



**Trinity College Dublin**  
Coláiste na Tríonóide, Baile Átha Cliath  
The University of Dublin

The  
**2010 Consolidated Statutes**  
of  
**Trinity College Dublin**  
and of  
**the University of Dublin**

*including updates to 12 September 2018*



## Table of Contents

<b>Division - Preliminary</b>	<b>5</b>
Preface	5
Preamble	7
<b>Division - General</b>	<b>8</b>
Introduction	8
<i>Schedule 1 on Declarations</i>	20
<i>Schedule 2 on Electorate and Register</i>	30
<i>Table on the Academic Year Structure</i>	33
Visitors	34
<b>Division - College</b>	<b>39</b>
College	39
<i>Schedule 1 on Degrees and other academic qualifications awarded by College</i>	42
Body Corporate	43
<i>Schedule 1 on the Procedures for taking the Assents of the Members of the Body Corporate to Amendments to the Constitution of the Body Corporate</i>	44
Provost	46
<i>Schedule 1 on the Process by which the Provost is chosen by College</i>	55
Fellows	58
<i>Schedule 1 on the Announcement of Election to Fellowship and Scholarship</i>	66
<i>Schedule 2 on the Procedures for taking the Assents of the Fellows to the Chapters of the Statutes</i>	67
<i>Schedule 3 on the Procedures for taking the Assents of the Fellows to the Election of New Fellows</i>	69
<i>Schedule 4 on the Procedures for taking the Assents of the Fellows to the Termination of an Honorary Fellowship</i>	70
Scholars	71
<b>Division - Governance</b>	<b>74</b>
Board	74
<i>Schedule 1 on Elections to Board</i>	82
<i>Schedule 2 on Standing Orders</i>	88
<i>Schedule 3 on External Relations</i>	97

<i>Schedule 4 on Reserved Business</i>	98
Officers	102
<i>Schedule 1 on Detailed Provisions relating to Officers</i>	108
Committees	111
<i>Schedule 1 on Finance Committee</i>	114
<i>Schedule 2 on Detailed Provisions Relating to Committees</i>	117
Units	132
<i>Schedule 1 on Units</i>	133
<i>Schedule 2 on Deans, Heads and other Office-holders</i>	134
<i>Schedule 3 on Committees of Academic Units</i>	148
<i>Table on Student Representatives</i>	155
<b>Division - University</b>	<b>158</b>
University	158
<i>Schedule 1 on Degrees awarded by the University</i>	162
<i>Table on Degrees</i>	163
Senate	168
<i>Schedule 1 on the Membership of Senate</i>	171
<i>Schedule 2 on Procedures at Public Commencements</i>	172
Chancellor	180
<i>Schedule 1 on the Nomination and Election of the Chancellor and Pro-Chancellors</i>	183
Council	186
<i>Schedule 1 on Elections to Council</i>	190
<i>Schedule 2 on Standing Orders</i>	196
<i>Schedule 3 on Academic Appeals</i>	203
<b>Division - Staff</b>	<b>205</b>
Professors	205
<i>Schedule 1 on Established Chairs</i>	206
Academic Staff	210
<i>Schedule 1 on Titles</i>	213
<i>Table on Academic Titles</i>	216
<i>Schedule 2 on Principles of Academic Freedom</i>	217
Administrative, Technical and Support Staff	219
<b>Division - Community</b>	<b>220</b>

College Community	220
<i>Schedule 1 on College Chapel</i>	223
<i>Schedule 2 on Order of Precedence</i>	224
<i>Schedule 3 on Academic Dress</i>	225
<i>Schedule 4 on Treasures and Heritage</i>	227
<i>Schedule 5 on Administration and Services</i>	228
Students	229
Wider Community	233
<b>Division - Conduct</b>	<b>235</b>
Academic Staff Conduct	235
<i>Schedule 1 on grievance and disciplinary issues relating to members of the academic staff</i>	246
Administrative, Technical and Support Staff Conduct	254
<i>Schedule 1 on grievance and disciplinary issues relating to members of the technical, administrative and support staff</i>	257
<i>Schedule 2 containing the "Recognition and Procedure Agreement between the University of Dublin, Trinity College and Services Industrial Professional Technical Union"</i>	264
<i>Schedule 3 containing the "Recognition and Procedure Agreement between the University of Dublin, Trinity College and Unite (Formally AMICUS &amp; MSF)"</i>	276
Student Conduct and Capacity	291
<i>Schedule 1 on Committee on Student Conduct and Capacity</i>	293
<i>Schedule 2 on Discipline</i>	302
<i>Schedule 3 on Mental Health</i>	314
<i>Schedule 4 on Fitness to Study</i>	316
<i>Schedule 5 on Fitness to Practise</i>	317
<b>Appendices</b>	<b>320</b>
Appendix 1 - Divinity School Council	320
Appendix 2 - Selected Legislation	328
Assents and Approvals	329

## Division - Preliminary

### Preface

These Statutes constitute the basic law of the College and University. When the Charter of Elizabeth, dated 3 March 1592, founded Trinity College Dublin as the mother of a University, it afforded College the power to adopt and amend Statutes to regulate its internal affairs:

In addition we grant and give licence to the Provost and Fellows of that College that they may from time to time for ever make, constitute and confirm laws, statutes and ordinances for governing their College piously and faithfully, and that they may establish among themselves whatsoever laws they consider well constituted in our Academies of Cambridge or Oxford, as they shall judge them apt and fitted to themselves.

Advantage was taken of this power almost immediately; and it was thereafter exercised with enthusiasm, if not always with ability. The earliest surviving complete set of Statutes was prepared by William Bedell, Provost of the College, in 1629. However, the Charter of Charles I, dated 25 May 1637, repealed the Statutes then in force, and accompanying Letters Patent replaced them with a more comprehensive code prepared by William Laud, Chancellor of the University. Moreover, it remitted the power to amend them to the Crown, and it was not to return to College until the Letters Patent of George V, dated 24 May 1911.

The Charters and Letters Patent, as royal acts, have force of law equivalent to that of legislation, and can now only be amended by Act of the Oireachtas. Indeed, to the extent that they have not been repealed, they continue to have full force and effect. They therefore stand superior to the present Statutes; no Statute which is inconsistent with them has any validity; nor can the Statutes in any way alter or amend the Charters or Letters Patent.

In the long interregnum between 1637 and 1911, amendment to the Statutes could only be achieved by Letters Patent (occasionally called Royal Letters) promulgated by the Crown. These were issued usually at the request of College, but sometimes on the initiative of the Crown. In all, 35 Letters Patent were promulgated, some directed to amending a single Statute, others with more comprehensive scope.

The Statutes have always governed the significant aspects of the life of the College and University. Statutes of the early 17th century provided in detail for the curriculum; but in the 18th century they increasingly attended to matters of employment and residence; and in the 19th century they concentrated upon formal matters of governance. Constant throughout are the rights and duties of the Provost, Fellows and Scholars. Together, they constituted the Body Corporate of the College as originally defined in the Charter of 1592 ("one body corporate and politic, for and in perpetuity incorporated and erected"); and the annual election of new Fellows and Scholars is by tradition made and announced on Trinity Monday. However, the Body Corporate was amended by the Charter of 1637, the Letters Patent of 1911, and the Trinity College, Dublin (Charters and Letters Patent Amendment) Act, 2000, so that it now also includes members of Board who are not in one of the three nominate categories. Moreover, the

composition of the Body Corporate of the College can be amended only by legislation and not by the Statutes.

The major constitutional changes effected by the Letters Patent of Victoria, dated 24 July 1857, through to the Letters Patent of 1911, confirmed Senate as a body of great dignity but little power, established Council as responsible for the academic affairs of the University, and vested in Board the government of all the greater affairs of College. This settlement provided the foundations for the institutional arrangements of the College and University during the 20th century. As that century gave way to a new one, the Universities Act, 1997 refashioned Ireland's universities, and the Act of 2000 amended the Charters and Letters Patent to revise the composition of the Body Corporate and of the Board.

The Letters Patent of 1911 returned to the College the right to amend the Statutes, pursuant to an Ordinance proposed by Board which receives the Assent of a majority of the Fellows and the Approval of both of the Visitors. More than 300 years of Charters and Letters Patent were organised into the Consolidated Statutes of 1926; and these, in turn, were revised by the Consolidated Statutes of 1966. Thereafter, the frequency of statutory amendment, the pace of developments in the College and University, and the Acts of 1997 and 2000 all combined to make further consolidation desirable. The Chapters of the present Restatement were completed in 2010, and the Schedules were completed in 2016. They are now kept under regular review, and are revised when necessary, so that the basic law of the College and University can properly and appropriately support and organise the College, protect the welfare and order of its Community, and advance its mission and objects.

[Back to Table of Contents](#)

## Preamble

Recalling that, by Charter in 1592, its Founder established a College, mother of a University, near the city of Dublin, for the better education, training and instruction of scholars and students, Trinity College Dublin builds upon its centuries-old traditions of scholarship and learning to confirm its standing as one of the great universities of the world.

And whereas it is deemed to be necessary and expedient that in exercise of the power vested in Board by the Letters Patent of 1911, the Consolidated Statutes of the College and University should again be revised,

And whereas the College:

Ad percipiendam colendamque virtutem adiuvat,<sup>1</sup>

Sustains a scholarly community where knowledge, learning, imagination and originality prosper,

Promotes these virtues in public debate and discourse,

Safeguards with especial vigilance its independence and autonomy,

Upholds the principle of academic participation in its governance,

Affirms its rights and responsibilities to preserve and promote academic freedom, tenure and freedom of expression,

Recognises the corresponding commitment of its members to pursue with integrity the highest standards in teaching and learning, and in research and scholarship,

Endeavours to support them in this pursuit,

Rewards academic achievement, as by annually electing Fellows and Scholars,

Respects its traditions and heritage,

Embraces the principles of liberty, equality, equity and justice,

Attends in particular to the intellectual growth and development of its students,

Fosters a collegial and pluralist environment in which all of its members can flourish to their full potential,

Takes pride in the contributions of its members to the civic and cultural life of Dublin, Ireland and the world, and

Avows gurb í an fhiafraí doras an fheasa,<sup>2</sup>

And whereas these values and aspirations inform and underpin the interpretation and application of these restated Statutes, which support and organise the College, protect the welfare and order of its Community, and advance its mission and objects,

Now it is hereby ordained by the Board of Trinity College Dublin, with the written Assent of a majority of the Fellows, and the Approval of the Visitors, as follows:

[Back to Table of Contents](#)

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<sup>1</sup> Translation: "Encourages the cultivation and practice of excellence"; (after Cicero).

<sup>2</sup> Translation: "that enquiry is the door to wisdom"; (after Gofraidh Fionn Ó Dálaigh).

## Division - General

### Introduction

#### *Part 1 - General*

- |               |    |   |
|---------------|----|---|
| Citation      | 1. | (1) The Statutes<br>(a) shall be known either as "The 2010 Consolidated Statutes of Trinity College Dublin and of the University of Dublin" or as "Reachtanna Comhdhlúite 2010 do Choláiste na Tríonóide Baile Átha Cliath agus d'Ollscoil Átha Cliath",<br>(b) may be cited either as "the Consolidated Statutes, 2010" or as "Reachtanna Comhdhlúite, 2010", and<br>(c) are hereinafter referred to either as "the Statutes" or as "na Reachtanna".   |
| Appointed Day | 2. | (1) The unrepealed portions of the Charters of 1592 and 1637 and of the Letters Patent of 1637-1911 continue to have full force and effect.<br>(2) The provisions of the 1966 Consolidated Statutes of Trinity College, Dublin and of the University of Dublin (hereinafter referred to as "the 1966 Statutes") set out in Appendix 1 are not repealed by the Statutes and shall continue to have full force and effect, but only in so far as they relate to the Divinity School Council, and no further.<br>(3) Except as aforesaid, the provisions of the 1966 Statutes and of all previous Statutes shall be repealed on the appointed day.<br>(4) The Statutes shall have full force and effect as and from the Appointed Day.<br>(5) The Appointed Day shall be 31 <sup>st</sup> August 2010.                 |
| Transition    | 3. | (1) The Statutes shall have prospective effect only.<br>(2) Nothing in the Statutes shall adversely affect any right, power, privilege or entitlement of a member of the Community which had accrued or vested under or pursuant to the 1966 Statutes or previous Statutes, unless agreed to in writing by that member.<br>(3) References in the unrepealed portions of the Charters, Letters Patent or the 1966 Statutes to an office or body shall, where necessary or appropriate, be construed as a reference either to the successor to that office or body or to an officer or body exercising equivalent functions, as the case may be.<br>(4) For the avoidance of doubt, in the case of offices or committees provided for in the 1966 Statutes, the holders of such offices or members of such committees |



- appointed or elected pursuant to the 1966 Statutes shall, after the Appointed Day, occupy the equivalent office or committee provided for in the Statutes.
- (5) All lawfully made regulations in force immediately prior to the Appointed Day shall continue to have full force and effect unless and until they are lawfully amended or repealed.
- (6) The validity of matters in train pursuant to the 1966 Statutes shall not be called into question by virtue only of the coming into force of the Statutes.
- Amendment 4. (1) Pursuant to the Letters Patent of 1911, Board shall have power to amend, alter, add to, or repeal the Chapters of the Statutes by an Ordinance, provided that such Ordinance shall have:
- (a) the Assent of a majority of the Fellows, pursuant to the Chapter on the Fellows, and
- (b) the Approval of the Visitors, pursuant to the Chapter on the Visitors.
- (2) (a) An Ordinance shall come into force immediately upon being approved by the Visitors.
- (b) Notwithstanding anything in paragraph (a), if an Ordinance specifies a date on which it is to come into force, and if it has received the Assent of the Visitors before that date, then it shall come into effect on the specified date.
- Limitations 5. (1) No Ordinance shall alter or affect the constitution or powers of the Divinity School Council.
- (2) No Ordinance shall alter or affect the constitution of the Body Corporate of the College, unless pursuant to the procedure in the Chapter on the Body Corporate.
- (3) Board shall not seek the Assent of the Fellows for any Ordinance regarding the academic affairs of the University unless and until it has received the consent of Council.
- (4) Board shall not seek the Assent of the Fellows for any Ordinance regarding the conferring of degrees unless and until it has received the consent of Senate.
- (5) Board shall not seek the Assent of the Fellows for any Ordinance regarding Annual Statutory Officers unless and until it has afforded the affected Officers the opportunity to make representations at Board.
- Decrees 6. (1) A Decree enacted pursuant to the Chapter on Board shall come into force immediately upon being approved by the Visitors.
- (2) Board may, by Decree, correct in the text of the Chapters of the Statutes obvious errors
- (a) of a typographical or clerical nature,

- (b) arising from any accidental slip or omission, or  
(c) giving rise to inaccurate cross-references.
- Maintenance Of Statutes 7. (1) The Registrar, assisted by the Secretary, shall be responsible for the maintenance and review of the Statutes.
- Declarations 8. (1) Where the Statutes require a Declaration, it shall be made according to the appropriate formula in Schedule 1; and a reference in the Statutes to the Schedule on Declarations is a reference to Schedule 1.  
(2) The person making the Declaration may choose to use the English, Latin or Irish version provided.
- Academic Year 9. (1) The Academic Year shall begin on the last Monday in August.  
(2) There shall be three Terms in the Academic Year, namely:  
(a) Michaelmas Term, which shall begin on the last Monday in August, and shall continue for sixteen weeks thereafter;  
(b) Hilary Term, which shall begin on the first Monday after four weeks following the end of Michaelmas Term, and shall continue for fourteen weeks thereafter; and  
(c) Trinity Term, which shall begin on the Monday following the end of Hilary Term, and shall continue for six weeks thereafter.  
(3) There shall also be two Sessions, namely:  
(a) the Winter Session, between the end of Michaelmas Term and the beginning of Hilary Term; and  
(b) the Summer Session, between the end of Trinity Term and the beginning of Michaelmas Term.  
(4) Research is conducted on an ongoing basis throughout the year; but, except as otherwise provided in these Statutes or approved by Board, other formal academic engagements normally occur during the days of the three Terms of the Academic Year.  
(5) In particular, undergraduate teaching is normally undertaken in Michaelmas and Hilary Terms.  
(6) Scholarship Examinations may be held during the Winter Session, and Supplemental Examinations may be held during the Summer Session.  
(7) (a) Council and Board shall, from time to time, prescribe the Academic Year Structure, including formal academic engagements, in respect of a subsequent academic year or years.  
(b) The Table on the Academic Year Structure shall be updated annually by Council and Board.  
(8) For the avoidance of doubt, and except in the context

of examinations held as prescribed by Council and Board pursuant to subsection (7), the definition of "day" in section 17(1) of this Chapter applies to this section.

- Calendar                    10.    (1) A College Calendar shall be made available annually, which shall
- (a) give further effect to the provisions of the Statutes,
  - (b) set out the official Almanack of College,
  - (c) include other relevant decisions of Board or Council or both,
  - (d) list such societies, clubs, and publications as may be recognised by Board, and
  - (e) detail such other material as Board or Council or both may determine.

*Part 2 - Application and Interpretation*

- Application                11.    (1) This Chapter applies to the interpretation of all Chapters of the Statutes and all attendant Schedules.
- (2) None of the following shall either be taken to be part of the Statutes or be determinative in relation to their construction or interpretation:
- (a) the Preface and Preamble,
  - (b) a shoulder note placed at the beginning of, or a marginal note placed at the side of, or a footnote to, a section or other provision to indicate the subject, contents or effect of the section or provision;
  - (c) a heading or cross-line placed in or at the head of or at the beginning of a Division, Chapter, Schedule, Part, section, sub-section, paragraph, sub-paragraph, or other provision or group of sections or provisions to indicate the subject, contents or effect of the Division, Chapter, Schedule, Part, section, sub-section, paragraph, sub-paragraph, provision or group.
- (3) Disputes over the interpretation or application of the Statutes or any provision thereof shall be decided pursuant to the Chapter on the Visitors.
- Compatibility              12.    (1) No body or committee whatsoever in the College or University shall perform any act or take any decision that is in any way incompatible with the Principal Enactments or the Statutes or any provision thereof.
- (2) In particular, no Decree or Schedule shall be enacted that is in any way incompatible with the Principal Enactments, or the Chapters of the Statutes, or any provision thereof.

- (3) Any Decree or Schedule, act or decision that is incompatible with the Principal Enactments, or the Chapters of the Statutes, or any provision thereof shall, to the extent of that incompatibility, have no force or effect whatsoever; and any act or decision that is incompatible with the Schedules, or any provision thereof shall, to the extent of the incompatibility, have no force or effect whatsoever.
- (4) If a Decree or Schedule or any provision thereof is reasonably capable of an interpretation that is compatible with the Principal Enactments and the Chapters of the Statutes, then it shall be given that interpretation; and if any act or decision of any body or committee whatsoever in the College or University is reasonably capable of an interpretation that is compatible with the Principal Enactments and the Statutes, then it shall be given that interpretation.

Schedules

- 13. (1) Schedules shall be used to implement and administer the Chapters of the Statutes, and may thus provide further detailed provisions for their application.
- (2) Except where the contrary intention appears or the context otherwise requires, Board may make regulations to amend, alter, add to, or repeal the Schedules.
- (3) Schedules shall be published with the Chapter of the Statutes upon which they are attendant.
- (4) Except where the contrary intention appears or the context otherwise requires, a reference to a Schedule within a Chapter is a reference to a Schedule attendant upon that Chapter; and a reference to a Chapter in a Schedule is a reference to the Chapter upon which it is attendant.
- (5) A word or expression used in a Chapter has the same meaning in any Schedule attendant upon it.
- (6) Except where the contrary intention appears or the context otherwise requires, a reference to "Statutes" or to "the Statutes" or to similar or cognate phrase, is a reference to the Chapters and Schedules of the Statutes.

Interpretation

- 14. (1) Where the Statutes contain a definition or other interpretation provision, the provision shall be read as being generally applicable throughout the Statutes except where the contrary intention appears or the context otherwise requires.
- (2) In the Statutes, except where the contrary intention appears or the context otherwise requires, a word or phrase shall have the meaning ascribed to it by the successive application of the following rules:

- (a) the meaning ascribed to it by
    - (i) Bunreacht na hÉireann, 1937,
    - (ii) the Principal Enactments,
    - (iii) the application of the principles of the Interpretation Act, 2005, or
    - (iv) a relevant Act of the Oireachtas,
  - (b) the technical meaning according to settled use, or
  - (c) the natural and ordinary meaning of the word or phrase in question.
- (3) If the application of the rules in sub-section (2) would lead to an interpretation that
- (a) is obscure, ambiguous, or absurd, or
  - (b) fails to reflect the plain intention of the relevant Chapter,
- then the provision shall be given a construction that reflects the intention that can reasonably be ascertained from the Statutes and Schedules as a whole.
- (4) The following provisions apply to the construction of the Statutes:
- (a) a word importing the singular shall be read as also importing the plural, and a word importing the plural shall be read as also importing the singular;
  - (b) a word importing the feminine gender shall be read as also importing the masculine gender, and a word importing the masculine gender shall be read as also importing the feminine gender;
  - (c) where the Statutes define or otherwise interpret a word or expression, other parts of speech and grammatical forms of the word or expression have a corresponding meaning;
  - (d) where a form is prescribed in or under the Statutes, a deviation from the form which does not materially affect the substance of the form or is not misleading in content or effect does not invalidate the form used;
  - (e) where a period of time is expressed to be reckoned from a particular day, that day shall not be deemed to be included in such period;
  - (f) references to a body established by legislation shall be construed to include successors to that body; and
  - (g) a reference in the Statutes to a Division, Chapter, Schedule, Part, section, sub-section, paragraph, sub-paragraph, or other provision or group of sections or provisions, shall be read as a reference to a Division, Chapter, Schedule, Part, section, sub-section, paragraph, sub-paragraph, or other provision or group of sections or provisions, of the Statutes in which the reference occurs.

(5) Except where the contrary intention appears or the context otherwise requires, references in these Statutes to a body, committee, office, Officer, officer, office-holder, or the like, shall include references to replacement or successor bodies, committees, offices, Officers, officers, office-holders, or the like, howsoever styled or titled.

Principal Enactments

15. (1) References to the Principal Enactments shall, as the context requires, include:
- (a) the Charter of Queen Elizabeth I dated 3<sup>rd</sup> March 1592 (the Charter of 1592);
  - (b) the Charter of King Charles I dated 25<sup>th</sup> May 1637 (the Charter of 1637);
  - (c) the Letters Patent of Kings Charles I dated 25<sup>th</sup> May 1637 (the Letters Patent of 1637);
  - (d) the Letters Patent of King George III dated 11<sup>th</sup> February 1792 (the Letters Patent of 1792);
  - (e) the Letters Patent of Queen Victoria dated 24<sup>th</sup> July 1857 (the Letters Patent of 1857);
  - (f) the Letters Patent of Queen Victoria dated 4<sup>th</sup> November 1874 (the Letters Patent of 1874)
  - (g) the Letters Patent of King George V dated 24<sup>th</sup> May 1911 (the Letters Patent of 1911);
  - (h) the Universities Act, 1997, No. 24 of 1997 (the Act of 1997); and
  - (i) the Trinity College, Dublin (Charters and Letters Patent Amendment) Act, 2000, No. 1 (Private) of 2000 (the Act of 2000).
- (2) References to the Principal Enactments shall be construed to refer to the Principal Enactments as amended.
- (3) Selected Principal Enactments are set out in Appendix 2.

Officers

16. (1) References to "Officers" in the Statutes are references to the Annual Statutory Officers as provided for in the Chapter on Officers.
- (2) For the avoidance of doubt, "officer" as defined in section 3 of the Act of 1997 refers more generally to various employees of the College and University and not to the Annual Statutory Officers.
- (3) Where the functions of an office (including, but not limited to, an Officer) established by or pursuant to the Statutes are lawfully being exercised by some other person, then references in the Statutes to that office or Officer shall include that other person.

Definitions

17. (1) In the Statutes, unless the contrary intention appears or the context otherwise requires:

"act" includes omission;

"Almanack of the College" means the list of important dates included annually in the Calendar;

"An tÚdarás" means the body established by section 2 of the Higher Education Authority Act, 1971;

"*Cista Communis*" means the common treasury maintained by College;

"College" means Trinity College Dublin established by the Charter of 1592 and provided for in the Chapter on College;

"*Comitia*" means meetings of Senate;

"day" includes any day of the Academic Year, and excludes Saturdays, Sundays and public holidays;

"Degree" means a genus of academic distinction awarded by the University or College;

"degree" means an individual instance of a Degree conferred upon a candidate;

"due enquiry" means diligent, proper and impartial investigation or consideration as the case may be, subject to the principles of natural and constitutional justice and fair procedures;

"employee" means any person employed by the College or University;

"full-time", in relation to a member of staff, means a member of staff who holds a contract of employment with College which describes the employment as full-time;

"functions" includes powers, privileges, rights, duties, responsibilities, prerogatives, incidents, and the like;

"Government" means the executive power of the State as specified in Article 28 of Bunreacht na hÉireann, 1937;

"Grace for a degree" means the proposition to Senate by Board seeking the conferral of a degree,

"ill-founded" means an appeal or application which the person or body considering the matter determines is patently frivolous or vexatious, or entirely unarguable or without merit, or otherwise constitutes an abuse of process;

"incapable of performing the functions of office" means that the holder of an office is unable to perform

the functions of office by reason of physical infirmity or mental incapacity or other grave cause;

“Laws, Statutes and Ordinances” means these Statutes;

“legislation” means Acts of the Oireachtas, and includes the laws in force in Saorstát Éireann prior to the date of the coming into operation of Bunreacht na hÉireann, 1937;

“Minister” means the Minister as defined by the Act of 1997 and successors to that office;

“part-time”, in relation to a member of staff, and whether pursuant to the Protection of Employees (Part-Time Work) Act, 2001 or otherwise, means a member of staff whose normal hours of work are less than the normal hours of work of a full-time member of staff who is a comparable employee in relation to the part-time member of staff concerned;

“Public Commencements” means Stated Meetings of the Senate for the solemn conferring of degrees;

“Public Theatre” means the ceremonial hall in the Front Square of College also known as the Examinations Hall;

“regulation” includes by-law, decision, law, order, rule, sentence, and the like;

“Seanad Éireann” refers to the House of the Oireachtas established by Article 18 of Bunreacht na hÉireann, 1937;

“Trinity Monday” has the meaning ascribed to it by the Charter of 1592; it shall be observed in College on the first Monday of Trinity Term or on such other Monday as may from time to time be defined by Council and Board pursuant to section 9(7); and all references to Trinity Monday in the Statutes shall be to the date on which it is observed;

“University” means the University of Dublin established pursuant to the Charters and Letters Patent and provided for in the Chapter on the University;

“Visitation” means a formal and thorough inspection, conducted by the Visitors, of any and all aspects of the College and/or University.

Despatch

18. (1) Where any matter is required to be sent pursuant to the Statutes or Schedules, then, except where the contrary intention appears or context otherwise requires, that matter shall have been duly sent if it is directed



- (a) for a member of staff, to that person's official work address or official email address, or
  - (b) for any person other than a member of staff, to the address or email address for that person which appears in the official College records.
- (2) Board may provide that, except where the contrary intention appears or the context otherwise requires, the matter referred to in subsection (1) shall be deemed to have been duly sent if it is directed to that member by any other means, including electronic means.

*Part 3 - Principles of Delegation*

- |            |  |
|------------|--|
| Delegation | <p>19. (1) Except where the contrary intention appears or the context otherwise requires</p> <ul style="list-style-type: none"> <li>(a) any committee or officer may delegate any of its functions, and</li> <li>(b) no delegation shall amount to a full transfer of all of the functions of the relevant committee or officer.</li> </ul> <p>(2) Where a function has been expressly delegated to a committee or officer pursuant to this Part, or where authority to exercise a function has been expressly granted to a committee or officer pursuant to Part 4, and in either case subject to the condition that it shall not be delegated or further delegated, then it cannot be so delegated and any attempt to do so shall be void and have no legal force or effect whatsoever.</p> <p>(3) Any delegation may be summarily terminated at any time by the delegating committee or officer, by providing notice in writing to this effect to the committee to which, or the officer to whom, the function has been delegated; and the delegation shall terminate immediately upon the despatch of such notice to the Secretary of the committee to which, or the officer to whom, the function had been delegated.</p> |
| Duties     | <p>20. (1) Where a function has been delegated, the delegating committee or officer shall retain ultimate responsibility for the performance of the delegated function.</p> <p>(2) Where a function has been delegated, then in the first instance it shall be the obligation of the committee to which, or officer to whom, it has been delegated to perform the delegated function.</p> <p>(3) A committee to which, or an officer to whom, a function has been delegated shall</p> <ul style="list-style-type: none"> <li>(a) be answerable, in the first instance, for the performance thereof to the delegating committee or officer,</li> </ul>  |

- (b) perform that function on behalf of the delegating committee or officer with reasonable care, due diligence, in good faith, and in the best interests of College, and
  - (c) avoid any unauthorised conflict of interest in the performance of that function.
- (4) Unless expressly ratified by the delegating committee or officer, any purported act of a delegate acting outside the scope of the delegation made pursuant to this Part shall not bind the delegating committee or officer, or College, in any way.

Committees and Officers

21. (1) For the purposes of this Part,
- (a) "committee" means all committees established in or pursuant to the Statutes and includes other bodies established or appointed pursuant to the Statutes, and
  - (b) "officer" means any Annual Statutory Officer or holder of any other office elected or appointed pursuant to the Statutes and shall include the Provost.

*Part 4 - Principles of Agency*

Agency

22. (1) This Part applies where one committee or officer (the "principal") expressly grants to another committee or officer (the "agent") the authority to exercise a function on behalf of the principal.
- (2) These Statutes may expressly provide that any committee or officer shall be an agent for another committee or officer, and the agent shall have express authority to exercise such functions of the principal as are expressly specified in the relevant provision of these Statutes.
- (3) Board may expressly provide that any committee or officer shall be an agent for any other committee or officer, and the agent shall have express authority to exercise such functions of the principal as may from time to time be expressly specified by Board.
- (4) Where a function has been expressly delegated to a committee or officer pursuant to Part 3, or where authority to exercise a function has been expressly granted to a committee or officer pursuant to this Part, and in either case subject to the condition that it shall not be granted to a further committee or officer as agent, then it cannot be so granted, and any attempt to do so shall be void and have no legal force or effect whatsoever.

(5) Any relationship of principal and agent may be summarily terminated at any time by the principal, by providing notice in writing to this effect to the agent; and the relationship of principal and agent shall terminate immediately upon the despatch of such notice to the Secretary of the committee to which, or the officer to whom, authority to exercise a function on behalf of the principal had been granted.

Functions

23. (1) Where authority to exercise a function of a principal has been expressly granted to an agent, it shall be the right of the agent to exercise that function on behalf of the principal; and an agent who so exercises a function of a principal should do so expressly "for and on behalf of" the principal.
- (2) Any act of an agent acting within the scope of the express authority granted pursuant to this Part shall bind the principal in any obligations created by the agent as against third parties.
- (3) Unless expressly ratified by the principal, any purported act of an agent acting outside the scope of the authority granted pursuant to this Part shall not bind the principal, or College, in any way.
- (4) Where authority to exercise a function of a principal has been expressly granted to an agent, the agent shall
- (a) be answerable, in the first instance, to the principal for the exercise of that function,
  - (b) exercise that function on behalf of the principal with reasonable care, due diligence, in good faith, and in the best interests of College, and
  - (c) avoid any unauthorised conflict of interest in the exercise of that function.
- (5) The agent shall have and may exercise implied authority from the principal to do all such things as are necessary to exercise the authority expressly granted by the principal to the agent pursuant to this Part.

Committees and Officers

24. (1) For the purposes of this Part, "committee" and "officer" have the same meanings as they have in Part 3.

[Back to Table of Contents](#)

## Schedule 1

### *Declarations*

#### Declaration to be invited of an incoming Judicial Visitor

*English:*

I, ....., solemnly declare that I shall faithfully discharge the duties prescribed for the Visitor by the Statutes, and that I shall, so far as in me lies, promote and defend the welfare and interests of the College and University.

*Latin (Man speaking):*

Ego, ....., promitto ac spondeo me fideliter exerciturum munus mihi Visitatori iuxta Statuta demandatum et, quantum in me est, Universitati Collegioque consulturum eorumque salutem fortiter defensurum.

*Latin (Woman speaking):*

Ego, ....., promitto ac spondeo me fideliter exercituram munus mihi Visitatori iuxta Statuta demandatum et, quantum in me est, Universitati Collegioque consulturum eorumque salutem fortiter defensuram.

*Irish:*

Dearbhaímse, ....., go sollúnta go gcomhlíonfaidh mé go fíréanta na dualgais a leagtar amach don Chuirteoir sna Reachtanna, agus go ndéanfaidh mise, a mhéad is indéanta dom é, leas an Choláiste agus na hOllscoile a chothú agus a chosaint.

#### Declaration to be made by an incoming Provost

*English:*

I, ....., on admission to the office of Provost of this College, solemnly declare that I shall faithfully observe the Statutes and all regulations lawfully enacted in accordance with them, and that so far as in me lies I shall see to it that they are observed by others; that I shall decide all matters equitably, without discrimination and without fear, favour or prejudice; that I shall be prudent and vigilant in conserving and promoting the interests of the College and its reputation for scholarship and sound education; and that I shall strive at all times to promote concord and amity among its members.

*Latin (Man speaking):*

Ego, ....., Praepositus hujus Collegii nuper creatus, promitto ac spondeo me Statuta eaque omnia iuxta dicta Statuta iure decreta fideliter servaturum et, quantum in me est, eadem ab aliis observanda curaturum; sine ullius generis aut conditionis aut personarum respectu et omni illegitima affectione, odio, amore et similibus sepositis aequissime de omnibus rebus consulturum; prudenter attentequae Universitati fauturum;

hujus Collegii optimam doctrinam disciplinamque defensurum; strenuo denique animo concordiam atque amicitiam semper sustentaturum.

*Latin (Woman speaking):*

Ego, ....., Praeposita hujus Collegii nuper creata, promitto ac spondeo me Statuta fideliter servaturam et, quantum in me est, eadem ab aliis observanda curaturam; sine ullius generis, aut conditionis aut personarum respectu et omni illegitima affectione, odio, amore et similibus sepositis aequissime de omnibus rebus consulturam; prudenter attenteque Universitati fauturam; hujus Collegii optimam doctrinam disciplinamque defensuram; strenuo denique animo concordiam atque amicitiam semper sustentaturam.

*Irish:*

Dearbhaímse, ....., go sollúnta, ar mo cheapadh mar Phropast an Choláiste, go gcomhlíonfaidh mé go fíréanta na Reachtanna agus gach rialachán a achtaíodh go dlíthiúil, agus a mhéad is indéanta domsa é, go bhféachfaidh mé chuige go gcomhlíonfaidh daoine eile na Reachtanna sin; dearbhaím go dtiocfaidh mé ar chinntí ar bhealach cothrom; gan idirdhealú a dhéanamh agus gan géilleadh don eagla, don fhabhar ná don chlaonadh; dearbhaím go mbeidh mé stuama, airdeallach i gcaomhnú agus i gcothú leas agus dhea-cháil an Choláiste ó thaobh na scoláireachta agus an oideachais fhónta de agus go ndéanfaidh mé i gcónaí comhaontas agus cairdeas a chothú i measc bhaill an Choláiste.

#### **Declaration to be made by members of Board when electing Fellows and Scholars**

*English:*

I, ....., solemnly declare that I shall nominate and elect to the number of Fellows and Scholars such persons as my conscience will judge to be deserving in the highest degree, without fear, favour or prejudice.

*Latin (Man speaking):*

Ego, ....., promitto ac spondeo me in numerum Sociorum vel Discipulorum nominaturum et electurum personas quas maxime idoneas esse mea conscientia judicabit, omni illegitima affectione, odio, amore et similibus sepositis.

*Latin (Woman speaking):*

Ego, ....., promitto ac spondeo me in numerum Sociorum vel Discipulorum nominaturam et electuram personas quas maxime idoneas esse mea conscientia judicabit, omni illegitima affectione, odio, amore et similibus sepositis.

*Irish:*

Dearbhaímse, ....., go sollúnta go ndéanfaidh mé Comhaltaí agus Scoláirí a ainmniú agus a thoghadh, ar daoine iad a bhfuil an gradam is airde tuillte acu, dar liom, agus déanaim seo gan géilleadh don eagla, don fhabhar ná don chlaonadh.

## Declaration to be made by incoming Fellows

### *English:*

I, ....., having been elected to the number of Fellows of this College, pledge that I shall obey the Statutes and shall, to the best of my ability, ensure that they are obeyed by others. I shall diligently carry out the particular academic exercises imposed on Fellows in the Statutes and, if any responsibility for the provision of lectures or for the administration of a particular office for the good of the College is entrusted to me, I shall diligently discharge it. I shall guard and protect the safety, dignity, peace and welfare of the College and of those who work in it. I shall willingly and diligently obey the Provost in all legitimate and honorable matters. I shall faithfully discharge whatever responsibilities I undertake in relation to the administration of the College. I accept all of the aforementioned conditions and pledge that I shall conscientiously abide by them.

### *Latin (Man speaking):*

Ego, ....., electus in numerum Sociorum hujus Collegii, promitto me Statutis obtemperaturum, et ea ab aliis observanda quantum in me est curaturum; Scholastica exercitia singula Sociis in Statutis injuncta diligenter praestabo; et si mihi cura praelegendi aliis, aut officii alicujus ad bonum Collegii regimen obeundi commissa fuerit, ea studiose perfungar. Collegii eorumque omnium, qui in eo operam praestant, salutem et dignitatem, pacem et commodum tuebor et procurabo. Praeposito in omnibus licitis et honestis, promptissima voluntate et studio parebo. In negotiis Collegii administrandis quae curanda suscepere fidelem operam praestabo. Haec omnia supra memorata in me recipio, atque me sedulo facturum promitto ac spondeo.

### *Latin (Woman speaking):*

Ego, ....., electa in numerum Sociorum hujus Collegii, promitto me Statutis obtemperaturam, et ea ab aliis observanda quantum in me est curaturam; Scholastica exercitia singula Sociis in Statutis injuncta diligenter praestabo; et si mihi cura praelegendi aliis, aut officii alicujus ad bonum Collegii regimen obeundi commissa fuerit, ea studiose perfungar. Collegii eorumque omnium, qui in eo operam praestant, salutem et dignitatem, pacem et commodum tuebor et procurabo. Praeposito in omnibus licitis et honestis, promptissima voluntate et studio parebo. In negotiis Collegii administrandis quae curanda suscepere fidelem operam praestabo. Haec omnia supra memorata in me recipio, atque me sedulo facturam promitto ac spondeo.

### *Irish:*

Geallaimse, ....., ar mo thoghadh mar dhuine de Chomhaltaí an Choláiste seo, go gcomhlíonfaidh mé na Reachtanna agus go ndéanfaidh mé, a mhéad is indéanta dom é, a chinntiú go gcomhlíonfaidh daoine eile iad. Cuirfidh mé i gcrích go dícheallach na cleachtaí acadúla a leagtar amach do Chomhaltaí sna Reachtanna agus, i gcás go gcuirfear de chúram orm léachtaí a thabhairt nó riar a dhéanamh ar oifig ar leith ar mhaithe leis an gColáiste, comhlíonfaidh mé an cúram sin go dícheallach. Cosnóidh mé

sábháilteacht, dínit, síocháin agus leas an Choláiste agus na ndaoine a oibríonn sa Choláiste. Géillfidh mé go toilteanach, dícheallach don Phropast i gcúrsaí dlisteanacha agus onóracha. Comhlíonfaidh mé go fíréanta na freagrachtaí uile a bheidh orm i ndáil le riar an Choláiste. Glacaim leis na coinníollacha réamhluaithe uile agus geallaim go seasfaidh mé go coinsiasach leo.

