council and the Senate may delegate by Regulation to a committee or committees or to an officer or officers such powers as they see fit, subject to paragraph 6.6 below. Such Regulations shall state the terms of delegation, what confirmation, if any, is required, and the duration of the delegation, and may subsequently be revoked at any time by the delegating body.

6.2 The Council and the Senate shall determine by Ordinance such of their powers that may not be delegated.

6.3 The Council shall delegate, without any requirement of confirmation, to a Committee of the Council, or to a Committee of the Senate, or to a joint Committee of the Council and the Senate of which in no case students shall be members, or to a particular person not a student, the power, to appoint, promote or dismiss or to determine the powers, duties, remuneration or terms or conditions of office of an officer or class of officer.

6.4 Without prejudice to the power under Ordinance 12 to delegate any other matters to Committees, subject to confirmation by the Senate, the Senate may delegate to a Committee of the Senate, without any requirement of confirmation, decisions relating to the membership of Colleges, internal working and good order of the Colleges, and to the constitution and standing orders of the Syndicates of Colleges

and Committees thereof. If, with the approval of the Senate, decisions relating to the internal working of a College are delegated by the Syndicate of that College to a Committee of that Syndicate, the decisions of the Committee shall not require confirmation by the Syndicate unless the Senate or the Syndicate shall in relation to a particular decision or class of decisions have directed otherwise.

6.5 The Senate may delegate, without any requirement of confirmation, to the Board of Discipline or to a Committee of members of the Senate the power to exclude a student, permanently or for a stated time, from any part of the University or its precincts, or from attendance at any course or from entry to any examination.

6.6 The Senate shall delegate, without any requirement of confirmation, the following powers to a Committee or Committees of which no students shall be members, or to a person or persons (not being students):

(a) the admission of a student;
(b) the conduct of the examination of a student, and the determination of the results of any form of academic assessment of the work of a student.

6.7 This Ordinance was approved by Council on 18 June 2007, with the concurrence of Senate at its meeting on 23 May 2007, and took effect on 10 October 2007. It was amended by Council on 20 November 2015, with the concurrence of Senate on 4 November 2016, and took effect immediately.

Ordinance 7:
Student Appeals and Complaints

7.1 The Senate shall ensure that the University has in place appropriate procedures for student appeals and complaints.

7.2 The Academic Appeals procedures shall abide by the following principles.

7.2.1 The University, through its academic staff and assessment mechanisms, ensures that proper academic judgement is used in all assessment and moderation. Academic judgement thus stands outside of these procedures and cannot be subject to appeal.

7.2.2 Students will not be hindered in making a reasonable appeal. All parties will act without bias or prejudice and in a sensitive, fair and prompt manner.

7.2.3 The objective of the procedure is to establish the facts and come to a reasonable and just resolution, which is both relevant and proportionate.

7.2.4 No students will be disadvantaged for making appeals in good faith, and all reasonable appeals will be taken seriously and dealt with according to the agreed procedures. However, if it is established that appeals are frivolous or spurious, then they will not be considered reasonable, and the University may take disciplinary action.

7.2.5 The University will deal with all appeals confidentially so far as it is able, and expects all parties involved to honour this approach.

7.2.6 All reasonable measures will be taken to ensure that no student is disadvantaged within these processes due to location, requirements associated with protected characteristics, etc. Technology will be used, as appropriate, to facilitate these procedures.

7.3 The complaints procedure shall abide by the following principles.

7.3.1 Students will not be hindered in making a reasonable complaint. All parties will act without bias or prejudice and in a sensitive, fair and prompt manner.

7.3.2 The objective of the procedure is to establish the facts and come to a reasonable and just resolution, which is both relevant and proportionate.

7.3.3 No students will be disadvantaged for making complaints in good faith, and all reasonable complaints will be taken seriously and dealt with according to the agreed procedures. However, if it is established that complaints are frivolous or spurious, then they will not be considered reasonable, and the University may take disciplinary action.

7.3.4 The University will deal with all complaints confidentially so far as it is able, and expects all parties involved to honour this approach.

7.3.5 Members of staff who receive anonymous complaints will not investigate such complaints unless there is compelling evidence of a valid case and good reason why the students in the case would need to protect their anonymity.

7.3.6 All reasonable measures will be taken to ensure that no student is disadvantaged within these processes due to location, requirements associated with protected characteristics, etc. Technology will be used, as appropriate, to facilitate these procedures.

