

Statutes of the University of Durham

(as approved by Her Majesty in Council on 13 July 2011)

PRELIMINARY

1. In these Statutes unless the context otherwise requires:-

"the Act" means the Universities of Durham and Newcastle upon Tyne Act, 1963;

"the appointed day" means the 1st August, 1963;

"the University" means the University of Durham, including the maintained colleges and societies;

"convocation" "the council" and "the senate" mean respectively convocation, the council and the senate of the University;

"statutory bodies" means the council, the senate, and the boards of studies of the University;

"maintained colleges" means colleges and societies maintained by the council as part of the University pursuant to these Statutes (having no separate legal identity) and shall so long as they continue to be maintained by the University include University College, Hatfield College, Grey College, Van Mildert College, Collingwood College, St Mary's College, St Aidan's College, Trevelyan College, the College of St Hild and St Bede, St Cuthbert's Society, Ustinov College, John Snow College, George Stephenson College and Josephine Butler College;

"recognised colleges" means colleges of the University recognised by the council pursuant to these Statutes and shall so long as they continue to be recognised by the University include St Chad's College and St John's College;

"licensed halls of residence" means halls of residence recognised by the council as licensed halls of residence pursuant to these Statutes and shall so long as it continues to be recognised by the University include Ushaw College;

"affiliated colleges" means any college or institution affiliated to the University under Statute 39;

"canon professor" means a professor of the University who is also a canon of the cathedral church of Durham;

"full-time teacher" means full-time teacher even though his appointment as a member of the University staff is only temporary or probationary;

subject to Statute 35, "members of the academic staff" means all those members of the staff of the University who are paid on the academic or related staff salary scales or whose salaries are determined by reference to those scales;

"existing" means existing immediately before the appointed day;

"year" means a calendar year;

"month" means a calendar month;

Words importing the masculine gender include the feminine gender.

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

2. As from the appointed day the University shall for every purpose be administered and governed wholly and exclusively in accordance with the provisions of the Act and these Statutes notwithstanding any existing Acts of Parliament, Charters, Statutes or Orders in Council relating to the University.

3. Existing rules and regulations of the University and of its constituent bodies made under the existing Statutes of the University shall remain in force, until they are altered or repealed as nearly as may be

practicable and so far as they are consistent with these Statutes, except that references in those rules and regulations to any body, officer or person shall be construed as references to the body, officer or person exercising similar powers or discharging similar duties under these Statutes.

THE UNIVERSITY

4. The University shall be governed by a Visitor, Chancellor, Vice-Chancellor, Convocation, Council, Senate, and Boards of Studies.

THE VISITOR

5. (1) The Lord Bishop of Durham for the time being shall be the Visitor of the University.
- (2) During any vacancy in the See of Durham for more than four weeks the suffragan Bishop of the Diocese of Durham for the time being shall perform the duties of the Visitor of the University for the duration of the vacancy.

THE CHANCELLOR

6. (1) There shall be a Chancellor of the University, who shall hold office for a fixed period of not normally less than five years as determined by the Council or until resignation if sooner. The period of appointment may be extended for a further period to be determined by the Council.
- (2) The Chancellor may resign by writing addressed to the Council and may be removed for good cause by Convocation at the instance of the Council.
- (3) The Chancellor shall be the Head of the University, and shall by virtue of his office be a member of the Council and of Convocation, and shall preside at all meetings of those bodies at which he is present.
- (4) During a vacancy in the office of Chancellor, or during his inability through illness or any other cause to perform his duties the duties of that office, other than presiding at meetings of the Council, shall be performed by the Vice-Chancellor.
- (5) Upon a vacancy in the office of Chancellor, Convocation shall appoint a Chancellor on the nomination of the Council and the Senate sitting in joint session.

THE VICE-CHANCELLOR

7. (1) There shall be a Vice-Chancellor of the University, who shall also be the Warden of the Durham Colleges. He shall have a general responsibility to the Council and the Senate for maintaining and promoting its efficiency and good order. He shall be appointed by the Council after consultation with the Senate.
- (2) There may be a Deputy Vice-Chancellor of the University. He shall be appointed by the Council after consultation with the Senate and shall hold office for such period, subject to Statute 35, and shall be assigned such duties, as the Council may from time to time determine.

- (3) In addition to the appointment specified under (2) above the Council may, after consultation with the Senate, appoint one or more Pro-Vice-Chancellors who shall hold office for such period, subject to Statute 35, and shall be assigned such duties, as the Council may from time to time determine.
- (4) The Council may, after consultation with the Senate, appoint a Deputy Warden of the Durham Colleges who shall hold office for such period, subject to Statute 35 and shall be assigned such duties, as the Council may from time to time determine.
- (5) Subject to (6) below, the Vice-Chancellor shall preside at all meetings of the Senate and, in the absence of the Chancellor, at all meetings of Convocation.
- (6) During a vacancy in the office of the Vice-Chancellor or during the Vice-Chancellor's inability, through illness, absence or other reason, to perform his duties, such duty or duties shall be performed by the Deputy Vice-Chancellor or by one of the other Pro-Vice-Chancellors, determined as appropriate by Council.