### Declaration to be made by incoming Scholars

*English:*

I, ....., having been elected to the number of Scholars of this College, pledge that I shall obey the Statutes and shall, to the best of my ability, insure that they are obeyed by others. I shall diligently carry out the particular academic exercises imposed on Scholars in the Statutes, and if any responsibility relating to administration of the business of the College is entrusted to me, I shall carefully discharge it. I shall guard and protect the safety, dignity, peace and welfare of the College and of those who work in it. I shall willingly and diligently obey the Provost in all legitimate and honorable matters. I accept all of the aforementioned conditions and pledge that I shall conscientiously abide by them.

*Latin (Man speaking):*

Ego, ....., electus in numerum Discipulorum hujus Collegii, promitto me Statutis obtemperaturum et ea ab aliis observanda, quantum in me est, curaturum. Scholastica exercitia singula discipulis in Statutis injuncta diligenter praestabo; et si cura mihi muneris alicujus obeundi in negotiis Collegii administrandis commissa fuerit, ea studiose perfungar. Collegii eorumque omnium, qui in eo operam praestant, salutem et dignitatem, pacem et commodum tuebor et procurabo. Praeposito in omnibus licitis et honestis, promptissima voluntate et studio parebo. Haec omnia supra memorata in me recipio, atque me sedulo facturum promitto ac spondeo.

*Latin (Woman speaking):*

Ego, ....., electa in numerum Discipularum hujus Collegii, promitto me Statutis obtemperatura et ea ab aliis observanda, quantum in me est, curaturam. Scholastica exercitia singula discipulis in Statutis injuncta diligenter praestabo; et si cura mihi muneris alicujus obeundi in negotiis Collegii administrandis commissa fuerit, ea studiose perfungar. Collegii eorumque omnium, qui in eo operam praestant, salutem et dignitatem, pacem et commodum tuebor et procurabo. Praeposito in omnibus licitis et honestis, promptissima voluntate et studio parebo. Haec omnia supra memorata in me recipio, atque me sedulo facturam promitto ac spondeo.

*Irish:*

Geallaimse, ....., ar mo thoghadh mar dhuine de Scoláirí an Choláiste seo, go gcomhlíonfaidh mé na Reachanna agus go ndéanfaidh mé, a mhéad is indéanta dom é, a chinntiú go gcomhlíonfaidh daoine eile iad. Cuirfidh

mé i gcrích go dícheallach na cleachtaí acadúla ar leith a leagtar amach do Scoláirí sna Reachtanna, agus i gcás go gcuirfead de chúram orm riar a dhéanamh ar ghnó an Choláiste, comhlíonfaidh mé an cúram sin go cúramach. Cosnóidh mé sábháilteacht, dínit, síocháin agus leas an Choláiste agus na ndaoine a oibríonn sa Choláiste. Géillfidh mé don Phropast i gcúrsaí dlísteanacha agus onóracha. Glacaim leis na coinníollacha réamhluaite uile agus geallaim go seasfaidh mé go coinsiasach leo.

#### **Declaration to be made by incoming members of Board**

*English:*

I, ....., solemnly declare that I shall faithfully discharge my duties and responsibilities as a member of Board; that I shall act in accordance with, and obey, the Statutes; and that in the determination of all matters which shall come before the Board I shall be guided by what I truly believe to be the best interests of the College.

*Latin (Man speaking):*

Ego, ....., promitto ac spondeo me fideliter exerciturum munus mihi Magistratui juxta Statuta demandatum, obsecuturum atque obtemperaturum Statutis dictis et in rebus omnibus a magistratibus decernendis vere atque honeste Universitati semper consulturum teste conscientia mea.

*Latin (Woman speaking):*

Ego, ....., promitto ac spondeo me fideliter exercituram munus mihi Magistratui juxta Statuta demandatum, obsecuturam atque obtemperaturam Statutis dictis et in rebus omnibus a magistratibus decernendis vere atque honeste Universitati semper consulturam teste conscientia mea.

*Irish:*

Geallaimse, ....., go sollúnta go gcomhlíonfaidh mé go fíréanta mo dhualgais agus mo fhreagracháí mar bhall Boird; go bhfeidhmeoidh mé de réir na Reachtanna, agus go ngéillfidh mé doibh, agus go bhfeidhmeoidh mé de réir leas an Choláiste, mar is léir domsa é, agus gach cinneadh á ghlacadh agam faoi aon ní a chuirfead faoi bhráid an Bhoird.

#### **Declaration to be made by incoming Annual Statutory Officers**

*English:*

I, ....., having been elected to (here insert name of Annual Statutory Office) ..... of this College, solemnly declare that I shall faithfully discharge the duties and responsibilities committed to me in accordance with the Statutes.



*Latin (Man speaking):*

Ego, ....., electus in ..... hujus Collegii,  
promitto ac spondeo me fideliter exerciturum munus mihi juxta Statuta  
demandatum.

*Latin (Woman speaking):*

"Ego, ....., electa in ..... hujus Collegii,  
promitto ac spondeo me fideliter exercituram munus mihi juxta Statuta  
demandatum.

*Irish:*

Dearbhaímse, ....., go sollúnta, ar mo thoghadh mar .....  
..... an Choláiste seo, go gcomhlíonfaidh mé go  
fíréanta na dualgais agus na freagrachtaí a bheidh orm de réir na  
Reachtanna.

### **Declaration to be made by incoming Administrative Statutory Officers**

*English:*

I, ....., having been appointed to (here insert name of Administrative  
Statutory Office) ..... of this College,  
solemnly declare that I shall faithfully discharge the duties and  
responsibilities committed to me in accordance with the Statutes.

*Latin (Man speaking):*

Ego, ....., factus in ..... hujus Collegii,  
promitto ac spondeo me fideliter exerciturum munus mihi juxta Statuta  
demandatum.

*Latin (Woman speaking):*

Ego, ....., facta in ..... hujus Collegii,  
promitto ac spondeo me fideliter exercituram munus mihi juxta Statuta  
demandatum.

*Irish:*

Dearbhaímse, ....., go sollúnta, ar mo cheapadh mar .....  
..... an Choláiste seo, go gcomhlíonfaidh mé go  
fíréanta na dualgais agus na freagrachtaí a bheidh orm de réir na  
Reachtanna.

### **Declaration to be made by the Registrar at the first meeting of Senate in each Academic Year**

*English:*

I, ....., having been elected Registrar of this College, solemnly declare  
that I shall faithfully discharge the duties and responsibilities committed to  
me in accordance with the Statutes.

*Latin (Man speaking):*

Ego, ....., electus in Registrarium huius Collegii, affirmo me fideliter exerciturum munus mihi iuxta Statuta demandatum.

*Latin (Woman speaking):*

Ego, ....., electa in Registrarium huius Collegii, affirmo me fideliter exercituram munus mihi iuxta Statuta demandatum.

*Irish:*

Geallaimse, ....., ar mo thoghadh mar Cláratheoir an Choláiste seo, go gcomhlíonfaidh mé go fíréanta na dualgais a leagtar amach dom sna Reachtanna.

### **Declaration to be made by the Senior and Junior Proctors at the first meeting of Senate in each Academic Year**

*English:*

I, ....., having been elected [Senior / Junior Proctor] of this University, solemnly declare that I shall faithfully discharge the duties and responsibilities committed to me in accordance with the Statutes.

*Latin (Man speaking):*

Ego, ....., electa in [Procuratorem Seniore / Iunio] hujus Universitatis, affirmo me fideliter exercituram munus mihi iuxta Statuta demandatum.

*Latin (Woman speaking):*

Ego, ....., electus in [Procuratorem Seniore / Iunio] hujus Universitatis, affirmo me fideliter exerciturum munus mihi iuxta Statuta demandatum.

*Irish:*

Geallaimse, ....., go sollúnta ar mo thoghadh mar [Phrócadóir Sinsearach / Sóisearach] na h-Ollscoile seo, go gcomhlíonfaidh mé go fíréanta na dualgais a leagtar amach dom sna Reachtanna.

### **Declaration to be made by an incoming Chancellor (or Pro-Chancellor)**

*English:*

I, ....., solemnly declare that I shall faithfully discharge the duties prescribed for the Chancellor (or Pro-Chancellor) by the Statutes, and that I shall, so far as in me lies, promote and defend the welfare and interests of the University.

*Latin (Man speaking):*

Ego, ....., promitto ac spondeo me fideliter exerciturum munus mihi Cancellario (Procancellario) demandatum iuxta Statuta et, quantum in me est, Universitati consulturum eiusque salutem fortiter defensurum.

*Latin (Woman speaking):*

Ego, ....., promitto ac spondeo me fideliter exercituram munus mihi Cancellariae (Procancellariae) demandatum iuxta Statuta et, quantum in me est, Universitati consulturam eiusque salutem fortiter defensuram.

*Irish:*

Dearbhaímse, ....., go sollúnta go gcomhlíonfaidh mé go firéanta na dualgais a leagtar amach don Seansailéir (Leas-Seansailéir) sna Reachtanna, agus go ndéanfaidh mise, a mhéad is indéanta dom é, leas na hOllscoile a chothú agus a chosaint.

### **Declaration to be made by incoming members of Council**

*English:*

I, ....., solemnly declare that in the determination of all matters which shall come before Council I shall be guided by what I truly believe to be the best interests of the University, and that in every nomination for office I shall endeavour to abjure fear, favour or prejudice and to nominate that candidate whom I believe best qualified for the office.

*Latin (Man speaking):*

Ego, ....., promitto ac spondeo me in rebus omnibus a Concilio decernendis ac sententiis dicendis vere atque honeste Universitati semper consulturum et inter Candidatos, vel Candidatas, nominaturum quem, vel quam, teste conscientia mea maxime idoneum, vel idoneam, judicavero, omni illegitima affectione, odio, amore et similibus sepositis.

*Latin (Woman speaking):*

Ego, ....., promitto ac spondeo me in rebus omnibus a Concilio decernendis ac sententiis dicendis vere atque honeste Universitati semper consulturam et inter Candidatos vel Candidatas, nominaturam quem, vel quam, teste conscientia mea maxime idoneum, vel idoneam, judicavero, omni illegitima affectione, odio, amore et similibus sepositis.

*Irish*

Dearbhaímse, ....., go sollúnta, agus gach cinneadh á dhéanamh agam a chuirfear faoi bhráid na Comhairle, go bhfeidhmeoidh mé de réir leas is fearr na hOllscoile, mar is léir domsa é, agus i gcás gach ainmniúcháin chun oifige déanfaidh mé mo dhícheall eagla, fabhar agus claonadh a shéanadh agus an t-iarrthóir is cáilithe, mar is léir domsa é, don oifig, a thoghadh.

### **Declaration to be made by incoming observers on Council**

*English:*

I, ....., solemnly declare that in the determination of all matters which shall come before Council I shall be guided by what I truly believe to be the best interests of the University.

*Latin (Man speaking):*

Ego, ....., promitto ac spondeo me in rebus omnibus a Concilio decernendis vere atque honeste Universitati semper consulturum.

*Latin (Woman speaking):*

Ego, ....., promitto ac spondeo me in rebus omnibus a Concilio decernendis vere atque honeste Universitati semper consulturam.

*Irish*

Dearbhaímse, ....., go sollúnta, agus gach cinneadh á dhéanamh agam a chuirfear faoi bhráid na Comhairle, go bhfeidhmeoidh mé de réir leas is fearr na hOllscoile, mar is léir domsa é.

### Declaration to be made by readers before admission to Library

*English:*

I, ....., do solemnly promise that, whenever I enter the Library, I shall treat the books and other content of the Library in such fashion that they may last as long as possible. I further promise that neither shall I myself take away any book, nor designedly damage or write in or badly treat in any way whatever any book, nor so far as in me lies shall I suffer such things to be done by others. All and each of which things and all the regulations of the Library, in as far as they concern me, I promise and vow faithfully to observe.

*Latin (Man speaking):*

Ego, ....., solemniter promitto, me, quoties in Bibliothecam hujus Collegii venire contigerit, libros caeteramque Bibliothecae supellectilem sic tractaturum, ut superesse quam diutissime possint. Promitto etiam quod neque ipse librum aliquem asportabo, sponte corrumpam, interscribam, aut alio quovis modo abutar nec ab aliis haec fieri, quantum in me est, permittam. Quae omnia singula et omnia Bibliothecae statuta, quae ad me attinent, me fideliter observaturum promitto et spondeo.

*Latin (Woman speaking):*

Ego, ....., solemniter promitto, me, quoties in Bibliothecam hujus Collegii venire contigerit, libros caeteramque Bibliothecae supellectilem sic tractaturam, ut superesse quam diutissime possint. Promitto etiam quod neque ipse librum aliquem asportabo, sponte corrumpam, interscribam, aut alio quovis modo abutar nec ab aliis haec fieri, quantum in me est, permittam. Quae omnia singula et omnia Bibliothecae statuta, quae ad me attinent, me fideliter observaturam promitto et spondeo.

*Irish:*

Geallaimse, ....., go sollúnta, gach uair a bheidh mé sa Leabharlann, go gcaithfidh mé le leabhair agus le hábhar na Leabharlainne ar bhealach a chaomhnóidh na leabhair agus an t-ábhar sin don tréimhse is faide agus is féidir. De bhreis air sin, geallaimse nach dtógfaidh mé aon leabhar as an leabharlann agus nach ndéanfaidh mé damáiste d'aon leabhar, nach

scríobhfaidh mé ar aon leabhar nó nach scríosfaidh mé aon leabhar d'aon ghnó agus, a mhéad is indéanta domsa é, nach nglacfaidh mé leis an iompar sin ó aon duine eile. Geallaim go gcomhlíonfaidh mé go fíréanta na nithe réamhluaithe uile maille le gach rialachán Leabharlainne, a mhéid is a bhaineann siad liomsa.

[Back to Table of Contents](#)

## Schedule 2

### *Electorate and Register*

#### 1. Application

- (1) This Schedule applies to
  - (a) elections to Board pursuant to the Schedule on Elections to Board (Schedule 1 to the Chapter on Board),
  - (b) elections to Council pursuant to the Schedule on Elections to Council (Schedule 1 to the Chapter on Council),
  - (c) elections for Dean of Faculty, Head of School and Head of Discipline, pursuant to the Schedule on Deans, Heads and other Officer-holders (Schedule 2 to the Chapter on Academic Units),
  - (d) elections to Faculty Executive Committees and School Executive Committees pursuant to the Schedule on Committees of Academic Units (Schedule 3 to the Chapter on Academic Units), and
  - (e) such other elections as Board may from time to time direct.

#### 2. Electorate

- (1) All full-time and part-time members of the staff of College, as defined pursuant to the Chapter on the Fellows and the Division on Staff, shall be members of the electorate, provided that they fulfil the criteria in subsection (2) and are not excluded by subsection (3).
- (2) Members of the electorate shall, on the date on which the Register is compiled
  - (a) have a contract of employment with College of at least twelve months' duration, or
  - (b) have completed continuous employment with College of twelve months' duration, or
  - (c) have recognised academic status in College due to decisions made through College's appointments procedures, promotions procedures, or both, whilst not necessarily being in receipt of remuneration from College.
- (3) Members of the electorate shall not include those who provide services to College on an unremunerated basis, those paid from the casual pay-roll, or those who are in receipt of a College pension.
- (4) Staff within the terms of section 2(2)(c) are generally in the Health Sciences area, and
  - (a) have contracts of employment with the College and due to the financial arrangements for their posts receive their remuneration from sources external to the College, or
  - (b) have been given academic recognition through the College's promotional procedures.
- (5) A person whose name appears on the Register, but who, on the date of an election, does not fulfil the requirements heretofore set out in this section, shall not be entitled to vote in that election.

- (6) The categories of staff from which the electorate shall be drawn are indicated in the Table on Academic Titles to the Schedule on Titles (Schedule 1 to the Chapter on Academic Staff).
- (7) A member of the electorate who is an *ex officio* member of a committee to which an election referred to in section 1 is being conducted shall not be a candidate in that election.
- (8) The Provost shall not be a member of the electorate for any election to which this Schedule applies.

### **3. Register**

- (1) There shall be an electoral register (hereafter: the Register), which shall contain the name of every person entitled to be a member of the electorate pursuant to section 2.
- (2) As early as possible each Term (in particular and where possible, in October, January, and April) the Secretary shall publish a draft register, and shall make it available for inspection at various locations in College and online.
- (3) The draft register shall stipulate that the Secretary shall adjudicate on any issues arising therefrom, provided that a period of at least 10 days from the date of publication shall be allowed for such issues to be raised.
- (4) There shall be an Electoral Appeals Committee - comprising the Vice-Provost, the Senior Lecturer, and the Director of Human Resources (or nominee) - to hear appeals against the Secretary's adjudications pursuant to subsection (3).
- (5) As soon as possible after all such adjudications have been made and appeals determined, the Secretary shall publish the final and conclusive version of the Register.
- (6) Where Fellows are elected to Fellowship, the Register shall be amended to record that they form part of the Fellows' and Fellow Professors' Constituency for the purposes of elections to Board pursuant to the Schedule on Elections to Board (Schedule 1 to the Chapter on Board), and the Secretary shall publish the Register thereby amended as the final and conclusive version of the Register.
- (7) The Register prepared and published pursuant to subsection (5) or subsection (6) as the case may be shall
  - (a) apply to all elections referred to in section 1 conducted whilst it is force, and
  - (b) remain in force until it is replaced by another Register prepared and published pursuant to this Schedule.

### **4. Voting in Elections**

- (1) Board may direct that any, some or all elections within a constituency or constituencies to which this Schedule applies (as referred to in section 1)

shall be wholly or partly carried out by electronic means using a secure electronic voting mechanism approved by Board.

- (2) Any express or implied reference in the Statutes and Schedules to a “ballot paper” shall include, where appropriate, an electronically displayed ballot paper distributed in accordance with subsection (1).

5. Outcome of Elections

- (1) Elections shall not be invalid by reason of
  - (a) errors in or omissions from the Register, or
  - (b) votes cast in error.
- (2) Where, on a final count, two or more candidates have an equal number of votes, then the Provost shall seek to reconcile the parties; but, if this should not prove possible, then the Provost shall determine by lot which candidate shall be deemed to be elected in accordance with the procedure set out in sub-section (3).
- (3) The procedure referred to in sub-section (2) is as follows:
  - (a) the names of the candidates concerned shall be written on similar slips of paper;
  - (b) the slips shall be folded so as to prevent identification, and then they shall be mixed;
  - (c) the Provost shall draw one slip at random; and
  - (d) the candidate whose name appears on the slip so drawn shall be deemed to be elected.
- (4) Each candidate may choose either to be present or to nominate a representative to be present while the procedure referred to in sub-section (2) and set out in sub-section (3) is being performed; and, if a candidate so chooses or candidates so choose, then the procedure shall not be performed unless all such candidates or representatives (as the case may be) are present.

[Back to Table of Contents](#)



## Table on the Academic Year Structure

<b>Term</b>	<b>Commences</b>	<b>Duration</b>	<b>Normal Engagement</b>
<b>Michaelmas Term</b>	Last Monday in August	16 weeks	<ul style="list-style-type: none"> <li>– Formal academic engagements</li> <li>– Undergraduate Teaching</li> <li>– Research</li> </ul>
<b>Hilary Term</b>	First Monday after 4 weeks following end of Michaelmas Term	14 weeks	<ul style="list-style-type: none"> <li>– Formal academic engagements</li> <li>– Undergraduate Teaching</li> <li>– Research</li> </ul>
<b>Trinity Term</b>	Monday following end of Hilary Term	6 weeks	<ul style="list-style-type: none"> <li>– Formal academic engagements</li> <li>– Research</li> </ul>

<b>Session</b>	<b>Occurs</b>	<b>Normal Engagement</b>
<b>Winter Session</b>	Between end of Michaelmas Term and start of Hilary Term	<ul style="list-style-type: none"> <li>– Scholarship Examinations</li> <li>– Research</li> </ul>
<b>Summer Session</b>	Between end of Trinity Term and start of Michaelmas Term	<ul style="list-style-type: none"> <li>– Supplemental Examinations</li> <li>– Research</li> </ul>

[Back to Table of Contents](#)

## Visitors

- |                  |    |   |
|------------------|----|---|
| Establishment    | 1. | (1) Pursuant to the Principal Enactments, the College and University have two Visitors: the Chancellor and the Judicial Visitor.<br>(2) The Visitors shall be independent in the performance of their functions.  |
| Judicial Visitor | 2. | (1) The Judicial Visitor shall be appointed by Government from a panel of two persons with judicial or similar experience nominated by Senate.<br>(2) Every person so appointed to the office of Judicial Visitor shall be invited to make a Declaration before the Provost in the form prescribed by the Schedule on Declarations.<br>(3) No person holding a salaried post in the College or University shall be eligible for nomination, and the office shall immediately become vacant if its holder accepts any such post.   |
| Vacancy          | 3. | (1) The Judicial Visitor shall retire from office not later than the last day of the Academic Year on attaining the age of seventy-five years, and may by letter addressed to the Provost resign from office at any time, and the resignation shall take effect on the date on which the letter is received.<br>(2) (a) If it appears to Board that the Judicial Visitor has become incapable of performing the functions of office, then it may refer the matter to a Commission consisting of the Chancellor and the most senior available Pro-Chancellor.<br>(b) After due enquiry, and provided that they both agree, they may declare the office to be vacant.<br>(3) If, for any cause, the Judicial Visitor is incapable of performing the functions of office, or if there is a vacancy in that office, and, in either case, if it should appear to the Chancellor that it would be detrimental to the interests of the College or University or of any person with business before the Visitors, the Chancellor shall appoint a suitable person to act as Visitor for such period as deemed necessary, and during this period the person so appointed may perform all the functions of the Judicial Visitor. |
| Decisions        | 4. | (1) The Chancellor shall be the primary Visitor, but shall accord due deference to the opinion of the Judicial Visitor on legal issues.<br>(2) The Visitors shall perform their functions with due enquiry and in accordance with the provisions of the Statutes.<br>(3) They shall endeavour to agree their decisions.   |

- (4) Pursuant to the Charter of 1637, no decision shall be taken by them without the approval of the Chancellor.
  - (5) Decisions of the Visitors shall be binding upon all members of the Community; provided that this shall not affect any further rights of appeal and review available under the law of the land.
- Interpretation      5.      (1) If Board shall be in doubt as to the interpretation of any provision of the Chapters or Schedules of the Statutes, or as to the validity of any proposed amendment to the Chapters of the Statutes, it may refer the matter to the Visitors as a *dubium*, who shall determine the matter according to the intent of the Statutes as a whole.
- Hearings            6.      (1) The Visitors shall hear, determine and resolve
  - (a) appeals against decisions of Board and other bodies; and
  - (b) applications by Board pursuant to section 5;
  - (c) conflicts between Board and Council;
  - (d) conflicts between Board and Senate; and
  - (e) such other disputes in which they accept jurisdiction.(2) Hearings under this section shall be open to members of the Community, except in such special and limited circumstances as decided by the Visitors on the application of a party to a hearing before them.
- Appeals             7.      (1) Any member of the Community (hereafter: the applicant) who claims
  - (a) to have suffered, or to be liable to suffer, an injustice in consequence of any decision either of Board or of such other body as Board may provide, or
  - (b) that any decision of Board is inconsistent with the Statutes,may, within 15 days of the date on which the decision has become publicly known or has been communicated to the applicant, whichever is later, inform the Registrar of an intention to appeal to the Visitors thereafter.
- (2) If, within a further period of 15 days, the matter has not been settled to the satisfaction of all parties, the applicant may, within a further period of 15 days, direct an appeal in writing to the Visitors, who shall consider it as soon as may be consistent with justice.
- (3) (a) Parties to appeals before the Visitors shall be entitled to representation of their choice.
- (b) Any party who seeks to instruct legal representation shall give due notice of this intention to the Visitors and to all other parties; and the Visitors may then make such order respecting the parties' representation as they deem fit.

- (4) The Visitors may refuse to hear an appeal which they consider to be ill-founded.
- (5) The Visitors may order that a person, who has either persistently and unreasonably brought ill-founded appeals or acted in concert with another to bring such appeals, shall require the leave of the Visitors to take further steps in any pending appeal or to institute any further appeal.
- Accepted Jurisdiction      8.      (1) In the most exceptional of cases, the Visitors may, in the interests of justice and in their absolute discretion, agree to hear a case from a member of the Community who is in dispute with the authorities of the College or University and who would otherwise suffer a grave injustice.
- (2) The Visitors shall only agree to hear such a case if
- (a) all other practical avenues of redress in the dispute have been exhausted and there is no prospect that Board would take a decision on the issue, or
- (b) it is a matter of the most extreme urgency.
- (3) Having accepted jurisdiction, the Visitors shall deal with the matter as far as practicable as if it were an appeal against a decision of Board.
- Remedies      9.      (1) The Visitors may, at any stage during an appeal, make such interim orders as they deem fit.
- (2) Having heard an appeal, the Visitors may confirm the decision of Board in whole or in part, or amend it, or declare it null and void, or make such further or other order as they deem fit.
- (3) The Visitors may, in appropriate cases, recommend that College pay some or all of the costs reasonably incurred by an applicant; and Board may choose to make an *ex gratia* payment for the same purposes.
- Other Duties      10.      (1) The Visitors shall, pursuant to the Statutes:
- (a) consider reports of Disciplinary Panels or Panels of Enquiry referred to them by Board,
- (b) conduct Extraordinary and Legislative Visitations,
- (c) if Board has been suspended by Government, pursuant to the Act of 1997<sup>3</sup>, appoint persons to perform the functions of Board and oversee the procedures set out in the Chapter on Board to determine its re-establishment,
- (d) appoint a person to the office of Pro-Chancellor, where none has been elected pursuant to the Chapter on the Chancellor, and

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<sup>3</sup> See Section 21 of the Act of 1997.

- (e) perform such other functions as may be prescribed by the Statutes or by Board.
- Powers 11. (1) The Visitors may, pursuant to the Statutes:  
 (a) conduct General Visitations,  
 (b) declare certain offices to be vacant, and  
 (c) approve  
 (i) Ordinances to amend the Chapters of the Statutes, and  
 (ii) certain decisions and Decrees of Board.  
 (2) The Visitors shall indicate such Approval as required by sub-section 1(c) by appending their signatures to the appropriate document.
- Visitations 12. (1) The Visitors may, if they deem it expedient for just and weighty reasons, conduct a Visitation of the College and/or University, on such days and at such times as they deem fit; and this shall be known as a General Visitation.  
 (2) The Visitors shall conduct a Visitation if requested to do so by Board; and this shall be known as an Extraordinary Visitation.  
 (3) A Visitation conducted pursuant to the Act of 1997<sup>4</sup> shall be known as a Legislative Visitation.  
 (4) In every Visitation, Board shall ensure that the Visitors are afforded all reasonable co-operation by any and every member of the Community.  
 (5) In every Visitation, the Visitors may contact, summon, question, and/or examine any or every member of the Community, inspect the College and University and their buildings, grounds, equipment and records, and take or procure any evidence they deem necessary.  
 (6) During, and at the conclusion of any General or Extraordinary Visitation, the Visitors may do all things necessary for the resolution of any serious problems brought to light in the Visitation, and may refer any disciplinary matters to the appropriate bodies to be dealt with pursuant to the Division on Conduct.
- Council and Board 13. (1) Council may appeal to the Visitors against a refusal of Board to give its consent to a nomination or regulation made by Council.  
 (2) The Visitors shall either deny the appeal, or allow it and order Board to give its consent; provided that if the matter involves increased expenditure, the Visitors shall not allow the appeal unless such increased expenditure has already been sanctioned by Board.

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<sup>4</sup> See Section 20 of the Act of 1997.

- (3) Board may appeal to the Visitors against a refusal of Council to give its consent to a regulation regarding the academic affairs of the University made by Board.
- (4) The Visitors shall either deny the appeal, or allow it and order Council to give its consent.
- Senate and Board
14. (1) Senate may appeal to the Visitors against a refusal of Board to accept an amendment by Senate to a proposition put to it by Board.
- (2) The Chancellor or Pro-Chancellor sitting as Visitor on such an appeal shall not have taken any part in the decision of Senate to amend the proposition or to take the appeal.
- (3) The Visitors shall either deny the appeal, or allow it and order Board to give its consent; provided that if the matter involves increased expenditure, the Visitors shall not allow the appeal unless such increased expenditure has already been sanctioned by Board.
- Delegation and Agency
15. (1) Except as expressly provided for in the Principal Enactments and in these Statutes, and in particular in section 3 of this Chapter and section 7 of the Chapter on the Chancellor, the functions conferred upon the Visitors in these Statutes may not be delegated, and authority to exercise any of the functions conferred upon the Visitors in these Statutes may not be granted to an agent.

[Back to Table of Contents](#)

## Division - College

### College

- Establishment      1.      (1) Pursuant to the Principal Enactments, the College of the Holy and Undivided Trinity of Queen Elizabeth near Dublin<sup>5</sup> is a Chartered Corporation, commonly called Trinity College Dublin (or, in the Statutes, "College").
- (2) Where a function is to be performed in the name of College, it should hereafter be performed under the name, style and title of the Body Corporate as provided pursuant to the Chapter on the Body Corporate.
- Functions              2.      (1) College possesses full legal personality, and may perform any lawful act.
- (2) In particular, College has the right to
- (a) perpetual succession,
  - (b) sue and be sued in its corporate name,
  - (c) manage its own affairs,
  - (d) acquire, hold and deal with assets, and otherwise conclude agreements with third parties,
  - (e) maintain the *Cista Communis*,
  - (f) employ and dismiss employees or agents,
  - (g) possess and affix a Seal,
  - (h) award Degrees and other academic qualifications,
  - (i) name, elect and admit the Annual Statutory Officers, and
  - (j) enact Statutes for the government of College.
- (3) The Degrees and other academic qualifications awarded by the College, and regulations relating thereto, shall be set out in or pursuant to Schedule 1.
- (4) Except as otherwise provided for in the Principal Enactments or the Statutes, the functions of College shall be performed by or on the directions of Board.
- The Seal              3.      (1) The rights of College to possess and affix a Seal shall be performed by Board in the name of the Body Corporate of the College.
- (2) The Seal shall be in the form for the time being determined by Board.

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<sup>5</sup> The name of the College is initially given in the Charter of 1592 as: "*Collegium Sanctae et Individuae Trinitatis juxta Dublin a Serenissima Regina Elizabetha Fundatum*", which might be translated "the College of the Holy and Undivided Trinity Near Dublin Founded by the Most Serene Queen Elizabeth". In that Charter, however, the name of the Body Corporate is initially given as "The Provost Fellows and Scholars of the College of the Holy Trinity of Queen Elizabeth Near Dublin". Moreover, there are five references to "the College of the holy and undivided Trinity of Queen Elizabeth near Dublin", and there is one simply to "Trinity College". The Charter of 1637 refers, once each, to "the College of the holy and undivided Trinity of Queen Elizabeth near Dublin" and "Trinity College Dublin". All of these phrases are likewise translations from the original Latin. The 1997 and 2000 Acts refer to the "College of the Holy and Undivided Trinity of Queen Elizabeth near Dublin". The provision in the text follows this most recent usage.

- (3) The Secretary shall be responsible for custody of the Seal.
- (4) Board shall affix the Seal to any
  - (a) instrument when it is required to do so by the law of the land,
  - (b) contract relating to an interest in land,
  - (c) major agreement concluded with the consent of Board pursuant to the Chapter on Board,
  - (d) petition addressed by it to Government, praying for the grant of a Charter or Act of the Oireachtas, whether pursuant to the Act of 1997 or otherwise, or whether to amend the constitution of the Body Corporate or otherwise, or
  - (e) document to which the Body Corporate is a party.
- (5) Board may affix the Seal to any instrument when it deems it necessary or expedient to so do.
- (6) Neither a decision of Board to affix the Seal, nor any exercise of the power to affix it, shall be valid except in the presence of the Provost.
- (7) Pursuant to the Act of 1997<sup>6</sup> or otherwise, the Seal shall be authenticated by the signatures of the Provost and at least one other signatory authorised by Board.

College  
Property

4. (1) The Charter of 1592 initially established College “in a certain place ... near Dublin”; and, envisaging its expansion, the Charter also provided that College is “capable in law of acquiring, having, taking possession of, receiving and possessing ... lands”, and that it “may for ever possess ... lands” (provisions which are now given further effect by section 2(d) above).
- (2) In particular, for the purposes of these Statutes, College
  - (a) consists of all of the properties that it controls, and
  - (b) includes any property in which
    - (i) College has an interest, or
    - (ii) College conducts any aspect of its mission - whether as to academic or administrative matters, or education, or research, or residence, or student activities, or the like;
 and references in these Statutes to “on College property”, “in College”, “accommodation” and “space”,

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<sup>6</sup> Section 1 of the Third Schedule to the Act of 1997 provides:

(1) As soon as practicable after its establishment, the governing authority of a university shall provide and retain in its possession a seal of the university.

(2) The seal of a university shall be authenticated by the signature of the chairperson or a member of the governing authority, and by the signature of an employee of the university, authorised by the governing authority to act in that behalf.

(3) Judicial notice shall be taken of the seal of a university, and every document purporting to be an instrument made by a university and to be sealed with the seal of the university (purporting to be authenticated in accordance with this Schedule) shall be received in evidence and shall, unless the contrary is shown, be deemed to be such instrument, without further proof.



- and to similar or cognate phrases, shall be construed accordingly.
- (3) Without prejudice to subsection (2), Board may provide that any specified property comes within that subsection.

[Back to Table of Contents](#)

## Schedule 1

### *Degrees and other academic qualifications awarded by College*

#### 1. Degrees

- (1) The Letters Patent of 1857 and 1911 confirmed that College's power in the Charters of 1592 and 1637 to award Degrees and thus to confer degrees is to be exercised by the University, and this is provided for in the Chapter on the University.

#### 2. Other Academic Qualifications

- (1) In this Schedule, "academic qualifications" means the academic qualifications other than Degrees awarded by College.
- (2) Board shall make regulations concerning
  - (a) the titles and abbreviations of academic qualifications,
  - (b) the academic standing necessary for the conferral of academic qualifications,
  - (c) the academic and other requirements to be fulfilled to achieve that standing, and
  - (d) the exceptional circumstances in which academic qualifications may be suspended, removed or reinstated.
- (3) Where academic qualifications are conferred at a public ceremony, they are usually conferred in person, but Board may make regulations to provide that
  - (a) academic qualifications may be conferred in absentia, or
  - (b) any person who was a candidate for an academic qualification, but whose untimely death preceded the relevant ceremony, may posthumously be conferred with that qualification.
- (4) Where academic qualifications are conferred at a public ceremony, Board shall make regulations concerning academic dress at such ceremonies.
- (5) Any regulation made by Board pursuant to this section shall be set out in the Calendar.

[Back to Table of Contents](#)

## Body Corporate

- |                                |    |  |
|--------------------------------|----|--|
| Establishment and constitution | 1. | <p>(1) Pursuant to the Principal Enactments, the Body Corporate of the College consists of the Provost, Fellows, and Foundation Scholars, together with those additional members of Board who, not being Fellows or Scholars, are for the time being members of Board.<sup>7</sup></p> <p>(2) The constitution of the Body Corporate cannot be amended except by means of a Charter or Act of the Oireachtas; and no petition for an amendment by such means shall be addressed by Board to Government, whether pursuant to the Act of 1997<sup>8</sup> or otherwise, without the Assent signified in writing of a majority of the members of the Body Corporate, taken according to the procedures laid down in Schedule 1.</p> |
| Functions                      | 2. | <p>(1) Except as otherwise provided for in the Principal Enactments or the Statutes, the functions of the Body Corporate shall be performed by or on the directions of Board.</p> <p>(2) Where a function is performed in the name of the Body Corporate, it should hereafter be performed under the name, style and title of "the Provost, Fellows, Foundation Scholars, and the other members of Board, of the College of the Holy and Undivided Trinity of Queen Elizabeth near Dublin".</p>  |
| Meetings                       | 3. | <p>(1) Before the Assents of the members of the Body Corporate are invited for any petition to amend the constitution of the Body Corporate, there shall be a meeting of the members of the Body Corporate to discuss that petition.</p> <p>(2) The Chairperson of the meeting shall be the Chairperson for the time being of Board.</p> <p>(3) The Chairperson shall summon the meeting, and the Registrar shall assist the Chairperson in its arrangement and conduct.</p>   |

[Back to Table of Contents](#)

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<sup>7</sup> See the Charters of 1592 and 1637 and the Letters Patent of 1911, as amended by section 2 of the Act of 2000.

<sup>8</sup> Section 31 of the Act of 1997 provides:

(1) A university may have a charter, not in conflict with this Act...

(3) A charter made under this section by a governing authority of a constituent university or Trinity College shall be supplemental to the charter of that university in force at the commencement of this Part.

Section 32 of the Act of 1997 provides:

(2) The Government may, by order made on the application of a university, amend the charter of the university in a manner agreed to by the university.

(3) Where a university considers that its charter, as amended by or under this Act, should be consolidated into a single instrument, it may submit to the Government a copy of the consolidated charter and the Government, if it agrees, may by order recognise the charter as so consolidated.

## Schedule 1

### *Procedures for taking the Assents of the Members of the Body Corporate to Amendments to the Constitution of the Body Corporate*

#### (1) Petition and Meeting

- (1) Where pursuant to the Chapter on the Body Corporate and the Chapter on Board, Board has taken a decision (hereafter: the decision of Board) to seek to petition the Government for a Charter or Act of the Oireachtas which would have the effect of amending the constitution of the Body Corporate of the College (hereafter: the proposed amendment), Board shall so inform the Chancellor.
- (2) The Chairperson shall call a meeting of the members of the Body Corporate (hereafter: the members) to discuss the petition and, if Board thereafter wishes to invite the members to grant their Assent to the proposed amendment, then the procedures in this Schedule shall be followed.

#### (2) Taking Assents

- (1) Provided that the members shall have at least 10 days in which to consider the issue and return their Assents, Board shall set
  - (a) a return date and appointed time before which the members shall return their Assents,
  - (b) a return address to which they shall return their Assents, and
  - (c) the date on or by which the Assents shall be counted.
- (2) The Chancellor and the Registrar shall act as Scrutineers of the process of the taking of the members' Assents, and shall do all such acts and things as may be necessary for its conduct.
- (3) In particular, as soon as practicable after the decision of Board, the Registrar shall
  - (a) notify the Chancellor of this process,
  - (b) procure an empty ballot box and lock it securely, and
  - (c) send to every member, in an envelope clearly marked as containing Assent papers
    - (i) Assent papers in the form for the time being approved by Board,
    - (ii) explanatory material to facilitate due consideration of the proposed amendment, and
    - (iii) an envelope marked with the return address (hereafter: a voting envelope).
- (4) Members wishing to indicate their Assent to the proposed amendment shall return their signed Assent Forms in the envelope provided on or before the return date and appointed time.
- (5) The Registrar shall cause
  - (a) all voting envelopes arriving at the return address before the appointed time on the return date to be marked with the date and

time upon which they were received and then placed into the locked ballot box,

- (b) the voting slot in the ballot box to be closed and locked at the appointed time on the return date, and
- (c) all voting envelopes arriving at the return address after the appointed time on the return date to be marked with the date and time upon which they were received and stored unopened in safe keeping.