7.4 This Ordinance replaces one approved by Council in 2002. It was approved by Council 20 November 2015, with the concurrence of Senate on 4 November 2015, and took effect immediately.

Ordinance 8:
Raising Serious Concerns at Work

8.1 The Council shall ensure that there are clear procedures that ensure that members of the University feel able to raise issues of significant concern.

8.2 The scope of the procedures will deal with concerns of malpractice raised about the University or one of its constituent parts, including concerns in relation to specific issues of public interest.

8.3 The Public Interest Disclosure Act 1998 and the Enterprise and Regulatory Reform Act 2013 protect employees who notify the University of malpractice which they reasonably believe involves an issue of public interest from being subjected to any detriment or being unfairly dismissed as a result. The procedures will ensure this protection is in place, and will extend it to other members of the University, including students.

8.4 This Ordinance replaces one approved by Council on 20 November 2015. It was approved by Council on 24 January 2020 and took effect immediately.

Ordinance 9:
Grievance Procedure on matters other than removal from office for staff on academic and academic-related salary scales

9.1 [deleted 2010]

Ordinance 10:
Terms of office for Officers of the University

10.1 The term of office for the Chancellor shall be determined by Council.

10.2 The Pro-Chancellor shall be appointed by the Council. The term of office shall be for up to five years, renewable for one further period of up to five years.

10.3 The Deputy Pro-Chancellors shall be appointed by the Council, from among the independent members of Council, and notwithstanding their previous periods of office, their term of office shall be for three years from the date of their appointment, renewable for one further period of up to three years.

10.4 The Vice-Chancellor shall be appointed by Council on the recommendation of a joint committee of the Council and the Senate, and shall remain in office in accordance with his/her contract of employment.

10.5 The Deputy Vice-Chancellor and Pro-Vice-Chancellors, who are *ex officio* members of the Senate, are appointed by the Council taking into account the view of the Senate. The period of office is for four years, renewable once. In exceptional circumstances, Council, taking into account the view of the Senate, may reappoint a Deputy Vice-Chancellor or a Pro-Vice-Chancellor for one further period of office for four years or less.

10.6 The Faculty Deans, who are *ex officio* members of the Senate, are appointed by the Council taking into account the view of the Senate. The period of office is for five years, normally renewable for one further term of up to five years. In exceptional circumstances the Vice-Chancellor may, with the concurrence of the Faculty, extend the appointment beyond ten years.

10.7 This Ordinance was approved by Council on 8 December 2006, with the concurrence of Senate at its meeting on 22 November 2006, and took effect immediately. It was amended by Council on 20 November 2015, with the concurrence of Senate on 4 November 2015, and took effect immediately. It was amended by Council on 25 November 2016, with the concurrence of Senate on 9 November 2016, and took effect immediately. It was amended by Council on 18 May 2018, with the concurrence of Senate on 2 May 2018, and took effect immediately.

Ordinance 11:
Conduct of Student Disciplinary Hearings

11.1 [deleted 2017]

Ordinance 12:
Committees
(previously Statute 17)

12.1 The Council, the Senate, the Syndicates of Colleges and the Faculties may from time to time appoint, subject to the provisions of the later sections of this Statute, such and so many standing, special and advisory committees or joint committees as may seem to them fit and may, subject to the provisions of Ordinance 6, Sections 6.1, 6.4 and 6.6, place on them persons who are not members of the Appointing Bodies. The duties and powers of such committees shall be such as the Appointing Bodies shall from time to time direct and may be revoked, altered or enlarged as the Appointing Bodies see fit.

12.2 The constitution and procedure of any joint Committee of Council and the Senate shall be prescribed by the Council on the recommendation of the Senate.

12.3 The Pro-Chancellor and the Vice-Chancellor shall be ex officio members of every Committee of the Council, except for the Audit Committee.

12.4 [deleted 2018]

12.5 The Vice-Chancellor shall be an ex officio member of every Committee of the Senate except a Committee appointed under the Provisions of Ordinance 6, Section 6.3.

12.6 The Principal of a College shall be an ex officio member of every Committee of the Syndicate of that College.

12.7 The Dean of a Faculty shall be an ex officio member of every committee of the Faculty.

12.8 The appointing Body or Bodies may make Regulations for the proceedings of a Committee but subject thereto every Committee may regulate its own procedure, times and places of meeting.

12.9 This Ordinance was approved by Council on 18 June 2007, with the concurrence of Senate at its meeting on 23 May 2007 and took effect on 10 October 2007.