THE REGISTRAR AND SECRETARY

8. (1) There shall be a Registrar and Secretary of the University who, under the supervision of the Vice-Chancellor, shall be responsible for the conduct of University business. He shall be Secretary of the Council and of the Senate and shall perform such other duties as the Council may prescribe after consultation with the Senate.
- (2) The Registrar and Secretary shall be appointed by the Council after considering the recommendation of a Joint Committee of the Council and the Senate.

THE TREASURER

9. There shall be a Treasurer of the University who, under the supervision of the Vice-Chancellor, shall be responsible for the financial business of the University, and for such other business as the Vice-Chancellor may prescribe. The Treasurer shall be appointed by the Council.

THE COUNCIL

10. (1) There shall be a Council of the University, consisting of:

Ex officio Members

The Chancellor;

The Vice-Chancellor;

The Deputy Vice-Chancellor;

The Dean of Durham or, during a vacancy in the office, the Vice-Dean;

The President of the central organisation recognised by the Council for the representation of the students;

Members appointed by the Council

Not more than twelve lay members, not being members of staff of the University or any of its recognised Colleges or Licensed Halls of Residence;

Seven members of the staff of the University, at least five of whom to be academic staff with research and teaching responsibilities and none of whom to be serving members of the University Executive Committee.

- (2) The period of appointment of the members appointed by the Council shall be prescribed in the Standing Orders of the Council.

THE CHAIRMAN OF THE COUNCIL

11. (1) The Council shall appoint, from among its members or otherwise, a Chairman, not being a member of staff of the University or any of its recognised Colleges or Licensed Halls of Residence. He shall preside at meetings of the Council in the absence of the Chancellor.
- (2) If the Chairman is appointed from among the members of Council, the Council may require him to vacate office if he ceases to be a member of the Council. If the Chairman is appointed from outside the Council, he shall cease to be a member of the Council if he ceases to be Chairman. Subject thereto the Chairman shall hold office for three years.
- (3) The Council shall elect from among its members one Vice-Chairman and may elect two Vice-Chairmen. No Vice-Chairman shall be a member of staff of the University or any of its Recognised Colleges or Licensed Halls of Residence. A Vice-Chairman shall hold office for three years but shall vacate office if he ceases to be a member of the Council before the expiry of the said term.
- (4) Council shall appoint the Vice-Chairman or one of the Vice-Chairmen to preside at particular meetings of the Council from which the Chancellor and the Chairman are absent.

THE POWERS OF THE COUNCIL

12. (1) The Council shall exercise all the powers and authority of the University except to the extent to which the exercise of the same may by these Statutes be otherwise prescribed.
- (2) The Council shall make regulations for the custody and use of the common seal of the University.
- (3) The Council shall be the governing and executive body of the University and shall have the custody, control and disposition of all its property and finances. Subject to the powers of the Senate, the Council shall be responsible for the organisation of teaching and research, including the appointment of Budget Officers and of Heads of Departments (Chairmen of Boards of Studies), for the maintenance of discipline and for the regulation of the relations between the Council and the students.
- (4) The Council shall review the work of the University and shall take such steps as it thinks proper for the purpose of advancing the interests of the University, maintaining its efficiency, encouraging the prosecution of learning and research therein and for providing facilities for the recreation and well-being of the students.
13. The powers of the Council shall, subject as in these Statutes provided, include the following:-
- (1) To appoint all members of the University staff;

- (2) To fix the salaries and conditions of tenure of posts to which they appoint;
- (3) To represent the University in all negotiations for obtaining grants from public bodies in aid of the work of the University;
- (4) To establish budget centres within the University for the efficient management of resources and to appoint Budget Officers for each budget centre who shall be accountable to the appropriate authority as prescribed in the Standing Orders of the Council and of the Senate for the management and supervision of all funds, equipment and resources allocated by the Council to their budget centre. The appropriate authority shall be accountable to the Council, through the Vice-Chancellor, for the overall budget for which they are responsible.
- (5) To prescribe, after considering the recommendations of the Senate, the dates when the Michaelmas, Epiphany and Easter Terms shall begin and end;
- (6) To establish, suspend or abolish any posts other than posts created by these Statutes.