**(3) Count**

(1) On the date of the count, the Scrutineers shall

- (a) unlock the ballot box,
- (b) consider all and only the Assent Forms in the stamped envelopes contained therein,
- (c) determine and record the number of members who have Assented to the proposed amendment,
- (d) cause all of the envelopes and Assent Forms which have been thus considered, and all of the envelopes which arrived late and were stored in safe keeping, to be placed in the ballot box, and
- (e) cause that box to be re-locked and stored in safe keeping.

(2) The Registrar shall cause all voting envelopes arriving at the return address after appointed time on the return date but before the date and time on which Board considers the result of the count (hereafter: the further envelopes) to be marked with the date and time upon which they were received and stored unopened in safe keeping.

**(4) Result**

(1) The Scrutineers shall declare the result to Board, which shall give directions relating to the locked ballot box and the further envelopes.

(2) If the number of members who have Assented to the proposed amendment constitutes a simple majority of those who were members at the appointed time on the return date, then Board may proceed to petition the Government for a Charter or Act of the Oireachtas which would have the effect of amending the constitution of the Body Corporate of the College.

[Back to Table of Contents](#)

## Provost

- Establishment      1.      (1) Pursuant to the Principal Enactments, the Provost is Head of the College and a member of the Body Corporate of the College.
- Functions            2.      (1) The Provost shall
- (a) provide leadership to the College and manage and direct its activities,
  - (b) subject to the Chapter on Board, be entitled to represent College and act or speak on its behalf,
  - (c) be invited to grant Assent, as a member of the Body Corporate to any petition to amend the constitution of the Body Corporate,
  - (d) have oversight of the allocation of rooms and other space in College,
  - (e) assist Board in the performance of its functions,
  - (f) carry into effect the budget determined by Board,
  - (g) perform such other functions as may be expressly delegated by Board pursuant to the Act of 1997 or otherwise, and the Principles of Delegation shall apply,
  - (h) have authority to exercise as agent such functions of Board as may be expressly granted by it, and the Principles of Agency shall apply,
  - (i) comply with the terms of the Declaration taken upon admission to office,
  - (j) have the right to Commons, pursuant to the Chapter on the College Community
  - (k) perform such other functions as may be prescribed by the Statutes or the Act of 1997,<sup>9</sup> and
  - (l) have such powers as are necessary or expedient to perform the functions of office.
- (2) Except where the Principal Enactments otherwise require,
- (a) the Provost may expressly delegate any of the functions of office, and the Principles of Delegation shall apply, and
  - (b) the Provost may expressly grant authority to exercise any of the functions of office to an agent, and the Principles of Agency shall apply.

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<sup>9</sup> Section 3 of the Act of 1997 provides:

(1) In this Act, unless the context otherwise requires ... 'chief officer' means—

(a) a person appointed under section 24 as the chief officer of a university, ... and includes a person acting in the office or performing the duties of a chief officer

Section 24 of the Act of 1997 provides:

(1) A governing authority shall, in accordance with procedures specified in a statute, appoint in a whole-time capacity a person to be chief officer of its university, who shall be called the President or Provost or by such other title as the governing authority determines.

- (3) All members of the Community shall respect and abide by the lawful and reasonable decisions of the Provost taken in the performance of these functions.
- Obligations      3.      (1) The Provost shall  
   (a) ordinarily reside in the Provost’s House, and  
   (b) as a condition of receiving a salary, assign to the *Cista Communis* all benefits accruing out of the estates vested in the Provost.
- Process for  
Choice of  
Provost      4.      (1) Pursuant to the Principal Enactments, the Provost shall be chosen by College and appointed by Board in accordance with the interview and election procedures specified in this Chapter.  
   (2) Where there is a vacancy or impending vacancy in the office of Provost, the process by which a Provost is chosen by College shall include  
   (a) an interview of applicants,  
   (b) an election to decide from amongst validly nominated candidates, and  
   (c) appointment by Board,  
   and all references to the process in this Chapter shall be to this process.  
   (3) Provisions to implement and administer the process shall be set out in Schedule 1.
- Candidates  
and  
applicants      5.      (1) Candidates for election shall possess  
   (a) significant academic standing,  
   (b) evidence of capacity for management and administration such as is required in an educational or equivalent institution, and  
   (c) evidence of leadership skills and of the ability to represent the College externally.  
   (2) Those, from either within or outside of the employees of the university, who submit applications to the Steering Committee established pursuant to section 6, in the form prescribed by that Committee, on or before the closing date set by it, shall in the Statutes be described as “applicants”.  
   (3) Except where required by law, references submitted on behalf of applicants shall not be published by any of the Committees established by this Chapter.  
   (4) Because of the role of the Registrar as Chairperson of the Steering Committee, a Registrar who submits an application shall be deemed to have resigned from office immediately upon the submission of such application.  
   (5) (a) Annual Statutory Officers (other than the Registrar) and Faculty Deans who submit applications shall be deemed temporarily to have stepped aside from the

- exercise of the functions of office immediately upon the submission of such application.
- (b) Board shall appoint a Pro-Officer or a Pro-Dean, as the case may be, to exercise the functions of office of the temporarily absent Officer or Dean for the period of this temporary absence.
  - (c) An Officer or Dean who has stepped aside, and who has been appointed Provost, shall be deemed thereupon to have resigned as an Officer or Dean, as the case may be.
  - (d) An Officer or Dean who has stepped aside, and who has not been appointed Provost, shall resume the exercise of the functions of office immediately upon the appointment of the incoming Provost by Board.
- (6) (a) Members of Board who submit applications shall be deemed temporarily to have stepped aside from Board immediately upon the submission of such application.
- (b) Board shall invite the attendance of substitutes for the period of this temporary absence.
  - (c) Such substitutes shall be chosen by the analogical application of regulations concerning the filling of casual Board vacancies; provided that, if no such person is available, Board shall choose such other person as will maintain the balance of membership prescribed by section 3 of the Act of 2000.
  - (d) Such substitutes shall be counted as members of Board for the purposes of membership of Committees established pursuant to this Chapter.
  - (e) A member of Board who has stepped aside, and who has been appointed Provost, shall be deemed thereupon to have resigned from Board in that capacity.
  - (f) A member of Board who has stepped aside, and who has not been appointed Provost, shall resume office at the meeting of Board following the meeting at which Board has appointed the incoming Provost.
- (7) An applicant who has, or who has been deemed to have, resigned or stepped aside from any position in College, shall do so on such terms, if any, as may be prescribed in Schedule 1.

Steering  
Committee

6. (1) Board shall establish a Steering Committee to oversee the process.
- (2) The Steering Committee shall consist of:
- (a) The Registrar, who shall be its Chairperson,
  - (b) The Secretary, who shall be its Secretary, and
  - (c) Three elected members of Board, comprising
    - (i) a Fellow,



- (ii) a member of the academic staff who shall not be a Fellow, and
  - (iii) a member of staff who shall not be a member of the academic staff.
- (3) The Steering Committee shall do all such acts and things as may be necessary for the conduct of the process; in particular, it shall
- (a) prepare a timetable for the process, for approval by Board,
  - (b) facilitate the identification of potential applicants,
  - (c) prepare a Register of Electors,
  - (d) prepare a draft advertisement, further particulars of the post, and details required for applications, for approval by Board,
  - (e) receive applications,
  - (f) determine whether applications are complete and valid having regard to section 5(2),
  - (g) oversee the general operation of the election campaign, and
  - (h) make the necessary arrangements for the election and count.
- (4) If the Steering Committee determines that, having regard to section 5(2), no complete and valid application has been submitted to it, then it shall recommence the process.

Interview  
Committee

- 7.
- (1) Board shall establish an Interview Committee to arrange for applicants to make presentations to the Committee and to be interviewed by the Committee.
  - (2) Board shall appoint a Recommendation Committee to advise on the composition of the Interview Committee.
  - (3) The Recommendation Committee shall consist of
    - (a) the Chairperson of Fellows, and
    - (b) two elected members of Board, one of whom shall be a Fellow, and the other of whom shall not be a Fellow.
  - (4) On the advice of the Recommendation Committee, Board shall appoint the members of the Interview Committee, who shall consist of
    - (a) three elected members of Board, who shall be Fellows, one of whom shall be its Chairperson,
    - (b) one elected member of Board, who shall not be a Fellow, and
    - (c) one member of Board who shall not be an employee or student of the College.

Appeals  
Committee

8. (1) Board shall appoint an Appeals Committee to resolve disputes which arise during the process.
- (2) The Appeals Committee shall consist of three elected members of Board comprising
  - (a) a Fellow, who shall be its Chairperson,
  - (b) a member of the academic staff who shall not be a Fellow, and
  - (c) a member of staff who shall not be a member of the academic staff.
- (3) Board shall appoint an elected member of Board, who shall be a Fellow, as an alternate member, to serve if and only if one of the three members is unavoidably absent from a meeting.
- (4) The Appeals Committee shall hear appeals from all decisions of
  - (a) the Steering Committee and the Interview Committee,
  - (b) the Chairperson of the Steering Committee taken pursuant to section 12, and
  - (c) Board relating to the process by which a Provost is chosen by the College, notwithstanding any provisions of the Chapter relating to the Visitors.
- (5) The Appeals Committee shall determine its own procedures, and shall hear, determine and resolve all appeals as expeditiously as possible; provided that, except on the day of the election, it may decide to refer any weighty matter directly to the Visitors.
- (6) The Visitors may decide whether or not to hear any other appeals from decisions of the Appeals Committee; provided that the Visitors shall not have jurisdiction to hear appeals from decisions of the Appeals Committee concerning decisions of the Chairperson of the Steering Committee taken pursuant to section 12.

Committees

9. (1) The Committees referred to in this section are the Committees established by this Chapter.
- (2) There shall be no overlap in the membership of the Committees.
- (3) Members of the Committees shall not be applicants.
- (4) The common provisions of the Chapter on Committees shall apply.

Interview and  
Nomination

10. (1) All applicants who are determined by the Steering Committee to have submitted complete and valid applications, having regard to section 5(2), shall be interviewed by the Interview Committee.
- (2) The Interview Committee shall do all such acts and things as may be necessary for the conduct of the interview; in particular, it shall
  - (a) facilitate the applicants in understanding the office of Provost,

- (b) verify the *curriculum vitae* submitted by each of the applicants,
  - (c) arrange for the applicants to make presentations to the Interview Committee,
  - (d) interview the applicants,
  - (e) identify those applicants for whom there is not a *prima facie* case for proceeding to election, based on the criteria set out in section 5(1), and
  - (f) send to the Steering Committee the names of those going forward as candidates for election.
- (3) Candidates whose names have been so forwarded shall be provided by the Steering Committee with a nomination paper.
- (4) Candidates who return to the Steering Committee, on or before the last day appointed for the receipt of nominations, a nomination paper - signed by twelve electors, at least one of whom certifies that the candidate is willing to stand for election - may proceed to the election.
- (5) If the Interview Committee sends no name forward, or if no candidate returns a complete and valid nomination paper, then the Steering Committee shall recommence the process.

Electorate

11. (1) The electorate shall consist of those who, on the date of the election, are
- (a) full-time members of the academic staff who hold the position of Fellow, Professor, Associate Professor or Senior Lecturer,
  - (b) Lecturers who have held continuously a full-time academic post in the College for at least one year previous to the date of the election,
  - (c) permanent part-time members of the academic staff who had previously come within the terms of paragraphs (a) or (b), (to ensure that long-serving members of the academic staff who for family or similar reasons opt to work on a permanent, part-time basis are not disenfranchised by doing so),
  - (d) members of Board or Council, and
  - (e) other persons who, either by virtue of the Statutes or in accordance with a resolution of Board or Council, are in regular attendance at meetings of Board and Council as elected representatives.
- (2) No person who comes within the terms of subsection 1(a)-(c) but who has been appointed to an academic post for a stated period of less than five years shall be a member of the electorate.
- (3) A serving Provost shall not be a member of the electorate.

Election and  
Count

12. (1) All references in this section to the Chairperson shall be to the Chairperson of the Steering Committee.
- (2) Subject to the provisions of this section, all details of the conduct of the election shall be decided by the Chairperson.
- (3) The Chairperson shall take such measures as are necessary to exclude from the election venue all persons other than the members of the electorate, the candidates, such persons as the Chairperson shall have appointed to act as scrutineers and stewards, and such other persons as may be prescribed in Schedule 1.
- (4) (a) Where there is only one candidate, the question on the ballot-paper shall be whether the candidate is to be elected.
- (b) A candidate who is thereby elected shall be declared by the Chairperson to be the choice of the College.
- (c) If the candidate is not elected, then the Steering Committee shall recommence the process.
- (5) Where there are two or more candidates, the election shall proceed by successive ballots.
- (6) At the first ballot the names of all validly nominated candidates shall be before the electors, and every member of the electorate shall vote for one candidate and one only.
- (7) The candidate who on this ballot receives the smallest number of votes shall be eliminated, and the names of the remaining candidates shall again go forward to the electorate, who shall again vote each for one candidate and one only.
- (8) If, however, the number of candidates shall exceed seven, the Chairperson may order that at the earlier ballots more names than one shall be eliminated, so that the total number of ballots shall not exceed six.
- (9) The ballots shall proceed, with the elimination after every ballot of the candidate who has received the smallest number of votes, until the final ballot, when only two names are before the electorate.
- (10) The candidate who on this ballot receives the majority of the votes shall be declared by the Chairperson to be the choice of the College.
- (11) The Chairperson shall not vote except in the event of an equality of votes, and then only so as to determine which of two candidates with an equal number of votes shall be eliminated.

Appointment

13. (1) Immediately after the election of a candidate who has been declared to be the choice of the College, the Chairperson of the Steering Committee shall, without

- delay, inform Board of the name of that candidate.
- (2) At its first meeting after the election, Board shall appoint as Provost the candidate who has been declared to be the choice of the College.
  - (3) At that meeting, or as soon thereafter as possible, and in any case before taking up office, the incoming Provost shall make a Declaration administered by the Vice-Provost in the presence of Board in the form prescribed by the Schedule on Declarations.
  - (4) Where the tenure of an outgoing Provost has terminated by effluxion of time, then the incoming Provost shall take office on the first day of August following appointment.
  - (5) Notwithstanding anything in subsection (4), where the tenure of an outgoing Provost has terminated by effluxion of time, and if the process has continued past the first day of August after the establishment of the Steering Committee, then the outgoing Provost shall continue to exercise the functions of office until the incoming Provost has been appointed, and the incoming Provost shall take office as soon as possible after appointment by Board.
  - (6) Where the tenure of an outgoing Provost has terminated in any manner other than by effluxion of time, then the incoming Provost shall take office as soon as possible after appointment by Board.

- Termination      **14.**
- (1) For the purposes of this section,
    - (a) the “specified period” shall be such period as may be provided for by or under an Act of the Oireachtas;<sup>10</sup> provided that, if no such period is provided, the specified period shall be ten years, and
    - (b) the “specified retirement date” shall be
      - (i) the retirement date specified in the Provost’s pre-existing contract of employment with College, if any, or any applicable legislation, or any appropriate College policy, or
      - (ii) if no such date is specified, on the last day of July in the academic year in which the Provost attains the age of sixty-seven years.
  - (2) A Provost who took office on the first day of August following appointment and who has not died, resigned, retired or been removed from office, shall hold office for the specified period.
  - (3) A Provost who took office on any other date and who has not died, resigned, retired or been removed from office, shall hold office until the last day of July after the expiry of the specified period from the date of the taking of office.

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<sup>10</sup> See section 7 of the Fourth Schedule to the Act of 1997, providing for a period of 10 years.

- (4) The Provost may resign from office by giving not less than three months' notice in writing to Board.
- (5) The Provost may retire from office at any time with the consent of Board, and shall retire on the specified retirement date.
- (6) Pursuant to the Act of 1997<sup>11</sup> or otherwise, the Provost is answerable to Board for the efficient and effective management of College and for the due performance of the functions of office; and if the Provost has significantly failed to meet these standards, then Board may, after due enquiry, remove the Provost from office.
- (7) If it appears to Board that the Provost has become incapable of performing the functions of office, then it may refer the matter to the Visitors, who may, after due enquiry, declare the office to be vacant.
- (8) Subject to any applicable legislation, policy approved by Board, or agreement between the Provost and College, a Provost whose term of office has terminated before the specified retirement date may choose to remain a member of, or to retire from, the academic staff of College.
- (9) A Provost who, pursuant to subsection (8), chooses to remain a member of the academic staff, shall be entitled to be
  - (a) appointed to a Professorship at a salary at the top of the relevant pay scale, and
  - (b) declared to be a Fellow of College, taking precedence over all Fellows other than the Vice-Provost; provided that, if there is more than one such retired Provost, they shall take precedence among themselves in order of retirement.
- (10) A Provost who, pursuant to subsection (8), chooses to retire from the academic staff of the College, shall be entitled to
  - (a) receive the applicable pension,<sup>12</sup> and
  - (b) be styled a Fellow *Emeritus*.

Advisory  
Council

15. (1) Board may establish an Advisory Council to the Provost, on such terms and for such purposes as the Provost and Board may determine, and its members shall be nominated by the Provost and appointed by Board.

[Back to Table of Contents](#)

<sup>11</sup> See sections 2 and 7 of the Fourth Schedule to the Act of 1997.

<sup>12</sup> See section 25(7) of the Act of 1997 and the Fifth Schedule to the Act, and section 13 of the Finance Measures (Miscellaneous Provisions) Act, 2009.

## Schedule 1

### *Process by which the Provost is chosen by College*

#### 1. Decisions and Procedures

- (1) Subject to the terms of the Chapter, all of the decisions taken and procedures adopted and implemented relating to the process shall be fair and equitable and shall be subject to the principles of natural and constitutional justice and fair procedures.

#### 2. Candidates and applicants

- (1) Board may provide that holders of offices in College who have submitted applications, but who are neither Annual Statutory Officers nor Faculty Deans, shall be deemed to have resigned from such office in like manner as a Registrar or to have stepped aside from the exercise of the functions of such such office in like manner as an Officer (other than the Registrar) or Dean.
- (2) Board may provide that applicants who are members of committees other than Board shall be deemed to have stepped aside from such committees in like manner as a member of Board.

#### 3. Timetable principles

- (1) The principles in this section shall be a guide to Board generally, and to the Steering Committee in particular, in preparing a timetable for the process.
- (2) The process shall commence with the decision of Board to establish the Recommendation Committee.
- (3)
  - (a) At the last meeting of the academic year before the tenure of a serving Provost is due to terminate by effluxion of time, Board shall establish the Recommendation Committee and enjoin the Registrar and Secretary to begin preparations for the process of choosing the new Provost.
  - (b) At the first meeting of the academic year in which the tenure of a serving Provost is due to terminate by effluxion of time, Board shall establish the Steering Committee, the Interview Committee and the Appeals Committee.
- (4)
  - (a) Where the tenure of a Provost has terminated in any manner other than by effluxion of time, then at the first meeting after such termination or notice of such termination, Board shall establish the Recommendation Committee and enjoin the Registrar and Secretary to begin preparations for the process of choosing the new Provost.
  - (b) At its next meeting, Board shall establish the Steering Committee, the Interview Committee and the Appeals Committee.
- (5) At the meeting at which the Steering Committee, the Interview Committee and the Appeals Committee are established, and at any meeting thereafter, Board may give these Committees any necessary directions or additional functions.

- (6) Where the timetable prepared by the Steering Committee has been approved by Board, the Steering Committee shall publish that timetable.
- (7) Where the draft advertisement, further particulars of the post, and details required for applications, have been prepared by the Steering Committee and approved by Board, the Steering Committee shall place the advertisement and otherwise encourage applications from potential applicants.
- (8) Where the date for receipt of applications has passed, the Steering Committee shall
  - (a) inform the Interview Committee of the names, if any, of all applicants who have submitted complete and valid applications,
  - (b) publish the draft electoral register.
- (9) Once the Interview Committee has interviewed the applicants and sent to the Steering Committee the names of those going forward as candidates for election, if any, then the Steering Committee shall publish the final electoral register.
- (10) Once complete and valid nomination papers have been submitted by the candidates to the Steering Committee, the Steering Committee shall publish the names and the election period shall commence.
- (11) The election and count shall take place on the date prescribed by the Steering Committee.
- (12) The process shall come to an end with the decision of Board appointing the Provost.

#### 4. Committees

- (1) No appeal shall be brought to the Appeals Committee after the expiration of two working days after the day on which an impugned decision is announced.
- (2) Notwithstanding subsection (1), if the impugned decision is announced less than three working days before the day of, or on the day of, the interview or the election, then any appeal shall be brought on the day that the decision is announced.
- (3) An appellant must demonstrate to the satisfaction of the Appeals Committee that the impugned decision raises a serious issue which has directly and adversely affected the appellant's interests in the process, or is very likely to do so.
- (4) The quorum for meetings of the Appeals Committee, the Interview Committee and the Recommendation Committee shall be the full membership of the relevant Committee.
- (5) The quorum for meetings of the Steering Committee shall be four.
- (6) If Board determines, after due enquiry, that a member of a Committee established by the Chapter is unwilling or unable to serve, then Board may appoint a replacement by the analogical application of regulations concerning the filling of casual Board vacancies; provided that, if no such person is available, Board shall choose such other person as would, in so far



as practicable, reflect the balance of membership prescribed by the Chapter.

**5. Preparation of Register of Electors**

- (1) The Steering Committee shall oversee the preparation and publication of the draft and final Registers of Electors and shall, subject to any appeals to the Appeals Committee, adjudicate on any issues arising therefrom.

**6. Election and Count**

- (1) The Chancellor and Pro-Chancellors may be present at the election venue, but they shall not be members of the electorate.
- (2) No member of the electorate may exercise more than one vote in any ballot, and the voting shall be by secret ballot.
- (3) All candidates for election may be present at the election venue; but candidates who are not otherwise members of the electorate shall not be such members by reason only of their presence at the venue.

[Back to Table of Contents](#)

## Fellows

### *Part 1 - The Fellows, including the Senior Fellows*

- |                                  |    |  |
|----------------------------------|----|--|
| Establishment                    | 1. | (1) The Fellows are established pursuant to the Principal Enactments as members of the Body Corporate, and seven of their number shall be co-opted as Senior Fellows.  |
| Essential Elements of Fellowship | 2. | (1) Election to Fellowship is an academic honour and distinction grounded in the core values and intrinsic purpose of College, and, subject to the Chapter on Board, Fellows play a major role in its general life and governance.<br>(2) Pursuant to the Chapter on Officers, Annual Statutory Officers shall annually be elected by Board from amongst the Fellows.  |
| Responsibilities of the Fellows  | 3. | (1) Fellows<br>(a) respect and maintain the academic interests and traditions of the College,<br>(b) preserve and promote the academic values of scholarship, research and teaching in College,<br>(c) sustain and safeguard the fundamental principles of academic pre-eminence and academic freedom, and<br>(d) scrutinise and comment upon major College and University matters.  |
| Rights of the Fellows            | 4. | (1) The Fellows shall be invited to grant their Assent to<br>(a) any petition to amend the constitution of the Body Corporate,<br>(b) any Ordinance to amend, alter, add to, or repeal the Chapters of the Statutes,<br>(c) the election of new Fellows and new Honorary Fellows, and<br>(d) the termination of tenure of an Honorary Fellowship.<br>(2) Such Assents shall be signified in writing and shall be taken according to the procedures laid down pursuant to the Chapter on the Body Corporate and Schedules 2, 3 and 4 to this Chapter, as the case may be.<br>(3) The Fellows shall elect members of Board, pursuant to the Chapter on Board.<br>(4) The Provost shall chair the Honorary Fellowship Committee and the Central Fellowship Committee; and the Fellows shall elect all of the other members of the Honorary Fellowship Committee and a majority of the other members of the Central Fellowship Committee.<br>(5) The Fellows shall be entitled to be informed and to be heard upon major College and University matters. |

Rights of a Fellow

5. (1) Each Fellow shall have the right to
- (a) be afforded adequate opportunity for academic endeavour, so far as possible;
  - (b) reasonable access to information concerning major College and University matters;
  - (c) participate in the exercise of the functions of the Fellows;
  - (d) Commons, pursuant to the Chapter on the College Community;
  - (e) be accorded appropriate office accommodation, having regard to the exigencies of space in the College; and
  - (f) reside in College, subject to any reasonable rent set by Board.

Duties of a Fellow

6. (1) Each Fellow shall
- (a) comply with the terms of the Declaration taken upon admission to Fellowship;
  - (b) uphold the Charters, Letters Patent, the Act of 2000, and the Statutes;
  - (c) conscientiously participate in the exercise of the responsibilities and rights of the Fellows;
  - (d) take an informed and active interest in the general life and governance of College;
  - (e) seek to ensure that academic values are pre-eminent in the life and workings of College;
  - (f) defend the principles of academic freedom and tenure (as defined in the Chapter on Academic Staff);
  - (g) engage in academic endeavour, keep abreast of advances in knowledge, carry out research and contribute to scholarship;
  - (h) seek to teach in the context of research, and vice versa,
  - (i) participate regularly in the Fellows' affairs, and in particular where possible attend Fellows' meetings and dine on Commons;
  - (j) diligently consider Assent forms;
  - (k) play an appropriate part in the administrative and social life of the College, including participating in activities undertaken to enhance the experience of the students in College;
  - (l) consider becoming a member of Senate, if not already a Master or Doctor of the University;
  - (m) undertake service to the wider community, where appropriate;
  - (n) accept the invitation of the Provost to serve as an Officer, unless there is good and sufficient reason to decline; and

(o) act in accordance with applicable College regulations.

Elections

7. (1) Board, after consultation with the Fellows, shall have the right to determine, subject to the provisions of the Statutes, the qualifications, duties and conditions of tenure for Fellowship.
- (2) In the general interest of College, to further the academic life of College, to foster scholarship, research and teaching, and to support the governance of College, Board shall annually arrange for and conduct the process of election to Fellowship.
- (3) Board shall ensure that the total number of Fellows (including Senior Fellows, but excluding Honorary Fellows and Fellows *Emeriti*) shall not be allowed to fall permanently below thirty-six.
- (4) (a) For the reasons set out in subsection (2), eligible members of the academic staff, who were appointed at least three years prior to the commencement of the academic year in which they are proposed for election, may be elected to Fellowship on the grounds of distinction in research and scholarship as shown primarily by published work, academic promise, and contribution to College life.
- (b) For the reasons set out in subsection (2), Professors who hold an established or personal chair, and who were appointed prior to the commencement of the academic year in which they are proposed for election, may be elected to Fellowship.
- (c) A candidate for election to Fellowship pursuant either to paragraph (a) or to paragraph (b) shall be either a permanent full-time member of the academic staff or a permanent part-time member of the academic staff.
- (d) For the purposes of this subsection:
- (i) an "eligible member" of the academic staff for the purposes of paragraph (a) means an Associate Professor, Senior Lecturer, and Lecturer;
  - (ii) a "permanent member" of academic staff, whether full-time or part-time, includes "a member of academic staff who holds a contract of employment with College that is equivalent to a permanent contract of employment";
  - (iii) a "permanent part-time" member of academic staff includes "a permanent member of academic staff who has a contract of employment with College which specifies normal hours of work that are, or are equivalent to, at

- least 50% of the normal hours of work of a full-time permanent member of academic staff who is a comparable employee in relation to the permanent part-time member of academic staff concerned”;
- (iv) a “permanent part-time” member of academic staff also includes “a permanent member of academic staff who has a contract of employment with College which specifies working time that is, or is equivalent to, at least 50% of the normal working time of a full-time permanent member of academic staff who is a comparable employee in relation to the permanent part-time member of academic staff concerned”; and
  - (v) for the avoidance of doubt, the terms of subparagraph (iii) are not engaged simply because a Fellow has been granted leave pursuant to section 7 of the Chapter on Academic Staff.
- (5) To be eligible for election to Fellowship, or to be so elected, a candidate must in the opinion of Board be of good conduct and character and capable of performing the functions of Fellowship.
- (6) When considering an election under this section, Board shall be advised by the Central Fellowship Committee, which makes recommendations to Board in this respect; the procedures to be followed by the Committee shall be approved by Board and published by the Committee; and candidates for Fellowship shall supply to the Committee such information as it may require.
- (7) (a) If Board decides to propose candidates for election to Fellowship, it shall seek the Assent of the Fellows to such election pursuant to section 4 and Schedule 3.
- (b) No candidate proposed under subsection 4(a) who has received the Assent of fewer than three-fifths of the Fellows shall be elected to Fellowship.
  - (c) No candidate proposed under subsection 4(b) who has received the Assent of fewer than one half of the Fellows shall be elected to Fellowship.
- (8) (a) If elections are necessary in any year, they shall take place at a meeting of Board, which shall be held, if convenient, in the Public Theatre on Trinity Monday.
- (b) At that meeting, the members of Board shall make a Declaration in the form specified by the Schedule on Declarations, the names of the candidates shall be read aloud by the Senior Lecturer, the Chancellor’s certificate relating to the Fellows’ Assents shall be

read aloud by the Provost, and Board shall proceed to the election, whereupon the members shall sign the roll of newly-elected Fellows.

- (c) Any member of Board who, after due enquiry, is convicted before Board of having voted for a candidate under the influence of a bribe shall be expelled from Board and College.
- (9) If, at that meeting, Board has made an election to Fellowship, section 1 of Schedule 1 shall apply.
- (10) Every person who has been so elected shall be admitted to Fellowship by the Provost after making a Declaration in the form specified by the Schedule on Declarations, and any person who refuses to make this prescribed Declaration shall not be admitted to Fellowship.
- (11) The seniority of newly elected Fellows (if more than one in number) shall be fixed according to the order of their election as determined by Board.
- (12) Where there is a sufficiently grave reason for an election to be held at any other time during the academic year, Fellows may be elected by Board at such other time, provided that subsections (4), (5) and (7) have been complied with.

Termination

- 8. (1) (a) The tenure of any Fellowship shall terminate where a Fellow ceases to be a permanent member of the academic staff, or dies, or resigns from Fellowship by giving not less than three months' notice in writing to Board.
- (b) Where, pursuant to paragraph (a), a Fellow has given notice in writing to Board of an intention to resign, Board shall consider that resignation no earlier than the first meeting of Board after three months from the date of the notice.
- (c) A Fellow who has given notice in writing pursuant to paragraph (a) may, by further notice in writing to Board, withdraw a notice of intention to resign which has not already been considered by Board pursuant to paragraph (b).
- (d) Such a resignation shall take effect once it has been considered by Board pursuant to paragraph (b).
- (2) Board may, after due enquiry, terminate the Fellowship of any Fellow who
  - (a) has become permanently incapable of performing the functions of office, or
  - (b) has been persistently negligent or inefficient in the discharge of the duties of Fellowship.
- (3) For the avoidance of doubt, the terms of sub-section (1)(a) are not engaged simply because a Fellow has

been granted leave pursuant to section 7 of the Chapter on Academic Staff.

- Senior Fellows
- 9.
- (1) Whenever a vacancy shall occur in the number of the Senior Fellows, the Provost shall summon the remaining Senior Fellows to a meeting at the earliest possible date on which a majority of them can be present, for the purpose of co-opting a Fellow to fill the vacancy.
  - (2) The Provost shall propose the name of the most senior of the Fellows other than the Senior Fellows, unless the said Fellow shall have indicated to the Provost unwillingness to be co-opted, in which case the Provost shall propose the next Fellow in seniority.
  - (3) If deemed worthy of co-option by the majority of those present, the Fellow so proposed shall thereupon be co-opted as a Senior Fellow.
  - (4) If not, the Provost shall propose the name of the next Fellow in seniority and so on until a Fellow is deemed worthy of co-option by the majority of those present, and the Fellow so proposed shall thereupon be co-opted as a Senior Fellow.
  - (5) The Fellows shall seek to ensure that the Senior Fellows are offered the opportunity for one of their number to serve on committees relating to Fellowship, such as the Central Fellowship Committee and the Honorary Fellowship Committee.
  - (6) The seniority of the Senior Fellows shall be fixed according to the order of their co-option.
  - (7) The tenure of any Senior Fellowship shall terminate in like manner as Fellowship.

*Part 2 - Fellows Emeriti and Honorary Fellows*

- Fellows *Emeriti*
- 10.
- (1) A Fellow who has retired shall be styled a Fellow *Emeritus*.
  - (2) The seniority of Fellows *Emeriti* shall be fixed according to the order of their prior election to Fellowship.
  - (3) The tenure of any Fellowship *Emeritus* shall terminate where a Fellow *Emeritus* dies, or resigns in like manner as a Fellow.
- Honorary Fellows
- 11.
- (1) Board may elect, as Honorary Fellows, persons of academic distinction who
    - (a) are of exceptional intellectual calibre,
    - (b) have a strong association with College, and
    - (c) will contribute to the life of College.
  - (2) When considering an election under this section, Board shall be advised by the Honorary Fellowship Committee which makes recommendations to Board in this respect; and nominators of candidates for Honorary Fellowship

shall supply to the Committee such information as it may require.

- (3) If Board decides to propose candidates for election to Honorary Fellowship, it shall seek the Assent of the Fellows to such election pursuant to section 4 and Schedule 3, and no candidate who has received the Assent of fewer than three-fifths of the Fellows shall be elected to Honorary Fellowship.
- (4) Elections to Honorary Fellowship shall take place at the meeting of Board at which the annual elections to Fellowship take place, and shall so far as possible follow the same procedure and be announced in the same way.
- (5) The seniority of newly-elected Honorary Fellows (if more than one in number) shall be fixed according to the order of their election as determined by Board.
- (6) Honorary Fellows may also, for sufficiently grave reasons, be elected by Board at other times during the academic year, and sub-section (3) shall apply.
- (7) The tenure of any Honorary Fellowship shall terminate where an Honorary Fellow dies, or resigns in like manner as a Fellow.
- (8) Board may, with the Assent in writing of a majority of the Fellows, terminate the tenure of any Honorary Fellowship.

Benefits

12. (1) Fellows *Emeriti* and Honorary Fellows shall be entitled to be treated as Fellows in so far as it is possible having regard to the Principal Enactments and the Statutes.
- (2) In particular, they shall be entitled to Commons pursuant to the Chapter on the College Community and to enjoy such privileges and advantages as Board may from time to time determine.

Restrictions

13. (1) Fellows *Emeriti* and Honorary Fellows shall not, by virtue of such Fellowship alone
  - (a) be included in the number of the Fellows for the purposes of the Charters or Letters Patent, the Act of 2000, or Part 1 of this Chapter;
  - (b) have any vote, power, or authority in the College or University,
  - (c) be entitled to a share in any dividend, or
  - (d) be eligible for any emoluments in the College or University;provided that this section does not affect rights or privileges in the College or University to which Fellows *Emeriti* and Honorary Fellows would otherwise be entitled



*Part 3 - Additional Matters*

- |              |     |   |
|--------------|-----|---|
| Organisation | 14. | (1) The Fellows meet as regularly as necessary, and determine their own procedures for such meetings.<br>(2) A standing committee may assist the Fellows in the performance of their functions, and may represent them and otherwise act on their behalf between meetings; in particular, any such committee may convey the views of the Fellows to the Provost, the Officers, appropriate committees and other bodies, and to the Community generally. |
| Reservation  | 15. | (1) For the avoidance of doubt, the operation of section 3 of the Introduction Chapter means that no provision of these Statutes shall adversely affect any statutory right of any Fellow, which had accrued before the commencement of the Statutes.   |

## Schedule 1

### *Announcement of Election to Fellowship and Scholarship*

#### 1. Public Theatre

- (1) Where Board has made an election to Fellowship, or to Scholarship, or to both, the Provost shall publicly announce the names of those who have been so elected, and if convenient shall do so from the steps of the Public Theatre immediately after the meeting at which such an election was made.

[Back to Table of Contents](#)

## Schedule 2

### *Procedures for taking the Assents of the Fellows to Amendments to the Chapters of the Statutes*

#### **1. Amendment**

- (1) Where Board, pursuant to the Introduction Chapter, has taken a decision to make an Ordinance to amend, alter, add to, or repeal a Chapter or Chapters of the Statutes (hereafter: the proposed amendment), it shall invite the Fellows to grant their Assent to the proposed amendment pursuant to the procedures in this Schedule.

#### **2. Assents**

- (1) Provided that the Fellows shall have at least 10 days in which to consider the issue and return their Assents, Board shall set
  - (a) a return date and appointed time by which the Fellows shall return their Assents,
  - (b) and the date on or by which the Assents shall be counted.
- (2) The Registrar shall act as Scrutineer of the process of the taking of the Fellows' Assents, and shall do all such acts and things as may be necessary for its conduct.
- (3) In particular, as soon as practicable after the decision of Board, pursuant to 1 (1), the Registrar shall
  - (a) put the Visitors on notice of this process,
  - (b) notify every Fellow that they will be in receipt of an e-mail which will notify them of the procedures for returning their Assent to the proposed amendment by electronic means,
- (4) Fellows wishing to indicate their Assent to the proposed amendment shall follow the process indicated by the Registrar pursuant to section 2(3)(b) before the return date and appointed time.

#### **3. Count**

- (1) On the date of the count, and in the presence of any observers present pursuant to subsection (2), the Registrar shall
  - (a) retrieve the online returns and results report from the electronic system, which will indicate the individual Fellows who have registered their Assent to the amendment on or before the return date and appointed time,
  - (b) ensure that only one Assent per amendment has been registered for each eligible Fellow,
  - (c) determine and record the total number of Fellows who have Assented to the amendment.
- (2) For the purposes of subsection (1), Board may nominate one observer and the Fellows may nominate two observers; provided that the role of such observers is simply to observe the count, and not to involve themselves in the functions being discharged by the Registrar.

**4. Result**

- (1) If the number of Fellows who have Assented to the proposed amendment constitutes a majority of those who were Fellows at the appointed time on the return date, the Registrar shall seek the Approval of the Visitors for the proposed amendment.
- (2) The Registrar shall report on the process to Board, which shall consider that report.

[Back to Table of Contents](#)

## Schedule 3

### *Procedures for taking the Assents of the Fellows to the Election of New Fellows*

#### 1. Election

- (1) Where Board has taken a decision to propose candidates for election to Fellowship, (hereafter: the proposed elections), it shall invite the Fellows to grant their Assent to the proposed elections pursuant to the procedures in this Schedule.

#### 2. Taking Assents

- (1) Provided that the Fellows shall have at least 10 days in which to consider the issue and return their Assents, Board shall set
  - (a) a return date and appointed time by which the Fellows shall return their Assents,
  - (b) the date on or by which the Assents shall be counted.
- (2) The Chancellor and Provost together shall act as Scrutineers of the process of the taking of the Fellows' Assents, and the Registrar shall oversee the process, and they shall do all such acts and things as may be necessary for its conduct.
- (3) In particular, as soon as practicable after the decision of Board pursuant to 1 (1), the Registrar shall
  - (a) notify the Scrutineers of this process,
  - (b) notify every Fellow that they will be in receipt of an email which will notify them of the procedures for returning their assent to the proposed elections by electronic means.
- (4) Fellows wishing to indicate their Assent to the proposed elections shall follow the process indicated by the Registrar pursuant to section 2(3)(b) on or before the return date and appointed time.

#### 3. Count

- (1) On the date of the count, and in the presence of the Scrutineers, the Registrar shall
  - (a) retrieve the online returns and results report from the electronic system, which will indicate the individual Fellows who have registered their Assent and the Assents for each nomination on or before the return date and appointed time,
  - (b) ensure that only one Assent to each nomination has been registered for each eligible Fellow,
  - (c) determine and record the total number of Fellows who have Assented to each proposed new Fellow.