Ordinance 13:
Members of the Court
(previously Annex to Statute 20, Part I, Section 3)

13.1 [deleted 2018]

Ordinance 14:
Provisions as to the Vice-Chancellor
(previously Annex to Statute 20, Part I, Section 3)

14.1 [deleted 2011]

Ordinance 15:
Redundancy

Preamble: In accordance with paragraphs 2 and 3 of Statute 20, the Council hereby ordains:

15.1 This Ordinance applies to dismissals 'by reason of redundancy' as defined in section 139 of the Employment Right Act 1996 (as may be amended from time to time).

15.2 A formal selection process will be undertaken where there is a demonstrated reduction in the need for employees to carry out work of a particular kind, a number of individuals are employed in that area of work and individuals identified as potentially at risk of redundancy cannot be clearly identified by the specialist nature of the work.

15.3 Where there is a pool, selection criteria will seek to identify those individuals in the pool with the knowledge, skills and qualifications to meet the present and anticipated needs of the University. The criteria for selection will be made available to all those identified as being in the pool.

15.4 The University will undertake collective consultation with any relevant recognised trade union(s) or elected representatives where there is a risk of redundancy and it is required to do so in accordance with its obligations under section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992 or any equivalent statutory provision in place from time to time.

15.5 Where an individual is at risk of redundancy he or she will have at least one consultation meeting to discuss the reasons for the redundancy situation arising, selection criteria (where appropriate), redeployment opportunities and other relevant information.

15.6 The individual will have the right to be represented at any meeting under this Ordinance by a trade union representative or work colleague.

15.7 If the employee wishes to appeal against the decision to dismiss him/her on grounds of redundancy, he/she must give written notice of their appeal to the Director of Human Resources setting out the grounds on which the appeal is based, within a specified number of working days (as set out in the procedure) from the date of the letter notifying them of the decision and setting out why he/she thinks the decision is wrong.

15.8 The Director of Human Resources and Organisational Development will determine who is to hear the appeal.

15.9 An appeal meeting will take place at which the employee will have the opportunity to explain his/her grounds of appeal.

15.10 The outcome of the appeal will be confirmed in writing, giving reasons, within a specified number of working days of the appeal hearing (as set out in the procedure). The appeal decision will be final and there will be no further right of appeal.

15.11 The University's redundancy procedure is subject to discussion with the recognised campus trade unions and will be available on the Human Resources website.

15.12 This Ordinance was approved by Council on 19 March 2010, with the concurrence of Senate at its meeting on 19 February 2010 and took effect immediately.

Ordinance 16:
Dismissals

Preamble: The Council hereby ordains the principles which will apply in circumstances which might lead to the dismissal of an employee, in accordance with paragraphs 2 and 3 of Statute 20.

16.1 This Ordinance covers dismissals for reasons to do with discipline, capability, contravention of statutory enactment or some other substantial grounds. The aim is to handle cases promptly and fairly.

16.2 Where circumstances require the University to consider whether there are grounds which may give rise to the potential termination of an employee's employment under clause 1 above, the employee will be invited to attend a hearing. The employee will have the right to be accompanied at the meeting by a colleague or trade union representative.

16.3 The employee will be notified of the decision arising from the hearing and the reasons for it, and of the right to appeal.

16.4 If the employee wishes to appeal, he/she must give written notice of his/her appeal to the Director of Human Resources and Organisational Development within a specified number of working days of the date of the letter notifying him/her of the decision and set out why he/she thinks the decision was wrong (as set out in the procedures).

16.5 The Director of Human Resources and Organisational Development will determine who is to hear the appeal.

16.6 An employee may be accompanied to the appeal meeting by a colleague or trade union representative or a legal representative.

16.7 The outcome of the appeal will normally be confirmed in writing, giving reasons, within a specified number of working ways of the appeal hearing (as set out in the procedures). The appeal decision will be final and there will be no further right of appeal.

16.8 The procedures in connection with the dismissal of staff will be the subject of discussions with the recognised campus trade unions and will be available on the Human Resources website.

16.9 This Ordinance was approved by Council on 19 March 2010, with the concurrence of Senate at its meeting on 19 February 2010 and took effect immediately.

Ordinance 17:
Provisions to deprive persons of degrees, diplomas, certificates and other academic distinctions

This Ordinance refers to the power granted by the Charter of the University, Article 4(h) 'on what the Council and the Senate of the University shall deem to be good cause, to 'deprive persons of any Degrees, Diplomas, Certificates or other academic distinctions granted to them by the University.'

