

## **STATUTES OF THE UNIVERSITY OF KENT**

### **1. THE COUNCIL**

- 1.1 There shall be a Chair of the Council who shall preside over meetings of the Council. The Chair of Council shall be appointed by the Council from among the Lay Members.
- 1.2 The Council may designate a Lay Member to, in the absence of the Chair of Council, preside over meetings of Council and, in the absence of the Chancellor and the Chair of Council, preside over meetings of Court.
- 1.3 The Council shall, on the recommendation of the Chair of the Council and the Vice-Chancellor, appoint a Secretary of the Council and the Court.

### **2. THE VICE-CHANCELLOR**

- 2.1 The Vice-Chancellor shall be appointed by the Council after consultation with the Senate and after considering a report from a joint committee of the Council and the Senate. The membership of the joint committee of the Council and the Senate shall be prescribed by Ordinance.
- 2.2 The Vice-Chancellor shall hold office for such period as may be determined at the time of appointment or reappointment.
- 2.3 The Vice-Chancellor shall have a general responsibility to the Council for maintaining and promoting the efficiency and good order of the University.

### **3. THE DEPUTY VICE-CHANCELLOR(S) AND THE PRO-VICE-CHANCELLOR(S)**

- 3.1 The number of Pro-Vice-Chancellors and Deputy Vice-Chancellors shall be determined by the Council on the recommendation of the Vice-Chancellor.
- 3.2 The Vice-Chancellor shall from time to time appoint one or more persons to be Pro-Vice-Chancellor(s).
- 3.3 The Council shall, from time-to-time, following consultation with the Vice-Chancellor, appoint one or more Deputy Vice-Chancellor(s).

### **4. THE CHANCELLOR**

- 4.1 The Chancellor shall be appointed by the Council after consultation with the Senate.
- 4.2 The Chancellor shall hold office for up to five years from the date of appointment and may be re-appointed once for a further term of up to five years.
- 4.3 In the absence of the Chancellor, or during a vacancy in the office of Chancellor, the Chair of Council shall exercise all of the functions of the Chancellor, except the conferring of Degrees.
- 4.4 In the absence of the Chancellor, or during a vacancy in the office of Chancellor, the Vice-Chancellor shall confer Degrees. In the absence of both the Chancellor and the Vice-Chancellor a senior officer of the University appointed by the Vice-Chancellor shall confer Degrees.

## 5. **Divisions**

5.1 There shall be such Academic Divisions, Academic Schools and departments or other academic units of the University as may from time-to-time be established by the Council following consultation with the Senate.

## 6. **STATUTES, ORDINANCES AND STANDING ORDERS**

6.1 The Council may make, amend or repeal Statutes and Ordinances once the Senate has had an opportunity of considering the proposal and of reporting thereon to the Council.

6.2 Statutes shall not have effect until approved by the Lords of Our Most Honourable Privy Council.

6.3 The Statutes shall be interpreted so as not to conflict with the Charter.

6.4 The Council, Senate and the Court respectively may make, amend or repeal Standing Orders for governing the proceedings of those prospective bodies.

## 7. **STAFF**

### 7.1 **Introduction**

7.1.1 This Statute sets out the principles and purpose of relevant Ordinances associated with the employment of all staff at the University of Kent on UK employment contracts, as detailed in section 2.

7.1.2 This Statute and its associated Ordinances may be changed from time to time. The Statute may only be amended following a process of consultation, and any changes require the approval of Privy Council. The supporting Ordinances can be created, amended or repealed by the University Council, following consultation with the relevant staff and trade union representative bodies and due consideration by Senate.

### 7.2 **Scope**

7.2.1 This Statute, and the Ordinances made under it, relate to the suspension, discipline, dismissal, and grievance resolution for all members of staff holding a UK Contract of Employment<sup>1</sup>.

7.2.2 It does not apply to honorary positions, visitors, emeritus professors, casual workers and any staff who are employed on a non-UK Contract of Employment.

7.2.3 This Statute shall override any provision in any contract, term or condition of employment, which is inconsistent or conflicting with this Statute.

### 7.3 **Ordinances**

7.3.1 Council shall ensure that there are procedures (Ordinances) in place for:

7.3.1.1 the suspension of members of staff;

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<sup>1</sup> Defined as University staff who hold employment status under the law of England and Wales, or Scotland, or Northern Ireland, as opposed to staff who are workers or self-employed, and who are employed in a full time, part time, indefinite term or fixed-term capacity.

- 7.3.1.2 the handling of disciplinary cases;
  - 7.3.1.3 the dismissal of members of staff;
  - 7.3.1.4 the resolution of grievances raised by members of staff;
  - 7.3.1.5 the management of appeals relating to any such cases;
  - 7.3.1.6 the provisions for the Vice-Chancellor and the Secretary to Council.
- 7.3.2 The list of Ordinances is not exhaustive and the University Council has the power to determine whether additional Ordinances need to be put in place from time to time, as required.

#### 7.4 **General principles**

- 7.4.1 In determining the procedures to be adopted under section 3, Council shall apply the following guiding principles:
- 7.4.1.1 to ensure that members of academic staff of the University have the freedom within the law both to question and test received wisdom and to put forward ideas and controversial or unpopular opinions without putting themselves at risk of losing their jobs by virtue of such ideas or opinions, or any privileges which they may enjoy at the University;
  - 7.4.1.2 to apply the principles of justice and fairness, ensuring that all matters are dealt with impartially and objectively and having regard to reasonableness and proportionality;
  - 7.4.1.3 to ensure all disputes will be resolved sensitively and in a timely fashion without any unnecessary delay;
  - 7.4.1.4 to ensure all staff have the right to appeal against any formal action taken under relevant Ordinances associated with this Statute and, as part of that appeals process, that they will have the right to an oral hearing at which they have the opportunity to present their case;
  - 7.4.1.5 to apply other principles, as appropriate, that are laid out elsewhere within other Statutes and the Charter.

#### 7.5 **Tenure**

- 7.5.1 Any procedure adopted by Council for the dismissal of members of staff by reason of redundancy shall not apply to a member of staff whose appointment was made, or contract of employment entered into, before 20 November 1987, and who has not been promoted on or after that date.
- 7.5.2 In relation to a member of staff, a reference to an appointment made or contract entered into on or after 20 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.

May 2020