#### 4. Result

- (1) The Scrutineers shall declare the result to Board, which shall if necessary proceed to the election of Fellows.

## Schedule 4

### *Procedures for taking the Assents of the Fellows to the Termination of an Honorary Fellowship*

#### 1. Termination

- (1) Where Board has taken a decision to terminate the tenure of an Honorary Fellowship (hereafter: the proposed termination), it shall invite the Fellows to grant their Assent to the proposed termination pursuant to the procedures in section 2 of Schedule 3; provided that references in that Schedule to “the proposed elections” shall be read instead as references to “the proposed termination”.

#### 2. Result

- (1) The Scrutineers shall declare the result to Board, which shall if necessary, declare the Honorary Fellowship in question to be terminated.

[Back to Table of Contents](#)

## Scholars

- |                                   |    |  |
|-----------------------------------|----|--|
| Establishment                     | 1. | (1) The Scholars shall be elected from amongst the students of College, and, pursuant to the Principal Enactments, seventy of their number shall be Foundation Scholars (otherwise "Scholars on the Foundation" or "Scholars of the House") and members of the Body Corporate.   |
| Essential elements of Scholarship | 2. | (1) Election to Scholarship is an academic honour and distinction grounded in the core values and intrinsic purpose of College, and, subject to section 7, a Scholarship shall persist for so long as the Scholar is registered as a student in College.   |
| Privileges                        | 3. | (1) Beginning with the academic year following election, each Scholar shall be entitled to <ol style="list-style-type: none"><li>(a) Commons, pursuant to the Chapter on the College Community,</li><li>(b) receive an annual stipend in an amount determined by Board, and Board may provide a portion of that stipend to the Scholars' Committee established pursuant to section 8,</li><li>(c) reside in College free of rent for such period of no longer than nine months in each academic year as determined by Board, and</li><li>(d) the remission of academic fees, charges and the like, set by Board pursuant to the Chapter on Board, in the amounts payable by Irish students.</li></ol> (2) Each Scholar shall also be entitled to Commons pursuant to the Chapter on the College Community from the date of election.<br>(3) Board may allow Scholars to <ol style="list-style-type: none"><li>(a) reside in College, free of rent, for such further period or periods as are necessary for the purposes of the Scholar's academic work,</li><li>(b) reside in College, free of rent, for one Summer Session during the course of graduate studies or research, and</li><li>(c) receive remission of further fees, charges and the like still payable by a Scholar notwithstanding the previous subsections.</li></ol> (4) The Foundation Scholars shall be invited to grant their Assent to any petition to amend the constitution of the Body Corporate, and such Assents shall be taken according to the procedures laid down in the Schedule on the Procedures for taking the Assents of the Members of the Body Corporate to Amendments to the Constitution of the Body Corporate (Schedule 1 to the Chapter on the Body Corporate). |
| Duties                            | 4. | (1) Each Scholar shall   |

- (a) comply with the terms of the Declaration taken upon admission to Scholarship,
  - (b) uphold the Charters and Letters Patent, the Act of 2000, and these Statutes,
  - (c) take an informed and active interest in the general life and governance of the College,
  - (d) pursue academic excellence in study or research, and
  - (e) participate regularly in the Scholars' affairs.
- (2) Each Foundation Scholar shall diligently consider Assent forms.
- (3) By tradition and where possible, a Scholar shall say Grace at Commons pursuant to the Chapter on the College Community.

Elections

- 5.
- (1) Board, with the consent of the Council and subject to the provisions of the Statutes, shall determine the qualifications, duties and conditions of tenure for Scholarship, and shall annually arrange for examinations for Scholarship.
  - (2) To be eligible for election to Scholarship, or to be so elected, a candidate must in the opinion of Board be of good conduct and character and capable of performing the functions of Scholarship.
  - (3) Board shall elect Scholars on the basis of their academic ability and learning as demonstrated in the Scholarship examinations; and it shall, where necessary, elect sufficient of their number to ensure that the number of Foundation Scholars shall be seventy.
  - (4) Elections to Scholarship shall take place at the meeting of Board at which the annual elections to Fellowship take place, and they shall so far as possible follow the same procedure and be announced in the same way.
  - (5) Every person who has been so elected shall be admitted to Scholarship by the Provost after making a Declaration in the form specified by the Schedule on Declarations, and any person who refuses to make this prescribed Declaration shall not be admitted to Scholarship.
  - (6) Scholars may also, for sufficiently grave reasons, be elected by Board at other times during the academic year.

Intermission

- 6.
- (1) A Scholar pursuing undergraduate studies may apply to the Senior Lecturer, and a Scholar pursuing graduate studies may apply to the Dean of Graduate Studies, for an intermission of Scholarship for good and sufficient academic, medical or other similar reasons.
  - (2) Any such intermission shall be granted on such terms as the Senior Lecturer or the Dean, as the case may be, may decide; provided that a Scholarship that has been intermitted shall be continued for a period equal to that



of the intermission, or twelve months, whichever is the shorter.

- (3) A Scholar whose Scholarship has been intermitted may dine on Commons pursuant to the Chapter on the College Community during the period of intermission without loss of dining privileges.
- (4) Appeals against any decision of the Senior Lecturer or the Dean under this section shall be to Board.

Termination  
and  
Suspension

- 7. (1) The tenure of any Scholarship shall terminate by effluxion of time, or where a Scholar without intermission ceases to be a student of the College, or fails to maintain normal academic progress, or dies, or resigns in like manner as a Fellow.
- (2) A Scholarship shall terminate by effluxion of time
  - (a) in the case of Scholars elected during their Senior Freshman year, at the end of the fifth academic year after election, and
  - (b) in the case of Scholars, if any, elected in any other year of their studies, at the end of such period, in proportion to the period in subsection (a), as Board may decide.
- (3) Board may, after due enquiry, terminate the Scholarship of any Scholar who
  - (a) has become permanently incapable of performing the functions of Scholarship, or
  - (b) has committed a grave offence against the law of the land or the rules of College.
- (4) Board may, after due enquiry, suspend the Scholarship of, or a privilege of Scholarship of, any Scholar pursuant to the Chapter on Student Conduct and Capacity
- (5) The privileges of a Scholar shall terminate upon the termination of the Scholarship.
- (6) Board may provide that, where a Scholarship has terminated because the Scholar is no longer engaged in study or research in the College, the entitlement to Commons pursuant to the Chapter on the College Community may nevertheless persist until it would otherwise have terminated by effluxion of time.

Organisation

- 8. (1) The Scholars meet as regularly as necessary, and determine their own procedures for such meetings.
- (2) A Scholars' Committee, including the Secretary to the Scholars, may assist the Scholars in the performance of their functions, and may represent them and otherwise act on their behalf between meetings.

[Back to Table of Contents](#)

## Division - Governance

### Board

- |               |    |   |
|---------------|----|---|
| Establishment | 1. | (1) The Governing body or governing authority of College, established pursuant to the Principal Enactments, shall be called the "Board"; and members of Board who are not otherwise Fellows or Foundation Scholars are members in their own right of the Body Corporate.<br>(2) Any reference to "the Provost and Senior Fellows" in any Charter or Letters Patent prior to 1911 shall be construed as a reference to Board.  |
| Functions     | 2. | (1) The government of College shall be vested in and exercisable by Board.<br>(2) Board shall supervise and oversee all the greater affairs of College, in particular as regards education, scholarship, ethics, discipline, finance, and external relations.<br>(3) (a) All acts and things done by Board shall be deemed to have been done by College.<br>(b) All acts and things done by Board in the name of or on behalf of College shall be deemed to have been done by College.<br>(c) All acts and things done by Board in the name of or on behalf of the Body Corporate shall be deemed to have been done by College.<br>(4) The functions of College pursuant to the Act of 1997 to do all things necessary or expedient to further the objects and development of College <sup>13</sup> shall be performed<br>(a) by Board, or<br>(b) except where the contrary intention appears or the context otherwise requires, on the directions of Board.<br>(5) The functions of Board shall include those functions set out in the Act of 1997 <sup>14</sup> and those ascribed to it elsewhere in the Statutes.<br>(6) Board shall support the Provost in the performance of the functions prescribed by the Chapter on the Provost.<br>(7) In performing its functions, Board shall respect the principles of tenure and academic freedom. |
| Powers        | 3. | (1) Board shall have such powers as are necessary or expedient to perform its functions and the functions and objects of the College and University pursuant to the Principal Enactments and the Statutes.  |

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<sup>13</sup> See section 12 and 13 of the Act of 1997.

<sup>14</sup> See section 15 and 18 of the Act of 1997 and the Third Schedule to the Act of 1997.

- (2) Except where the Principal Enactments otherwise require,
  - (a) Board may expressly delegate any of its functions, and the principles of delegation shall apply, and
  - (b) Board may expressly grant authority to exercise any of its functions to an agent, and the Principles of Agency shall apply.

Membership

4. (1) Board shall comprise:
  - (a) The Provost, Vice-Provost, Senior Lecturer, Registrar and Bursar;
  - (b) Six Fellows;
  - (c) Five members of the academic staff who are not Fellows at least three of whom must be of a rank not higher than senior lecturer;
  - (d) Two members of the academic staff of the rank of professor;
  - (e) Three members of the non-academic staff;
  - (f) Four students of the College at least one of whom shall be a post-graduate student;
  - (g) One member not being an employee or student of the College chosen by a committee of Board which shall comprise the Provost and two members of Board from among nominations made by such organisations as are representative of such business or professional interest as Board considers appropriate; and
  - (h) One member appointed by Board on the nomination of the Minister following consultation with the Provost.
- (2) As a consequence of section 3(5) of the Act of 2000,<sup>15</sup> sub-section (1) may be altered, amended, added to, or repealed, pursuant to the Introduction Chapter only in a manner consistent with the purpose and substance of the sections of the Act of 1997 mentioned in section 4(2) of that Act.<sup>16</sup>
- (3) Regulations governing elections to Board and the filling of casual vacancies shall be set out in Schedule 1.
- (4) Before taking a seat at Board, every newly elected member shall make a Declaration in the presence of Board in the form prescribed by the Schedule on Declarations.
- (5) The Secretary and the Treasurer shall attend meetings of Board.
- (6) The Secretary shall be the Secretary to Board; and correspondence to Board shall be addressed to the Secretary on behalf of Board.

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<sup>15</sup> See Section 3(5) of the Act of 2000

<sup>16</sup> Section 4(2) of the Act of 1997 refers to sections 16(1)-(7), 21(6), 22, 23, 32 and 33 of that Act.

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|-------------------|----|---|
| Meetings          | 5. | <ul style="list-style-type: none"> <li>(1) Board shall hold such ordinary meetings as the Provost may determine or the Statutes require.</li> <li>(2) Board may hold such additional or extraordinary meetings as the Provost or Board may determine.</li> <li>(3) Board may hold such meetings jointly with Council as the Provost may determine.</li> <li>(4) The Provost shall convene a meeting of Board whenever requested to do so pursuant to the Act of 1997.<sup>17</sup></li> <li>(5) The quorum for a meeting of Board shall be one third of the total number of members, rounded up to the nearest whole number, plus one.<sup>18</sup></li> <li>(6) The Provost shall ensure that members of Board shall normally receive at least one week's notice of any meeting of Board.</li> <li>(7) Board shall otherwise regulate its procedure and business, and such regulations or standing orders as it shall make for this purpose shall be set out in Schedule 2.</li> </ul> |
| Chairperson       | 6. | <ul style="list-style-type: none"> <li>(1) The Provost shall be Chairperson of Board and the Vice-Provost shall be its Deputy-Chairperson, except as otherwise provided for pursuant to the Act of 1997<sup>19</sup>.</li> <li>(2) The Chairperson shall not vote at divisions on Board except to exercise a casting vote.<sup>20</sup></li> <li>(3) Where the Chairperson is not the Provost, references to the Provost in section 5 shall be taken to be references to the Chairperson.</li> </ul>  |
| Duties of members | 7. | <ul style="list-style-type: none"> <li>(1) Every member of Board shall make such disclosures and declarations as are required by the law of the land.<sup>21</sup></li> </ul>   |
| Re-establishment  | 8. | <ul style="list-style-type: none"> <li>(1) If, following a Legislative Visitation, Government makes an order providing for the suspension of Board ("the suspension"), then the Visitors shall consult with the Minister and with such members of College as they consider appropriate; and, as soon as possible after the suspension, they shall appoint such person or body of persons as they think fit to perform the functions of Board for the period of the suspension.<sup>22</sup></li> <li>(2) During the period of three months following the suspension, the Visitors shall consider all the circumstances; and, before the end of that period, they</li> </ul>   |

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<sup>17</sup> Section 10(2) of the Third Schedule to the Act of 1997 provides:

The chairperson shall convene a meeting of the governing authority whenever requested to do so by not less than the number of members which constitute a quorum.

<sup>18</sup> Compare section 10(3) of the Third Schedule of the Act of 1997.

<sup>19</sup> See section 17 of the Act of 1997, and sections 2 and 6 of the Third Schedule to the Act of 1997.

<sup>20</sup> See section 12 of the Third Schedule to the Act of 1997.

<sup>21</sup> See section 17 of the Ethics in Public Office Act, 1995 and section 8 of the Third Schedule to the Act of 1997.

<sup>22</sup> See section 21 of the 1997 Act [minus subsection (6)] and section 3(6) of the 2000 Act.

shall make an order providing that Board be re-established

- (a) with the membership as it was at the date of the suspension, or
  - (b) with a new membership.
- (3) If the Visitors make an order pursuant to sub-section 2(a), then
- (a) the Provost shall arrange for a meeting of Board to be held as soon as possible thereafter, and
  - (b) if, in the ordinary course of events, the procedures for the replacement of members of Board in Schedule 1 would have been followed but were not followed due to the suspension, then
    - (i) those who were members of Board at the time of its suspension shall continue to exercise the functions of Board until their successors have taken office,
    - (ii) Board shall make arrangements for all of the relevant procedures to be followed as soon as reasonably practicable after its re-establishment to elect the members under section 4(1)(b)-(e) pursuant to Schedule 1, select the members under section 4(1)(f), choose the member under section 4(1)(g), and appoint the member referred to in section 4(1)(h),
    - (iii) the period of the suspension shall count for the purposes of determining the term of office of a member of Board; provided that the term of office of any member of Board taking office pursuant to the previous sub-paragraph shall be reckoned to have commenced on the date on which the relevant procedures would have been followed and not on the date on which they were actually followed.
- (4) If the Visitors make an order pursuant to sub-section 2(b), then
- (a) that order shall provide for the election of the members referred to in section 4(1)(b)-(e) and the selection of the members referred to in section 4(1)(f) on foot of procedures which shall so far as possible reflect Schedule 1,
  - (b) the person or body of persons appointed under sub-section (1) shall nominate one person who, with the Provost, shall choose the member referred to in section 4(1)(g), notwithstanding that section 4(1)(g) would otherwise have required two members of Board to act with the Provost in that regard, and

(c) the Provost shall consult with the Minister regarding the appointment of the member referred to in section 4(1)(h).

Legislative powers

- 9.
- (1) Board may, pursuant to the Introduction Chapter, make such Ordinances to amend, alter, add to, or repeal the Chapters of the Statutes as appear to it to be necessary.
  - (2) Board may, pursuant to the Principal Enactments, make such Decrees as appear to it to be necessary to regulate omitted cases where nothing certain has been determined in the Statutes; provided that no such Decree shall be valid unless and until it has received the Approval of the Visitors.
  - (3) Except where the contrary intention appears or the context otherwise requires, Board may, pursuant to the Introduction Chapter, make such regulations to amend, alter, add to, or repeal the Schedules as appear to it to be necessary.
  - (4) Board may make such regulations as appear to it to be necessary or expedient for the performance of its functions.
  - (5) The Chapters, Schedules, Decrees and regulations made pursuant to this section, shall be administered by or on the directions of Board.
  - (6) No general regulation governing Degrees shall be valid unless and until it has been proposed by Board to Senate and Senate has consented thereto.
  - (7) Where a regulation regarding the academic affairs of the University is originated by Board, it shall not be valid unless and until it has received the consent of Council.
  - (8) Where Council declines to grant such consent, Board may appeal the matter to the Visitors, pursuant to the provisions of the Chapter on the Visitors.

External relations

- 10.
- (1) The external relations of College shall be conducted by Board, or, on its behalf
    - (a) by the Provost,
    - (b) by an Officer established in the Chapter on the Officers, or
    - (c) by an office-holder established in Schedule 3.
  - (2) Except where the contrary intention appears or the context otherwise requires, the Provost, an Officer, or an office-holder established in Schedule 3 may conclude agreements with third parties on behalf of College; provided that
    - (a) in the case of agreements in respect of matters necessary for the routine operation of College, the Principles of Agency shall apply, and

- (b) in the case of agreements in respect of all other matters, no such agreement shall bind College unless and until it shall have received the consent of Board.
- (3) Without limiting the generality of subsection (2), no agreement
  - (a) to associate with, or
  - (b) to incorporate, pursuant to the Act of 1997<sup>23</sup> or otherwise, another institution or part thereof, shall be concluded - by the Provost, or by an Officer, or by an office-holder established in Schedule 3 - without the prior consent of Board.
- (4) Subject to the provisions of the Chapter on the Body Corporate, Board may address a petition to Government praying for the grant of a Charter or Letters Patent or for the enactment of an Act of the Oireachtas.
- (5) Further detailed provisions relating to
  - (a) the international and global aspects of the external relations of College, and
  - (b) the powers of Board to conclude agreements shall be set out in Schedule 3, which can be amended only by Decree

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|-----------------------|-----|---|
| Assets                | 11. | <ul style="list-style-type: none"> <li>(1) Pursuant to the functions of College, Board may           <ul style="list-style-type: none"> <li>(a) acquire, hold and deal with assets,<sup>24</sup></li> <li>(b) make regulations concerning any or all of the assets of the College and University;</li> <li>(c) borrow money, guarantee any loan or underwrite any borrowing;<sup>25</sup></li> <li>(d) make or accept gifts; or</li> <li>(e) undertake the recovery by process of law of all debts due to the College and University.</li> </ul> </li> </ul>              |
| Accounts and auditors | 12. | <ul style="list-style-type: none"> <li>(1) Board shall cause to be kept regular accounts<sup>26</sup> of all income received or expenditure incurred for each annual period as defined in Schedule 2.</li> <li>(2) Board shall appoint a firm of professional auditors to examine the income and expenditure of each such period, to audit the College accounts and to report thereon.</li> <li>(3) Except where Board has expressly provided otherwise, the auditors' report and the College accounts shall be laid before Board at a meeting in Hilary Term.</li> </ul> |

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<sup>23</sup> See section 8 of the Act of 1997.

<sup>24</sup> Compare section 42(1) of the Act of 1997.

<sup>25</sup> Compare section 34 of the Act of 1997.

<sup>26</sup> See section 39(1) of the Act of 1997.

- (4) Board shall comply with obligations to submit accounts<sup>27</sup> and to submit statements of proposed expenditure and expected income,<sup>28</sup> and with any similar obligation.
- Elections      13.    (1) Board shall annually arrange for and conduct elections of Annual Statutory Officers, Fellows, and Scholars, pursuant to the applicable Chapters.  
                       (2) Board may elect as Sizars such students of limited means who have shown sufficient merit at public examinations for entrance scholarships as to it seem fit.
- Students        14.    (1) Board shall, with the consent of Council, arrange for examinations.  
                       (2) Board may found or discontinue awards, bursaries, exhibitions, grants, prizes, scholarships and the like; and students may be elected to them by or on the directions of Board.  
                       (3) Board may determine, charge and remit the various fees,<sup>29</sup> charges and the like payable to College by students.  
                       (4) Further provisions are set out in the Chapter on Students.
- Staff            15.    (1) Board may create such positions of employment in College, and appoint such persons to be employees of College, as it thinks appropriate; and the Division on Staff shall apply to the persons so appointed.  
                       (2) Board shall prescribe the terms and conditions of employment of all such employees, and subject to the Act of 1997,<sup>30</sup> it may prescribe such remuneration, fees, allowances and expenses as shall be paid to them; provided that any subsisting contract of employment shall not be varied without the consent in writing of the relevant employee.  
                       (3) In the case of a member of the academic staff, no decision of Board under this section shall be valid unless and until it has received the consent of Council.  
                       (4) Further provisions are set out in the Division on Staff.
- Discipline      16.    (1) Disciplinary procedures governing staff and students are set out in the Division on Conduct.  
                       (2) Board may, after receiving the report of a Disciplinary Panel or a Panel of Enquiry established pursuant to the Division on Conduct,  
                             (a) seek clarification of the report from the Panel,  
                             (b) adopt the report, or  
                             (c) refer it to the Visitors or to a new Panel for further consideration.

<sup>27</sup> See section 39(2) of the Act of 1997 (Comptroller and Auditor General).

<sup>28</sup> See section 37 of the Act of 1997 (An tÚdarás)

<sup>29</sup> Compare section 40 of the Act of 1997.

<sup>30</sup> Section 25(4)-(5) of the Act of 1997





## Schedule 1

### *Elections to Board*

#### 1. Membership

- (1) The membership of Board is set out in section 4 of the Chapter.
- (2) This Schedule is made pursuant to section 4(3) of the Chapter, section 13 of the Introduction Chapter, and section 16 of the Act of 1997.<sup>32</sup>

#### 2. Student Members

- (1) For the purposes of section 4(1)(f) of the Chapter, the four student members of Board shall be the President, Education Officer and Welfare Officer of the Students' Union, and the President of the Graduate Students' Union.

#### 3. Elected Members

- (1) Members elected pursuant to this Schedule shall serve for a period of four years,<sup>33</sup> except in the case of those elected pursuant to section 14.
- (2) Members shall be excluded from holding membership for more than two consecutive terms irrespective of the duration of their first term; and they shall not be eligible to stand for re-election for four years thereafter.

#### 4. Electorate and constituencies

- (1) The electorate shall consist of every member of the staff of College whose name appears on the Register for the time being in force pursuant to the Schedule on the Electorate and Register (Schedule 2 to the Introduction Chapter).
- (2) For the purposes of the election of members pursuant to section 4(1)(b)-(e) of the Chapter, the Electorate shall be divided into three constituencies, as follows:
  - (a) those specified in paragraphs (b) and (d) shall comprise one constituency: the Fellows' and Fellow Professors' Constituency;
  - (b) those specified in paragraph (c) shall comprise one constituency: the Academic Staff (Non-Fellow) Constituency;

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<sup>32</sup> Section 16 provides in particular:

- (10) A governing authority shall ensure that each sex is represented on the governing authority in accordance with such balance as may from time to time be determined or approved by the Minister.
- (11) A governing authority may make such Regulations relating to the selection, election, nomination or appointment of members of the governing authority as it thinks fit, and their selection, election, nomination or appointment shall be carried out in accordance with those Regulations.

<sup>33</sup> Section 4 of Schedule 3 to the Act of 1997 provides such term of office "shall be not less than three years or not more than five, as determined by the governing authority holding office immediately before the appointment of that member".

- (c) those specified in paragraph (e) shall comprise one constituency: the Technical, Administrative and Support Staff constituency.
  - (3) Except where the contrary intention appears or the context otherwise requires, members of the electorate are eligible to be nominated for, to vote in and to represent the constituency of which they are members pursuant to this Schedule.
- 5. The Fellows' and Fellow Professors' Constituency**
- (1) This constituency comprises all Fellows and all Fellow Professors who hold an Established or Personal Chair pursuant to the Chapter on Professors.
  - (2) Eight members shall be elected from this constituency.
  - (3) At least two Professors who hold an Established or Personal Chair pursuant to the Chapter on Professors shall be elected from this constituency.
  - (4) At least two men and at least two women shall be elected from this constituency.
- 6. The Academic Staff (Non-Fellow) Constituency**
- (1) This constituency comprises all full-time and part-time academic staff who are not Fellows or Fellow Professors (holding an Established or Personal Chair pursuant to the Chapter on Professors) and who are:
    - (a) Professors,
    - (b) Associate Professors,
    - (c) Assistant Professors,
    - (d) Senior Lecturers,
    - (e) Lecturers,
    - (f) Members of the Dental School,
    - (g) Senior Research Fellows,
    - (h) Research Fellows,
    - (i) Research Assistants, and
    - (j) Teaching Fellows.
  - (2) Five members shall be elected from this constituency, at least three of whom shall be of a rank not higher than Associate Professor.
  - (3) At least one man and at least one woman shall be elected from this constituency.
- 7. The Technical, Administrative and Support Staff Constituency**
- (1) This constituency comprises all full-time and part-time staff who are:
    - (a) Weekly-paid staff,
    - (b) Library Assistants, Senior Executive, Executive and Secretarial staff, and
    - (c) Administrative, Professional Library and Technical staff.
  - (2) Three members shall be elected from this constituency, one from each of the categories in sub-section (1).

- (3) At least one man and at least one woman shall be elected from this constituency.

#### **8. Conduct of Election**

- (1) The election shall be by Single Transferable Vote, and the voting and counting shall be conducted accordingly.
- (2) The Secretary shall be responsible for the conduct of the election, and shall be the Returning Officer at the Count.
- (3) Board shall also direct that any other necessary arrangements be made in regard to the conduct of the election.

#### **9. Candidates**

- (1) To be eligible for nomination, a candidate shall be a member of one of the constituencies set out in section 4.
- (2) The Chief Operating Officer, Secretary, Treasurer, Academic Secretary, Director of Buildings, Director of Human Resources and Director of Accommodation and Catering, shall not be eligible to stand for election or to nominate candidates for election while they hold these positions.

#### **10. Nomination Papers**

- (1) The Secretary to the College shall, on a date determined by Board, email a Nomination Paper to each eligible voter's College email address.
- (2) Eligible voters in the Weekly Paid category of the Technical, Administrative and Support Staff constituency shall also be sent a Nomination Paper by post to their College address.
- (3) A candidate shall be nominated by a Nomination Paper signed by two members of the relevant staff category.
- (4) The Nomination Paper shall be received by the Secretary by a date and time determined by Board.
- (5) The Nomination Paper shall state the candidate's full name, staff category and gender, and the full name of each of the two nominators.
- (6) The Nomination Paper shall include a statement signed by the person nominated to confirm that the person so nominated consents to the nomination and is willing to serve as a member of Board.
- (7) Not more than one Nomination Paper shall be accepted in respect of any one candidate; in the event of more than one Nomination Paper being received, the first only such paper shall be accepted.
- (8) A nomination which fails to satisfy any or all of the conditions specified in this section shall be invalid and null, and the candidate concerned shall be deemed not to have been duly nominated.

## 11. Nominations

- (1) Nominations shall be received to ensure that sections 5 (4), 6 (3) and 7 (3) are complied with.
- (2)
  - (a) In the event of prescribed quotas not being met in the nominations for election in any one constituency, nominations shall remain open until the required conditions are met, but not more than three days prior to the circulation of the voting papers to the electorate.
  - (b) If after this time nominations have not been received to fulfil the prescribed quotas the ensuing vacancy shall be filled by co-option by the newly-elected Board.
- (3) If, at the expiration of the period for nominations, the number of candidates in a particular constituency, validly nominated for election, does not exceed the number of persons which that constituency is entitled to elect, and the requirements specified in sections 5, 6 and 7 regarding gender and grade criteria are complied with, all the candidates so nominated shall be deemed by the Secretary to have been elected following the counting of votes in the remaining constituencies.
- (4) If, at the expiration of the period for nominations, the number of candidates in a particular constituency, validly nominated for election, shall exceed the number of persons which that constituency is entitled to elect, there shall be an election, which shall be conducted in accordance with the provisions hereinafter set forth.
- (5)
  - (a) There shall be a one-hour period following the closing date and time for the receipt of nominations during which clarifications in relation to nominations received may be requested by the Secretary and during which nominated candidates may withdraw their nominations.
  - (b) No new nominations will be accepted during this period
  - (c) One hour after the expiration of the period for nominations the Secretary to the College will publish the list of those nominated for election in each constituency.

## 12. Voting

- (1) The Secretary shall, on a date to be determined by Board, prepare and despatch a Voting Paper to each voter, pursuant to section 18 of the Introduction Chapter.
- (2) Each Voting Paper shall contain in alphabetical order the names of all candidates validly nominated for election in that voter's constituency, indicating each candidate's gender and staff category.
- (3) The Voting Paper shall be accompanied by an envelope bearing on the outside the words 'Voting Paper', a list of the names of the nominators of each candidate, and a paper of instruction containing the following:

- (a) a statement of the number of candidates for whom the voter is entitled to vote and the requirements as to the number of men and women and specific staff categories who may be elected;
- (b) a direction to the voter to mark in '1, 2, 3 etc.' opposite the name or names of each candidate for whom the voter votes;
- (c) a warning that the inclusion in the envelope marked 'Voting Paper' of any other paper except the Voting Paper shall invalidate the vote; and
- (d) a direction that the Voter shall either post or deliver the envelope marked 'Voting Paper' (containing the duly marked Voting Paper) to the Secretary to the College by a date specified by Board.

**13. Count**

- (1) As Returning Officer, the Secretary shall appoint up to twelve people to count the votes cast in the election; and all persons engaged in the conduct of the election shall undertake to preserve secrecy.
- (2) The Secretary shall reject as invalid any Voting Paper which
  - (a) is not the original Voting Paper issued to the voter and duly completed by that voter, or
  - (b) contains any writing by which the identity of the voter can be ascertained.
- (3) The Secretary shall, in consultation with the candidates and/or their agents or nominees, determine any case of doubt as to the validity of a vote.
- (4) Each candidate and/or an agent or nominee may observe the counting of votes for that candidate's constituency.
- (5) The counting of votes shall be in accordance with the Seanad Electoral (Panel Members) Acts 1947 and 1954 with specific provisions that the count be conducted on a basis that ensures that in each constituency the gender and grade criteria are met.
- (6) With appropriate variations the following process shall apply:
  - (a) If the elimination of male candidate(s) would mean that the requisite number of male candidates could not be elected, then the remaining male candidate(s) shall be deemed to be elected without reaching the quota.
  - (b) If the elimination of female candidate(s) would mean that the requisite number of female candidates could not be elected, then the remaining female candidate(s) shall be deemed to be elected without reaching the quota.
  - (c) If the elimination of Professor(s) who hold an Established or Personal Chair in the Fellow/Professor constituency would mean that two such Professors could not be elected, the remaining such Professor(s) shall be deemed to be elected without reaching the quota.
  - (d) If the elimination of candidate(s) in the Academic Staff (Non Fellow) Constituency would mean that three candidates on a

grade not higher than Senior Lecturer could not be elected, then the remaining candidate(s) fulfilling that criterion shall be deemed to be elected.

- (e) If the elimination of candidate(s) in the Technical, Administrative and Support Staff Constituency would mean that one candidate in each of the specified staff categories would not be elected, then the remaining candidate(s) fulfilling that criterion shall be deemed to be elected.
- (7) Following the election of candidates under sub-section (6), the count shall continue in the normal way to fill any vacant positions.
- (8) The Secretary shall declare the candidates who have obtained the greatest number of valid votes duly elected as members of Board.

#### **14. Casual Vacancies**

- (1) If an elected member is unable, for whatever reason, to complete a term of office, then that member shall be replaced by the person, from the same constituency, who achieved the highest number of votes in the most recent Board election, without being elected, subject normally to overall constraints of gender and grade being met and subject to that person having received total votes equivalent to at least one-third of the quota for that constituency.
- (2) If there had been no election held in that specific constituency in the most recent Board election, or if there is no unsuccessful candidate available to replace the resigning Board member, or if gender and grade constraints are not met, or if no unsuccessful candidate received the required number of votes as specified in sub-section (1), then Board shall determine whether the casual vacancy shall be filled by co-option or by holding a by-election.
- (3) If Board determines that there should be a by-election, then the electoral register in force on the date at which Board determines that a by-election should be held will be used in that by-election, and the election shall insofar as possible follow the procedures in this Schedule.
- (4) The person replacing the resigning Board member shall serve only the remaining term of office of the out-going member; and this period of replacement will be counted as one term of office.

[Back to Table of Contents](#)

## Schedule 2

### *Standing Orders*

#### 1. Meetings

- (1)
  - (a) Members of Board and those entitled to attend meetings of Board (hereafter: members and persons in attendance, retrospectively) shall be summoned to every meeting of Board by the Secretary acting on the direction of the Provost.
  - (b) Those summoned shall receive with the summons an agenda, draft minutes of the previous meeting, and, where possible, papers on matters of importance which are to be discussed.
- (2)
  - (a) Board, or the Secretary acting on the direction of the Provost, may invite any member of the College Community or of the Wider Community to attend either for an item or for a meeting, as Board, or the Secretary acting on the direction of the Provost, sees fit.
  - (b) A person invited for an item shall receive any papers related to that item; and a person invited for a meeting shall receive the papers and other materials mentioned in subsection 1(b).
  - (c) A person invited pursuant to this subsection shall be a person in attendance for the purposes of this Schedule.
- (3) Black gowns are usually worn at Board meetings, pursuant to the Schedule on Academic Dress (Schedule 3 to the Chapter on the College Community).
- (4) All business of Board is confidential; and, subject to subsection (6), all documents, discussions and decisions of Board shall be treated as confidential unless the Provost or Board decides otherwise.
- (5) Pursuant to section 8(3) of the Third Schedule to the Act of 1997 and otherwise, members and persons in attendance shall at all times act, as a member or person in attendance, in the best interests of the College and shall not act as a representative of any special interest; provided that nothing in this sub-section shall restrict a member or person in attendance from representing at meetings of Board the views of those by whom the member or person in attendance has been elected or to restrict the freedom of expression of that member or person in attendance.
- (6) The Provost is the spokesperson for Board, and no member or person in attendance, is authorised to speak on behalf of Board in any internal or external forum without the express permission of the Provost or of Board. All queries from the media about the business of Board are referred to the Office of the Director of Public Affairs and Communications in the first instance.
- (7) The agenda for Board meetings is drawn up by the Secretary in consultation with the Provost. Members or persons in attendance wishing to make an input to the agenda should consult with the



Secretary at least two weeks before the Board meeting in question. All papers for circulation for a regularly scheduled Board meeting shall normally be received by the Secretary's Office at least one week and one day before the Board meeting in question, for circulation pursuant to section 2(3).

- (8) Members or persons in attendance wishing to raise matters under "Matters Arising" should contact the Secretary by 5.00pm on the day before the Board meeting in question, and the Provost will determine if this matter will be discussed.
- (9) The Secretary, on behalf of the Provost, shall ensure that the dates of scheduled meetings of Board for the Academic Year shall be circulated to members and persons in attendance either in advance of, or as early as possible in, Michaelmas Term.
10. Pursuant to section 4(6) of the Chapter, correspondence to Board shall be addressed to the Secretary on behalf of Board.

## 2. Papers

- (1) Board agenda are divided into the following sections:
  - Section A.1: Policy matters within the Original and Exclusive Jurisdiction of Board
  - A.2: Policy Matters for discussion which have already been considered by Principal Committees
  - Section B: Reports from Principal Committees
  - Section C: Matters for noting, or approval, or both
  - Section D: Personnel matters.
- (2) Members or persons in attendance wishing to raise business from Sections C or D must advise the Secretary to the College by 5.00pm the day before the meeting in question.
- (3) Papers for Board are normally circulated to members and persons in attendance one week in advance of regularly scheduled Board meetings, and circulation shall be in such format and manner as Board may from time to time direct.
- (4) Every effort is made to avoid late circulation of papers by limiting such supplementary circulation to urgent matters.
- (5) Papers for Board may be more widely circulated in such format and manner as Board may from time to time direct.
- (6) Where it is necessary to maintain the confidentiality of Board business pursuant to section 1(4), upon request of the person or committee submitting papers for an item on the agenda pursuant to section 1(7), the Provost (having consulted with the Secretary) may decide that such papers should be circulated only to members and persons in attendance pursuant to subsection (3), and that they should not therefore be more widely circulated pursuant to subsection (5).
- (7) The draft minutes of Board meetings are circulated for approval by Board at the subsequent meeting. Members or persons in attendance

wishing to comment on the draft minutes or to suggest amendments to the text are requested to contact the Secretary by 5.00pm on the day before the Board meeting in question.

**3. Chairperson**

- (1) Pursuant to the Chapter, the Provost is the Chairperson of Board, and shall, if present, be the chairperson of the meeting.
- (2) Pursuant to section 11 of the Third Schedule to the Act of 1997, if and so long as the Chairperson is not present or the office of chairperson is vacant, the Deputy-Chairperson (who shall be the Vice-Provost) shall, if present, be the chairperson of the meeting.
- (3) Pursuant as aforesaid, if and so long as the Chairperson is not present or the office of chairperson is vacant, and the Deputy-Chairperson is not present or the office of deputy-chairperson is vacant, the members of Board who are present shall choose one of their number to be the chairperson of the meeting.
- (4) For the purposes of this section, the term "not present" shall mean not present within 5 minutes after the time appointed for holding the meeting.

**4. Declaration**

- (1) The first business to be transacted after the Chairperson has been ascertained shall be the making of a Declaration in the presence of Board by each newly-elected member of Board pursuant to the Schedule on Declarations.
- (2) The failure or refusal of any member to make such a Declaration shall cause that member to be excluded from the meeting and from the quorum for the meeting.

**5. Quorum**

- (1) Pursuant to the Chapter, the quorum for a meeting of Board shall be one third of the total number of members, rounded up to the nearest whole number, plus one.
- (2) The presence of a quorum shall be ascertained at the time when the meeting proceeds to further business after the making of the Declarations (if any) prescribed by the previous standing order, and if a quorum is not then present the meeting shall be adjourned.
- (3) If a quorum has been ascertained to be present and the meeting has continued accordingly, then that meeting may complete its business even if members subsequently leave so that the number of members present drops below the quorum; provided that, if, in the opinion of the Chairperson, the number of members present has dropped so low that business cannot safely be conducted, the Chairperson may adjourn the meeting.
- (4) Pursuant to section 10(2) of the Third Schedule to the Act of 1997, and to section 5(4) of the Chapter, the Chairperson shall convene a

meeting of Board whenever requested to do so by not less than the number of members that constitutes a quorum.

**6. Order of Business**

- (1) The next business of the meeting to be transacted shall be the draft minutes of the preceding meeting which shall be taken as read, amended if necessary, confirmed and signed by the Chairperson.
- (2) The Chairperson shall decide in what order the subsequent business of each meeting shall be taken, including the reserved business of Board set out in Schedule 3.
- (3) Matters to be discussed shall be listed in Parts A and B of the Agenda.
- (4) Matters for formal approval shall be listed in Parts C and D of the Agenda and are not normally discussed unless requested by a member or person in attendance pursuant to section 2(2).
- (5) Pursuant to the Chapter on Committees, every question at a meeting of Board shall be determined by consensus, but where in the opinion of the Chairperson or other person presiding consensus is not possible, the question shall be decided by a majority of the votes of members present and voting on the question and, in the case of a equal division of votes, the Chairperson or other person presiding shall have a second or casting vote.

