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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.

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!

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:

We have taken the said Petition into Our Royal Consideration and are minded to accede thereto:

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 o

(f)

- (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)

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.

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

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

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

REVISED STATUTES OF THE UNIVERSITY OF LANCASTER

In these Statutes:-

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.

(a)

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

(b)

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.

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.

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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.

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.

13.1 [moved to Ordinances 2007]

14.1 [moved to Ordinances 2016]

15.1 [moved to Ordinances 2016]

16.1 [moved to Ordinances 2016]

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.

17.1 [moved to Ordinances 2007]

18.1 [deleted]

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.

20.1 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).

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(1)

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)

5B.2

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

- 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 -841.8 re4 84r-9W* nBTh.

- 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.
- 9.1 [deleted 2010]

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.

11.1 [deleted 2017]

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

13.1 [deleted 2018]

14.1 [deleted 2011]

- 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

- 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 days 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.

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.'

'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.

17.2.11 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

17.3.1 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.

18.1 The Senate shall determine the constitution, powers, duties and membership of the Colleges provided that each employee of an ~~NYE~~ ~~RYE~~ ~~TYE~~ ~~Q/A7~~ ~~of S&J~~ ~~6A8~~ ~~(re)144pS8.02 5~~