COLLEGES AND SOCIETIES

14. The Council:-

- (1) shall maintain as part of the University University College, Hatfield College, Grey College, St Mary's College, St Aidan's College, St Cuthbert's Society, Van Mildert College, Ustinov College, Trevelyan College, Collingwood College, the College of St Hild and St Bede, John Snow College, George Stephenson College and Josephine Butler College and may establish and maintain other maintained Colleges as part of the University;
- (2) shall, subject to the provisions of these Statutes, continue to recognise as Colleges of the University, St Chad's College and St John's College and may recognise other Colleges in the County of Durham as recognised Colleges in the University. The Council shall have no property in or financial responsibility for the recognised Colleges;
- (3) shall, subject to the provisions of these Statutes, continue to recognise as Licensed Halls of Residence Ushaw College, and may recognise other Colleges in the County of Durham as Licensed Halls of Residence. The Council shall have no property in or financial responsibility for the Licensed Halls of Residence;
- (4) shall, after considering the recommendations of the Senate, regulate the admission to the University of part-time and occasional students who are not registered with one of the Colleges.

15. The following provisions shall apply to the recognised Colleges and to Licensed Halls of Residence:-

- (1) The appointment of the Head shall require the approval of the Council;
- (2) Recognised Colleges and Licensed Halls of Residence shall be open to inspection by or on behalf of the Council;
- (3) The recognition of any of the recognised Colleges or Licensed Halls of Residence may be withdrawn by the Council if the foregoing provisions are infringed;
- (4) Any proposed change in the constitution or instrument of government of recognised Colleges or Licensed Halls of Residence shall be notified to the Council;
- (5) The Council may from time to time or at any time withdraw recognition from any one or more of the recognised Colleges or Licensed Halls of Residence if in its opinion changes have been made in its or their constitution or conduct which unfavourably affect its or their status in the University.

FINANCIAL PROVISIONS

16. (1) The University shall have the following powers for the purposes of carrying out its duties as defined in its Statutes, for the time being in force:-
- (a) to borrow or raise money in any manner and, in particular, by the issue (whether at par, at a premium or at a discount) of notes, bonds, loan stock, shares, stock, warrants or any other instrument or security of any kind, and generally to raise capital or finance in any form and to obtain all kinds of credit and to refinance, replace or reorganise any capital, finance or credit previously raised or obtained by the University;
 - (b) by creating or granting a mortgage, charge, pledge, lien or encumbrance of any kind over, or by entering into any other type of transaction, including an option, in relation to, all or any part of the undertaking, property or assets of the University present and future, or in any other manner, to secure or in any other way support the payment or repayment of any moneys, the discharge of any debts and liabilities, and the performance or observance of any obligations or commitments, by the University;
 - (c) to guarantee, support or secure (whether or not with a view to receiving any consideration or benefit) the payment or repayment of any moneys, the discharge of any debts and liabilities, and the performance or observance of any obligations or commitments, by any person or undertaking (whether incorporated or unincorporated) in relation to any transaction whatsoever which has been or may be entered into by another person or undertaking by entering into any guarantee or other engagement, by creating or granting a mortgage, charge, pledge, lien or encumbrance of any kind over, or by entering into any other type of transaction in relation to, all or any part of the undertaking, property or assets of the University, present and future, by a combination of such methods, by granting or accepting options in relation to all or any of the undertaking, property or assets of the University, present and future, or in any other manner; and to provide indemnities in respect of every kind of claim, proceeding, tax, liability, loss, expense, failure, default or contingency, with or without securing the indemnity by a mortgage, charge, pledge, lien or other encumbrance;
 - (d) to enter into any agreement or arrangement as to the subordination or priority of any debts or liabilities which have been or may later be incurred by or to the University or as to the ranking of any mortgage, charge, pledge, lien or other encumbrance which has been or may later be created or granted by or to the University or which affects or may come to affect the property, assets or undertaking of the University or any other relevant body or person;
 - (e) to enter into (i) any contract for differences, (ii) any other contract the purpose or purported purpose of which is to secure a profit or avoid a loss by reference to the fluctuations in the value or price of property of any description or in any index or other factor designated for the purpose in the contract, and in particular, by reference to fluctuations in any rate of exchange, any rate of interest or any index of stock, bond or commodity prices, and (iii) any contract possessing a feature which is in any way similar or comparable to a feature possessed by any contract covered by (i) or (ii), and to effect all kinds of transaction relating to any contracts covered by (i), (ii) or (iii) whether or not the contracts were originally entered into by the University;

