

The Schedule Statutes of the University

I. DEFINITIONS

In these Statutes:-

“Charter” means the Charter of the University.

“Council” means the Council of the University.

“Independent Members” means individuals being neither members of the Staff nor Students and referred to in Statute IV.1(5)

“Officers of the University” means the Chancellor, Pro-Chancellor, Vice-Chancellor and President, Provost, Pro-Vice-Chancellors (or Vice-Presidents, when the Pro-Vice-Chancellors are representing the University internationally), the Chief Operating Officer and the Secretary

“Regulations” means Regulations made pursuant to the Charter

“Senate” means the Senate of the University.

“Staff” means the employees of the University.

“Statutes” means these Statutes.

“Student” means any current student of the University or Sabbatical Officer of the Students’ Union.

“University” means the University of Sussex.

II. OFFICERS OF THE UNIVERSITY

The Officers of the University shall be appointed by the Council in accordance with the Regulations on such terms and conditions of service as the Council shall think fit and with such functions as shall be prescribed in the Regulations.

III. THE AUDITORS

The Council shall from time to time appoint an Auditor or Auditors who shall be members of a recognised supervisory body and eligible for appointment under the rules of that body.

IV. THE COUNCIL

1. The Council shall consist of a maximum of twenty-five members ensuring always that Independent Members are in the majority and comprising the following persons:-

- (1) The Vice-Chancellor and President;
 - (2) The Provost;
 - (3) Up to fifteen Independent Members appointed in accordance with the Regulations;
 - (4) Six members elected by and from the Staff in accordance with the Regulations;
 - (5) The President of the Students' Union;
 - (6) One other student as specified in the Regulations.
2. The members of the Council referred to in Statute IV.1(1), (2), (5) and (6) shall continue in membership so long as they continue to occupy the positions named respectively.
 3. The members of the Council referred to in Statute IV.1(3) and (4) shall continue in membership for a period of up to three years commencing on their appointments, and shall be eligible for re-appointment or re-election for a maximum of two further terms of office each of up to three years up to a maximum period of nine years, as set out in the Regulations.
 4. The composition of the Council should seek to reflect the diversity of thought, background and circumstance of the University's constituency and society more generally.
 5. The quorum for the Council shall be one third of the actual membership of the Council, with Independent Members always being in the majority.
 6. Every issue shall be decided by consensus or if put to a vote by a majority of the votes cast, which shall be by a simple majority unless determined otherwise by Regulation. With the exceptions listed below, a written resolution circulated by the Secretary to all members of Council and approval signed or communicated by electronic means by a majority of those entitled to vote at a meeting of Council shall be as valid as a resolution actually passed at a meeting. A member shall signify their agreement to a proposed written resolution in accordance with procedures set out in the Regulations. The exceptions to written resolutions shall include amendments to the Charter, Statutes and any Regulations requiring a three-fourths majority, as well as any further exceptions that may be specified in Regulations.

V. POWERS OF THE COUNCIL

1. The Council shall be responsible for the revenue and property of the University, its conduct and activities and shall exercise all the University's powers, which shall include without limitation the powers and functions set out in the Regulations.
2. The Council shall be entitled to delegate all or any of its functions, powers and duties to any person or body, subject to Statute V.3.
3. The Council shall prescribe in Regulations the matters for which it shall not delegate responsibility, including:
 - (1) appointing the Vice-Chancellor and President;
 - (2) the variation, amendment or revocation of the Charter or Statutes;
 - (3) the approval of the University's annual audited accounts;
 - (4) appointing the Auditors of the University.
4. The Council may review, amend, refer back, control or disallow any act of Senate required under the Statutes or the Regulations to be reported to Council, and to give directions thereon to Senate; provided that any such act of Senate which is amended by Council shall be referred again to Senate for consideration and report before such act (so amended) is put into effect.

VI. THE SENATE

1. The Senate shall, subject to the general control and approval of the Council, be responsible for academic standards and the direction and regulation of academic matters.
2. The majority of members of the Senate shall be elected members.
3. The Senate shall have the power to discuss and declare an opinion on any matter whatsoever relating to the University and to request that the Council consider such opinions.
4. The membership and powers of the Senate shall be further prescribed in the Regulations.

VII. STAFF

1. This Statute VII shall apply to all staff employed by the University.
2. Where academic staff are mentioned in this Statute, academic staff shall be defined as any employee of the University who is

employed to engage directly in, or directly carry out, teaching and/or academic research.