**7. Sub-committees of Board**

- (1) This section is made pursuant to section 18(4) of the Act of 1997 and section 4(1) of the Chapter on Committees.
- (2)
  - (a) There shall be a Sub-Committee on Higher Degrees, which shall be a sub-committee of Board.
  - (b) The Sub-Committee shall comprise the Provost, the Vice-Provost/Chief Academic Officer, the Registrar, and the Dean of Graduate Studies.
  - (c) The Sub-committee shall have express authority, as agent for Board, to exercise the functions of Board relating to Higher Degrees; and the Principles of Agency shall apply.
- (3)
  - (a) There shall be a Sub-Committee on Degrees, which shall be a sub-committee of Board.
  - (b) The Sub-Committee shall comprise the Provost or the Vice-Provost/Chief Academic Officer, and the Registrar.
  - (c) The Sub-Committee on shall have express authority, as agent for Board, to approve lists prepared by the Proctors of candidates for degrees at Commencements; and the Principles of Agency shall apply.
- (4)
  - (a) There shall be a Sub-Committee on Staffing, which shall be a sub-committee of Board.
  - (b) The Sub-Committee shall comprise the Vice-Provost/Chief Academic Officer, the Senior Lecturer/Dean of Undergraduate Studies, and the Registrar; and the Secretary and Director of Human Resources shall be in attendance.

- (c) The Sub-Committee shall have express authority, as agent for Board, to exercise, between scheduled meetings of Board, the functions of Board relating to routine staffing matters; and the Principles of Agency shall apply.
- (5) All decisions taken by sub-committees pursuant to this section shall be reported to the next meeting of Board and recorded in the minutes of that meeting.
- (6) Section 1 of the Chapter on Committees, and Part 1 of the Schedule on Detailed Provisions Relating to Committees (Schedule 2 to the Chapter on Committees), shall apply to the sub-committees established in this section.

**8. Statements and Disclosures of Interest**

- (1) (a) A member or person in attendance who
  - (i) was party to a decision which is to be discussed at Board, or
  - (ii) apprehends a potential or actual interest in an item which is to be discussed at a meeting of Board,
 shall so notify the Secretary as soon as practicable in advance of the meeting.
- (b) If the Secretary apprehends, or is alerted, that paragraph (a) may apply in respect of a member or person in attendance, then the Secretary shall alert that member or person in attendance accordingly.
- (c) If a member or person in attendance apprehends that paragraph (a) may apply in respect of another member or person in attendance, then the first member or person in attendance shall alert that other member or person in attendance and the Secretary accordingly.
- (d) A member or person in attendance to whom paragraph (a), (b) or (c) applies shall bring that matter to the attention of Board at the start of the meeting (immediately after any Declarations made pursuant to section 4).
- (e) A member or person in attendance who apprehends a potential or actual interest in an item that is being discussed during the course of a meeting of Board shall bring that matter to the attention of Board.
- (f) A member or person in attendance who apprehends that another member or person in attendance may have a potential or actual interest in an item that is being discussed during the course of a meeting of Board shall bring that matter to the attention of Board.
- (g) A member or person in attendance, to whom paragraph (d) applies or in respect of whom a statement has been made pursuant to paragraph (e) or (f), may choose to withdraw from the discussion of the relevant item, and that withdrawal shall be recorded in the minutes.
- (h) Where a member or person in attendance, to whom paragraph (d) applies or in respect of whom a statement has been made

pursuant to paragraph (e) or (f), has not chosen to withdraw pursuant to paragraph (g), then

- (i) Board shall, after due enquiry, decide what action, if any, to take, and that decision shall be recorded in the minutes, and
  - (ii) the relevant member or person in attendance shall be entitled to be present for any such discussion and decision.
- (2) Pursuant to the Chapter and to the Act of 1997, members of Board shall make the following disclosures of interest.
  - (3) A member of Board who has an interest in
    - (a) a company (other than a public company of which the member is not a Director or otherwise involved in its management) or concern with which the College proposes to make a contract, or
    - (b) a contract which the College proposes to makeshall disclose to Board the fact of the interest and its nature and shall take no part in any deliberation or decision of Board relating to the contract, and the disclosure shall be recorded in the minutes of Board.
  - (4) A member of Board who is related to a person who is a candidate for appointment by Board as an employee of the College shall disclose to Board the fact of the relationship and its nature and shall, if Board so decides, take no part in any deliberation or decision of Board relating to the appointment, and the disclosure and decision shall be recorded in the minutes of Board.
  - (5) In accordance with the Ethics in Public Office Acts, a member of Board shall, in each year (or any part thereof) of membership of Board, prepare and furnish to the Public Offices Commission and to the Chairperson (or to such other Officer of College as may be determined by the Minister for Finance) a statement in writing of that member's other interests and the interests of which that member has actual knowledge of that member's spouse or child or spouse of a child during the period specified in Section 20(1) of the Ethics in Public Office Act 1995<sup>34</sup> which could materially influence the member

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<sup>34</sup> Section 20(i) of the Ethics in Public Office Act, 1995 provides:

A statement ("the current statement") furnished by a person under section 17(1)(a), 18(2)(a) or 19(3)(a)(i) shall -

- (a) in case, as may be appropriate, the person was appointed to the directorship, position or special advisership concerned before the date of the passing of this Act and the statement is the first such statement so furnished by the person since that date, be in respect of the period from that date to the date of the statement,
- (b) in case the person was so appointed on or after the date of such passing and the statement is the first such statement so furnished by the person since such appointment, be in respect of the period from the date of such appointment to the date of the statement, and
- (c) in any other case, be in respect of the period from the date of the last previous such statement so furnished by the person to -
  - (i) the date of the current statement, or
  - (ii) the date on which the appointment concerned ended, whichever is the earlier.

in or in relation to the performance of the functions of that member by reason of the fact that such performance could so affect those interests as to confer on or withhold from the member or the spouse or child a substantial benefit.

- (6) In any case where such a function or a function of any other office or position held by a member in College falls to be performed, and that member has actual knowledge that that member or a connected person has a material interest in a matter to which the function relates, then that member
- (a) shall as soon as may be, prepare and furnish to the other members of Board a statement in writing of those facts,
  - (b) shall not perform the function unless there are compelling reasons requiring that member to do so, and
  - (c) shall, if that member proposes to perform the function, prepare and furnish to the other members of Board and to the Public Offices Commission before or, if that is not reasonably practical, as soon as may be after such performance a statement in writing of the compelling reasons aforesaid.

**9. Termination**

- (1) The term of membership of a member of Board (other than an *ex officio* member)
- (a) shall terminate either by effluxion of time or pursuant to section 7 of the Third Schedule to the Act, and
  - (b) may terminate pursuant to section 3 of that Schedule.
- (2) The term of membership of a person in attendance (other than an *ex officio* person in attendance)
- (a) shall terminate either by effluxion of time or pursuant to section 7 of the Third Schedule to the Act of 1997, and
  - (b) may terminate pursuant to section 3 of that Schedule, as though the provisions of that Schedule applied to persons in attendance at Board.

**10. Written procedure**

- (1) During the course of the Academic Year, where, in the opinion of the Provost, there is urgent Board business that must be transacted between two scheduled meetings of Board, then the Provost may
- (a) pursuant to section 5(2) of the Chapter, convene a special meeting of Board to consider it, or
  - (b) direct a proposal to Board by means of a written or electronic procedure.
- (2) For the purposes of the procedure pursuant to subsection (1)(b), the text of the proposal shall be circulated electronically or in writing by the Secretary on behalf of the Provost to all members and persons in attendance, with a reasonable time limit within which members and

persons in attendance shall make known any reservations they may have or amendments they may wish to make.

- (3) Any member may, before the expiration of the set time limit, require that the proposal be discussed at the next scheduled meeting of Board, by sending to the Provost (with copies to the other members and persons in attendance) a written or electronic notification to that effect.
- (4) A proposal on which no member has made a reservation before the expiration of the set time limit shall stand adopted by Board.
- (5) A proposal, or an amended proposal, on which a majority of the members expressly agree at the expiration of the set time limit shall stand adopted by Board.
- (6) Proposals adopted pursuant to this section shall be reported to the next meeting of Board and recorded in the minutes of that meeting.

#### **11. Matters arising between meetings of Board**

- (1) This section applies where routine matters requiring the approval of Board are likely to arise between two scheduled Board meetings (such as, for example, during the Summer Session, between the last Board meeting of one Academic Year and the first of the next); provided that, if a sub-committee mentioned in section 7 is dealing with a matter, then this section does not apply.
- (2) Pursuant to the Statutes,<sup>35</sup> at or before the earlier of the two meetings, Board may expressly grant, to the Provost or Officers who are members of Board, the authority to exercise, when this section applies, the functions of Board as agent for Board, and the Principles of Agency shall apply.
- (3) Authority granted pursuant to this section may neither be delegated pursuant to the Principles of Delegation nor granted to an agent pursuant to the Principles of Agency.
- (4) All decisions taken pursuant to this section shall be reported to the next meeting of Board and recorded in the minutes of that meeting.

#### **12. Support for members of Board**

- (1) All members and persons in attendance shall have independent access to the advice and services of the Secretary, who shall endeavour to ensure that members and persons in attendance are fully aware of the appropriate rules, regulations and procedures.
- (2) In the normal course, outside or other legal advice required shall be obtained by the Secretary to the College on behalf of the Board in accordance with the collective nature of its responsibilities.

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<sup>35</sup> See: Part 4 of the Introduction Chapter (on "The Principles of Agency"), section 2(1)(h) of the Chapter on the Provost, and section 3(2)(b) of the Chapter on Board.

- (3) Notwithstanding the foregoing, Board may consider making provision for independent, external legal or other professional advice for an individual member or person in attendance, or for a of group of members or persons in attendance, at the reasonable expense of the College. The Secretary shall deal with the matter in accordance with the procedures laid down by Board.

**13. Annual Period**

- (1) For the purposes of Section 12 of the Chapter, the relevant annual period shall be the year ending 30th September.

[Back to Table of Contents](#)



## Schedule 3

### *External Relations*

#### **1. Global Relations**

- (1) The Provost may nominate a Head of Global Relations for appointment by Board.
- (2) The Head of Global Relations shall
  - (a) report to the Provost, and
  - (b) have and exercise functions relating to the generation and strengthening of College's global relationships and to the development and implementation of College's international policy.
- (3) Part 2 of the Chapter on Officers - other than section 16(1)(b), section 18, and section 19(1) - shall apply to the Head of Global Relations.

#### **2. International Relations**

- (1) For the purposes of international relations:
  - (a) the Provost may also be described as "Provost and President",
  - (b) the Vice-Provost may also be described as "Vice-Provost and Deputy President",
  - (c) the Dean of Research may also be described as "Dean and Vice- President for Research", and
  - (d) the Head of Global Relations may be described as "Vice-President for Global Relations".

#### **3. Powers of Board**

- (1) For the avoidance of doubt, a Memorandum of Understanding between the College and another body, to the extent that it does not commit the application of College financial resources, shall constitute an agreement within section 10(2)(a) of the Chapter.
- (2) Board and Council hereby expressly grant to academic and administrative units the authority to conclude agreements with third parties on behalf of the College or University in respect of matters necessary for the routine operation of such units; and the Principles of Agency shall apply.
- (3) Board and Council may adopt and publish guidelines and policies to give further effect to the provisions of the Chapter and this Schedule, relating in particular to
  - (a) the powers of College and Board to conclude agreements with third parties,
  - (b) the specification of such persons (including the Officers or office-holders referred to in these Statutes and Schedules) who may sign for and on behalf of a unit or committee to which authority to act as agent has been granted, and
  - (c) the office or offices in College in which copies of such agreements shall be filed.

## Schedule 4

### *Reserved Business*

#### 1. Business of Board

- (1) To give effect to the functions of Board provided for in the Statutes, this Schedule describes the business of Board that is reserved to it.
- (2) This Schedule is a non-exhaustive and non-binding guide to, rather than a comprehensive statement of, the reserved business of Board.
- (3) Nothing in this Schedule can affect the decision-making process of any bodies outside its remit.

#### 2. Original and Exclusive Jurisdiction

- (1) Decisions relating to the issues provided for in this section are matters for Board alone.
- (2) Board
  - (a) sends to the Fellows Ordinances to amend, alter, add to, or repeal the Chapters of the Statutes pursuant to the Introduction Chapter and the Chapter on the Fellows,
  - (b) appoints the Provost, pursuant to the Chapter on the Provost,
  - (c) elects Annual Statutory Officers, pursuant to the Chapters on the Officers and the Board
  - (d) elects Fellows, pursuant to the Chapter on the Fellows,
  - (e) elects Scholars, pursuant to the Chapter on the Scholars,
  - (f) elects Sizars, pursuant to the Chapter on Board,
  - (g) proposes Decrees, pursuant to the Introduction Chapter and the Chapter on Board,
  - (h) makes regulations to amend, alter, add to, or repeal Schedules not within section 3, pursuant to the Introduction Chapter,
  - (i) exercises such functions as may be delegated to it by the Provost, pursuant to the Introduction Chapter and the Chapter on the Provost,
  - (j) establishes Principal Committees of Board, pursuant to the Chapter on Committees,
  - (k) appoints solicitors and auditors for the College and University,
  - (l) makes regulations, takes decisions and approves policies for the good governance of the College and University, and prepares and submits such documents in that behalf as may be required by or under any Act of the Oireachtas or any Code of Governance for College which Board has for the time being adopted; in particular, it prepares an Annual Governance Statement and Statement of Internal Control for submission to Higher Education Authority,
  - (m) maintains oversight of matters of staff discipline and conduct, and makes decisions accordingly, pursuant to the Division on Conduct,
  - (n) receives reports from Visitors, and, where necessary, takes decisions accordingly,

- (o) has overall responsibility for the operation of the University, pursuant to the Chapter on the University, and takes decisions accordingly,
- (p) approves all matters and graces which will be proposed to Senate, pursuant to the Chapter on the Senate,
- (q) deals with the assets of the University, pursuant to the Chapter on the Senate,
- (r) appoints Deans and Heads, pursuant to the Chapter on Academic Units,
- (s) appoints Administrative Statutory Officers, pursuant to the Chapters on the Officers and the Board,
- (t) takes decisions relating to fees, awards and so on, pursuant to the Chapter on the Board,
- (u) recognises bodies as promoting the general interests of students, pursuant to the Chapter on Students,
- (v) on the advice of the Senior Tutor and pursuant to the Chapter on Students, appoints tutors, and determines their conditions of service and remuneration, if any,
- (w) adopts, and from time to time revises, a Code of Governance for College, which shall include procedures to monitor and evaluate its own performance and effectiveness,
- (x) oversees the conduct of the external relations of the College and University, pursuant to the Chapter on Board and the Chapter on Council, and
- (y) performs such other functions as are reserved in the Statutes or in any Act of the Oireachtas to its Original Jurisdiction or Exclusive Jurisdiction.

### 3. Final Decision

- (1) Final decisions relating to the issues provided for in this section are matters for Board, notwithstanding that, pursuant to the Statutes or to decisions of Board, the issues are subject to prior consideration elsewhere.
- (2) Following consideration by Council, Board considers, and where it so decides, approves
  - (a) regulations and decisions concerning matters of student discipline, conduct and capacity, pursuant to the Division on Conduct,
  - (b) regulations and decisions governing academic standing for the conferral of degrees,
  - (c) academic appointments and promotions,
  - (d) the establishment of Academic Committees of Council and of Joint Committees of Board and Council,
  - (e) student-related policies and procedures, including those relating to academic progress and the general welfare of students of the College, and
  - (f) proposals to amend, alter, add to, or repeal the Schedule on Elections to Council (Schedule 1 to the Chapter on Council).

- (3) Following consideration by Senate, Board considers, and where it so decides, approves
  - (a) amendments proposed by Senate to propositions sent to it by Board, pursuant to the Chapter on Senate,
  - (b) proposals to amend alter, add to, or repeal Schedules to the Chapter on Senate; and
  - (c) proposals to amend, alter, add to, or repeal the Schedule on Degrees and Other Academic Qualifications Awarded by the University (Schedule 1 to the Chapter on the University).
  
- (4) Following consideration by Finance Committee, Board considers, and where it so decides, approves
  - (a) the annual report, accounts and budget of the College and University,
  - (b) reports from Finance Committee,
  - (c) treasury policy,
  - (d) major investments exceeding €3m,
  - (e) significant acquisitions, disposals and retirement of assets of College or its subsidiaries exceeding €3m,
  - (f) individual capital projects or major infrastructural investments, exceeding €3m in any one financial year,
  - (g) the acceptance of trusteeship of any property, legacy, endowment, bequest or gift in support of the work and welfare of the College and University, and
  - (h) proposals to amend, alter, add to, or repeal the Schedule on Finance Committee (Schedule 1 to the Chapter on Committees).
  
- (5) Board considers, and where it so decides, approves
  - (a) minutes of meetings of Council,
  - (b) minutes of meetings of Principal Committees of Board,
  - (c) reports and recommendations from such committees and from the Audit Committee,
  - (d) the Strategic Plan, after wide consultation,
  - (e) student-related policies, as proposed by the Student Life Committee (and, where necessary, as approved by Council),
  - (f) the Physical Development Control Plan, as proposed by the Estates Policy Committee,
  - (g) personnel policies and procedures, as proposed by the Human Resources Committee,
  - (h) recommendations for compliance with the Universities Act, 1997 in relation to grievance and dispute resolution, as proposed by the Human Resources Committee,
  - (i) reports and recommendations relating to matters such as Health and Safety, Quality, Promotions, Equality and Access, from the Principal Committees of Board and from Compliance Committees, and

(j) Scéim Teanga an Choláiste, de bhun Acht na dTeangacha Oifigiúla, 2003.<sup>36</sup>

**4. Other business**

- (1) As a matter of good governance, and pursuant to the Statutes, Schedules or decisions of Board, issues not set out in sections 1 and 2 are normally subject to determination elsewhere; provided that Board, as the ultimate decision-maker, may choose to reserve any such issue to itself, or to take a final decision in relation thereto.
- (2) Board may, from time to time, provide that decisions relating to issues not otherwise provided for in the Statutes should be dealt with pursuant to section 2.

[Back to Table of Contents](#)

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<sup>36</sup> The Irish Language Scheme for College, pursuant to the Official Languages Act, 2003

## Officers

### *Part 1 - Officers Elected Annually by Board*

- |                           |    |   |
|---------------------------|----|---|
| Annual Statutory Officers | 1. | (1) There shall be a Vice-Provost, Bursar, Senior Lecturer, Registrar, Dean of Research, Dean of Graduate Studies, Senior Dean, Junior Dean, Registrar of Chambers, Senior Tutor, Dean of Students, Senior Proctor and Junior Proctor.<br>(2) These Officers shall be referred to as the Annual Statutory Officers.<br>(3) The Vice-Provost, Bursar, Senior Lecturer, Registrar, Dean of Research, Dean of Graduate Studies, Senior Dean, Senior Proctor and Junior Proctor shall be chosen from amongst the Fellows.   |
| Vice-Provost              | 2. | (1) The Vice-Provost shall<br>(a) assist the Provost generally in the management and direction of College,<br>(b) co-ordinate and develop affairs and activities of College,<br>(c) perform such functions as the Provost may delegate pursuant to the Act of 1997 or otherwise, <sup>37</sup> and<br>(d) perform the functions of the Provost during<br>(i) a vacancy in the office of the Provost,<br>(ii) the absence or illness of the Provost, at any time, or<br>(iii) any period for which Board has determined that the Provost is incapable of performing the functions of office. |
| Bursar                    | 3. | (1) The Bursar shall have and exercise responsibilities with regard to financial and related affairs of College.  |
| Senior Lecturer           | 4. | (1) The Senior Lecturer shall have and exercise responsibilities with regard to academic and related affairs of College.  |
| Registrar                 | 5. | (1) The Registrar shall have and exercise responsibilities with regard to the Registers and related affairs of the College and University.  |
| Dean of Research          | 6. | (1) The Dean of Research shall have and exercise responsibilities with regard to the affairs of College relating to research.   |
| Dean of Graduate Studies  | 7. | (1) The Dean of Graduate Studies shall have and exercise responsibilities with regard to affairs of College relating to graduate studies.   |

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<sup>37</sup> See section 3 of the Fourth Schedule to the Act of 1997.

Senior Dean	8.	(1) The Senior Dean shall have and exercise responsibilities with regard to the disciplinary procedures relating to academic staff and to the allocation of residential rooms to members of the academic staff.
Junior Dean	9.	(1) The Junior Dean shall have and exercise responsibilities with regard to the disciplinary procedures relating to students.
Registrar of Chambers	10.	(1) The Registrar of Chambers shall have and exercise responsibilities with regard to the allocation of residential rooms to students.
Senior Tutor	11.	(1) The Senior Tutor shall be chosen from amongst the Tutors, and shall have and exercise responsibilities with regard to the operation of the Tutorial Service.
Dean of Students	12.	(1) The Dean of Students shall have and exercise responsibilities with regard to the experience of students in non-academic areas.
Proctors	13.	(1) The Proctors shall have and exercise responsibilities with regard to supplicating the Senate for degrees.
Schedule	14.	(1) Further detailed provisions for the application of this Part shall be set out in Schedule 1.

*Part 2 - Common Provisions on the Annual Statutory Officers*

Interpretation	15.	(1) Any reference to Officers in this Part is a reference to the Annual Statutory Officers defined in Part 1 of this Chapter. (2) Board may provide that this Part, or any part thereof, shall apply in relation to appointment to a position other than as an Officer.
Functions	16.	(1) Each Officer shall (a) have such powers as are necessary or expedient to perform the functions of office, (b) comply with the terms of the Declaration taken upon admission to office pursuant to the Schedule on Declarations, and (c) perform such other functions as may be requested by the Provost or as may be prescribed either by the Statutes or by Board. (2) An Officer may expressly delegate any of the functions of office to a deputy or assistant, provided that Board has consented in advance to this delegation, and the principles of delegation shall apply. (3) An Officer may expressly grant authority to exercise any of the functions of office to an agent, provided that

Board has consented in advance to this grant, and the Principles of Agency shall apply.

- Pro-Officers
17. (1) If the circumstances necessitate
- (a) Board may appoint a member of College to perform the functions of an Officer for a defined and limited period which shall not normally exceed six months,
  - (b) for limited purposes, and only until the next Board meeting, the Provost may appoint a member of College to perform the functions of an Officer,
  - (c) for a short period of time, an Officer may appoint a member of College to perform the functions of that Officer, and
  - (d) for a single purpose, an Officer may appoint a member of College to perform those functions of that Officer which are necessary for that purpose.
- (2) A person appointed under this section to perform the functions of an Officer shall otherwise be qualified to be elected to that position.
- Election
18. (1) At a meeting during Trinity Term each year, Board shall elect the Officers, normally on the nomination of the Provost.
- (2) No one shall be elected to the office of Vice-Provost without the consent and approval of the Provost.
- (3) Serving Officers shall be eligible for re-nomination and re-election.
- (4) An Officer elected under this section, before taking up office, shall make a Declaration before the Provost in the form prescribed by the Schedule on Declarations (Schedule 1 to the Introduction Chapter).
- (5) An Officer elected at the meeting of Board held during Trinity Term pursuant to subsection (1) shall take up office on
- (a) the Monday after the last day of the Trinity Term in which the election has taken place, or
  - (b) such later date as may be agreed between the Officer concerned and the Provost, and approved by Board.
- (6) Notwithstanding subsection (1),
- (a) in any year in which the tenure of an outgoing Provost will terminate by effluxion of time, the election of Officers shall be postponed until a meeting of Board which shall be held four weeks after the incoming Provost shall have taken up office, and the Officers previously elected shall hold office until that time; and
  - (b) where the tenure of a Provost terminates in any manner other than by effluxion of time, an election of officers shall take place at a meeting of Board



which shall be held four weeks after the incoming Provost shall have taken up office, and the Officers previously elected shall hold office until that time.

- (7) Notwithstanding subsection (1), as soon as practicable after the occurrence of a vacancy in the office of any Officer (due to the death, resignation, retirement or removal from office of an Officer, or due to the effluxion of time pursuant to section 19(1)(b)), the Provost shall nominate to Board the name of a candidate for election as a replacement, and Board shall proceed to an election.
- (8) Officers who are elected at a meeting of Board held pursuant to subsection (6) or (7) shall take up office as soon as possible thereafter; on such date as may be agreed between the Officer concerned and the Provost, and approved by Board.
- (9) Where a vacancy for any reason other than the effluxion of time pursuant to section 19(1)(a) is anticipated, the Provost may nominate to Board the name of a candidate for election as a replacement; and, where the Provost has done so, Board shall proceed to an election.
- (10) Officers who are elected at a meeting of Board held pursuant to subsection (9) shall take office
  - (a) immediately upon the termination of the outgoing Officer's term, or
  - (b) on such later date as may be agreed between the incoming Officer and the Provost, and approved by Board.
- (11) Notwithstanding section 19(1), Officers who are elected at a meeting of Board held pursuant to subsection (6), (7) or (9) shall hold office until
  - (a) the end of the Trinity Term in the Academic Year in which the election took place, or
  - (b) such earlier date as may be agreed between the Officer concerned and the Provost, and approved by Board.
- (12) Where there is a vacancy in the office of Senior Tutor, the Provost shall nominate to Board as a candidate for that office a person who has been chosen from amongst the Tutors by means of an election conducted by them.

Termination

19. (1) Officers who have not died, resigned, retired or been removed from office shall hold office until
  - (a) the end of the Trinity Term in the Academic Year following their election, or
  - (b) such earlier date as may be agreed between the Officer concerned and the Provost, and approved by Board.

- (2) An Officer may resign from office by letter to the Provost; any such resignation may not be withdrawn by the Officer; but it shall not be effective unless and until it has been accepted by the Provost.
- (3) The Provost may invite any Officer to resign; any Officer so invited shall thereupon submit a letter of resignation to the Provost; and the provisions of subsection (2) shall apply.
- (4) An Officer who retires or resigns from College shall thereupon cease to hold that office.
- (5) An Officer who holds an office for which the holder must be a Fellow, but who ceases to be a Fellow, shall thereupon cease to hold that office.
- (6) Officers shall be responsible to Board for the performance of the functions of their offices; and if such an Officer has wholly failed to perform those functions, Board may, after due enquiry, remove that Officer from office.
- (7) If it appears to Board that an Officer has become incapable of performing the functions of office, then it may refer the matter to the Visitors, who may, after due enquiry declare the office to be vacant.
- (8) In any case where there is a vacancy in the office of any Officer, and until that vacancy has been filled pursuant to section 18, the Provost may direct that the functions of the vacant office shall be exercised by
  - (a) the Provost,
  - (b) another Officer, or
  - (c) an Acting Officer appointed by the Provost pursuant to section 17(1)(b).

*Part 3 - Administrative Statutory Officers*

- |           |     |   |
|-----------|-----|---|
| Librarian | 20. | (1) Board shall appoint a Librarian, who shall be responsible for the Library and the College Archives, pursuant to the Chapter on the College Community.                               |
| Treasurer | 21. | (1) Board shall appoint a Treasurer, who shall contribute to financial planning for College and shall be responsible for developing and implementing related operations and procedures. |
| Secretary | 22. | (1) Board shall appoint a Secretary to College, who shall assist it in the performance of its functions.  |

23. (1) The Administrative Statutory Officers described in this Part shall
- (a) make a Declaration before the Provost in the form prescribed by the Schedule on Declarations,
  - (b) comply with the Statutes and the terms of their Declarations, and
  - (c) perform such other functions as may be prescribed either by the Statutes or by Board.
- (2) In the case of a current or impending vacancy in any of the offices held by the Administrative Statutory Officers described in this Part, the specifications for the post shall be approved by Board to commence the formal process of filling that vacancy.

[Back to Table of Contents](#)

## Schedule 1

### *Detailed Provisions relating to Officers*

#### **1. Vice-Provost**

- (1) The Vice-Provost shall co-ordinate the activities of the other Officers, who will work with the Vice-Provost as appropriate, to ensure that education and research in College are inter-linked.

#### **2. Chief Academic Officer**

- (1) The Chief Academic Officer shall have and exercise functions relating to the overall development and management of academic matters in College.
- (2) In particular, the Chief Academic Officer shall
  - (a) report to the Provost,
  - (b) co-ordinate College-wide academic policy and strategy, including the student experience, teaching and learning, graduate education, and research,
  - (c) co-ordinate the activities of Faculty Deans,
  - (d) have special responsibility in relation to academic staff matters, and
  - (e) chair appropriate committees.
- (3) The functions of the Chief Academic Officer shall normally be exercised by the Vice-Provost.
- (4) Part 2 of the Chapter shall apply to the Chief Academic Officer.
- (5) The Chief Academic Officer shall be the Head of the Academic Services Division established pursuant to the Chapter on Units.

#### **3. Director of Strategic Innovation**

- (1) The Director of Strategic Innovation shall have and exercise functions relating to special projects that require academic coordination and strong liaison with the academic community.
- (2) The functions of the Director of Strategic Innovation shall normally be exercised by the Bursar.
- (3) Part 2 of the Chapter shall apply to the Director of Strategic Innovation.

#### **4. Senior Lecturer**

- (1) In exercising functions relating to undergraduate students, the Senior Lecturer may also be described as "the Dean of Undergraduate Studies".

#### **5. Registrar**

- (1) Provided that the Registrar is a Doctor or Master of the University, then the Registrar of the College shall also be the Registrar of the Senate; and where a pro-Registrar is appointed pursuant to section 17 of the Chapter, then provided that the Pro-Registrar is a Doctor or

Master of the University, then the Pro-Registrar may also perform the functions of the Registrar of the Senate.

**6. Junior Dean**

- (1) Board may appoint so many Assistant Junior Deans as it deems necessary to assist the Junior Dean in the discharge of the functions of that office; and references to the Junior Dean in these Statutes shall include any Assistant Junior Dean thereby appointed.
- (2) The Junior Dean, or at least one Assistant Junior Dean, shall normally be resident in College.

**7. Registrar of Chambers**

- (1) The Registrar of Chambers shall normally be resident in College.

**8. Chief Operating Officer**

- (1) The Chief Operating Officer shall report to the Provost, and shall have and exercise functions relating to the development and management of College's Administration and Support Services, in line with College's strategic goals and objectives.
- (2) Section 23(1)(c) and section 23(2) of the Chapter shall apply to the Chief Operating Officer.
- (3) In the case of a current or impending vacancy in the office of Chief Operating Officer, the specifications for the role shall be approved by Board to commence the formal process of filling that vacancy.
- (4) The Chief Operating Officer shall be the Head of the Corporate Services Division established pursuant to the Chapter on Units.

**9. Secretary**

- (1) The Secretary shall manage the statutory, legal, regulatory and compliance functions of College.

**10. Chief Financial Officer**

- (1) The Chief Financial Officer shall report to the Provost, and shall have and exercise functions relating to College's financial and investment strategies, financial information, financial control, and operational budgets.
- (2) The functions of the Chief Financial Officer shall normally be exercised by the Treasurer.
- (3) Section 23(1)(c) and section 23(2) of the Chapter shall apply to the Chief Financial Officer.
- (4) The Chief Financial Officer shall be the Head of the Financial Services Division established pursuant to the Chapter on Units.

**11. Academic Secretary**

- (1) The Academic Secretary shall provide support for the delivery of College's academic activities and the implementation of academic policy.

- (2) Section 23(1)(c) and section 23(2) of the Chapter shall apply to the Academic Secretary.

**12. Warden of Trinity Hall**

- (1) The Warden of Trinity Hall shall have and exercise responsibilities relating to Trinity Hall, to the pastoral care of its residents, and to the maintenance of discipline among them.
- (2) Board may appoint so many Assistant Wardens as it deems necessary to assist the Warden in the discharge of the functions of that office; and references to the Warden in these Statutes shall include any Assistant Warden thereby appointed.
- (3) The Warden shall normally be resident in Trinity Hall.
- (4) Part 2 of the Chapter - other than section 16(1)(b), section 18, and section 19(1) - shall apply to the Warden.

**13. Librarian**

- (1) Having regard to the Librarian's responsibilities for the College Archives pursuant to section 20 of the Chapter, the Librarian may also be described as "the Librarian and College Archivist".

[Back to Table of Contents](#)

## Committees

- Common Provisions
1. (1) The Provost shall be entitled to be a member of, to chair, and to summon meetings of, all of the committees established or bodies appointed pursuant to or under the Statutes.<sup>38</sup>
- (2) Their governing principles shall include their membership, principal functions and reporting lines, and they shall report as regularly as necessary.
- (3) In appointing their membership, regard shall be had to
- (a) gender balance,
  - (b) the desirability of ensuring some change of membership from year to year, and
  - (c) due representation of junior and senior members of staff and, in appropriate cases, of students.
- (4) They shall seek to determine matters by consensus, but where in the opinion of the Chairperson or other person presiding consensus is not possible, the question shall be decided by a majority of the votes of the members present and voting on the question and, in the case of an equal division of votes, the Chairperson shall have a second or casting vote.<sup>39</sup>
- (5) They shall, in so far as possible, respect principles of open and accountable administration and follow best management practice.
- (6) Where functions are expressly delegated to or from a committee, the Principles of Delegation shall apply; and where authority to exercise functions is expressly granted to or from a committee as agent or principal respectively, the Principles of Agency shall apply.
- Finance Committee
2. (1) There shall be a Finance Committee, which shall advise Board generally on finance, property, and related matters.
- (2) The Bursar shall be its Convener, and shall interpret its recommendations to Board and to the Community.
- (3) Its governing principles shall be set out in Schedule 1, which may be revised by the Finance Committee with the consent of Board.
- Committees
3. (1) Board<sup>40</sup> may establish so many Principal Committees of Board as it thinks necessary to assist it in the performance of its functions.
- (2) Council, with the consent of Board, may establish so many Academic Committees of Council as it thinks fit to assist it in the performance of its functions.

<sup>38</sup> Compare section 5 of the Fourth Schedule to the Act of 1997.

<sup>39</sup> Compare section 12(3) of the Third Schedule to the Act of 1997.

<sup>40</sup> Compare section 18 of the Universities Act, 1997.

- (3) Board and Council may together establish so many Joint Committees of Board and Council as they think fit to assist them in the performance of their functions.
- (4) Board, or Council, or Board and Council, as the case may be, may establish so many Compliance Committees as they think fit for the purposes of, or related to, compliance with applicable law and regulations.
- (5) Board, or Council, or Board and Council, as the case may be, may expressly
  - (a) delegate, to a committee established pursuant to this section, such functions as it thinks fit or as they think fit, as the case may be, and the Principles of Delegation shall apply,
  - (b) grant, to a committee established pursuant to this section, the authority to exercise such functions as it thinks fit or as they think fit, as the case may be, and the Principles of Agency shall apply, and
  - (c) entrust to a committee such other duties as it thinks fit; and any such committee may take such decisions as are necessary to exercise such authority, functions and duties.
- (6)
  - (a) Committees established pursuant to this section shall be set out in Schedule 2.
  - (b) Their governing principles shall be set out in that Schedule, and their terms of reference shall be set out in or pursuant to that Schedule.
  - (c) Their governing principles, and their terms of reference, shall be reviewed regularly by Board, or Council, or Board and Council, as the case may be, and shall be updated as appropriate.
- (7) Committees established pursuant to this section shall provide independent and timely advice to Board, Council, or Board and Council, as the case may be, on areas within their remit and in accordance with their governing principles and terms of reference as agreed from time to time.

Other Bodies

4.
  - (1) Board, Council, the committees established pursuant to this Chapter, and the committees mentioned elsewhere in the Statutes, may each appoint so many other bodies as they think expedient.
  - (2) Such bodies may include committees, sub-committees, commissions, groups, panels, parties, task forces, teams and the like.
  - (3) Except where this is precluded by their governing principles, such bodies may appoint so many further bodies as they require.
  - (4) The committee or body which appoints a body pursuant to this section shall, at the time of the appointment or as



- soon thereafter as possible, record and publish the governing principles of the body so appointed.
- (5) Where in the opinion of a committee or body establishing another committee or body, that other committee or body has completed its work, the establishing committee or body may abolish the other committee or body.

[Back to Table of Contents](#)

## Schedule 1

### *Finance Committee*

#### 1. Membership

- (1) The Finance Committee shall consist of:
  - (a) The Provost, who shall be Chair,
  - (b) The Bursar, who shall be Convener,
  - (c) The Vice-Provost,
  - (d) The Registrar,
  - (e) A Faculty Dean,
  - (f) One of the elected members of Board,
  - (g) Up to three external members with relevant financial expertise,
  - (h) The President of the Students' Union,
  - (i) The Chief Operating Officer, and
  - (j) The Treasurer, who shall be Secretary.
- (2) Representatives from the Treasurer's Office shall be in attendance.
- (3) The members of the Finance Committee mentioned in subsection (1), paragraphs (e)-(g) shall be elected by Board annually in Trinity Term; they shall hold office for one year and shall be eligible for re-election.

#### 2. Functions

- (1) The Finance Committee is a Principal Committee of Board; it is responsible for all matters relating to the financial affairs of College, encompassing the areas of strategic financial planning, resource management, financial monitoring and policy related issues; and it provides timely advice to Board on areas within its remit.
- (2) In advising Board generally on finance, property and related matters, the Finance Committee shall advise Board on matters such as the control of income and expenditure, the preparation of budgets, the management of investments and property, and the form of the College accounts.
- (3) In particular, the main functions of the Finance Committee are to:
  - (a) develop and review policies relating to the financial management of the College and oversee their implementation,
  - (b) review financial policy issues in the context of legislative and regulatory requirements,
  - (c) monitor the College's Financial Strategy arising from the College's Strategic Plan,
  - (d) monitor and oversee the efficient use of the College's resources through the Board approved Resource Planning Model,
  - (e) undertake regular reviews, oversight, and consideration, of the financial reporting and performance of College subsidiaries, joint ventures, Research Institutes, and ancillary activities, as appropriate; and advise the Board on appropriate actions,
  - (f) receive quarterly and annual reports from the Treasurer,

- (g) review internal financial controls ensuring that financial risk management is addressed on an ongoing basis,
- (h) oversee compliance with the financial elements of the Code of Governance of Irish Universities through the use of financial processes, procedures and controls,
- (i) advise Board on the financial aspects of the acquisition, disposal and retirement of assets of the College or its subsidiaries above a value of €3m (in conjunction with the Estates Policy Committee),
- (j) advise Board on the financial aspects of capital projects the total value of which will exceed €3m (in conjunction with the Estates Policy Committee),
- (k) monitor the activities of sub-committees through consideration of both minutes and annual reports and recommendations contained therein,
- (l) monitor the effective application of strategic risk management in the management of the College's finances through reports from responsible officers,
- (m) review expenditure on all major development projects from their inception to the settlement of final accounts in the context of the approved briefs, budgets and programmes (in conjunction with the Estates Policy Committee as appropriate),
- (n) receive briefing on relevant legislative and regulatory issues, and
- (o) review arrangements to be established by the College for compliance with relevant legislative, regulatory and Board policies.

### 3. Delegation and Agency

- (1) Pursuant to the Chapter on Board, Board is ultimately responsible for all matters relating to the property and financial affairs of College; and pursuant to section 3(5) of the Chapter, it may expressly
  - (a) delegate to the Finance Committee such functions as it thinks fit, and the Principles of Delegation shall apply,
  - (b) grant to the Finance Committee the authority to exercise such functions on its behalf as it thinks fit, and the Principles of Agency shall apply, and
  - (c) entrust to the Finance Committee such other functions as it thinks fit; and
 the Finance Committee may take such decisions as are necessary to exercise such authority, functions and duties.
- (2) In particular, the Finance Committee shall
  - (a) review and recommend an annual estimate and budget for approval by Board,
  - (b) review and recommend the annual Financial Statements and Endowment Funds for approval by Board within the timescale prescribed in or pursuant to section 12(3) of the Chapter on Board,

- (c) approve the financial aspects of the acquisition, disposal and retirement of assets of the College or its subsidiaries less than a value of €3m (in conjunction with the Estates Committee as appropriate),
- (d) determine, charge and remit the various fees, charges and the like payable to College by students,
- (e) determine charges for services provided by or on behalf of College, and
- (f) establish and approve terms of reference and membership for sub- committees or other groups as may be required to advise on activities relating to the College's finances.