17.1 *Definitions*

'Academic distinctions' includes an honorary degree, diploma, certificate, fellowship or emeritus status granted to an individual by the University of Lancaster.

'Associated institution' means, for the purposes of this Ordinance, any educational institution within the United Kingdom or elsewhere, the students of which are eligible jointly or severally for the grant of a degree, diploma, certificate of the University of Lancaster.

'Good cause' includes an intentional deception practised on the University of Lancaster as the degree awarding body, the nature of which is of such significance that it outweighs any other cause (or causes) for the grant of the degree, diploma, certificate or other academic distinction granted to the individual by the University. The deception involved may be practised by the individual award holder or by someone on his or her behalf and with his or her full knowledge. In respect of a person granted an 'academic distinction' by the University, an award based on that person's reputation, 'good cause' could also include a finding that the individual has been adjudged by any court or other appropriate body to have conducted himself or herself in a manner which is inconsistent with the continued status of an individual holding an academic distinction of the University of Lancaster.

17.2 *Procedure to be followed should the University wish to invoke Charter Article 4(h)*

17.2.1 Where a decision is made under any of paragraphs 17.2.2, 17.2.3, 17.2.6, 17.2.7, 17.2.8, or should the respective decisions of the Senate and the Council be not to deprive the individual at risk ("the individual at risk") of any degree, diploma, certificate or other academic distinction, the identity of the individual at risk shall be kept confidential to the University.

17.2.2 Should a *prima facie* case be made out to the satisfaction of the relevant officer determined by Senate that Charter Article 4(h) should be invoked he or she should appoint a committee of three senior academic members of the University to act as an investigating committee.

17.2.3 The investigating committee shall have the power to call for any relevant document prepared by any employee of the University of Lancaster or by any employee of an associated institution. The investigating committee may decide that there is a *prima facie* case to be answered by an individual who had been awarded a degree, diploma, certificate or other academic distinction by the University in which case it will notify the individual at risk and proceed to carry out the procedure set out below. The investigating committee may decide that there is no *prima facie* case to be made out against the individual at risk and any further proceedings under Charter Article 4(h) will be discontinued.

17.2.4 Should the investigating committee decide that there is a *prima facie* case to be answered by the individual at risk in accordance with paragraph 17.2.2 above it shall make available to him or her all evidence in documentary form at least 30 days prior to an oral hearing. It will also invite the individual at risk to supply to it any evidence in documentary form within seven days prior to the hearing date.

17.2.5 The investigating committee will invite the individual at risk to an oral hearing at which he or she may be represented, by a legal practitioner[1] or otherwise. The individual at risk will be given the opportunity to challenge all evidence, whether in the form of documentary or oral evidence presented to the investigating committee.

17.2.6 At the conclusion of the oral hearing the investigating committee will announce its decision or recommendation or it will inform the individual at risk that its decision or recommendation, including its reasons, will be notified to him or her within 30 days from the date of the oral hearing.

17.2.7 A decision is one whereby the investigating committee decides that no further action should be taken to invoke Charter Article 4(h). In this case all proceedings under Charter Article 4 (h) will be discontinued. Any recommendation that Charter Article 4(h) be invoked is made to the Council and the Senate.

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[1] We believe this is highly desirable since the individual at risk stands to lose a valuable possession.

17.2.8 The individual at risk may appeal, on any ground within 14 days of receiving a recommendation from the investigation committee referred to in paragraph 17.2.5 to a Tribunal.[2] The membership of this Tribunal will be appointed by the Chief Administrative Officer and Secretary or nominee and will consist of persons independent of the University. It shall comprise a chairman, who will be a barrister or solicitor of at least ten years standing and two other members. Within the principles of natural justice this Tribunal will follow its own procedure and make its decision or recommendation in like form as set out in paragraphs 17.2.5 and 17.2.6 above. For the avoidance of doubt the individual at risk may be represented by a legal practitioner or otherwise.

17.2.9 A recommendation of the investigating committee, against which no appeal has been lodged, or a recommendation of the Tribunal referred to in paragraph 17.2.7, will be made initially to the Senate[3] and subsequently, if the Senate votes by a majority decision to deprive a person of a degree, diploma, certificate or other academic distinction, to the Council. For a person to be deprived of a degree, diploma, certificate or academic distinction the Council, by a majority vote, must also decide to do so.