- (f) to carry on any business which the University is authorised to carry on and to further the interests of the University by means of, or through the agency of, any body corporate or incorporate, and whether or not a subsidiary within the meaning of such term in the Companies Act 2006, and to make such arrangements as may be considered desirable with a view to supporting the aims, interests or objectives of any body corporate or unincorporate in which the University has an interest by mutual assistance, co-operation or by any other means;
 - (g) to negotiate, enter into and execute all documents, deeds, instruments, agreements, securities, contracts and undertakings of every kind and description whatsoever relating to or incidental to all of the matters set out in paragraphs (a) to (g) inclusive.
- (2) Where money is raised pursuant to the powers of the Universities and College Estates Act, 1925, it may be applied for or towards any of the purposes referred to in the foregoing subsection as well as any of the purposes described in subsection (2) of section 30 of the said Act.
17. (1) The University shall have power to purchase, retain, sell or transfer property, real or personal, and securities (which term includes stocks, funds and shares) of any description whether or not authorised by law for the investment of trust funds, and may also apply moneys to any purpose to which capital moneys arising under the Universities and College Estates Act, 1925, may be applied.
- (2) Save as may be otherwise expressly provided in relation thereto the powers conferred by this Statute shall extend to the investment (including the variation of the investment) of all endowments or other funds, including capital moneys arising under the Universities and College Estates Act, 1925.
- (3) Unless the terms of the trust provide otherwise, any part of the income of a trust fund not expended in any year may at the discretion of the University be applied as income in any subsequent year or be invested and added to the capital of the fund.
- (4) The income of trust funds vested in the University for special purposes shall be applied only for those purposes.

THE SENATE

18. (1) There shall be a Senate of the University consisting of:-
- (a) Ex officio Members, namely:-
 - The Vice-Chancellor;
 - The Deputy Vice-Chancellor;
 - The Pro-Vice-Chancellors;
 - The Heads of Faculties;
 - The Deputy Warden;
 - The Dean of the Graduate School;
 - The Heads of the maintained Colleges and of the recognised Colleges;
 - The Heads of such of the Licensed Halls of Residence as have not less than twenty-five matriculated students in residence;
 - The Heads of Departments (Chairmen of Boards of Studies);
 - The Librarian;
 - The Director of University IT;

(b) Elected Members, namely:-

A number of members equal to one-third of the ex officio membership of the Senate to be nominated and elected by the members of the Academic Electoral Assembly. Eligibility criteria for such members shall be approved by the Senate on the recommendation of the Assembly and recorded in the Standing Orders of the Senate.

(c) Co-opted Members, namely:-

If the Senate so determine, not more than six members to be appointed by co-option.

(d) Three student representatives comprising: the President of the central organisation recognised by the Council for the representation of the students, and two further students as defined in the Standing Orders of the Senate. These student representatives shall attend meetings with the right to speak and to vote except on matters concerning 'reserved area business'. Such areas shall be defined in the Standing Orders of the Senate.

- (2) The appointed members shall hold office for three years and one-third of them shall retire each year.
- (3) The co-opted members shall hold office for two years.
- (4) The Vice-Chancellor, or, in his absence, the Deputy Vice-Chancellor or a Pro-Vice-Chancellor, shall preside at meetings of the Senate. If at any meeting of the Senate the Vice-Chancellor, the Deputy Vice-Chancellor and the Pro-Vice-Chancellors are absent the members of the Senate present shall appoint a Chairman from among themselves.

POWERS OF THE SENATE

19. The Senate shall be the supreme governing body of the University in all academic matters and shall, subject to the powers reserved to the Council by these Statutes, take such measures and act in such manner as shall appear to them best calculated to promote the interests of the University as a place of education, learning and research.
20. The powers of the Senate shall, subject as in these Statutes provided and without prejudice to the generality of the foregoing, include the following:-
 - (1) Subject to the control of the Council in matters of finance, to regulate teaching;
 - (2) To recommend to the Council the establishment of new posts on the academic staff of the University or, if they think fit, to recommend that any vacant post be not filled;
 - (3) To consider the report of any Committee constituted under these Statutes (except Statute 33) for the purpose of appointing a Professor, a Reader, the Librarian or the Heads of maintained Colleges and to communicate that report with an expression of their views thereon to the Council;
 - (4) To recommend to the Council the appointment of Senior Lecturers, Lecturers and other members of the academic staff whose appointment is not provided for elsewhere in these Statutes;
 - (5) To satisfy themselves that the duties and conditions of service of all members of the academic staff are satisfactory;