In exercising its functions pursuant to subsection (2), the Finance Committee shall act as agent on behalf of Board; authority to do so is hereby expressly granted to the Committee; and the Principles of Agency shall apply.

#### **4. General**

- (1) The Committee shall report to Board.
- (2) The Committee shall meet quarterly throughout the year, or more frequently if the business requiring its attention should so dictate; and it shall adopt and publish its Standing Orders.
- (3) The Committee may consider or review any matter falling within its terms of reference, calling on whatever resources and information it considers necessary to do so.
- (4) The Committee is authorised to seek any reasonable information it requires from any employee of the College or associated body to enable it discharge its responsibilities, and shall have made available to it on a timely basis all information requested from any employee in a clear, concise and well organised manner.
- (5) In order to aid its operation, the Committee may establish advisory groups from the user communities and may arrange for subgroups to consider specialist issues and bring forward recommendations to the Committee.
- (6) The Committee shall, at least once a year, review this Schedule and its own performance, and shall report its conclusions and recommend any changes it considers necessary to Board.

[Back to Table of Contents](#)

## Schedule 2

### *Detailed Provisions Relating to Committees*

#### *Part 1 - Common provisions*

##### **1. Committees**

- (1) Except where the contrary intention appears or the context otherwise requires, this Part shall apply to the committees established pursuant to the Chapter and set out in the subsequent Parts of this Schedule.
- (2) Except where the contrary intention appears or the context otherwise requires,
  - (a) this Part, or any part thereof, may be applied in a Schedule to other committees or other bodies established in or pursuant to the Statutes; and
  - (b) Board may provide that this Part, or any part thereof, shall apply in relation to other committees or other bodies established in or pursuant to the Statutes.
- (3) Where this Part is applied pursuant to subsection (2), it shall apply by analogy and in so far as is practicable.
- (4) References to committees in this Part are references to committees to which this Part applies by virtue of this section.
- (5) Correspondence to a committee shall be addressed to the Secretary of the relevant committee.

##### **2. Meetings**

- (1) Where a Chairperson is not otherwise provided for, the Chairperson of every Principal Committee of Board and of every Compliance Committee shall be an elected member of Board.
- (2) Where a frequency of meetings is not otherwise provided for, committees shall meet as regularly as necessary.
- (3) Where procedures are not otherwise provided for, committees shall determine their own procedures.
- (4) The principles relating to statements of interest set out in section 8(1) of Board Standing Orders (Schedule 2 to the Chapter on Board) shall apply by analogy in so far as is possible; provided that references in that subsection to "the Provost" shall be taken as references to the Chairperson of the relevant Committee, and references in that subsection to "the Secretary" shall be taken as references to the Secretary of the relevant Committee.
- (5) The Chairperson of each committee shall ensure that the dates of scheduled meetings for the academic year shall be circulated to members either in advance of, or as early as possible in, Michaelmas Term.

- (6) In exceptional cases where it is necessary to do so, a committee may decide that an item of business at a meeting shall be confidential.

### 3. Membership

- (1) Where a member of a committee is defined as an “external member”, then that member shall not be a member of the College Community and shall be a member of the Wider Community, and similar or cognate terms shall be construed accordingly.
- (2) Where a co-option procedure is not otherwise provided for, a committee (other than a Principal Committee of Board, an Academic Committee of Council, a Joint Committee of Board and Council, or a Compliance Committee) may co-opt not more than two additional members; such members shall be nominated by the Chairperson at any meeting of the committee for approval by the committee at a later meeting; and every such member, who has not died or resigned, shall serve until the end of the academic year in which the co-option was approved.
- (3) A committee may invite any member of the College Community or of the Wider Community to attend either for an item or for a meeting, as it sees fit.
- (4) A member of, or a person in attendance at, a committee who is unable to attend a meeting may nominate a substitute; the nominator shall inform the Chairperson of the committee about the substitution as soon as practicable in advance of the meeting and shall ensure that the substitute is properly briefed in respect of the matters to be discussed at the meeting; and the substitute shall exercise all of the nominator’s functions and enjoy all of the nominator’s rights and privileges at the committee.
- (5) Membership of Principal Committees of Board, Academic Committees of Council, Joint Committees of Board and Council, and Compliance Committees, shall be reviewed each year by the Provost and the Registrar, who shall consult with the Chairperson of the relevant Committee; and any proposed changes to membership shall be recommended by the Provost to Board, or Council, or both, as the case may be.
- (6) Membership of committees (other than committees mentioned in subsection (5)) shall be reviewed regularly by the Chairperson of each committee, and any proposed changes to membership shall be recommended as necessary.
- (7) Except in the case of an *ex officio* member, where a term of membership is not otherwise provided for, membership of a committee shall normally be for an initial term of three years, and may be renewed for one further term of three years.
- (8) A member of, or a person in attendance at, a committee shall at all times act, as a member or person in attendance, in the best interests of the College and shall not act as a representative or nominee of any special interest; provided that nothing in this sub-section shall

restrict a member or person in attendance from representing at meetings of committees the views of those by whom the member or person in attendance has been elected or nominated or to restrict the freedom of expression of any member or person in attendance.

#### **4. Quorum**

- (1) Where a quorum is not otherwise provided for, then the quorum for meetings of a committee shall be one-third of the total number of members of the committee, rounded up to the nearest whole number, plus one.
- (2) Persons in attendance at a committee shall not count for the purpose of reckoning a quorum; but co-opted members, and substitutes nominated by members, shall.
- (3) The Chairperson shall convene a meeting of a committee whenever requested to do so by not less than the number of members that constitutes a quorum.

#### **5. Written procedure**

- (1) Where, in the opinion of the Chairperson of a committee, there is urgent business that must be transacted between two scheduled meetings of the relevant committee, then the Chairperson may direct a proposal to the Committee by means of a written or electronic procedure.
- (2) For the purposes of the procedure, the text of the proposal shall be circulated electronically or in writing by the Secretary of the committee to all members of, and persons in attendance at, the committee, with a time limit within which members shall make known any reservations they may have or amendments they may wish to make.
- (3) Any member of the committee may, before the expiration of the set time limit, require that the proposal be discussed at the next meeting of the committee, by sending to the Chair (with copies to the other members of, and persons in attendance at, the committee) a written or electronic notification to that effect.
- (4) A proposal on which no member of the committee has made a reservation before the expiration of the set time limit shall stand adopted by the committee.
- (5) A proposal, or an amended proposal, on which a majority of the members of the committee agree at the expiration of the set time limit shall stand adopted by the committee.
- (6) Proposals adopted pursuant to this section shall be recorded in the minutes of the next meeting of the committee.

#### **6. Functions and Terms of Reference**

- (1) Board may delegate functions to any of its Principal Committees or to Compliance Committees; Board and Council may delegate functions

to Academic Committees of Council or to Joint Committees of Board and Council.

- (2) Every committee shall operate in accordance with its terms of reference, and may consider any matter falling within them.
- (3) The Secretary to each committee shall ensure that the current terms of reference of the relevant committee are made available pursuant to section 3 of the Schedule on Units (Schedule 1 to the Chapter on Units).
- (4) Every committee may seek any information it requires from any member of the College Community so as to enable it exercise its functions.
- (5) Every committee shall, on a periodic basis, review its own performance of its functions; where this is not otherwise provided for in the case of committees of Board or Council or both, the Chairperson shall conduct this review in consultation with the Registrar, and any proposed changes shall be recommended to Board, or Council, or both, as the case may be.

### *Part 2 - Principal Committees of Board*

#### **7. Membership of Principal Committees of Board**

- (1) Except where the contrary intention appears or the context otherwise requires, the Provost, having conducted the review and consultations set out in section 3(5), shall bring forward to Board the names of persons for appointment by Board to the Principal Committees of Board established in this Part.
- (2) In particular, external members of Principal Committees shall be appointed by Board on the nomination of the Provost.

#### **8. Audit Committee**

- (1) There shall be an Audit Committee, which shall be a Principal Committee of Board operating under delegated authority from Board pursuant to section 3(5)(a) of the Chapter; and the Principles of Delegation shall apply.
- (2) Board is ultimately responsible for all matters relating to the presentation of financial accounts and all issues arising from internal and external audits in the College.
- (3) The Audit Committee's principal objective is to assist Board to fulfil its functions by providing independent and timely advice to Board on areas within its remit and in accordance with its terms of reference as agreed from time to time.
- (4) The main function of the Audit Committee is to review the significant financial reporting issues and judgments made in connection with the College's financial statements and reports, and to review the scope and effectiveness of the College's internal controls, including



financial, operational and compliance controls (including systems established by management to identify, assess, manage and monitor key risks, both financial and operational, taking account of the key objectives of the College as contained in the Strategic Plan).

**9. Membership of Audit Committee**

- (1) The Audit Committee should normally consist of six members as follows:
  - (a) One elected member of Board,
  - (b) One member of College Staff,
  - (c) One former Annual Statutory Officer who is a member of College staff, and
  - (d) Three external members with relevant expertise.
- (2) The Internal Auditor and the Secretary to College are permitted to attend meetings of the Audit Committee.
- (3) The Chairperson of the Audit Committee shall be one of the external members.
- (4) The Internal Auditor shall act as Secretary to the Audit Committee.

**10. Estates Policy Committee**

- (1) There shall be an Estates Policy Committee, which shall be a Principal Committee of Board operating under delegated authority from Board pursuant to section 3(5)(a) of the Chapter; and the Principles of Delegation shall apply.
- (2) The Estates Policy Committee shall be responsible for making policy in relation to the development and operation of College's sites, physical facilities and utilities and shall oversee the implementation of College's Estates Strategy and provide advice to Board on areas within its remit and in accordance with its terms of reference as agreed from time to time.

**11. Membership of Estates Policy Committee**

- (1) The Estates Policy Committee shall have a minimum of seven members and a maximum of nine members.
- (2) The Estates Policy Committee shall consist of:
  - (a) One elected member of Board,
  - (b) The Bursar,
  - (c) The Treasurer/Chief Financial Officer,
  - (d) A minimum of one and a maximum of two external members,
  - (e) A maximum of three members drawn from the College Community (at least one of whom shall be a student), and
  - (f) The Chief Operating Officer.
- (3) The Director of Estates and Facilities, the Commercial Director and the Head of the Programme Management Office are permitted to attend meetings of the Estates Policy Committee, if so required by the Chairperson of the Committee.

- (4) The Chief Operating Officer shall act as Secretary to the Estates Policy Committee.
- (5) The external members of the Estates Policy Committee shall have expertise in architecture, planning, construction or facilities management, and at least one member shall be an architect with significant management experience.
- (6) The members of the Estates Policy Committee drawn from the College Community pursuant to subsection 2(3) shall not be holders of executive positions or management positions in College.

**12. Human Resources Committee**

- (1) There shall be a Human Resources Committee, which shall be a Principal Committee of Board operating under delegated authority from Board pursuant to section 3(5)(a) of the Chapter; and the Principles of Delegation shall apply.
- (2) The Human Resources Committee's principal objective is to assist Board and Council to fulfil their functions by providing timely advice to Board on areas within its remit and in accordance with its terms of reference as agreed from time to time.
- (3) The main function of the Human Resources Committee is to make recommendations in relation to the recruitment and selection of College Staff and in relation to pay and conditions of employment as well as staff development and staff relations policy.

**13. Membership of Human Resources Committee**

- (1) The Human Resources Committee shall consist of:
  - (a) The Vice-Provost/Chief Academic Officer or nominee,
  - (b) The Senior Lecturer/Dean of Undergraduate Studies,
  - (c) At least two elected members of Board,
  - (d) One nominee of each of the Faculty Deans,
  - (e) The Academic Secretary,
  - (f) The Treasurer/Chief Financial Officer or nominee,
  - (g) The President of the Students' Union or President of the Graduate Students' Union (as proposed on an annual basis),
  - (h) One member of the Equality Committee,
  - (i) A nominee of the Chief Operating Officer
  - (j) One external member, and
  - (k) The Director of Human Resources.
- (2) The Manager of Staff Performance and Review is permitted to attend meetings of the Human Resources Committee.
- (3) The Director of Human Resources shall act as Secretary to the Human Resources Committee.

**14. Library and Information Policy Committee**

- (1) There shall be a Library and Information Policy Committee, which shall be a Principal Committee of Board operating under delegated

authority from Board pursuant to section 3(5)(a) of the Chapter; and the Principles of Delegation shall apply.

- (2) The main function of the Library and Information Policy Committee is in relation to the creation of policy for the development of the College's library and information policy services.

**15. Membership of Library and Information Policy Committee**

- (1) The Library and Information Policy Committee shall consist of:

- (a) One Faculty Dean,
- (b) Two Heads of School,
- (c) The Dean of Research,
- (d) At least two elected members of Board,
- (e) The Academic Secretary,
- (f) The Secretary to College (or nominee),
- (g) The President of the Graduate Students' Union,
- (h) A nominee of the Students' Union,
- (i) The Chief Operating Officer,
- (j) The Librarian and College Archivist, and
- (k) The Director of IT Services.

- (2) The Deputy Librarian and the Deputy Director of IT Services are permitted to attend meetings of the Library and Information Policy Committee.
- (3) The Librarian and College Archivist and the Director of IT Services shall alternate as Secretary on consecutive two year periods.

*Part 3 - Academic Committees of Council*

**16. Membership of Academic Committees of Council**

- (1) Except where the contrary intention appears or the context otherwise requires, the Provost, having conducted the review and consultations set out in section 3(5), shall bring forward to Council the names of persons for appointment by Council to the Academic Committees of Council established in this Part.
- (2) In particular, external members of Academic Committees shall be appointed by Council on the nomination of the Provost.

**17. Graduate Studies Committee**

- (1) There shall be a Graduate Studies Committee, which shall be an Academic Committee of Council, operating under delegated authority from Council pursuant to section 3(5)(a) of the Chapter; and the Principles of Delegation shall apply.
- (2) The Graduate Studies Committee's principal objective is to consider and make recommendations on matters of academic policy and practice relating to postgraduate study and research, and to report on these discussions to the Heads of School Committee and to Council.

**18. Membership of Graduate Studies Committee**

- (1) The Graduate Studies Committee shall consist of:
  - (a) The Dean of Graduate Studies,
  - (b) The Dean of Research,
  - (c) The Directors of Teaching and Learning (Postgraduate) in each of the Schools,
  - (d) The President of the Graduate Students' Union, and
  - (e) The Vice-President of the Graduate Students' Union.
- (2) The Keeper of Readers' Services, a nominee of IT Services, and an Administrative Officer from the Graduate Studies Office are permitted to attend meetings of the Graduate Studies Committee.
- (3) The Chairperson of the Graduate Studies Committee shall be the Dean of Graduate Studies.
- (4) The Administrative Officer attending from the Graduate Studies Office shall act as Secretary to the Graduate Studies Committee.

**19. International Committee**

- (1) There shall be an International Committee, which shall be an Academic Committee of Council, operating under delegated authority from Council pursuant to section 3(5)(a) of the Chapter; and the Principles of Delegation shall apply.
- (2) The functions of the International Committee relate to the external relations and international affairs of the College and University, and its principal objective is to oversee and monitor the implementation of the international strategic objectives of the College and University.
- (3) The International Committee shall assist Council and Board to fulfil their functions by providing advice to them on global relations matters.

**20. Membership of International Committee**

- (1) The International Committee shall consist of:
  - (a) The Vice-President for Global Relations,
  - (b) The Director of Internationalisation,
  - (c) The Deans of the Faculties,
  - (d) The Dean of Graduate Studies,
  - (e) The Dean of Research,
  - (f) The Academic Secretary,
  - (g) One elected member of Council,
  - (h) The Chief Operating Officer,
  - (i) The Dean of Students,
  - (j) The President of Trinity Development and Alumni (formally Trinity Foundation),
  - (k) The President of the Students' Union, and
  - (l) The President of Graduate Students' Union.

- (2) The Chairperson of the International Committee shall be the Vice-President for Global Relations.
- (3) An Administrative Officer from the Global Relations Office is permitted to attend and shall act as Secretary to the International Committee.

**21. Research Committee**

- (1) There shall be a Research Committee, which shall be an Academic Committee of Council, operating under delegated authority from Council pursuant to section 3(5)(a) of the Chapter; and the Principles of Delegation shall apply.
- (2) The main function of the Research Committee is to formulate policy on all research, innovation, and industry-related matters which impact on the strategic objectives of the College and to make recommendations to Council, where appropriate.

**22. Membership of Research Committee**

- (1) The Research Committee shall consist of:
  - (a) The Dean of Research,
  - (b) The Director (or Associate Director) of Trinity Research and Innovation,
  - (c) The Dean of Graduate Studies,
  - (d) The Directors of Research in each of the Schools,
  - (e) The Directors of the Trinity Research Institutes,
  - (f) The President of the Graduate Students' Union,
  - (g) The Chairperson of the Trinity Research Staff Association.
- (2) Associate Deans of Research, the Research Development Manager and the Research Accounting Manager are permitted to attend meetings of the Research Committee.
- (3) The Chairperson of the Research Committee shall be the Dean of Research.
- (4) The Director (or Associate Director) of Trinity Research and Innovation shall act as Secretary to the Research Committee, and a member of staff of Trinity Research and Innovation shall be appointed annually to attend and act as the minute secretary.

**23. Student Life Committee**

- (1) There shall be a Student Life Committee, which shall be an Academic Committee of Council, operating under delegated authority from Council pursuant to section 3(5)(a) of the Chapter; and the Principles of Delegation shall apply.
- (2) The principal function of the Student Life Committee is to consider, to advise on and to make recommendations on policy and practice relating to student life and student well-being.

**24. Membership of Student Life Committee**

- (1) The Student Life Committee shall consist of:

- (a) The Dean of Students,
  - (b) The Senior Tutor,
  - (c) The Students' Union Welfare Officer,
  - (d) The President of the Students' Union,
  - (e) One member of the Scholars' Committee (or nominee),
  - (f) The President of the Graduate Students' Union,
  - (g) The Vice-President of the Graduate Students' Union,
  - (h) The Convenor of the Chaplains,
  - (i) The Director of the Careers Advisory Service,
  - (j) The Director of the Student Counselling Service,
  - (k) The Director of the College Health Service,
  - (l) The Director of Student Services,
  - (m) The Director of the College Disability Service,
  - (n) The Head of Sport and Recreation,
  - (o) The Treasurer/Chief Financial Officer (or nominee),
  - (p) The Librarian and College Archivist,
  - (q) The Director of IT Services,
  - (r) The Director of Internationalisation,
  - (s) The Vice-Chair of Dublin University Central Athletic Club (or nominee),
  - (t) The Chair of the Central Societies Committee (or nominee),
  - (u) The Chair of Trinity Publications (or nominee),
  - (v) The Registrar of Chambers,
  - (w) The Warden of Trinity Hall, and
  - (x) The Director of Accommodation and Catering Services.
- (2) The Chairperson of the Student Life Committee shall be the Dean of Students.
- (3) An Administrative Officer from the Senior Tutor's Office is permitted to attend and shall act as minutes secretary to the Student Life Committee.
- 25. Undergraduate Studies Committee**
- (1) There shall be an Undergraduate Studies Committee, which shall be an Academic Committee of Council, operating under delegated authority from Council pursuant to section 3(5)(a) of the Chapter; and the Principles of Delegation shall apply.
- (2) The principal function of the Undergraduate Studies Committee is to formulate policy on all matters of the College related to Undergraduate Studies and to make recommendations to Council, where appropriate. The Undergraduate Studies Committee may consider any matter falling within its terms of reference as agreed from time to time, calling on whatever resources and information it considers necessary to do so.
- 26. Membership of Undergraduate Studies Committee**
- (1) The Undergraduate Studies Committee shall consist of:
- (a) The Senior Lecturer/Dean of Undergraduate Studies,
  - (b) The Academic Secretary,

- (c) The Directors of Teaching and Learning (Undergraduate) in each of the Schools,
  - (d) The Course Directors of TSM, BESS and Science (TR071),
  - (e) The Dean of Students,
  - (f) The Senior Tutor,
  - (g) The Education Officer of the Students' Union, and
  - (h) A student.
- (2) An Administrative Officer from Trinity Teaching and Learning and a Library representative are permitted to attend meetings of the Undergraduate Studies Committee.
  - (3) The Chairperson of the Undergraduate Studies Committee shall be the Senior Lecturer/Dean of Undergraduate Studies.
  - (4) The Administrative Officer from Trinity Teaching and Learning shall act as Secretary to the Undergraduate Studies Committee.

#### *Part 4 - Joint Committees of Board and Council*

#### **27. Membership of Joint Committees of Board and Council**

- (1) Except where the contrary intention appears or the context otherwise requires, the Provost, having conducted the review and consultations set out in section 3(5), shall bring forward to Board and Council the names of persons for appointment by Board and Council to any Joint Committees of Board and Council established in or pursuant to this Part.
- (2) In particular, any external members of Joint Committees shall be appointed by Board and Council on the nomination of the Provost

#### *Part 5 - Compliance Committees*

#### **28. Membership of Compliance Committees**

- (1) Except where the contrary intention appears or the context otherwise requires, the Provost, having conducted the review and consultations set out in section 3(5), shall bring forward to Board, or Council, or Board and Council, as the case may be, the names of persons for appointment by Board and Council to any Compliance Committees established in or pursuant to this Part.
- (2) In particular, any external members of Compliance Committees shall be appointed by Board, or Council, or Board and Council, as the case may be, on the nomination of the Provost.

#### **29. Coiste na Gaeilge**

- (1) Coiste na Gaeilge shall be a Committee of Board and shall operate under delegated authority from Board, pursuant to section 3(5)(a) of the Chapter; and the Principles of Delegation shall apply.

- (2) Coiste na Gaeilge shall be responsible for advising Board and Council on all matters relating to the Irish language, including compliance with the Official Languages Act 2003.

**30. Membership of Coiste na Gaeilge**

- (1) Coiste na Gaeilge shall consist of:
  - (a) One elected member of Board,
  - (b) Oifigeach na Gaeilge (the Irish Language Officer),
  - (c) The Secretary to College (or nominee),
  - (d) One member of Roinn na Gaeilge agus na dTeangacha Ceilteacha (the Department of Irish and Celtic Languages),
  - (e) One nominee of the Library,
  - (f) The Registrar of Chambers (or nominee),
  - (g) Reachtaire an Chumann Ghaelaigh,
  - (h) The Irish Language Officer of the Students' Union,
  - (i) One nominee of the Graduate Students' Union,
  - (j) One elected member of Council,
  - (k) One Faculty Dean (or nominee),
  - (l) Four members of staff (one from each Faculty nominated by the Faculty Deans, and one from the administrative and support areas nominated by the Chief Operating Officer).
- (2) Each gender should represent at least 30 percent of the membership of Coiste na Gaeilge, and there should be a broad representation of all staff groups in College.
- (3) The Cathaoirleach (Chairperson) of Coiste na Gaeilge shall be an elected member of Board.
- (4) Oifigeach na Gaeilge (the Irish Language Officer) shall act as Runaí (Secretary) to Coiste na Gaeilge.

**31. College Safety Committee**

- (1) There shall be a College Safety Committee, which shall be a Committee of Board and shall operate under delegated authority from Board, pursuant to section 3(5)(a) of the Chapter; and the Principles of Delegation shall apply.
- (2) The College Safety Committee shall be responsible for advising Board and Council with respect to all matters relating the safety, health and welfare of students, staff and visitors on College premises and facilities.
- (3) The College Safety Committee shall
  - (a) allocate and disburse the risk reduction budget,
  - (b) appoint Chairs of reporting Sub-Committees,
  - (c) develop and adopt safety management systems,
  - (d) establish procedures to be adopted in the event of emergency,
  - (e) develop and adopt internal practices and policies on matters of safety, health and welfare, and
  - (f) develop and adopt internal technical standards and guidance documents.



- (4) In exercising its functions pursuant to subsection (3), the College Safety Committee shall act as agent on behalf of Board and Council; authority to do so is hereby expressly granted to the Committee; and the Principles of Agency shall apply.

**32. Membership of College Safety Committee**

- (1) The College Safety Committee shall consist of:
- (a) The Chief Operating Officer,
  - (b) The College Safety Officer,
  - (c) The Chairpersons of principal sub-committees of the College Safety Committee,
  - (d) One elected member of Board,
  - (e) The Director of Estates and Facilities,
  - (f) Occupational Health Physician / the Director of the College Health Services,
  - (g) The Director of Human Resources,
  - (h) Two nominees of the Safety Representatives group,
  - (i) One nominee of the Students' Union, and
  - (j) One nominee of the Graduate Students' Union.
- (2) The Chairperson of the College Safety Committee shall be the Chief Operating Officer.
- (3) The College Safety Officer shall act as Secretary to the College Safety Committee.

**33. Equality Committee**

- (1) There shall be an Equality Committee, which shall be a Committee of Board and shall operate under delegated authority from Board, pursuant to section 3(5)(a) of the Chapter; and the Principles of Delegation shall apply.
- (2) The Equality Committee shall be responsible for advising Board and Council on all equality-related matters.
- (3) The Equality Committee shall
- (a) appoint Contact Persons in relation to Dignity and Respect, and
  - (b) approve procedures and guidelines for the implementation of equality-related policies.
- (4) In exercising its functions pursuant to subsection (3), the Equality Committee shall act as agent on behalf of Board and Council; authority to do so is hereby expressly granted to the Committee; and the Principles of Agency shall apply.

**34. Membership of Equality Committee**

- (1) The Equality Committee shall consist of:
- (a) One elected member of Board,
  - (b) The Vice-Provost/Chief Academic Officer,
  - (c) The Equality Officer,
  - (d) The Secretary to College (or nominee),
  - (e) The Academic Secretary,
  - (f) The Director of Human Resources,

- (g) The Director of the College Disability Service,
  - (h) One of the Dignity and Respect Contact Persons,
  - (i) The Welfare Officer of the Students' Union,
  - (j) One nominee of the Graduate Students' Union,
  - (k) One elected member of Council,
  - (l) A Faculty Dean, and
  - (m) Two members of College staff.
- (2) Each gender should represent at least 30 percent of the membership of the Equality Committee, and there should be a broad representation of all staff groups in College.
- (3) The Equality Officer shall act as Secretary to the Equality Committee.

### **35. Quality Committee**

- (1) There shall be a Quality Committee, which shall be a Committee of Council and shall operate under delegated authority from Council, pursuant to section 3(5)(a) of the Chapter; and the Principles of Delegation shall apply.
- (2) The main function of the Quality Committee is to devise and implement quality processes across academic, research and administrative areas of College and in Linked Provider<sup>41</sup> institutions. It shall report to Board and Council and make recommendations to Council, where appropriate.

### **36. Membership of the Quality Committee**

- (1) The Quality Committee shall consist:
- (a) The Vice-Provost/Chief Academic Officer,
  - (b) The Chief Operating Officer, or nominee,
  - (c) The Deans of the Faculties,
  - (d) The Dean of Graduate Studies,
  - (e) The Senior Lecturer/Dean of Undergraduate Studies,
  - (f) The Academic Secretary,
  - (g) The Quality Officer,
  - (h) Four members drawn from the Schools, provided that there is at least one member from each Faculty,
  - (i) The Deputy Librarian,
  - (j) One member drawn from the Corporate Services Division,
  - (k) The Assistant Secretary,
  - (l) The Chief Risk Officer,
  - (m) The Education Officer of the Students' Union,
  - (n) The Vice-President of the Graduate Students' Union,
  - (o) An Administrative Officer from the Quality Office.

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<sup>41</sup> See Quality & Qualifications (Education & Training) Act 2012, Part I, Section 2 (3) which defines a Linked Provider as "a provider that is not a designated awarding body but enters into an arrangement with a designated awarding body under which arrangement the provider provides a programme of education and training that satisfies all or part of the prerequisites for an award of the designated awarding body".

- (2) The Chairperson of the Quality Committee shall be the Vice-Provost/Chief Academic Officer.
  - (3) The Administrative Officer from the Quality Office shall act as Secretary to the Quality Committee.
- 37. Remuneration Committee**
- (1) There shall be a Remuneration Committee, which shall be a Committee of Board operating under delegated authority from Board, pursuant to Section 3(5)(a) of the Chapter; and the Principles of Delegation shall apply.
  - (2) The Remuneration Committee shall be responsible for making timely recommendations to the Provost or other College Officer concerning the setting and approval of exceptional remuneration under the agreed Higher Education Authority framework in force pursuant to section 25(5)(a) of the Act of 1997.
  - (3) Where requested, the Remuneration Committee shall also advise on matters of remuneration and associated expenses and allowances in individual cases and on other matters within its remit and in accordance with its terms of reference as agreed from time to time.
- 38. Membership of the Remuneration Committee**
- (1) The Remuneration Committee shall consist of:
    - (a) An external member of Board,
    - (b) The Provost,
    - (c) The Vice-Provost/Chief Academic Officer,
    - (d) The Treasurer/Chief Financial Officer (or nominee),
    - (e) The Secretary to College,
    - (f) One elected member of Board.
  - (2) The Chairperson of the Remuneration Committee shall be the external member of Board, or where he or she is unavailable, the Provost.
  - (3) Notwithstanding section 4(3) in Part 1 of this Schedule, the Remuneration Committee shall be convened by the Secretary at the request of the Provost.
  - (4) In achieving the quorum specified in section 4(1) and (2) in Part 1 of this Schedule, the participation of the elected member of Board (or a substituted elected Board member nominated by the Provost) shall be required.
  - (5) The Secretary to College shall act as Secretary to the Remuneration Committee and shall be responsible for providing a quarterly report to Board on the activities of the Committee.

[Back to Table of Contents](#)

## Units

- |                |    |  |
|----------------|----|--|
| Establishment  | 1. | (1) Board shall establish such academic and administrative units as it deems appropriate and shall set them out in or pursuant to Schedule 1.  |
| Office-holders | 2. | (1) Where academic units include Faculties, there shall be a Dean of each Faculty.<br>(2) Where academic units include Schools, there shall be a Head of each School.<br>(3) (a) Deans and Heads shall be appointed in accordance with the provisions of Schedule 2<br>(b) They shall have and exercise such responsibilities as are provided for in that Schedule.<br>(c) The Common Provisions on the Annual Statutory Officers in the Chapter on the Officers shall apply to them.<br>(4) Where administrative units include Divisions, the Head of each Division shall be as provided for in Schedule 1.<br>(5) Board may provide for other office-holders for academic or administrative units. |
| Committees     | 3. | (1) Board shall establish the committees of academic units in Schedule 3.<br>(2) Board shall set out the governing principles of such committees in that Schedule.<br>(3) Such committees shall be subject to the common provisions of the Chapter on Committees, and may appoint other bodies pursuant to that Chapter.   |

[Back to Table of Contents](#)

## Schedule 1

### *Units*

#### 1. Units

- (1) Academic units (including, where appropriate, Faculties, Schools, Institutes, Centres, and so on) established by Board pursuant to section 1 of the Chapter shall be made available pursuant to section 3.
- (2) Administrative units (including, where appropriate, Divisions, and so on) established by Board pursuant to section 1 of the Chapter shall be made available pursuant to section 3.
- (3) The Secretary shall ensure that the lists of units set out pursuant to this section shall be complete, up to date, accurate, and in accordance with decisions of Board.

#### 2. Heads of Division

- (1) Where administrative units include Divisions, the Head of each Division shall be an Officer or office-holder provided for in or pursuant to the Chapter on the Officers or in Schedule 3 to the Chapter on Board.

#### 3. Making available

- (1) Information made available pursuant to this section shall be made available online at <http://www.tcd.ie/structure/>

[Back to Table of Contents](#)

## Schedule 2

### *Deans, Heads and other Office-holders*

#### *Part 1 - Elections*

##### **1. Conduct of Elections**

- (1) When an election is necessary for Dean of Faculty or Head of School, the election shall proceed by secret ballot, and ballot papers and return envelopes shall be despatched to all electors by the relevant Faculty Office.
- (2) All ballot papers shall have a mark or stamp to ensure their authenticity, and shall specify a return date and time which shall be no more than 15 days from the date on which they were despatched.
- (3) All ballot papers shall be returned to the Faculty Office in the envelopes provided.
- (4) Any ballot papers which are not returned in the envelope provided or which are returned late shall not be counted.
- (5) All envelopes shall be date-stamped on receipt by the Faculty Office to prove that they were received within the timescale.
- (6)
  - (a) In the case of a ballot where there is only one candidate, the question on the ballot paper shall be whether that candidate is to be elected.
  - (b) To be elected, the candidate must secure at least
    - (i) 55% of the total votes cast, and
    - (ii) 50% of the votes cast by the members of the academic staff.
- (7)
  - (a) In the case of a ballot where there is more than one candidate, the ballot paper shall set out the names of the candidates in alphabetical order by last name, the election shall proceed by means of the Single Transferable Vote, and the voting and counting shall be conducted accordingly.
  - (b) The votes cast by the members of the academic staff shall be treated as a single block of votes worth 70% of the total valid poll.
  - (c) The votes cast by the members of the research staff, of the technical, administrative and support staff, and of the student representatives, shall be treated together as a single block of votes worth 30% of the total valid poll.
  - (d) To be elected, a candidate must secure at least 50% of the votes cast by the members of the academic staff in the final count.
  - (e) The members of staff referred to in this section are the full-time and part-time members of the academic staff, or of the administrative, technical and support staff, as the case may be, who are on the Register of Electors for the time being in

force pursuant to the Schedule on the Electorate and Register (Schedule 2 to the Introduction Chapter).

### *Part 2 - Deans of Faculty*

#### **2. Deans of Faculty**

- (1) Deans of Faculty (hereafter: Deans) play a pivotal role in the overall academic and strategic development of College.
- (2) In each of the Faculties established in Schedule 1, the Dean shall normally be appointed by Board on foot of the procedures set out in this Part, that is to say by means of
  - (a) an election pursuant to section 3,
  - (b) an internal appointment pursuant to section 4, or
  - (c) an external appointment pursuant to section 5.
- (3) In each Faculty, the Dean shall
  - (a) provide overall academic leadership within the Faculty and coordinate the Faculty's strategic direction,
  - (b) be responsible, within overall College guidelines, for staff recruitment within the Faculty,
  - (c) have overall budgetary authority within the Faculty, and
  - (d) play an active role in seeking resources that allow for the implementation of the Faculty's strategic goals.
- (4) Deans shall be formally accountable to Board.
- (5) Sections 17 and 19 (other than section 19(1)) of the Chapter on Officers shall apply to Deans.

#### **3. Election**

- (1) At least three months before the expiry of the term of office of an incumbent Dean, the Faculty Executive Committee shall make arrangements to hold an election to elect the next Dean.
- (2) In an election for a Dean of Faculty, the electorate shall comprise
  - (a) all members of the relevant Faculty on the Register for the time being in force pursuant to the Schedule on the Electorate and Register (Schedule 2 to the Introduction Chapter), and
  - (b) the representatives of the Students' Union and Graduate Students' Union on the relevant Faculty Committee.
- (3) Every candidate for Dean shall
  - (a) be a full-time Professor in the relevant Faculty, and
  - (b) have demonstrated leadership in university administration, research and teaching.
- (4) Nominations shall be
  - (a) proposed and seconded by members of the academic staff from within the Faculty electorate,
  - (b) consented to by the candidate, and
  - (c) made to the Executive Committee of the relevant Faculty by the stated deadline.

- (5) The Faculty Executive Committee, chaired by the Provost, shall consider nominations.
- (6) A member of the Faculty Executive Committee who has been nominated for election shall withdraw from all discussions relating to the nomination, election and appointment of Dean.
- (7) In considering whether to accept, or otherwise, a nomination, the Faculty Executive Committee shall take into account
  - (a) the eligibility criteria set out in subsection (3),
  - (b) the role and responsibility of the Faculty Dean set out in section 2, and
  - (c) the overall development and interests of College.
- (8) Acceptance of a nomination by the Faculty Executive Committee shall require the approval of the Provost.
- (9) Where a nomination is not accepted, the Faculty Executive Committee and the Provost shall provide stated reasons to the relevant candidate.
- (10) Elections shall proceed according to Part 1.
- (11) The Secretary, supported by the Faculty Administrator, shall be responsible for the conduct of the election, and shall be the Returning Officer at the Count.
- (12) Where a candidate has satisfied the criteria for election set out in Part 1, then the Returning Officer shall so notify the Provost.
- (13) The Provost shall present the name of the successful candidate to Board for approval and appointment and to Council for information.

#### **4. Internal appointments**

- (1) Where, pursuant to section 3, no nomination is accepted by the Faculty Executive Committee, or no candidate is elected, the Provost may nominate to Board a member of the Faculty or College to serve as Dean.
- (2) If Board approves the nomination, then the Provost shall present the name of the successful candidate to Council for information.

#### **5. External appointments**

- (1) Where the Provost has decided not to make a nomination to Board pursuant to section 4(1), or where Board has not approved an appointment pursuant to section 3(13) or section 4(1), then the Faculty Executive Committee may seek to appoint a Dean from outside College.
- (2) The Provost shall chair the search committee and the selection panel for this appointment.
- (3) The appointment of a Dean from outside College shall require the approval of the Provost.



- (4) The Provost shall present the name of the successful candidate to Board for approval and appointment and to Council for information.
- (5) If the Provost has not approved any candidate pursuant to subsection (3), or if Board has not approved an appointment pursuant to subsection (4), then Board shall appoint an Acting Dean to perform the functions of Dean for a defined and limited period which shall not normally exceed one year; and, at least three months before the expiry of the term of office of the Acting Dean, the Faculty Executive Committee shall make arrangements to appoint the next Dean pursuant to this Part.

## **6. Term of Office**

- (1) The term of office of a Dean shall normally be five years.
- (2) Where the term of office of an incumbent Dean has terminated by effluxion of time, then the incoming Dean shall normally take up office after appointment by Board on the first day after the end of the Trinity Term of the academic year in which the appointment is made.
- (3) Where the term of office of an incumbent Dean has terminated by any manner other than effluxion of time, then the incoming Dean shall normally take up office as soon as possible after appointment by Board.

## **7. Re-appointment**

- (1) An incumbent Dean shall be eligible for re-nomination, re-election and re-appointment.
- (2) If, in an election pursuant to section 3, an incumbent Dean seeks re-nomination, then, for the avoidance of doubt,
  - (a) pursuant to section 3(6), the incumbent Dean shall withdraw from all discussions relating to the nomination, election and appointment of the next Dean; and a Pro-Dean shall be appointed pursuant to section 17 of the Chapter on Officers to act as Dean for such purposes; and
  - (b) pursuant to section 3(8), the re-nomination of an incumbent Dean shall require the approval of the Provost.
- (3) If an incumbent Dean is re-elected and re-appointed, then
  - (a) notwithstanding section 6(1), the term of office of the re-appointed Dean shall not exceed three years, and
  - (b) the total length of consecutive service shall not exceed eight years.
- (4) A re-appointed Dean may not be further re-nominated, re-elected or re-appointed at the termination of the second term; but this shall not prevent that person being nominated, elected and appointed at the termination of a successor's term; and any person so appointed shall, as an incumbent Dean, be eligible for re-nomination, re-election and re-appointment pursuant to this section.

