



At the Council Chamber, Whitehall

THE 22nd DAY OF MAY 2015

BY THE LORDS OF HER MAJESTY'S MOST HONOURABLE
PRIVY COUNCIL

The Privy Council has approved the amendments to the Statutes of Brunel University London as set out in the Schedule to this Order.



Richard Wilson

SCHEDULE

AMENDMENTS TO THE STATUTES OF BRUNEL UNIVERSITY LONDON

Delete Statutes 1 to 5 and *substitute*:

“The Statutes

STATUTE 1 – INTERPRETATION

1. In these Statutes:

- 1.1 “Academic Staff” means all persons holding the academic status of Professor, Reader, Senior Lecturer, Lecturer or equivalent within an established permanent role, following confirmation in post after the satisfactory completion of the established academic probationary period, where stated.
- 1.2 “University” means Brunel University London.
- 1.3 “Charter” means the Supplemental Charter of the University.
- 1.4 “Council” means the Council of the University.
- 1.5 “Senate” means the Senate of the University.

- 1.6 "Ordinances" means statements in writing published by the Council relating to matters referred to in the Charter or the Statutes or relating to the work of the University.
- 1.7 "Policies and Procedures" written policies and procedures first approved by Council under Statute 2 paragraph 4.1 and subsequently as revised, amended or replaced by Council from time to time in accordance with Statute 2 paragraphs 4.2 and 4.3.
- 1.8 "Regulations" means statements in writing published by the Senate governing the academic work of the University.
- 1.9 Meanings shall be interpreted in such manner as not to conflict with the Charter.

STATUTE 2 - ACADEMIC STAFF

1. This Statute shall apply to all Academic Staff.
2. This Statute shall override any provision in any contract, term or condition of employment which is inconsistent with this Statute, whether dated before or after the commencement of this Statute.
3. **General Principles of Construction and Application**
 - 3.1 This Statute 2 and any Policies and Procedures made under it shall be applied and construed in every case as having regard to the following principles:
 - 3.1.1 to ensure that Academic Staff have freedom within the law to question and test established ideas and received wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their jobs or privileges;
 - 3.1.2 to apply the principles of justice and fairness;
 - 3.1.3 to enable the University to deliver its mission and associated activities efficiently and economically; and
 - 3.1.4 to apply procedures so that matters may be resolved at as early a stage as possible and within a reasonable timescale.
4. **Policies and Procedures**
 - 4.1 The Council shall ensure, in respect of all Academic Staff (other than the Vice-Chancellor and President for whom there shall be separate provision), that

University Policies and Procedures are established that cover the following areas of employment, and which shall, where appropriate, include an appeals process:

- 4.1.1 Grievance;
 - 4.1.2 Discipline;
 - 4.1.3 Capability;
 - 4.1.4 Ill health incapacity dismissal;
 - 4.1.5 Redundancy; and
 - 4.1.6 Suspension.
- 4.2 The Council shall ensure that all Policies and Procedures approved in accordance with this Statute 2 shall at all times be compliant with any requirement contained in employment legislation which is in force at the time. In the event that any such policy or procedure is not so compliant, the relevant employment legislation shall prevail.
- 4.3 The Policies and Procedures established by Council under paragraph 4.1 above may be revised, amended or replaced by Council subject to prior agreement with the relevant recognised Trade Union for Academic Staff.
5. **Redundancy**
- 5.1 A redundancy committee shall be established to hear a case for redundancy of a member of Academic Staff. It shall operate in accordance with the relevant Policies and Procedures and shall consist of at least five members including an independent chair, two members of Council (not being persons employed by the University) and two members of Academic Staff nominated by the Senate who are not also subject to that particular redundancy process.
- 5.2 For the avoidance of doubt, any procedure adopted by Council for the dismissal of Academic Staff by reason of redundancy shall not prejudice, alter or affect any rights, powers or duties of the University in respect of, or apply to, any 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. For the purpose of this clause, a reference to an appointment made or a contract entered into on or after that date shall be construed in accordance with sub-sections (3) to (6) of section 204 of the Education Reform Act.

6. Appeals

- 6.1 In the case of an appeal against the dismissal of a member of Academic Staff for reasons other than redundancy, an Appeal Panel shall be established and shall consist of at least three members, including a chair being a member of Council not being a person employed by the University; at least one other member of Council not being a person employed by the University; and at least one member of the Academic Staff nominated by the Senate.
- 6.2 In the case of dismissal for reasons of ill health incapacity, appropriate medical advice/opinion shall be provided to the dismissal panel and any appeal panel.

STATUTE 3 - PROVISION AS TO THE VICE-CHANCELLOR AND PRINCIPAL

The provisions for the removal of the Vice-Chancellor and President from office will be as determined in Ordinances.

STATUTE 4 - REMOVAL OF OTHER STAFF

All members of staff other than Academic Staff may be removed by the Vice-Chancellor and President in accordance with the terms and conditions of their appointment.

STATUTE 5 – AMENDMENT OR REVOCATION OF STATUTES

These Statutes may be amended or repealed in accordance with the provisions of the Charter.”.