- (6) To regulate and control the conditions qualifying for matriculation and for admission to the various titles, degrees and other distinctions offered by the University, and, subject to the approval of the Council, the fees to be paid in connection therewith;
- (7) To regulate the admission of persons to courses of study;
- (8) To institute, subject to the approval of the Council, fellowships, scholarships and other aids to study and research;
- (9) To regulate all University examinations and to appoint examiners whether external or internal;
- (10) To supervise the extra-mural work of the University;
- (11) To make recommendations to the Council on any matter of interest to the University;
- (12) To exercise such powers and discharge such duties with regard to the affiliated Colleges as may be prescribed by the terms and conditions on which they are respectively affiliated;
- (13) To provide comment to the Council on the appointment of the Deputy Vice-Chancellor[^] (Statute 7(2)) and any Pro-Vice Chancellors (Statute 7(3));
- (14) To regulate the discipline of the University, and to determine in what manner disciplinary powers shall be exercised;
- (15) To regulate the use of academic dress in the University;
- (16) To take such steps as they think proper for supervising organisations of students, representative of the University;
- (17) To undertake and arrange for the inspection and examination of schools and colleges and, subject to the approval of the Council, to charge fees for such inspection and examination;
- (18) Except where otherwise expressly provided, to appoint representatives of the University on other bodies.

ACADEMIC DISTINCTIONS

21. The Senate may:-

- (1) grant degrees and other academic distinctions to persons who shall have pursued in the University a course of study approved by the Senate, and shall have passed the examinations of the University under the conditions laid down in the regulations of the University;
- (2) grant diplomas, licences or certificates to persons who have pursued a course of study approved by the Senate under conditions laid down by it;
- (3) grant degrees and other qualifications jointly with other higher education institutions having power to grant such qualifications to persons who have pursued a course of study and passed examinations under conditions laid down in regulations approved by the Senate;
- (4) grant honorary degrees, service degrees, the title of Professor Emeritus or other University distinctions;
- (5) accept 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;
- (6) accept courses of study in any other institution which in the opinion of the Senate possesses the means of affording the proper instruction for such courses as equivalent to such courses of study in the University as the Senate may determine.

22. Except as otherwise provided from time to time in the regulations of the University, the period of study necessary to qualify any student for graduation shall be not less than three academic years, all of which shall be subsequent to the date at which the student has matriculated in the University.
23. The Senate may revoke any degree or other distinction conferred by the University, and all privileges connected therewith if the holder shall have been judged by the Senate, after investigation, to have obtained the degree or distinction unfairly as a result of dishonesty, misrepresentation, plagiarism or falsehood.

ACADEMIC ELECTORAL ASSEMBLY

24. (1) There shall be an Academic Electoral Assembly consisting of all members of the academic staff, other than those who are ex officio members of the Senate, together with the Senior Tutor (or one Tutor of equivalent rank) from each of the recognised Colleges or Licensed Halls of Residence.
- (2) The Assembly shall appoint its own Chairman and may appoint a Standing Committee.
- (3) The Assembly shall meet as often as is necessary to nominate members to the appropriate vacancies in the Senate.
- (4) The Chairman may at his discretion hold additional meetings and further meetings shall be called if they are requested in writing by at least twenty members of the Assembly.
- (5) Any matter of interest to the University may be discussed at all meetings of the Assembly held under this Statute and recommendations may be made to such one or more of the Statutory Bodies as the Assembly considers appropriate.

TESTS

25. (1) No religious test shall be required of or imposed upon any teacher appointed by the University and no such test shall be required of or imposed upon any student in the University, provided always that where any condition involving such test has been attached by the founder to a benefaction, the regulations made for the administration of the benefaction shall, as far as possible, give effect to the wishes of the founder.
- (2) All the degrees of the University shall be open to women on the same terms as to men.

FACULTIES

26. An aggregate of areas of academic study in which degrees and other academic qualifications are conferred by the University shall be known as a Faculty.
27. (1) There shall be Heads of such Faculties and other groupings as the Council may determine on the recommendation of the Senate.
- (2) Heads of Faculties shall hold office for such period as the Council may from time to time determine.

- (3) The role and responsibilities of the Officers to which this Statute relates shall be prescribed in the Standing Orders of the Council and of the Senate.
28. (1) The composition and individual membership of each Faculty and other grouping shall be prescribed in the Standing Orders of the Senate and of the Council as shall be the manner of appointment of its Head.
- (2) Each Faculty and other grouping shall have such advisory and other powers and duties as may be conferred upon it by standing order of the Council and/or the Senate as appropriate.