- (5) An Acting Dean appointed pursuant to section 5(5) may seek nomination, election and appointment as Dean in the process commenced by the Faculty Executive Committee pursuant to that subsection; provided that
  - (a) subsection (2) shall apply as though as though references to the incumbent Dean were references to the Acting Dean,
  - (b) where the Acting Dean was not the immediately preceding Dean, then the appointment of the Acting Dean as Dean shall be regarded as a first term, such that the Dean so appointed shall be eligible for re-nomination, re-election and re-appointment pursuant to the terms of this section,
  - (c) where the Acting Dean was the immediately preceding Dean, then the appointment of the Acting Dean as Dean shall be regarded as a second term, and subsection (4) shall apply, and
  - (d) the period of service as Acting Dean shall be included for the purposes of subsection (3).

### *Part 3 - Heads of Schools*

#### **8. Heads of Schools**

- (1) Heads of School (hereafter in this Part: Heads) are responsible for the provision of academic leadership and strategic vision within their Schools.
- (2) In each of the Schools established in Schedule 1, the Head shall normally be appointed by Board on foot of the procedures set out in this Part, that is to say, by means of
  - (a) an election pursuant to section 9,
  - (b) a competition pursuant to section 10, or
  - (c) a combined nomination and election procedure pursuant to section 11.
- (3) Each Head shall
  - (a) be the budget holder for the School,
  - (b) ensure the effective general management of the School,
  - (c) ensure the quality of the student experience within the School,
  - (d) have and exercise specific responsibilities relating to strategic and budgetary planning, and
  - (e) have overall responsibility for the management of the School's programme of teaching and research and the implementation of College's academic policy within the School.
- (4) Heads shall be formally accountable to Board.
- (5) Sections 17 and 19 (other than section 19(1)) of the Chapter on Officers shall apply to Heads.
- (6) At least four months before the expiry of the term of office of an incumbent Head, the School Executive Committee shall present a proposal to the Faculty [Dean / Executive Committee] regarding the

method of appointment of, and the initial term of office of, the next Head.

- (7) Where the Dean is a member of the relevant School, a Pro-Dean shall be appointed pursuant to section 17 of the Chapter on Officers, and the Pro-Dean shall act as Dean for the purposes of nomination, election and appointment of a Head of School pursuant to this Part.
- (8) Board may provide that an incoming holder of an Established Chair will serve as Head of School for up to two terms commencing on such date as agreed between the incoming Chair and Board, following which a new Head will be appointed pursuant to subsection (2).

## **9. Election**

- (1) In an election for a Head of School, the electorate shall comprise
  - (a) all members of the relevant School on the Register for the time being in force pursuant to the Schedule on the Electorate and Register (Schedule 2 to the Introduction Chapter), and
  - (b) the representatives of the Students' Union and Graduate Students' Union on the relevant School Committee.
- (2) If, pursuant to section 8(6), the School proposes to elect a new Head, then, at least three months before the expiry of the term of office of an incumbent Head, the Dean shall inform the electorate of the procedures to be followed, and shall invite nominations.
- (3) Every candidate for Head shall normally be a Professor or Associate Professor in the relevant School.
- (4) Nominations shall be
  - (a) proposed and seconded by members of the academic staff from within the School electorate,
  - (b) consented to by the candidate, and
  - (c) made to the Dean of the relevant Faculty by the stated deadline.
- (5) Notwithstanding subsections (3) and (4), where no nominations have been received by the stated deadline, or in other exceptional circumstances, the Provost may provide that a candidate may be an Assistant Professor in the relevant School who has passed the merit bar; and the process of nominations may be reopened for this purpose.
- (6) The Dean shall advise the Provost of any nominations received, and no candidate shall proceed to the election without the approval of the Provost.
- (7) If no candidate is approved, then the Provost may require that section 11 shall apply; and, if the Provost does not so require, then an open competition pursuant to section 10 shall be held.
- (8) If only one candidate is approved, then the Provost may require that section 11 shall apply; and, if the Provost does not so require, then an election pursuant to Part 1 shall be held.

- (9) If more than one candidate is approved, then an election pursuant to Part 1 shall be held.
- (10)
  - (a) The process of election pursuant to Part 1 shall be supervised by the Dean of the Faculty which contains the relevant School.
  - (b) The Dean shall appoint an Adjudicator from outside the relevant School to oversee the count.
  - (c) In particular, at the count, all ballot forms shall be opened at the same time in the presence of the Adjudicator.
- (11)
  - (a) Where a candidate has satisfied the criteria for election set out in Part 1, then the Dean shall so notify the Provost.
  - (b) The Provost shall present the name of the successful candidate to Board for approval and appointment and to Council for information.
  - (c) Once Board has approved the appointment of a new Head, the candidates and School shall be formally so advised by the Dean.
- (12) Where no candidate has satisfied the criteria for election set out in Part 1, or where Board has not approved an appointment pursuant to section 9(11)(b), then the Provost may require that section 11 shall apply; and, if the Provost does not so require, then an open competition pursuant to section 10 shall be held.

## **10. Competition**

- (1) If, pursuant to section 8(6), the School proposes to select a new Head either by internal competition or by open competition, or if, pursuant to section 9(7) or 9(11), an open competition is to be held, then the Dean shall form a Search Committee, and shall submit its membership to Council and Board for approval.
- (2) The Search Committee shall normally include
  - (a) the Dean, who shall be Chair,
  - (b) two or three members of the School,
  - (c) two senior members of academic staff, one of whom shall be from within the Faculty in which the School is located, and one of whom shall not; provided that one of them shall have been nominated by the Provost, and
  - (d) an external assessor.
- (3) An advertisement and further particulars shall be drafted and approved by the search committee and shall be circulated internally and externally as appropriate.
- (4) Applications should be submitted to Human Resources, which will liaise with the Dean as Chair of the Search Committee.
- (5) Every applicant shall
  - (a) normally either be a Professor or Associate Professor or hold an equivalent position, and
  - (b) meet other requirements as may be determined by the Search Committee.

- (6) Applicants short-listed by the Search Committee shall be invited to attend for interview and to make a presentation; and all members of the School Committee shall be invited to attend the presentations.
- (7) The Search Committee shall nominate an applicant for appointment; the Dean shall forward this nomination to the Provost; and, if the Provost approves of the candidate so nominated, then section 9(11)(b)-(c) shall apply.
- (8) If Board does not approve an appointment pursuant to section 9(11)(b), then Board shall appoint an Acting Head to perform the functions of Head for a defined and limited period which shall not normally exceed one year; and, at least four months before the expiry of the term of office of the Acting Head, the School Executive Committee shall proceed pursuant to section 8(6).

**11. Combined Nomination and Election Procedure**

- (1) The procedure under this section shall be supervised by the Dean.
- (2) If, pursuant to section 8(6), the School proposes to proceed pursuant to this section, then, at least three months before the expiry of the term of office of an incumbent Head, the School Executive Committee shall propose the membership of a Nominating Committee, to be chaired by the Dean.
  - (3) (a) The membership of the Nominating Committee should not normally exceed four, including the Dean.
  - (b) The Dean shall submit the membership of the Nominating Committee to Council and Board for approval.
  - (4) (a) The Nominating Committee shall propose up to three candidates, whose names shall be forwarded by the Dean to the Provost for approval.
  - (b) Each candidate shall
    - (i) be a member of the electorate pursuant to Part 1,
    - (ii) normally be a Professor or Associate Professor, and
    - (iii) have consented to the nomination.
- (5) If the Provost approves a candidate or candidates, then sections 9(8)-(11) and 10(8) shall apply; and if the Provost does not approve any candidate, then section 10(8) shall apply as though Board had not approved an appointment.

**12. Term of Office**

- (1) The term of office of a Head shall normally be between three and five years, and shall be set pursuant to section 8(6).
- (2) Where the term of office of an incumbent Head has terminated by effluxion of time, then the incoming Head shall normally take up office after appointment by Board on the first day after the end of the Trinity Term of the academic year in which the appointment is made.

- (3) Where the term of office of an incumbent Head has terminated by any manner other than effluxion of time, then the incoming Head shall normally take up office as soon as possible after appointment by Board.

### **13. Re-appointment**

- (1) An incumbent Head shall be eligible for re-nomination, re-election and re-appointment.
- (2) If, in an election pursuant to section 9 or 11, an incumbent Head seeks re-nomination, re-election and re-appointment, then
- (a) the incumbent Head shall withdraw from all discussions relating to the nomination, election and appointment of the next Head; and the School Executive Committee shall appoint a Pro-Head of School, who shall act as Head of School for such purposes; and
  - (b) for the avoidance of doubt, pursuant to section 9(6) or 11(4), as the case may be, the re-nomination of an incumbent Head shall require the approval of the Provost.
- (3) If an incumbent Head is re-elected and re-appointed, then section 12(1) shall apply, provided that the total length of consecutive service shall not exceed eight years.
- (4) A re-appointed Head may not be further re-nominated, re-elected or re-appointed at the termination of the second term; but this shall not prevent that person being nominated, elected and appointed at the termination of a successor's term; and any person so appointed shall, as an incumbent Head, be eligible for re-nomination, re-election and re-appointment pursuant to this section.
- (5) An Acting Head appointed pursuant to section 10(8) may seek nomination, election and appointment as Head in the process commenced by the School Executive Committee pursuant to that subsection; provided that
- (a) subsection (2) shall apply as though as though references to the incumbent Head were references to the Acting Head,
  - (b) where the Acting Head was not the immediately preceding Head, then the appointment of the Acting Head as Head shall be regarded as a first term, such that the Head so appointed shall be eligible for re-nomination, re-election and re-appointment pursuant to the terms of this section,
  - (c) where the Acting Head was the immediately preceding Head, then the appointment of the Acting Head as Head shall be regarded as a second term, and subsection (4) shall apply,
  - (d) the period of service as Acting Head shall be included for the purposes of subsection (3).

## *Part 4 - Heads of Discipline*

### **14. Head of Discipline**

- (1) Heads of Discipline provide academic leadership in their Disciplines.
- (2) In each of the Disciplines established in Schedule 1, the Head of Discipline shall normally be appointed by Council on foot of the procedures set out in this Part; and such appointment shall thereafter be notified by Council to Board.
- (3) Heads of Discipline shall be formally accountable to Council in the first instance; and sections 19(2)-(7) of the Chapter on Officers shall apply, as though references to Officers were references to Heads of Discipline, and as though references to the Provost and to Board were references to Council.
- (4) If Board has not provided that an incoming holder of an Established Chair shall be Head of School pursuant section 8(8), then Board may provide that an incoming holder of an Established Chair will serve as Head of Discipline for up to two terms commencing on such date as agreed between the incoming Chair and Board, following which a new Head of Discipline shall be elected pursuant to section 15.

### **15. Election**

- (1) In an election for a Head of Discipline, the electorate shall comprise all members of the relevant Discipline on the Register for the time being in force pursuant to the Schedule on the Electorate and Register (Schedule 2 to the Introduction Chapter).
- (2) Where the Head of School is a member of the relevant Discipline, the School Executive Committee shall appoint a Pro-Head of School, who shall act as Head of School for the purposes of this section; and an incumbent Head of Discipline shall withdraw from this and all other discussions relating to the nomination, election and appointment of the next Head of Discipline.
- (3) At least three months before the expiry of the term of appointment of an incumbent Head of Discipline, the Head of the School containing the relevant Discipline shall inform the electorate of the need for an election and of the procedures to be followed.
- (4) Every candidate for Head of Discipline shall be a Professor or Associate Professor in the relevant Discipline.
- (5) Notwithstanding subsection (4), where no nominations have been received by the stated deadline, or in other exceptional circumstances, the Head of School may provide that a candidate for Head of Discipline may be an Assistant Professor in the relevant Discipline who has passed the merit bar; and the process of nominations may be reopened for this purpose.
- (6) Nominations shall be
  - (a) proposed and seconded by members of the academic staff from within the Discipline's electorate,

- (b) consented to by the candidate, and
  - (c) made to the Head of the relevant School by the stated deadline.
- (7)
- (a) The Head of School shall conduct the election and count the ballots in accordance with section 1(6)-(7).
  - (b) If a candidate satisfies the criteria for election therein set out, then the Head of School shall notify the name of the successful candidate to Council for the purposes of appointment pursuant to section 11(2).
  - (c) If no candidate is elected, or where Council has not approved an appointment pursuant to section 14(2), then the Head of School shall, as soon as possible after the election or the decision of Council, as the case may be, select a Head of Discipline, and shall so notify Council for the purposes of appointment pursuant to section 14(2).
  - (d) If Council, acting pursuant to paragraph (c), has not approved an appointment pursuant to section 14(2), then Council shall appoint an Acting Head of Discipline to perform the functions of Head of Discipline for a defined and limited period which shall not normally exceed one year; and, at least three months before the expiry of the term of office of the Acting Head of Discipline,
    - (i) the School Executive Committee shall proceed pursuant to section 15(2), in which case references in that subsection to an incumbent Head of Discipline shall be understood as though they were references to an Acting Head of Discipline, and
    - (ii) the Head of School shall proceed pursuant to section 15(3).

**16. Term of Office**

- (1) The term of office of the Head of Discipline shall normally be three years; and an incumbent shall be eligible for re-election and re-appointed pursuant to this Part.
- (2) A re-appointed Head may not be further re-nominated, re-elected or re-appointed at the termination of the second term; but this shall not prevent that person being nominated, elected and appointed at the termination of a successor's term; and any person so appointed shall, as an incumbent Head, be eligible for re-nomination, re-election and re-appointment pursuant to subsection (1).
- (3) An Acting Head appointed pursuant to section 15(7)(d) may seek nomination, election and appointment as Head in any election for Head of Discipline; provided that
  - (a) where the Acting Head was not the immediately preceding Head, then the appointment of the Acting Head as Head shall be regarded as a first term, such that the Head so appointed shall be eligible for re-nomination, re-election and re-appointment pursuant to the terms of this section, and



- (b) where the Acting Head was the immediately preceding Head, then the appointment of the Acting Head as Head shall be regarded as a second term, and subsection (2) shall apply.
- (4) Where the term of office of an incumbent Head of Discipline has terminated by effluxion of time, then the incoming Head shall normally take up office after appointment by Council on the first day after the end of the Trinity Term of the academic year in which the appointment is made.
- (5) Where the term of office of an incumbent Head has terminated by any manner other than effluxion of time, then the incoming Head shall normally take up office as soon as possible after appointment by Council.

### *Part 5 - Other Office-holders*

#### **17. Directors**

- (1) In each of the Schools established in Schedule 1, there shall be a Director of Research, who shall play a strategic role in promoting and enabling research in the School, working closely with the Head of School.
- (2) In each of the Schools established in Schedule 1, there shall be a Director of Teaching and Learning (Undergraduate), who shall have responsibility for the undergraduate affairs of the School, and who shall play a central strategic role with regard to the School's undergraduate students and programmes, working closely with the Head of School.
- (3) In each of the Schools established in Schedule 1, there shall be a Director of Teaching and Learning (Postgraduate), who shall have responsibility for the postgraduate affairs of the School, and who shall play a central strategic role with regard to the School's postgraduate students and programmes, working closely with the Head of School.

#### **18. Common provisions**

- (1) The Directors established in this Part (the Directors) shall normally be appointed by Council; and such appointment shall thereafter be notified by Council to Board.
- (2) Directors shall be formally accountable to Council in the first instance; and section 19(3)-(7) of the Chapter on Officers shall apply, as though references to Officers were references to Directors, and as though references to the Provost and to Board were references to Council.
- (3) Directors shall report to, and may resign by letter to, the Head of School.
- (4) The Directors shall be nominated for appointment by the Head of School, and every person so nominated shall be a Professor or

Associate Professor in the relevant Discipline; provided that, in exceptional circumstances, the Head of School may nominate an Assistant Professor in the relevant Discipline who has passed the merit bar.

- (5) The term of office of the Directors shall normally be two years; and an incumbent shall be eligible for re-appointment pursuant to this Part, provided that a re-appointed Director may not be further re-appointed at the termination of the second term.
- (6) Where the term of office of an incumbent Director has terminated by effluxion of time, then the incoming Director shall normally take up office after appointment by Council on the first day after the end of the Trinity Term of the academic year in which the appointment is made.
- (7) Where the term of office of an incumbent Director has terminated by any manner other than effluxion of time, then the incoming Director shall normally take up office as soon as possible after appointment by Council.
- (8) The responsibilities of Directors are delegated from the Senior Lecturer, the Dean of Graduate Studies, the Head of School, the School Executive Committee, and the School Committee, as the case may be, and a Director may in turn delegate discrete operational functions to Heads of Discipline, programme co-ordinators, and other appropriate members of the School.

**19. Other office-holders**

- (1) Council may provide for an office-holder in a particular School on such terms consistent with the purpose and substance of section 18 as Council may prescribe; and any such appointment shall be notified by Council to Board.
- (2) Office-holders for units established in or pursuant to Schedule 1, other than Deans of Faculty, Heads of School, Heads of Discipline or other office-holders already provided for in this Schedule, shall be appointed on such terms as may be determined from time to time by Council or Board or both, as the case may be.

*Part 6 - General*

**20. Functions and limitations**

- (1) Deans, Heads of School, Heads of Discipline, Directors, and other office-holders established pursuant to Part 5, shall have such powers as are necessary or expedient to perform the functions of office.
- (2) Officers elected pursuant to the Chapter on Officers, Deans, Heads of School, Heads of Discipline, Directors, office-holders established pursuant to Part 5, and holders of other similar offices or positions, shall hold only one such office or position at any one time; except that, the roles of Director of Teaching and Learning (Postgraduate)

and Director of Research may be undertaken by the same person where a School Committee decides that this is appropriate.

- (3) Where the approval or appointment of any member of Board or Council to any position established in or pursuant to this Schedule is being considered by Board or Council, then that member shall take no part in, and shall not be present for, such deliberations.
- (4) Section 17 of the Chapter on Officers shall apply, as though references to Officers were references to Heads of Discipline, Directors, or other office-holders established pursuant to Part 5, and as though references to the Provost and Board were references to the Head of the relevant School.

**21. Governance documents**

- (1) Council and Board may adopt and publish guidelines on governance issues to give further effect to the provisions of this Schedule.

[Back to Table of Contents](#)

## Schedule 3

### *Committees of Academic Units*

#### *Part 1 - Committees*

#### **1. Faculty Executive Committee**

- (1) In each of the Faculties established in Schedule 1, there shall be a Faculty Executive Committee, which shall
  - (a) support the Dean in providing academic and strategic leadership within the Faculty,
  - (b) promote academic excellence in all areas of the Faculty's activities,
  - (c) provide a forum in which to discuss all matters relating to the Faculty,
  - (d) have oversight, within overall College guidelines, on staffing requests within the Faculty,
  - (e) have oversight, by delegation from Council pursuant to section 7(1) of the Chapter on Academic Staff and to section 3 of the Chapter on Administrative, Technical and Support Staff, of requests for leave for academic purposes from members of staff within the Faculty, and
  - (f) have oversight, by delegation from Board pursuant to section 7(2) of the Chapter on Academic Staff and to section 3 of the Chapter on Administrative, Technical and Support Staff, of requests for leave for other purposes from members of staff within the Faculty.
- (2) The membership of each Faculty Executive Committee shall include
  - (a) the Dean, who shall be Chair,
  - (b) the Heads of the Schools in the Faculty,
  - (c) one representative of the research staff in the Faculty,
  - (d) one representative of administrative, technical and support staff in the Faculty,
  - (e) one representative of the Students' Union, and one representative of the Graduate Students' Union, and
  - (f) such other members as may from time to time be co-opted by the Committee on the nomination of the Head of School.
- (3) Those also in attendance at meetings of the Faculty Executive Committee shall include
  - (a) the Faculty Administrator, who shall act as Secretary,
  - (b) the Faculty Financial Advisor and the Faculty Human Resources Advisor, and
  - (c) such others as may from time to time be invited by the Committee.

#### **2. School Committee**

- (1) In each of the Schools established in Schedule 1, there shall be a School Committee, which shall

- (a) promote academic excellence in all areas of the School's activities,
  - (b) create an effective and collegial environment for research, scholarship and learning,
  - (c) provide a forum for discussion of all matters relating to the School,
  - (d) receive reports from the members of the School Executive Committee and consider issues of co-ordination that may arise,
  - (e) advise the School Executive Committee, as appropriate, and
  - (f) to participate in quality and other review processes.
- (2) The membership of each School Committee shall include
- (a) the academic staff of the School,
  - (b) the Research Fellows and Postdoctoral Fellows in the School,
  - (c) the administrative, technical and support staff in the School, and
  - (d) representatives of the Students' Union and of the Graduate Students' Union.
- (3) The Head shall chair meetings, and the School Administrator shall act as Secretary.
- (4) For the avoidance of doubt, membership of the School Committee does not confer voting rights in elections for Head of School or Head of Discipline; the electorate for those purposes is set out in sections 9(1) and 15(1) of the Schedule on Deans, Heads, and other Office-Holders (Schedule 2).

### **3. School Executive Committee**

- (1) In each of the Schools established in Schedule 1, there shall be a School Executive Committee, which shall
- (a) support the Head in the management and co-ordination of all the School's activities,
  - (b) support the Head in preparing and reviewing the School's academic strategy and the associated academic and financial plans,
  - (c) support the Head in fostering the development of academic policy and initiatives in the context of the long-term strategies of the School and College,
  - (d) approve staffing proposals (such as the establishment of new posts and the filling of existing posts in the School) prior to their submission to the Faculty Executive Committee,
  - (e) foster and promote inter-disciplinarity within the School and with other Schools,
  - (f) engage with external stakeholders (including accrediting bodies), as appropriate,
  - (g) oversee the preparation of self-assessment documentation associated with quality reviews and to ensure follow-up action is taken, and
  - (h) support and manage fund-raising activities.
- (2) The membership of each School Executive Committee shall include

- (a) the Head, who shall be Chair,
  - (b) the Directors and other office-holders appointed pursuant to Part 5 of Schedule 2,
  - (c) the Heads of all of the Disciplines in the School,
  - (d) one representative of the Students' Union, and one representative of the Graduate Students' Union,
  - (e) up to two additional members, who may be from among the administrative, technical and support staff in the School, and who may be elected, and
  - (f) such other members as may from time to time be co-opted by the Committee on the nomination of the Dean.
- (3) Those also in attendance at meetings of the School Executive Committee shall include the School Administrator, who shall be Secretary.
- (4) Schools should strive to ensure that there be a minimum of four academic staff members on the School Executive Committee, with all roles represented.

### *Part 2 - General provisions*

#### 4. Meetings

- (1)
- (a) Each School Committee shall meet at least once each term.
  - (b) Each Faculty Executive Committee and each School Executive Committee shall meet at least twice each term.
  - (c) The Chair of each Committee shall ensure that the dates of scheduled meetings for the academic year shall be circulated to members either in advance of, or as early as possible in, Michaelmas Term.
- (2)
- (a) Members should receive the agenda and papers for a scheduled meeting, including the minutes of the previous meeting, at least three days in advance of the meeting.
  - (b) Any member wishing to suggest an agenda item for a scheduled meeting should inform the Secretary to the Committee at least five days in advance of the meeting.
- (3)
- (a) Additional meetings of each Committee may be called by the Chair where urgent business requires.
  - (b) The Chair shall convene a meeting of a Committee whenever requested to do so by not less than the number of members which constitute a quorum; and, in a case where no quorum has been set, then the Chair shall convene a meeting of a Committee whenever requested to do so by not less than the number of members which constitute one-fifth of the total number of members of the relevant Committee, rounded up to the nearest whole number, plus one.
  - (c) Where practicable, notice of additional meetings will be given at least three days in advance.

- (d) Requests or notices pursuant to this sub-section shall be in writing, and email or similar forms of electronic communication shall count as writing for these purposes.
- (4) (a) The quorum for meetings of School Executive Committees shall be one-third of the total number of members of the relevant Committee, rounded up to the nearest whole number, plus one.  
(b) Quora, if any, for meetings of School Committees shall be set by the Executive Committee of each School, provided that it shall not exceed the quota set in paragraph (a); and, if no quorum is set, meetings may proceed without a quota.
- (5) Where it is necessary to do so, and where a Committee so decides, then an item of business at a meeting shall be confidential.
- (6) The principles relating to statements of interest set out in section 8(1) of Board Standing Orders (Schedule 2 to the Chapter on Board) shall apply by analogy in so far as is possible; provided that references in that subsection to "the Provost" shall be taken as references to the Chairperson of the relevant Committee, and references in that subsection to "the Secretary" shall be taken as references to the Secretary of the relevant Committee.
- (7) (a) In exceptional cases, and where it is necessary to do so, the Chair may decide that an item of business to be considered at a meeting shall be a reserved item.  
(b) Items of reserved business may include particularly confidential matters of a commercially, financially or personally sensitive nature; provided that items of reserved business shall not normally include routine matters.  
(c) The fact that an item of business is to be a reserved item, and the names or categories of members of the Committee from whom the item is to be reserved, shall be clearly indicated on the circulated agenda.  
(d) No person from whom an item of business is reserved shall receive papers relating to any such item; but it is good practice for such persons to be informed, in general terms, and in advance of the meeting, of the matter to be considered as an item of reserved business.  
(e) When, at a meeting of a Committee, an item of reserved business is reached, the Committee shall consider whether the item should be treated as reserved; and, if the Committee decides that it should, then those members from whom the item is reserved shall withdraw from the meeting for that item.  
(f) At the end of a discussion of an item of reserved business, the Committee shall decide whether a minute of the item may be circulated generally with the other minutes of the meeting or whether such a minute may only be circulated to the members of the Committee other than those from whom the item was reserved.

**5. Reporting**

- (1) School Committees and School Executive Committees shall publish the minutes of their meetings at least to members of the School.
- (2) Faculty Executive Committees shall publish the minutes of their meetings at least to members of the Faculty.

**6. Student Representatives**

- (1) The number of undergraduate and postgraduate student representatives on each Committee, if any, shall be prescribed by Council and set out in the Table on Student Representatives.
- (2) On election, the names of the students who will sit on such Committees shall be communicated to the Chair of the relevant Committee by the Students' Union or the Graduate Students' Union, as the case may be.

**7. Representatives' elections**

- (1) In each Faculty, the Dean shall arrange for the necessary elections to elect the representatives of the research staff, and the electorate shall comprise all those who are described as members of the research staff in the relevant Faculty on the Register for the time being in force pursuant to the Schedule on Electorate and Register (Schedule 2 to the Introduction Chapter).
- (2) In each Faculty, the Dean shall arrange for the necessary elections to elect the representatives of the administrative, technical and support staff, and the electorate shall comprise all those who are described as members of the administrative, technical and support staff in the relevant Faculty on the Register for the time being in force pursuant to the Schedule on Electorate and Register (Schedule 2 to the Introduction Chapter).
- (3) In a School in which the School Committee has decided that members of the School Executive Committee pursuant to section 3(2)(e) shall be elected, the Head of the relevant School shall arrange for the necessary elections; and, where the School Committee has decided that such members shall be elected from among the administrative, technical and support staff in the School, then the electorate shall comprise all those who are described as members of the administrative, technical and support staff in the relevant School on the Register for the time being in force pursuant to the Schedule on Electorate and Register (Schedule 2 to the Introduction Chapter).
- (4) Except where the contrary intention appears or the context otherwise requires, members of the electorate are eligible to be nominated for, to vote in and to represent the constituency of which they are members pursuant to this section.
- (5) An election pursuant to this section shall proceed, in so far as is practicable, by analogy with the elections provided for in Part 2 of Schedule 1 to the Chapter on Council, concerning Elections to Council.



- (6) Representatives elected pursuant to this section shall serve a term of two years, and they may be re-elected, but they may not be further re-elected at the termination of the second term.

### *Part 3 - Further provisions*

#### **8. Faculty Forum**

- (1) In each of the Faculties established in Schedule 1, there shall be a Faculty Forum to facilitate discussion on matters relating to the Faculty.
- (2) The Dean shall chair meetings, which shall be held at least once each academic year, no later than the end of Hilary Term.
- (3) Every member of staff within the Faculty shall be entitled to attend, and there shall be no quorum.

#### **9. Courts of Examiners**

- (1) Examiners are appointed by Council pursuant to section 2(2)(e) of the Chapter on Council, and External Examiners are appointed by Council pursuant to section 2(2)(a)(iii) of the Chapter on Council.
- (2) A Court of Examiners is a meeting of such examiners for a particular course, Discipline or School, to receive, determine, classify and publish students' examination results.
- (3) Examiners shall attend the Courts of Examiners for the subjects in which they are examiners; provided that,
  - (a) if they are prevented, through exceptional circumstances from attending, or
  - (b) if the marks in those subjects are considered in a subsequent Court of Examiners meeting, and if it is not possible for them to attend such a subsequent meeting,then they shall nominate a properly briefed deputy.
- (4) External examiners will normally attend Trinity Term Courts of Examiners for the subjects or courses in which they are examiners; provided that, if this is not possible, the School shall make appropriate arrangements to ensure that the external review of the examination process is fully completed before the meeting of the Court of Examiners.
- (5) Council shall, pursuant to section 7(4) of the Chapter on Council and to the Schedule on Academic Appeals (Schedule 3 to the Chapter on Council), prescribe appeals procedures in respect of results determined by Courts of Examiners.

#### **10. Other committees**

- (1) Council or Board or both, as the case may be, may provide for other committees in Faculties, Schools or Disciplines on such terms consistent with the purpose and substance of Parts 1 and 2 of this

Schedule as Council or Board or both, as the case may be, may prescribe.

- (2) Other committees for units established in or pursuant to Schedule 1, other than committees already provided for in this Schedule, may be provided for on such terms as may be determined from time to time by Council or Board or both, as the case may be.
- (3) Committees established in or pursuant to this Schedule may in turn establish committees or other bodies pursuant to section 3(3) of the Chapter and to section 4 of the Chapter on Committees.

#### **11. Interpretation**

- (1) References to Committees in Part 2 are references to Committees established pursuant to Part 1.
- (2) Except in so far as is necessary for the purposes of section 10, references to Committees in Part 2 do not apply to Faculty Fora, Courts of Examiners or other committees established pursuant to this Part.
- (3) For the avoidance of doubt, pursuant to section 3(3) of the Chapter, section 1 of the Chapter on Committees applies to all committees or other bodies established in or pursuant to this Schedule.
- (4) Where an issue relating to the procedures of committees or other bodies established in or pursuant to this Schedule is not covered by the terms of this Schedule, then, in the first instance, the Schedule on Detailed Provisions Relating to Committees (Schedule 2 to the Chapter on Committees) should be consulted to determine whether the issue might be solved by the analogical application of an appropriate provision of that Schedule.

#### **12. Governance documents**

- (1) Council and Board may adopt and publish guidelines on governance issues to give further effect to the provisions of this Schedule.

[Back to Table of Contents](#)

## Table on Student Representatives

*Whereas*, this Table gives effect to the principle of student representation on committees, pursuant to section 1(3)(c) of the Chapter on Committees and section 2 of the Chapter on Students; *and*

*Whereas*, pursuant to section 6 of the Schedule on Committees of Academic Units (Schedule 3 to the Chapter on Units; and, in this Table, Schedule 3), the numbers of undergraduate and postgraduate student representatives on each Faculty Executive Committee, School Executive Committee, and School Committee, are set out in this Table; *and*

*Whereas*, pursuant to section 1(2)(e) of Schedule 3, the membership of each Faculty Executive Committee shall include one representative of the Students' Union and one representative of the Graduate Students' Union; *and*

*Whereas*, pursuant to section 3(2)(d) of Schedule 3, the membership of each School Executive Committee shall include one representative of the Students' Union and one representative of the Graduate Students' Union; *and*

*Whereas*, pursuant to section 2(2)(d) of Schedule 3, the membership of each School Committee shall include representatives of the Students' Union and of the Graduate Students' Union as set out below; *and*

*Whereas*, if the representation on a School Committee as set out below is changed, the relevant School should inform Council, so that it can amend this Table pursuant to section 6(1) of Schedule 3; *and*

*Whereas*, in any such changes, representation should, where practicable, be on the basis that there should normally be one student for each year of each undergraduate programme, and one student for each postgraduate programme; provided that there will normally be one representative for every fifty students; *and*

*Whereas*, membership of a School Committee is without prejudice to a student's status as a class representative for the Students' Union or the Graduate Students' Union; and a student's status as a class representative for the Students' Union or the Graduate Students' Union is without prejudice to either Union nominating a student to a School Committee pursuant to section 6(2) of Schedule 3; *and*

*Whereas*, at the discretion of a School Committee, Students' Union or Graduate Students' Union class representatives who are not members of the School Committee may nevertheless be provided with the agenda and papers for a meeting prepared pursuant to section 4(2)(a) and 4(3)(c) of Schedule 3; *and*

*Whereas*, the principles set out here relating to student representation on School Committees are without prejudice to student representation on other Committees established by Schools pursuant to section 4 of the Chapter on Committees, section 3(3) of the Chapter on Units, and section 10 of Schedule 3;

The student representation on School Committees shall be as follows:

### Schools in the Faculty of Arts, Humanities and Social Sciences

#### *Business*

One student for each year of each undergraduate programme;  
and one student for each postgraduate programme.

#### *Drama, Film and Music*

One undergraduate and one postgraduate.

#### *Education*

One undergraduate and one postgraduate.

#### *English*

One student for each year of each undergraduate programme;  
one student for each taught postgraduate programme; and two  
postgraduates (research).

#### *Histories and Humanities*

The undergraduate School Convenor; the postgraduate School  
Convenor; and one student for each undergraduate and  
postgraduate programme.

#### *Languages, Literatures and Cultural Studies*

One student for each year of each undergraduate programme;  
and one student for each postgraduate programme.

#### *Law*

Eleven undergraduates; two postgraduates (taught); and one  
postgraduate (research).

#### *Linguistic, Speech and Communication Sciences*

The undergraduate School Convenor; one Fresher and one  
Sophister from the Clinical Speech & Language Studies  
programme; one Fresher and one Sophister from the Deaf  
Studies programme; and one postgraduate.

#### *Psychology*

One undergraduate and one postgraduate.

#### *Social Sciences and Philosophy*

One student for each year of each undergraduate programme,  
except for the Fresher years in the BESS programme, which  
shall have four students each; and one student for each  
postgraduate programme.

#### *Social Work and Social Policy*

One undergraduate and one postgraduate.

#### *Confederal School of Religions, Peace Studies and Theology*

One undergraduate; one postgraduate (taught); one  
postgraduate (research).

## Schools in the Faculty of Engineering, Mathematics and Science

### *Biochemistry and Immunology*

One undergraduate and one postgraduate.

### *Chemistry*

The undergraduate School Convenor; one student for each year of each undergraduate programme; and one postgraduate.

### *Computer Science and Statistics*

Computer Science Committee: one undergraduate and one postgraduate.

Statistics Committee: one undergraduate and one postgraduate.

### *Engineering*

Four Junior Freshers and four Senior Freshers in Engineering; two students from each Mechanical Engineering Sophister year and one student from each of the other Engineering Sophister years; one student for each year of Engineering with Management; one postgraduate (taught); and one postgraduate (research).

### *Genetics and Microbiology*

One undergraduate; one postgraduate from the Discipline of Genetics; one postgraduate from the Discipline of Microbiology.

### *Mathematics*

One student for each undergraduate programme; and one postgraduate.

### *Natural Sciences*

All postgraduates, and undergraduate class representatives.

### *Physics*

One student for each year of each undergraduate programme; and two postgraduate students.

## Schools in the Faculty of Health Sciences

### *Dental Science*

Dental Science Committee: one student for each year.

Allied Courses Committee: one student from each course: Dental Nursing; Dental Hygiene, and Dental Technology.

Directors and Heads of Divisions Committee: one undergraduate and one postgraduate.

### *Medicine*

One undergraduate and one postgraduate.

### *Nursing and Midwifery*

One student for each undergraduate year, discipline and hospital; and one student for each year of each postgraduate programme.

### *Pharmacy and Pharmaceutical Sciences*

One undergraduate and one postgraduate.

[Back to Table of Contents](#)

## Division - University

- Establishment 1. (1) Pursuant to the Principal Enactments, the College was founded and established as mother of a University,<sup>42</sup> commonly called the University of Dublin (or, in the Statutes, "the University").
- Functions 2. (1) The objects and purposes of the University are
- (a) to develop and promote the distinctive intellectual atmosphere of an academic community dedicated to the independent, unceasing and universal preservation, pursuit and advancement of knowledge, learning, research and scholarship,
  - (b) to teach, explain and disseminate the fruits of such academic endeavour,
  - (c) to strive for the intellectual, social and cultural development of every member of the Community and of society at large, and
  - (d) in particular, to provide higher education and to institute, award, validate, and cancel Degrees and other academic qualifications.
- (2) Except as otherwise provided for in the Principal Enactments or the Statutes, the functions of the University shall in the first instance be performed in relation to College.
- (3) In particular, these functions shall, except where the contrary intention appears or the context requires, be performed by or on the directions of Board, Council or Senate.
- (4) Board has overall responsibility for the operation of the University.
- (5) Council has initial responsibility for the academic affairs of the University.
- (6) Senate has initial responsibility for Degrees and other academic qualifications of the University of Dublin.
- (7) The University may perform such other functions as may be prescribed by the Statutes or Board.
- Degrees 3. (1) The Degrees and other academic qualifications awarded by the University shall be set out in or pursuant to

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<sup>42</sup> The Charter of 1592 says "*mater Universitatis*", of which a translation into English is provided in the text above.

*Footnote 36 ctd:*

Furthermore, section 3 of the Act of 1997 provides:

'the University of Dublin' means the university established by the charters and letters patent incorporating Trinity College and which said university is further provided for by the letters patent of the 24th day of July, 1857.

Finally, section 1 of the Act of 2000 provides:

'the College' means the College of the Holy and Undivided Trinity of Queen Elizabeth near Dublin established by the Foundation Charter of 1592, and shall be held to include the

Schedule 1, which may be revised by Board only with the consent of Senate.

- (2) Degrees are conferred at Public Commencements pursuant to the Chapter on Senate; they are usually conferred in person but may be conferred *in absentia*.
- (3) Degrees are awarded on the grounds of proficiency in scholarship in the following cases:
  - (a) *ex consuetudine*; whereby those who, as students, successfully complete a course of study or research may be conferred with a degree.
  - (b) *aegrotat*; whereby students who are prevented by illness or other grave cause beyond their control from completing their final year may be conferred with a degree;
  - (c) *post obitum intempestivum*; whereby any person who was a candidate for a degree, but whose untimely death preceded the relevant Commencements, may posthumously be conferred with that degree; and
  - (d) *propter aliam causam*; whereby any student, in unforeseen circumstances which are neither covered by the Statutes nor within their spirit and intendment but which are determined by Board to be deserving of a degree, may be conferred with that degree.
- (4) Degrees are also awarded in the following cases:
  - (a) *ad eundem gradum*; whereby graduates of the Universities of Oxford and Cambridge may be conferred with a corresponding degree of this University;
  - (b) *jure officii*; whereby members of the staff of the College or University or of any related institution may be conferred with the degree of Master in Arts;
  - (c) *honoris causa*; whereby any person may be conferred with any degree on the grounds of distinguished merit; and
  - (d) *jure dignitatis*; whereby any graduate of the University who has been appointed to such public positions as may seem to Board sufficiently distinguished may be conferred with a doctorate in Divinity or Law.

- Regulations
4. (1) General regulations governing the Degrees provided for in section 3 shall be prescribed by Board with the consent of Senate and shall be set out in the Calendar.
  - (2) In particular, such general regulations governing the academic standing necessary for award of the Degrees

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University of Dublin save where the context otherwise requires in accordance with the charters and letters patent relating to Trinity College.

provided for in section 3(3) shall be so prescribed and set out.