3. The Council shall ensure that, in respect of staff, there are procedures set out in the Regulations as follows:
 - (1) Grievance Procedure;
 - (2) Disciplinary Procedure;
 - (3) Redundancy Procedure;
 - (4) Capability Procedure;
 - (5) Sickness Absence and Medical Incapacity Procedure;
 - (6) Probationary Procedures;

such procedures at Statutes VII.3(2) to 3(6) to include provisions for dismissal of a member of staff and for an appeal against such a dismissal.

Additionally, there shall be a procedure for the dismissal of members of staff in the case of Some Other Substantial Reason or Statutory Bar and appeals against such a dismissal.

4. The Council shall ensure that proper procedures are set out in the Regulations for the removal from office and dismissal from office of the Vice-Chancellor and President.
5. Regulations setting out procedures in respect of Statute VII.3 shall only be introduced or amended at a meeting of the Council with the agreement of three fourths of the members present and voting, and having taken into account the views of the Senate. Additionally, there shall have been prior consultation, and agreement reached, with the recognised trade unions, such agreement by the trade unions not to be unreasonably withheld.
6. In determining the procedures to be adopted under Statutes VII.3 and 4, the Council shall apply the following guiding principles:
 - (1) to uphold the right of any member of staff to express political, religious, social and professional views, both privately and in public, provided that this is within the law and is done explicitly in his or her own name and not in that of the University;
 - (2) to ensure that academic staff have freedom, within the law, to carry out teaching and research, including the publication of the outcomes of research, in a way which questions and tests established ideas and received wisdom, and presents

controversial or unpopular points of view, without placing themselves in jeopardy of losing their jobs or privileges;

- (3) to enable the University to provide education, promote learning and engage in research efficiently and economically, while seeking, so far as practicable and consistent with that aim, to maintain staff in employment;
 - (4) to have due regard to the need to avoid unlawful discrimination and to advance equality of opportunity for staff;
 - (5) to apply the principles of justice and fairness;
 - (6) to ensure that complaints are resolved at as early a stage as possible and within a reasonable timescale.
7. Any Regulation made under this Statute VII shall be construed in every case to give effect to the guiding principles in Statute VII.6.
 8. In the case of dismissal hearings, an independent peer (from the staff) shall be appointed to sit on the dismissal panel, where the relevant procedure so provides. Independent shall have the meaning of not having had prior involvement in the case.
 9. In the case of appeals against dismissal, an independent peer (from the staff) and an independent person external to the University shall be appointed by the University to sit on an appeal panel, where the relevant procedure under Statute VII.3 so provides. In the case of the independent peer (from the staff), independent shall have the meaning of not having had prior involvement in the case. In the case of the independent person external to the University, independent shall have the meaning of having no involvement with the University which might be prejudicial to impartial judgement (and for the avoidance of doubt, any payment by the University to such external person in respect of their time incurred in respect of the appeal shall not be deemed to prejudice their impartial judgement).
 10. In the case of redundancies, prior authorisation shall be sought from the Council where the Redundancy Procedure under Statute VII.3 so provides. Such authorisation shall follow consultation with the Senate which, in turn, shall follow relevant consultation as provided in the Redundancy Procedure.
 11. For the avoidance of doubt, any procedure adopted by the Council for the dismissal of academic staff by reason of redundancy shall not apply to a member of academic staff whose appointment was made, or contract of employment entered into, prior to 20 November 1987, and who has not been promoted on or after that date. For the purpose of this Statute VII.11, a reference to an appointment made or a contract entered into on or after that date should be construed in

accordance with sub-sections (3) to (6) of section 204 of the Education Reform Act 1988.

VIII VALIDITY OF DECISIONS

1. Decisions taken at a meeting of the Council or Senate shall not be invalidated by reason of:-
 - (1) a procedural defect of which the relevant body is unaware at the time, provided that the defect, once identified, shall at the earliest reasonable opportunity, be brought to the attention of the relevant authorised body which shall be asked to confirm that the decision should stand.
 - (2) a technical defect in the appointment of a member of Council or Senate of which the relevant body is unaware at the time;
 - (3) a technical defect in the giving of notice of which the Council or Senate is unaware at the time; or
 - (4) a vacancy in the membership of the Council or Senate.