BOARDS OF STUDIES

29. (1) There shall be Boards of Studies in such subjects or combination of subjects as the Council on the recommendation of the Senate shall from time to time determine.
- (2) Each Board of Studies shall be primarily assigned to one Board of Faculty by the Senate.
- (3) Each Board of Studies shall consist of:-
- (a) Ex officio members:-
All the full-time teachers in the Subject concerned;
The Head of the relevant Faculty and such deputies as may be approved by the Vice-Chancellor on the nomination of the Head of Faculty;
- (b) At least two student members;
- (c) Appointed members:-
Such other persons as the appropriate Head of Faculty may from time to time determine.
- (4) After consulting the Senate, the Council shall appoint Heads of Departments (Chairmen of Boards of Studies). Except where otherwise approved by the Council, the Head of Department (Chairman of Board of Studies) shall also be appointed the Budget Officer. The role and responsibilities of the Head of Department (Chairman of the Board of Studies) shall be prescribed in the Standing Orders of the Council and of the Senate.
- (5) The powers of a Board of Studies shall be as follows:-
- (a) To consider any matter relating to the teaching or administration of its own subject and to make recommendations to such one or more of the Statutory Bodies as may be appropriate;
- (b) To carry out such duties as may be assigned to it, separately or jointly with another Board, or other Boards of Studies, by the appropriate Head of Faculty.

CONVOCATION

30. (1) There shall be a Convocation of the University consisting of the Chancellor, the Vice-Chancellor, the Deputy Vice-Chancellor, the Pro-Vice-Chancellors and all persons hereafter registered as members of Convocation.
- (2) A register of members of Convocation shall be kept by the Registrar and, subject to the payment of such fees as may be prescribed by the Council, the following shall be entitled to be registered as members of Convocation:-
- (a) all graduates of the University;
- (b) all Heads of maintained Colleges, recognised Colleges and Licensed Halls of Residence;

- (c) all Professors, Readers, Senior Lecturers and Lecturers together with such other members of the academic staff as shall be appointed by the Council on the recommendation of the Senate;
 - (d) such other officers of the University and of the recognised Colleges and Licensed Halls of Residence as shall be appointed by the Council on the recommendation of the Senate.
- (3) Convocation shall hold at least one ordinary meeting in each year. The Vice-Chancellor may at any time at his discretion, and shall upon the requisition in writing of not less than fifty members of Convocation stating the purpose for which the meeting is to be called, summon an extraordinary meeting of Convocation.
 - (4) The quorum of Convocation for the despatch of business shall be twenty members, and if after the expiration of half an hour from the time for which a meeting is summoned, a quorum has not been formed the meeting shall be dissolved.
 - (5) Notice of meetings of Convocation shall be given by public notice in Durham and in Stockton-on-Tees and by such other means, including communication to the press, as the Vice-Chancellor and Warden may direct.
 - (6) Convocation may discuss, and, if they think fit, make representations on any matter whatsoever relating to the University.
 - (7) Convocation shall appoint the Chancellor on the nomination of the Council and the Senate sitting in joint session.
 - (8) All questions in Convocation shall be determined by the votes of the majority of the members present and voting.

CONGREGATIONS

31. Congregations of the University for the conferring of degrees or other academic purposes shall be held in a manner to be prescribed by the Senate and shall be presided over by the Chancellor or, in his absence, by the Vice-Chancellor, the Deputy Vice-Chancellor or by one of the Pro-Vice-Chancellors.

MEETINGS OF THE ACADEMIC STAFF

32. (1) The Vice-Chancellor may call meetings of all members of the academic staff. The Vice-Chancellor shall call and attend such a meeting if requested in writing by at least one hundred members of the academic staff.
- (2) Any matter of interest to the University may be discussed at all meetings of the academic staff held under this Statute, and their representations shall be forwarded to such one or more of the Statutory Bodies as the meeting considers appropriate.

THE APPOINTMENT AND RETIREMENT OF OFFICERS AND STAFF OF THE UNIVERSITY

- 33 (1) This Statute shall apply to all members of the University staff.

- (2) In relation to the staff referred to in paragraph 1, Council shall ensure that there are in place procedures for the recruitment and selection of such staff.
Such procedures shall be set out in Regulations.
- (3) In determining the procedures to be adopted under paragraph 2, Council shall apply the following guiding principles:
- (a) recruitment and selection shall take place in accordance with the University's Equal Opportunities and Recruitment Policies;
 - (b) there shall be an accountable officer responsible for the conduct of each assessment process.
 - (c) selection shall be based on merit and ability to do the job.
 - (d) those involved in the assessment process shall be determined with due regard to diversity and the experience and knowledge of the subject or work involved.
 - (e) those involved in appointment decisions must be able to demonstrate they have the necessary skills and experience regarding recruitment & selection.
 - (f) there shall be external assessment for the most senior positions.
 - (g) members of the University may not unfairly seek to influence the outcome of shortlisting or selection. Where members of staff have been involved in assisting with shortlisting or selection, they may not then put themselves forward for consideration.
- (4) Any Regulation made under this section shall be construed in every case to give effect to the guiding principles in paragraph 3.
- 34 (1) There shall be one or more Canon Professors, the number to be determined by the appropriate authorities.
- (2) Such Canon Professors shall be appointed by the Lord Bishop of Durham on the recommendation of the Board of Electors as hereinafter constituted. Nothing in this provision shall restrict the power of the Lord Bishop of Durham to refuse to accept for appointment any candidate recommended by the Board of Electors.
- (3) In the event of a vacancy or impending vacancy the Board of Electors shall be constituted to make recommendations as to the appointment.
- (4) The Board of Electors shall consist of the Vice-Chancellor in the chair, the Pro-Vice-Chancellor (Head of Faculty), two members appointed by the Dean and Chapter of Durham, one member appointed by the Council and one member appointed by the Senate.
If they so decide the Board of Electors may co-opt one external assessor.
- (5) Canon Professors may retire in accordance with the Constitution and Statutes of the Cathedral in force at the time of retirement, subject to the University's Retirement Policy and Procedures.