17.2.10 Members of the investigating committee or of the Tribunal, referred to in paragraph 17.2.7, may attend the Senate or the Council meeting at which a recommendation from either body is to be voted upon. Members of either body may seek clarification of any matter from a member of the investigating committee (where no appeal has been brought against their recommendation) or from the Tribunal.[4] Immediately prior to the decision of each body being made all members of the investigating committee or of the Tribunal present and the person who appointed the investigating committee or Tribunal shall withdraw.[5]

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2 The appeal body should 'outrank' the investigating committee. The advantage of an experienced lawyer as the chair is that he or she can conduct proceedings in a form consistent with broadly defined judicial process. All members of the Tribunal, being external to the University, will not be involved with the *decision* to be made by the Senate and the Council.

3 We have thought about recommending a committee of the Senate and a committee of Council (as permitted by Ordinance 6) but decided (at this stage) against it. Charter Article 4(h) refers specifically to the Senate and the Council, to deprive a person of an award carries with it very significant responsibility, which is better shown by a full meeting of both bodies. Should this situation arise it could form the final item of business on the agenda or a special meeting of each body could be convened. We see no reason why student members of the Senate or Council should be required to leave on such an occasion, since the individual at risk will, by the very nature of the exercise, no longer be a student. We think that all those in attendance at each meeting should, however, withdraw.

4 This is to ensure that the decision is that of the Senate and the Council. The decision-makers will have the relevant recommendation, with its reasons, before them but they must be able to seek clarification on fact.

5 The members of the investigating committee or the Tribunal must withdraw since the decision is that of the Senate and the Council in turn. The University Secretary should withdraw because he or she will have appointed the Tribunal.

17.2.11 The individual at risk may attend the meeting of the Senate and, if the Council is also called upon to make a decision under Charter Article 4(h), that meeting also. He or she may be represented by a legal practitioner or otherwise.[6] Before the Senate and the Council no new evidence may be adduced, nor any new ground raised on behalf of the individual at risk. Immediately prior to the decision of each body being made the individual at risk and any representative will be required to withdraw.

17.2.12 The University will not be responsible for any costs incurred by the individual at risk in respect of any representations made on his or her behalf or for any other reason.

17.2.13 Should the respective decisions of the Senate and the Council be to deprive the individual at risk of any degree, diploma, certificate or other academic distinction granted to him or her by the University, the individual at risk may be required to reimburse the University in respect of the reasonable costs it has incurred in establishing the Tribunal referred to in paragraph 17.2.7 above.[7]

17.3 *Procedure to be followed should the University wish to invoke Charter Article 4(h) in the case of Honorary Awards*

17.3.1 The revocation of 'Honorary Awards', including honorary degrees, honorary fellowships and alumni awards, will be dealt with using a separate procedure to manage significant and immediate risk.

Ordinance 18:
The Syndicates of the Colleges
(previously Statute 14)

18.1 The Senate shall determine the constitution, powers, duties and membership of the Colleges provided that each employee of the University shall be a member of the Syndicate of the College of which he or she is a member.

18.2 This Ordinance was approved by Council on 20 November 2015, with the concurrence of Senate at its meeting on 4 November 2015 and took effect immediately.

Ordinance 19:
The Faculties
(previously Statute 15)

19.1 There shall be such Faculties as the Council, taking into consideration the recommendation of the Senate, may from time to time determine.

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[6] This is designed to ensure that should any new point adverse to the individual at risk be made at a meeting of the Senate or the Council the individual at risk will have an opportunity to challenge it before the decision is made.

[7] This is designed to act as a factor to be taken into account by the individual at risk where any appeal to the Tribunal could only be considered to be frivolous. The University could decide not to seek reimbursement of its costs should, in any particular case, it decides not to do so.

19.2 The constitution, powers, duties and membership of the Faculties shall be such as the Senate may determine, provided that all academic staff of the University shall be a member of at least one such Faculty.

19.3 This Ordinance was approved by Council on 20 November 2015, with the concurrence of Senate at its meeting on 4 November 2015 and took effect immediately.

Ordinance 20:
The Departments
(previously Statute 16)

20.1 There shall be such Departments, containing as members such officers of the University, as the Council, taking into consideration the recommendation of the Senate, may from time to time determine; and each Department shall, at least three times in each academic year, arrange a meeting of all these members to discuss its work.

20.2 Each Department shall establish, in a manner to be approved by the Senate, an adequate method of consultation between its members and students taking courses in the Department.

20.3 Each Department shall have a Head, to be chosen in a manner to be approved and for a period to be determined by the Senate.

20.4 This Ordinance was approved by Council on 20 November 2015, with the concurrence of Senate at its meeting on 4 November 2015 and took effect immediately.