UNIVERSITY STAFF

35. (1) This Statute shall apply to all staff employed by the University.
- (2) Council shall ensure that in respect of all staff (other than the Vice-Chancellor, in respect of whom separate provision is made) there are in place procedures for:
- (a) the handling of disciplinary cases, including the dismissal of such members of staff by reason of misconduct and for appeals against disciplinary action;

- (b) the dismissal of such members of staff by reason of redundancy and appeals against such dismissals;
- (c) the dismissal of such members of staff (following confirmation in post after his or her probationary period) by reason of unsatisfactory performance and appeals against such dismissals;
- (d) the dismissal of such members of staff on the grounds of ill health or medical incapacity and appeals against such dismissals;
- (e) the review of performance and progress of such staff during any probationary period to which the appointment or employment is subject, and for the dismissal of such staff during or at the end of their probationary period in the event of unsatisfactory progress or performance;
- (f) the dismissal of such members of staff for any reason other than the reasons specified in subparagraphs (a) – (e) above;
- (g) the removal of staff from any role that is not defined within a member of staff's substantive contract of employment by reason of unsatisfactory performance or misconduct and appeals against such removal;
- (h) the handling of grievances raised by members of staff.

Such procedures shall be set out in regulations.

- (3) In determining the procedures to be adopted under paragraph 2, Council shall apply the following guiding principles:
 - (a) to ensure that academic staff have freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their jobs or privileges;
 - (b) to enable the university to deliver the University's mission and associated activities efficiently and economically;
 - (c) to apply the principles of justice and fairness;
 - (d) to apply procedures so that complaints may be resolved at as early a stage as possible and within a reasonable timescale;
 - (e) to allow members of staff to be accompanied at all stages of procedures by a Durham University work colleague or recognised trade union representative;
 - (f) to allow provision for the right of appeal in all procedures. In keeping with the principle in (3) (a) appeals against the dismissal of a member of academic staff should be heard by a panel which includes members of Council not employed by the University.
- (4) For the purposes of this Statute academic staff shall include any employee of the University who is employed to engage directly in, or carry out, teaching or academic research.
- (5) Any Regulation made under this section shall be construed in every case to give effect to the guiding principles in paragraph 3.
- (6) For the avoidance of doubt, any procedure adopted by 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, on or before 19 November 1987, and who has not been promoted after that date.

THE LIBRARIES OF THE UNIVERSITY

36. (1) The charity known as "Bishop Cosin's Library" founded by Charter dated the 20th September, 1669, and the charity known as the "Maltby Library" consisting of the books, maps, engravings, prints and other pictures given or bequeathed by the Right Reverend Edward Maltby, Lord Bishop of Durham and of an endowment settled by an indenture dated the 16th January, 1855, together with their respective endowments shall be managed and administered by the University and the scheme of the Charity Commissioners dated the 2nd December, 1913, affecting Bishop Cosin's Library so far as the same is still subsisting shall be deemed to be amended accordingly.
- (2) Bishop Cosin's Library and Maltby Library and the Library maintained by the University shall in future constitute one Library but so that the income from the endowments of Bishop Cosin's Library and of Maltby Library shall respectively be applied for the purposes of those Libraries.
- (3) The provisions contained in clauses 17 and 19 of the said scheme, subject to necessary modifications (which clauses as so modified are set out in the appendix to these Statutes), shall remain in force. Save as aforesaid the said scheme is of no effect.

STUDENTS' UNION

37. (1) There shall be a Students' Union of which all students may be members. It shall represent and promote the general interests of the generality of students of the University;
- (2) The Students' Union will act in accordance with its Constitution as approved by the Council of the University.

JUNIOR COMMON ROOMS

38. (1) In each College maintained or recognised by the University there shall be a Junior Common Room or equivalent body. Each Junior Common Room or equivalent body shall represent the views of their students on College matters to that College and to other relevant staff and bodies within the University.
- (2) Each Junior Common Room or equivalent body shall conduct its affairs in accordance with either:
- a constitution, approved by the Council of the University or by the governing body of the Recognised College, which establishes that Junior Common Room or equivalent body as an independent body under relevant charity law, provided that any such powers do not infringe any powers accorded to other constitutions named in these Statutes.
- or, a student organisation framework approved by the Council of the University.

AFFILIATED COLLEGES

39. The Council, on the recommendation of Senate, may recognise as an Affiliated College of the University any College or institution on conditions prescribed by the General Regulations of the University.

JOINT ACTIVITIES

40. The University shall, subject to the provisions of these Statutes, have the power to co-operate by means of Joint Boards or otherwise with the University of Newcastle upon Tyne, or any other University or other higher education institution, for the extension of University teaching and influence in academic matters, and for such other purposes as the Council may from time to time determine.

PROCEDURE

41. (1) The following provisions shall save and except when other provision is expressly made in these Statutes apply to the Statutory Bodies and each of them:
- (a) Any appointed member and the Chairman (other than an ex officio Chairman) may resign his office. Any appointed member and the Chairman (other than an ex officio Chairman) shall #except as otherwise provided in the Standing Orders of the Council and the Senate be eligible for reappointment. An appointed member need not be a member of the body which appoints him;
 - (b) Any appointed member who is required by these Statutes to possess any qualification shall vacate office if he ceases to possess that qualification;
 - (c) There shall be a quorum at any meeting of any of the Statutory Bodies when ten members or not less than one-third of the members whichever may be the less are present. Every matter shall be determined by the majority of the members present and voting on the question. In case of equality of votes, the Chairman or other presiding officer shall have a second or casting vote;
 - (d) The Statutory Bodies may determine the time and place of their meetings and the procedure to be followed thereat;
 - (e) A member of any of the Statutory Bodies who is appointed to fill a casual vacancy shall hold office only for the unexpired term of office of the member in whose place he is appointed;
 - (f) The Statutory Bodies may appoint such and so many committees consisting either wholly or partly of members of the body as they may respectively think fit; and the provisions of this Statute shall apply to any Committee of any of the Statutory Bodies;
 - (g) The term of office of the members of any of the Statutory Bodies constituted by these Statutes first appointed shall be reckoned from the appointed day and of any subsequent member other than a member appointed to fill a casual vacancy from the date when his predecessor vacated office;
 - (h) The Statutory Bodies may make regulations for the purpose of the exercise of any of their powers or the performance of any of their duties; provided that no such regulation shall be repugnant to law or to the Statutes of the University;
 - (i) The proceedings of the Statutory Bodies shall not be invalidated by any vacancy in their number or by any defect in the appointment or qualifications of the members.

- (2) Any person appointed to an office under these Statutes shall except as otherwise provided in these Statutes be eligible for reappointment.

AMENDMENT OF STATUTES

42. (1) The Council may, after consultation with the Senate, make Statutes altering, adding to or repealing any of these Statutes (except this Statute).
- (2) No Statute or part of a Statute made under this Statute shall have effect until it has been approved by Her Majesty in Council.
- (3) Notwithstanding anything contained in the Statutory Instruments Act, 1946, the provisions of that Act shall not apply to an Order in Council or other document approving a Statute or part of a Statute made under this Statute.

SAVING FOR TEMPORARY PROVISIONS

43. These Statutes take effect as from the appointed day subject to the temporary provisions set out in the Second Schedule to the Act.

APPENDIX

BISHOP COSIN'S LIBRARY

17. The Library - The Library of Books shall be a public library which shall be open to all residents in the counties of Durham and Northumberland and to other persons provided that the University may from time to time make suitable rules for the regulation of the access to and user of the Library and the conduct of all persons resorting thereto.
18. User of Library Hall or Building - Subject to the exercise of the rights of access to and user of the Library Hall conferred by these provisions:
- (a) the right of using the said Hall daily before 1 o'clock pm for purposes in connection with the University shall be vested in the University, save that the Lord Bishop of Durham shall be entitled to use the said Hall for not more than 12 days in each year for Ordination Examinations, and on one day in the year for a meeting in connection with the Society called "The Corporation of the Sons of the Clergy";
- (b) the right of using the said Hall daily after 1 o'clock pm shall be vested in the Lord Bishop of Durham, save that the University shall be entitled to reserve the use of the said Hall for the holding therein of the University Convocation on such afternoons as may be agreed upon between the University and the Lord Bishop of Durham;
- (c) by mutual arrangement the said Hall may from time to time be used by the Lord Bishop of Durham before 1 o'clock pm and by the University after 1 o'clock as occasion may require.