- (3)(a) Specific regulations made by Council concerning the academic and other requirements to be fulfilled to achieve the academic standing necessary for the conferral of degrees shall be set out in the Calendar.
- (b) Specific regulations made by Council concerning the exceptional circumstances in which degrees may be suspended, removed or reinstated shall be set out in the Calendar.
- (4) Only those who have fulfilled all applicable regulations shall be candidates for their degrees; Board may propose to Senate Graces for the conferral thereof; and the Proctors may supplicate Senate accordingly.
- (5) The Degrees to which this Chapter applies shall include Degrees instituted, awarded, examined, or cancelled, jointly with other institutions.

Masters non-Regent

5. (1) A Master of Arts shall be designated as a "Master Regent" during the first three years following award of that Degree, and shall thereafter be designated as a "Master non-Regent".
- (2) (a) At the first Public Commencements in each Academic Year, on the proposition of the Chancellor and the Provost, the Senior Master non-Regent shall be elected by the Senate from amongst the Masters Non-Regent.
- (b) A casual vacancy in the office shall be filled, in like manner, at the first meeting of Senate after the occurrence of the vacancy.
- (c) The office of Senior Master non-Regent shall immediately become vacant if its holder is co-opted to Senior Fellowship.
- (d) A Senior Master non-Regent, who has not been co-opted to Senior Fellowship or has not died, resigned, retired or been removed from office by Senate after due enquiry, shall hold office until the end of the Academic Year in which the election took place, and shall be eligible for re-election.
- (3) The Senior Master non-Regent represents the Body Corporate of the Senate at Commencements.

Other elements

6. (1) Pursuant to the Act of 1997<sup>43</sup> or otherwise, the functions of the University may be performed in relation to such institutions other than College as Board may determine.
- (2) Pursuant to Article 18.4.1(ii) of Bunreacht na hÉireann and in accordance with law, the University shall elect three members of Seanad Éireann; provided that

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<sup>43</sup> See section 8(1) of the Act of 1997.



- legislation has not been enacted pursuant to Article 18.4.2 of Bunreacht na hÉireann.<sup>44</sup>
- (3) The University shall foster ongoing and lifelong links with all of its Alumni.

[Back to Table of Contents](#)

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<sup>44</sup> Section 18.4 of Bunreacht na hÉireann provides:

- (1) The elected members of Seanad Éireann shall be elected as follows:
- (i) Three shall be elected by the National University of Ireland.
  - (ii) Three shall be elected by the University of Dublin.
  - (iii) Forty-three shall be elected from panels of candidates constituted as hereinafter provided.
- (2) Provision may be made by law for the election, on a franchise and in the manner to be provided by law, by one or more of the following institutions, namely:
- (i) the universities mentioned in subsection 1° of this section,
  - (ii) any other institutions of higher education in the State,
- of so many members of Seanad Éireann as may be fixed by law in substitution for an equal number of the members to be elected pursuant to paragraphs (i) and (ii) of the said subsection 1°.
- A member or members of Seanad Éireann may be elected under this subsection by institutions grouped together or by a single institution.

## Schedule 1

### *Degrees awarded by the University*

#### **1. Degrees**

- (1) The English titles, abbreviations, Latin titles, and hoods, gowns and order of presentation of the Degrees awarded by the University shall be prescribed by Senate and set out in the Table on Degrees.
- (2) The order of presentation should, if practicable, be the reverse of the order in which the Degrees were instituted, at least in so far as Bachelors Degrees are concerned.

#### **2. Hoods**

- (1) The material of a hood provided for in the Table on Degrees may be silk unless otherwise specified.
- (2) Where an edging of a different colour from the lining is not prescribed, the hood shall be edged with the same colour as the lining.

#### **3. Students, graduands and graduates**

- (1) Those who have registered for a course of study or research leading to a degree awarded by the University are students pursuant to section 1(1) of the Chapter on Students, and are members of the College Community pursuant to section 1(1)(a) of the Chapter on the College Community.
- (2) Those whose applications to be conferred with a degree pursuant to the Chapter have been accepted shall be described as "graduands", and are members of the Wider Community pursuant to section 1(10) of the Chapter on Students and section 1(2) of the Chapter on the Wider Community.
- (3) Those upon whom a degree has been conferred shall be described as "graduates" of the University of Dublin, and are members of the Wider Community pursuant to section 1(11) of the Chapter on Students and section 1(2) of the Chapter on the Wider Community.

[Back to Table of Contents](#)

## Table on Degrees

1. English Title	2. Degree Abbreviation	3. Latin Title	4. Academic Hood	5. Academic Gown	6. Order
<b>BACHELORS</b>					
Bachelor in Arts	B.A.	<i>Baccalaureus in Artibus</i>	Black, lined with white fur	Black cloth, silk or poplin	01
Bachelor in Science in Diagnostic Radiography (Joint Degree Programme with SIT)	B.Sc. (Diagn. Rad.)	<i>Baccalaureus in Scientiis una cum Diagnostica Radiographica (Conjunctim)</i>	Dark green, lined with black	Black cloth, silk or poplin	02
Bachelor in Science (Education Studies)	B.Sc. (Ed. St.)	<i>Baccalaureus in Scientiis una cum Studiis Educationis</i>	Dark green, lined with black	Black cloth, silk or poplin	03
Bachelor in Acting	B.Histr.	<i>Baccalaureus in Histrionia</i>	Pale blue, lined with white fur	Black cloth, silk or poplin	04
Bachelor in Science in Human Nutrition and Dietetics	B.Sc. (Hum. Nut. & Diet.)	<i>Baccalaureus (Conjunctim) in Scientiis una cum Arte Alimentaria et Diatetica</i>	DIT academic dress	Black cloth, silk or poplin	05
Bachelor in Deaf Studies	B.St.Su.	<i>Baccalaureus in Studiis Surditatis</i>	Black, lined with yellow	Black cloth, silk or poplin	06
Bachelor in Science in Human Health and Disease	B.Sc. (Hom. Val.)	<i>Baccalaureus in Scientiis quae attinent ad hominum valetudinem</i>	Dark green, lined with black	Black cloth, silk or poplin	07
Bachelor in Law and Political Science	LL.B. (Pol. Sc.)	<i>Baccalaureus in Utroque Jure una cum Scientia Politica</i>	Black, lined with white	Black cloth, silk or poplin	08
Bachelor in Law and Business	LL.B. (B.S.)	<i>Baccalaureus in Utroque Jure una cum Studiis Negotialibus</i>	Black, lined with white	Black cloth, silk or poplin	09
Bachelor in Science in Midwifery	B.Sc. (A. Obs.)	<i>Baccalaureus in Scientiis (Ars Obstetricia)</i>	Dark green, lined with black	Black cloth, silk or poplin	10
Bachelor in Dental Technology	B.Dent.Tech.	<i>Baccalaureus in Technologia Dentaria</i>	Myrtle green, lined with gold, edged with crimson	Black cloth, silk or poplin	11
Bachelor in Science in Radiation therapy	B.Sc. (Ther. Rad.)	<i>Baccalaureus in Scientiis Therapela cum Radiatione</i>	Dark green, lined with black	Black cloth, silk or poplin	12
Bachelor in Science in Nursing	B.Sc. (Cur.)	<i>Baccalaureus in Scientiis de Curatione</i>	Dark green, lined with black	Black cloth, silk or poplin	13
Bachelor in Midwifery Studies	B.M.S.	<i>Baccalaureus in Studiis Obstetriciis</i>	Dark green, lined with black	Black cloth, silk or poplin	14
Bachelor in Engineering with Management	B.Sc. (Ing.)	<i>Baccalaureus in Scientia Ingeniaria</i>	Black, lined with green, edged with white	Black cloth, silk or poplin	15
Bachelor in Acting Studies	B.A.S.	<i>Baccalaureus in Studiis Histrionicis</i>	Pale blue, lined with white fur	Black cloth, silk or poplin	16
Bachelor in Theatre Studies	B.T.S.	<i>Baccalaureus in Studiis Theatricis</i>	Pale blue, lined with white fur	Black cloth, silk or poplin	17
Bachelor in Nursing Studies	B.N.S.	<i>Baccalaureus in Studiis de Curatione</i>	Dark green, lined with black	Black cloth, silk or poplin	18
Bachelor in Science in Therapeutic radiography	B.Sc. (Ther. Rad.)	<i>Baccalaureus in Scientiis una cum Therapeutica Radiographica</i>	Dark green, lined with black	Black cloth, silk or poplin	19
Bachelor in Business and Information Technology	B.Sc. (Bus. and Inf. Tech.)	<i>Baccalaureus in Scientiis in Studiis Negotialibus et in Technologia Informativa</i>	Dark green, lined with gold	Black cloth, silk or poplin	20
Bachelor in Business Studies and a Language	B.B.S. (Lang.)	<i>Baccalaureus in Studiis Negotialibus et in Lingua</i>	Black, lined with gold	Black cloth, silk or poplin	21

Bachelor in Science in Financial Information Systems	B.Sc. (Syst. Inf. Pec.)	<i>Baccalaureus in Scientiis in Systematibus Informativis Pecunialibus</i>	Dark green, lined with black	Black cloth, silk or poplin	22
Bachelor in Science in Information Systems	B.Sc. (Syst. Inf.)	<i>Baccalaureus in Scientiis in Systematibus Informativis</i>	Dark green, lined with black	Black cloth, silk or poplin	23
Bachelor in Laws and French	LL.B. (Ling. Franc.)	<i>Baccalaureus in Utroque Jure una cum Lingua FrancoGallica</i>	Black, lined with white	Black cloth, silk or poplin	24
Bachelor in Laws and German	LL.B. (Ling. Germ.)	<i>Baccalaureus in Utroque Jure una cum Lingua Germanica</i>	Black, lined with white	Black cloth, silk or poplin	25
Bachelor in Science in Media and Communications	B.Sc. (Commun.)	<i>Baccalaureus in Scientiis in Studiis Communicationis</i>	Dark green, lined with black	Black cloth, silk or poplin	26
Bachelor in Music (Performance)	B.Mus. (Perf.)	<i>Baccalaureus in Musica una cum Exsecutione Musica</i>	Pale blue, lined with rose	Black cloth, silk or poplin	27
Bachelor in Science in Occupational therapy	B.Sc. (Cur. Occ.)	<i>Baccalaureus in Scientiis una cum Curatione Occupationali</i>	Dark green, lined with black	Black cloth, silk or poplin	28
Bachelor in Theology	B.Th.	<i>Baccalaureus in Studiis Theologicis</i>	Black, lined with black, edged with purple	Black cloth, silk or poplin	29
Bachelor in Music Education	B.Mus.Ed.	<i>Baccalaureus in Educatione Musica</i>	Pale blue, lined with rose	Black cloth, silk or poplin	30
Bachelor in Science in Physiotherapy	B.Sc. (Physio.)	<i>Baccalaureus in Scientiis una cum Arte Physiotherapeutica</i>	Dark green, lined with black	Black cloth, silk or poplin	31
Bachelor in Science in Clinical Speech and Language Studies	B.Sc. (Clin. Lang.)	<i>Baccalaureus in Scientiis una cum Studiis de Locutione et de Lingua</i>	Dark green, lined with black	Black cloth, silk or poplin	32
Bachelor in Science in Remedial linguistics	B.Sc. (Rem.Ling.)	<i>Baccalaureus in Scientiis una cum Studiis Linguisticis Remedialibus</i>	Dark green, lined with black	Black cloth, silk or poplin	33
Bachelor in Science in Environmental Health	B.Sc. (Env. Health)	<i>Baccalaureus in Scientiis quae attinent ad Sanitatem Vicinitatis</i>	Dark green, lined with black	Black cloth, silk or poplin	34
Bachelor in Science in Human Nutrition and Dietetics	B.Sc. (Hum. Nut.)	<i>Baccalaureus in Scientiis una cum Arte Alimentaria et Diatetica</i>	Dark green, lined with black	Black cloth, silk or poplin	35
Bachelor in Education (Home Economics)	B.Ed. (Home Econ.)	<i>Baccalaureus in Educatione una cum Oeconomica Domestica</i>	Blue, lined with blue	Black cloth, silk or poplin	36
Bachelor in Science in Public Administration	B.Sc. (Publ. Admin.)	<i>Baccalaureus in Scientiis una cum Administratione Publica</i>	Dark green, lined with black	Black cloth, silk or poplin	37
Bachelor in Science in Management	B.Sc. (Mgmt)	<i>Baccalaureus in Scientiis una cum Procuratione</i>	Dark green, lined with black	Black cloth, silk or poplin	38
Bachelor in Science in Surveying	B.Sc. (Surv.)	<i>Baccalaureus in Scientiis una cum Agrimensura</i>	Dark green, lined with black	Black cloth, silk or poplin	39
Bachelor in Science in Pharmacy	B.Sc. (Pharm.)	<i>Baccalaureus in Scientiis una cum Arte Pharmaceutica</i>	Dark green, lined with black	Black cloth, silk or poplin	40
Bachelor in Applied Sciences	B.Sc. (Applied Sciences)	<i>Baccalaureus in Scientiis una cum Scientiis Applicatis</i>	Dark green, lined with black	Black cloth, silk or poplin	41
Bachelor in Architectural Science	B.Arch.Sc.	<i>Baccalaureus in Scientia Architectonica</i>	Dark green, lined with white fur	Black cloth, silk or poplin	42
Bachelor in Education	B.Ed.	<i>Baccalaureus in Educatione</i>	Blue, lined with blue	Black cloth, silk or poplin	43

Bachelor in Science in Engineering	B.Sc. (Eng.)	<i>Baccalaureus in Scientiis una cum Arte Ingeniaria</i>	Dark green, lined with black	Black cloth, silk or poplin	44
Bachelor in Computer science	B.Sc. (Comp.)	<i>Baccalaureus in Scientiis Computatoriis</i>	Dark green, lined with black	Black cloth, silk or poplin	45
Bachelor in Social Studies	B.S.S.	<i>Baccalaureus in Studiis Socialibus</i>	Black, lined with gold, edged with white	Black cloth, silk or poplin	46
Bachelor in Business Studies	B.B.S.	<i>Baccalaureus in Studiis Negotialibus</i>	Black, lined with gold	Black cloth, silk or poplin	47
Bachelor in Veterinary Medicine	M.V.B.	<i>Baccalaureus in Medicina Veterinaria</i>	Black, lined with maroon, edged with olive green	Black cloth, silk or poplin	48
Bachelor in Commerce	B.Comm.	<i>Baccalaureus in Commercio</i>	Black, lined with gold	Black cloth, silk or poplin	49
Bachelor in Forestry	Agr. (Forest.) B.	<i>Baccalaureus in Agri (Forestarii) Cultura</i>	Black, lined with brown, edged with green	Black cloth, silk or poplin	50
Bachelor in Agriculture	Agr.B.	<i>Baccalaureus in Agri Cultura</i>	Black, lined with brown	Black cloth, silk or poplin	51
Bachelor in Dental Science	B.Dent.Sc.	<i>Baccalaureus in Dentaria Scientia</i>	Myrtle green, lined with black watered silk, edged with crimson	Black cloth, silk or poplin	52
Bachelor in Music	Mus.B.	<i>Baccalaureus in Musica</i>	Pale blue, lined with white fur	Black cloth, silk or poplin	53
Bachelor in Engineering	B.A.I.	<i>Baccalaureus in Arte Ingeniaria</i>	Black, lined with green	Black cloth, silk or poplin	54
Bachelor in Obstetrics	B.A.O.	<i>Baccalaureus in Arte Obstetricia</i>	Black, lined with olive	Black cloth, silk or poplin	55
Bachelor in Surgery	B.Ch.	<i>Baccalaureus in Chirurgia</i>	Black, lined with white, edged with blue	Black cloth, silk or poplin	56
Bachelor in Medicine	M.B.	<i>Baccalaureus in Medicina</i>	Black, lined with crimson	Black cloth, silk or poplin	57
Bachelor in Laws	LL.B.	<i>Baccalaureus in Utroque Jure</i>	Black, lined with white	Black cloth, silk or poplin	58
<b>MASTERS</b>					
Master in Pharmacy	M.Pharm.	<i>Magister in Arte Pharmaceutica</i>	Dark green, lined with crimson, edged with black	Black cloth, silk or poplin	01
Master in Music Performance	M. Mus. Perf.	<i>Magister in Exsecutione Musica</i>	White, lined rose pink, edged pale blue	Black cloth, silk or poplin	02
Master in Education Studies	M.E.S.	<i>Magister in Studiis Educationis</i>	White, lined pale blue, edged navy	Black cloth, silk or poplin	03
Master in Science (joint degree programme with UCD)	M.Sc.	<i>Magister in Scientiis (conjunctim)</i>	White, lined with myrtle green	Black cloth, silk or poplin	04
Master in Medicine	M.M.	<i>Magister in Medicina</i>	Crimson, lined with crimson, edged with black	Black cloth, silk or poplin	05
Master in Fine Arts	M.F.A.	<i>Magister in Arte Scaenica</i>	Pale blue, lined with pale blue fur	Black cloth, silk or poplin	06
Master in Computer Science	M.C.S.	<i>Magister in Scientiis Computatoriis</i>	White, lined with plum	Black cloth, silk or poplin	07
Master in Engineering (Studies)	M.A.I. (St.)	<i>Magister in Arte Ingeniaria (Studia)</i>	White, lined with green	Black cloth, silk or poplin	08
Master in Engineering (Research)	M.A.I. (Ind.)	<i>Magister in Arte Ingeniaria (Indagatio)</i>	White, lined with green	Black cloth, silk or poplin	09
Master in Theology	M.Th.	<i>Magister in Theologia</i>	Purple, lined with purple, edged with black	Black cloth, silk or poplin	10
Master in Social Work	M.S.W.	<i>Magister in Opera Sociali</i>	Black, lined with gold, edged with blue	Black cloth, silk or poplin	11

Master in Dental Surgery	M.Dent.Ch.	<i>Magister in Dentaria Chirurgia</i>	Myrtle green, lined with pale blue, edged with crimson	Black cloth, silk or poplin	12
Master in Laws	LL.M.	<i>Magister in Utroque Jure</i>	Black, lined with white, edged with pink	Black cloth, silk or poplin	13
Master in Studies	M.St.	<i>Magister Studiorum</i>	White, lined with yellow	Black cloth, silk or poplin	14
Master in Philosophy (Peace Studies)	M.Phil. (Peace Studies)	<i>Magister in Philosophia in Studiis ad pacem Pertinentibus</i>	White, lined with yellow	Black cloth, silk or poplin	15
Master in Philosophy (Ecumenics)	M.Phil. (Ecum.)	<i>Magister in Philosophia in Studiis Ecumenicis</i>	White, lined with yellow	Black cloth, silk or poplin	16
Master in Philosophy	M.Phil.	<i>Magister in Philosophia</i>	White, lined with yellow	Black cloth, silk or poplin	17
Master in Science in Management	M.Sc. (Mgmt)	<i>Magister in Scientiis una cum Procuracione</i>	Gold, lined with white	Black cloth, silk or poplin	18
Master in Economics	M.Sc. (Econ.)	<i>Magister in Scientiis Oeconomicis</i>	Gold, lined with white	Black cloth, silk or poplin	19
Master in Education	M.Ed.	<i>Magister in Educatione</i>	White, lined with blue, edged with white	Black cloth, silk or poplin	20
Master in Business Administration	M.B.A.	<i>Magister in Studiis Negotialibus</i>	White, lined with gold	Black cloth, silk or poplin	21
Master in Administrative Studies	M.S.A.	<i>Magister in Studiis Administaalibus</i>	White, lined with gold	Black cloth, silk or poplin	22
Master in Commerce	M.Comm.	<i>Magister in Commercio</i>	White, lined with gold	Black cloth, silk or poplin	23
Master in Veterinary medicine	M.V.M.	<i>Magister in Medicina Veterinaria</i>	White, lined with maroon	Black cloth, silk or poplin	24
Master in Letters	M.Litt.	<i>Magister in Litteris</i>	White, lined with blue	Black cloth, silk or poplin	25
Master in Science (Studies)	M.Sc. (St.)	<i>Magister in Scientiis (Studia)</i>	White, lined with myrtle green	Black cloth, silk or poplin	26
Master in Science (Research)	M.Sc. (Ind.)	<i>Magister in Scientiis (Indagatio)</i>	White, lined with myrtle green	Black cloth, silk or poplin	27
Master in Science	M.Sc.	<i>Magister in Scientiis</i>	White, lined with myrtle green	Black cloth, silk or poplin	28
Master in Forestry	Agr. (Forest.) M.	<i>Magister in Agri (Forestarii) Cultura</i>	White, lined with brown, edged with green	Black cloth, silk or poplin	29
Master in Agriculture	Agr.M.	<i>Magister in Agri Cultura</i>	White, lined with brown	Black cloth, silk or poplin	30
Master in Dental Science	M.Dent.Sc.	<i>Magister in Dentaria Scientia</i>	Myrtle green, lined with pale blue, edged with crimson	Black cloth, silk or poplin	31
Master in Engineering	M.A.I.	<i>Magister in Arte Ingeniaria</i>	White, lined with green	Black cloth, silk or poplin	32
Master in Obstetrics	M.A.O.	<i>Magister in Arte Obstetricia</i>	Black, lined with purple	Black cloth, silk or poplin	33
Master in Surgery	M.Ch.	<i>Magister in Chirurgia</i>	Crimson, lined with white, edged with blue	Black cloth, silk or poplin	34
Master in Arts	M.A.	<i>Magister in Artibus</i>	Black, lined with blue	Black cloth, silk or poplin	35
<b>DIVINITY</b>					
Bachelor in Divinity	B.D.	<i>Baccalaureus in Sancta Theologia</i>	Black, lined with fine black silk	Black cloth, silk or poplin	01

DOCTORS					
Professional Doctorate in Counselling Psychology	D.Couns.Psych.	<i>Doctor in Psychologia Consiliaria</i>	Scarlet cloth lined with light green and edged with white	Scarlet cloth faced with white silk and edged with light green	01
Professional Doctor in Dental Surgery	D.Ch.Dent.	<i>Doctor Negotialis in Chirurgia Dentaria</i>	Scarlet cloth, lined with pale blue, edged with myrtle green	Scarlet cloth, faced with pale blue silk	02
Doctor in Education	D.Ed.	<i>Doctor in Educatione</i>	Pale blue, lined with rose, edged with dark blue	Blue cloth, faced with rose silk	03
Doctor in Clinical Psychology	D.Clin.Psych.	<i>Doctor in Clinica Psychologia</i>	Red and light green	Red, faced with light green	04
Doctor in Philosophy	Ph.D.	<i>Doctor in Philosophia</i>	Scarlet cloth, lined with yellow	Scarlet cloth, faced with yellow silk	05
Doctor in Music	Mus.D.	<i>Doctor in Musica</i>	White flowered silk, lined with rose satin	White flowered silk, faced with rose satin	06
Doctor in Science	Sc.D.	<i>Doctor in Scientiis</i>	Scarlet cloth, lined with myrtle green	Scarlet cloth, faced with myrtle green silk	07
Doctor in Letters	Litt.D.	<i>Doctor in Litteris</i>	Scarlet cloth, lined with blue	Scarlet cloth, faced with blue silk	08
Doctor in Medicine	M.D.	<i>Doctor in Medicina</i>	Scarlet cloth, lined with crimson	Scarlet cloth, faced with crimson silk	09
Doctor in Laws	LL.D.	<i>Doctor in Utroque Jure</i>	Scarlet cloth, lined with pink	Scarlet cloth, faced with pink silk	10
Doctor in Divinity	D.D.	<i>Doctor in Sancta Theologia</i>	Scarlet cloth, lined with black	Scarlet cloth, faced with black velvet	11

[Back to Table of Contents](#)

## Senate

- |                    |   |
|--------------------|---|
| Establishment      | <p>1. (1) Pursuant to the Principal Enactments, the Senate is a chartered corporation, in the Statutes called the "Senate".</p> <p>(2) The Body Corporate of Senate consists of, and has the name, style and title of, "the Chancellor, Doctors and Masters of the University of Dublin".</p> <p>(3) References to the Body Corporate of the Senate shall, unless the contrary intention appears or context otherwise requires, be construed as references to the University, and vice versa.</p> <p>(4) Senate has a Common Seal, of which the Chancellor shall be the official custodian.</p>   |
| Membership         | <p>2. (1) Senate shall consist of the Chancellor, the Pro-Chancellors, the Provost, the Registrar, and the Doctors and Masters of the University; provided that the Doctors and Masters have satisfied the requirements set out in Schedule 1.</p> <p>(2) Unless Board otherwise determines, the Registrar shall be the Secretary of Senate.</p>  |
| Caput              | <p>3. (1) Senate shall have a Caput, which shall consist of the Chancellor, the Provost and the Senior Master non-Regent.</p> <p>(2) If, for any cause, the Senior Master non-Regent is unable to be present, the Chancellor and the Provost shall nominate to the Senate another Master non-Regent to exercise the functions of the Senior Master non-Regent during that meeting.</p> <p>(3) Any member of the Caput may veto any Grace for a degree proposed to Senate by Board.</p>  |
| Functions          | <p>4. (1) Subject to the provisions of the Statutes, Senate may:</p> <ul style="list-style-type: none"> <li>(a) under its Common Seal perform any lawful act;</li> <li>(b) consider and act in relation to Degrees;</li> <li>(c) approve Graces for degrees proposed by Board;</li> <li>(d) perform such other functions as may be prescribed by Board; and</li> <li>(e) deal with any or all of the assets of the University; provided that             <ul style="list-style-type: none"> <li>(i) it may do so only for the encouragement of learning in the University, and</li> <li>(ii) it shall be for Board exclusively to make regulations for the purposes of this sub-section.</li> </ul> </li> </ul> |
| Convening Meetings | <p>5. (1) The <i>Comitia</i> shall include Stated Meetings and Called Meetings of the Senate of the University in congregation lawfully assembled.</p>  |



- (2) Senate shall hold Stated Meetings on such dates as shall be determined by the Registrar in consultation with the Chancellor; provided that there shall be
  - (a) at least one Stated Meeting in each of Michaelmas and Hilary Terms for the purpose of transacting business other than the conferring of degrees, and
  - (b) as many further Stated Meetings, known as Public Commencements, as are necessary for the conferring of degrees.
- (3) Senate shall hold such other meetings, known as Called Meetings, as may be called by the Registrar at the direction of Board, the Caput, or the Chancellor.
- (4) Notwithstanding section 9(4) of the Introduction Chapter or the definition of "day" in section 17 of the same Chapter, Comitia may be held on any day (including Saturdays, Sundays and public holidays) as may be determined by the Registrar at the direction of Board, the Caput, or the Chancellor.

Notice of Meetings

- 6. (1) The Registrar shall
  - (a) cause the dates of all Stated Meetings to be set out annually in the Almanack of the College,
  - (b) endeavour to publicise them by any other practicable means,
  - (c) cause notice of Public Commencements to be exhibited at the Front Gate of College for at least five days before each such meeting, and
  - (d) publicise Called Meetings by any practicable means.

Conduct of Meetings

- 7. (1) The Chancellor shall preside at meetings, shall have the casting vote in the event of a tie, and may adjourn or dissolve a meeting at any time.
- (2) No proposition (including Grace for a degree) shall be put before the Senate which has not first received the consent of Board.
- (3) The Chancellor may veto any proposition.
- (4) Senate may, by consensus or vote, accept or reject any proposition before it.
- (5) (a) Senate may seek to amend any proposition before it if a motion to this effect is proposed by a member and is not vetoed by the Chancellor.
- (b) The motion shall be discussed and voted upon; and, if it is accepted, the proposition as amended shall be sent back to Board.
- (c) Where Board declines to accept such amendment, the Senate may appeal the matter to the Visitors, pursuant to the provisions of the Chapter on the Visitors.
- (d) To provide for the possibility of such an appeal, the Chancellor or at least one Pro-Chancellor shall be

absent from the discussion of and voting upon such a motion.

(6) The procedures at Public Commencements shall be set out in Schedule 2.

Schedules

8. (1) Schedules to this Chapter may be revised by Senate with the consent of Board.

## Schedule 1

### *Membership of Senate*

#### 1. Members

- (1) Provided that they are Doctors or Masters of the University, the following shall be members of Senate:
  - (a) members of staff;
  - (b) current or former representatives of the University in Seanad Éireann;
  - (c) Fellows *Emeriti* and Honorary Fellows;
  - (d) Resident Doctors and Masters;
  - (e) those others who have applied to the Registrar for membership, and have paid the relevant fee set by Board; provided that no fee shall be payable by those who have obtained a Gold Medal or two Moderatorships.
- (2) For the purposes of this section, Doctors and Masters are said to be Resident if they are delivering lectures, utilising office or laboratory space or equivalent space or facilities, or actually resident in College, but only for so long as they are so engaged or resident.

#### 2. Not Members

- (1) Provided that they are not otherwise qualified to be members of Senate, the following shall not be members of Senate:
  - (a) holders of degrees *honoris causa*, and
  - (b) holders of the degree of Master in Arts *ad eundem gradum*.

[Back to Table of Contents](#)

## Schedule 2

### *Procedures at Public Commencements*

#### 1. General

- (1) Pursuant to the Chapters on the University and Senate, degrees are publicly conferred at meetings of Senate called Commencements.
- (2) Pursuant to the Chapter on the University, degrees are usually conferred in person, but may, on application, be conferred *in absentia*.
- (3) Subject to sub-section (8), Commencements ceremonies are conducted in Latin.
- (4) Starting with the Bachelor in Arts, degrees are conferred in ascending order.
- (5) Within this order, degrees are conferred in the order of presentation set out in column 6 of the Table on Degrees in Schedule 1 to the Chapter on the University.
- (6) Candidates are presented by name, within their degree class, starting with the highest class.
- (7) Members of the College and University wear the academic dress prescribed pursuant to the Chapter on the College Community.
- (8) In the conferring of degrees, the order and procedures to be followed, and the formulæ to be used, shall be those prescribed in this Schedule; provided that Caput, Senate or Board may provide that the order, procedures, formulæ and language may be modified in exceptional cases.
- (9) The gender in the formulae in this Schedule may be modified as the circumstances require.
- (10) In sections 12-1, \*..... indicates that the title of the appropriate Degree shall be inserted.

#### 2. Opening

- (1) The Chancellor shall announce the opening of the Commencements ceremony (the *Comitia*) in the following words:

*Salvete senatores omnes, Domini Doctores, Domini  
Magistri; salvete candidati seniores iunioresque;  
salvete hospites undique hic benignissime congregati.  
Comitia fiant in nomine Dei. Amen.*

#### 3. Election of Senior Master Non-Regent

- (1) Where necessary, the Senior Master non-Regent shall then be elected pursuant to section 5 of the Chapter on the University.

#### 4. Annual Declaration of Proctors and Registrar

- (1) At the first Public Commencements of the Academic Year, the Senior and Junior Proctors and the Registrar shall make the annual Declaration as prescribed by the Schedule of Declarations.

**5. Minutes**

- (1) The Registrar shall read the minutes of the previous meeting which, when confirmed by Senate, shall be signed by the Chancellor.

**6. Degrees *ex consuetudine***

- (1) Pursuant to the Chapter on the University, Degrees are awarded on the grounds of proficiency in scholarship; in particular, degrees *ex consuetudine* are conferred on those who, as students, successfully complete a course of study or research; and the Proctors shall supplicate for such Degrees according to the procedures and formulæ hereafter set out.

**7. Supplication for Degree of Bachelor in Arts**

- (1) The Junior Proctor shall supplicate for the Degree of Bachelor in Arts using the following formula:

*Praehonorabilis Cancellarie, totaque Universitas, supplicant reverentiis vestris ei, qui in his chartis quae in manibus nostris sunt nominantur, ut his Comitibus ad gradum super nomina designatum admittantur. Ego fide mea testor ac spondeo toti academiae unumquemque candidatorum his chartis nominatum omnia exercitia ad gradum ad quem unumquisque adspirat pertinentia pro legibus academicis rite complevisse.*

- (2) The Mace Bearer shall call for the vote of the Senate with the words:

*Ad scrutinium.*

- (3) The Chancellor shall put the supplication to the Doctors of the Senate, saying:

*Placetne vobis, Domini Doctores?*

who shall reply "*placet*" or "*non placet*" as the case may be.

- (4) The Chancellor shall then put the supplication to the Masters of the Senate, saying:

*Placetne vobis, Domini Magistri?*

who shall reply "*placet*" or "*non placet*" as the case may be.

- (5) If all have consented, the Chancellor shall announce the consent of the Senate with the words:

*Placet omnibus.*

- (6) If either the Doctors or Masters or both have not consented unanimously, then the Chancellor shall call for a special scrutiny to

determine the candidate to whom the objection is raised, and shall announce the same using the following formula:

*Accedant Doctores et Magistri, et quisque votum suum simpliciter et absolute inscribat.*

- (7) If necessary, the Proctors shall then call on the Doctors, who shall vote according to a show of hands, and the Caput and the Proctors shall then examine the votes. If necessary, the Proctors shall then call on the Masters, who shall vote according to a show of hands, and the Caput and the Proctors shall then examine the votes. If there is a majority in both categories, then the Chancellor shall confer the degree; otherwise, the Chancellor shall not confer the Degree.

**8. Supplication for Bachelor, Masters, and Doctoral Degrees**

- (1) The Senior Proctor shall supplicate for other Bachelor, Masters, and Doctoral Degrees, using the following formula:

*Praehonorabilis Cancellarie totaque Universitas, supplicant reverentiis vestris ei, qui in his chartis quae in manibus nostris sunt nominantur, ut his Comitibus ad gradum super nomina designatum admittantur. Ego fide mea testor ac spondeo toti academiae unumquemque candidatorum his chartis nominatum omnia exercitia ad gradum ad quem unusquisque adspirat pertinentia pro legibus academicis rite complevisse.*

- (2) The Mace Bearer shall call for the vote of the Senate with the words:

*Ad scrutinium.*

- (3) The procedures in section 6(3)-(7) shall then be followed.

**9. Moderators (Gold Medallists)**

- (1) The Senior Lecturer shall introduce the Moderators who are Gold Medallists to the Chancellor, using the following formula:

*Praehonorabilis Cancellarie, praesento tibi hosce juvenes egregios aureis numismatis et chartis honorariis eo donandos quod in studiis academicis praeclara tam ingenii quam industriae indicia dederunt. Ideoque ut haec laudis insignia quam plurimum impertiant honoris te, Domine, qua par est observantia obsecro ut ea ipsorum in manus tradere digneris.*

- (2) The Junior Proctor shall present them collectively for their degrees, using the following formula:

*Praehonorabilis Cancellarie totaque Universitas, praesento vobis hosce meos filios, tam doctrina quam moribus habiles et idoneos ut admittantur ad gradum Baccalaureatus in Artibus.*

- (3) The Chancellor shall present them with their medals and certificates, using the following formula:

*Gratum munus mihi demandatum est ut vobis in manus tradam haec numismata et has chartas honorarias; accipite illa ergo, egregii juvenes, honorifica quidem in praesenti, ominis vero fausti felicisque in futurum.*

- (4) The Chancellor shall admit them, saying:

*Ego auctoritate mihi concessa admitto vos ad respondendum quaestioni in Artibus.*

## 10. Other Moderators

- (1) The Senior Lecturer shall introduce the other Moderators, using the following formula:

*Praehonorabilis Cancellarie, praesento tibi hosce juvenes egregios chartis honorariis eo donandos quod in studiis academicis praeclara tam ingenii quam industriae indicia dederunt. Ideoque ut haec laudis insignia quam plurimum impertiant honoris te, Domine, qua par est observantia obsecro ut ea ipsorum in manus tradere digneris.*

- (2) The Junior Proctor shall present them collectively for their degrees with the words:

*Praehonorabilis Cancellarie totaque Universitas, praesento vobis hosce meos filios, tam doctrina quam moribus habiles et idoneos ut admittantur ad gradum Baccalaureatus in Artibus.*

- (3) The Chancellor shall present them with their certificates, saying:

*Gratum munus mihi demandatum est ut vobis in manus tradam has chartas honorarias; accipite illas ergo, egregii juvenes, honorificas quidem in praesenti, ominis vero fausti felicisque in futurum.*

- (4) The Chancellor shall admit them, saying:

*Ego auctoritate mihi concessa admitto vos ad respondendum quaestioni in Artibus.*

## 11. Ordinary Degree of Bachelor in Arts

- (1) The candidates for the Ordinary Degree of Bachelor in Arts, shall be introduced and presented collectively by the Junior Proctor, using the following formula:

*Praehonorabilis Cancellarie totaque Universitas, praesento vobis hosce meos filios, tam doctrina quam moribus habiles et idoneos ut admittantur ad gradum Baccalaureatus in Artibus.*

- (2) The Chancellor shall hand them their certificates and admit them, saying:

*Ego auctoritate mihi concessa libens in manum trado  
has chartas, et admitto vos ad respondendum  
quaestioni in Artibus.*

## 12. Other Bachelor and Masters Degrees

- (1) The candidates for the other Bachelor and Masters Degrees, shall be presented collectively to and admitted by the Chancellor in the order set out in section 1(5).

- (2) The following formulae of presentation and admission, or appropriate variations thereof, shall be used.

- (3) (a) Candidates with honors shall be introduced and presented collectively by the Senior Proctor, or by an appropriate senior member of the academic staff, using the following formula:

*Praehonorabilis Cancellarie, praesento tibi hosce  
juvenes bene meritos, chartis honorariis eo donandos  
quod studiis academicis rite completis inter  
Insigniores relati sunt et praesento vobis hosce meos  
filios, quos scio tam doctrina quam moribus habiles et  
idoneos esse ut admittantur ad gradum \*.....'*

- (b) The Chancellor shall hand them their certificates, saying:

*Vobis, ingenui juvenes, has chartas honorarias, quibus  
digni judicati estis, libens in manus trado.*

- (c) The Chancellor shall admit them, saying:

*Ego auctoritate mihi concessa admitto vos ad  
respondendum quaestioni vel incipiendum in \*.....'*

- (4) (a) Ordinary candidates for other Bachelor and Masters Degrees shall be presented collectively by the Senior Proctor, or by an appropriate senior member of the academic staff, using the following formula:

*Praehonorabilis Cancellarie totaque Universitas,  
praesento vobis hosce meos filios, tam doctrina quam  
moribus habiles et idoneos ut admittantur ad gradum  
\*.....'*

- (b) The Chancellor shall admit them, saying:

*Ego auctoritate mihi concessa libens in manus trado  
has chartas, et admitto vos ad respondendum  
quaestioni [vel incipiendum], in \*.....'*

## 13. Ægrotat Degrees

- (1) The candidates for Ægrotat Degrees shall be presented to and admitted by the Chancellor as the last candidates in sections 10 to 12.



**14. Doctoral Degrees**

- (1) The candidates for Doctoral Degrees shall be introduced and presented collectively by the Senior Proctor, using the following formula:

*Praehonorabilis Cancellarie totaque Universitas, commendo vobis hosce filios meos qui studiis doctrinaque adeo se insigniverunt ut summis honoribus nostris academicis digni judicati sint, et praesento eos, quos scio tam moribus quam doctrina habiles et idoneos esse, ut admittantur ad gradum*  
\*.....

- (2) The Chancellor shall hand them their certificates, and admit them, saying:

*Gratulamur vobis, filii egregii, quos cursu tam strenuo feliciter confecto, laurea nostra ornare laetamur. Ego auctoritate mihi concessa admitto vos ad gradum* \*.....

**15. Degrees *honoris causa***

- (1) Following the individual announcement by the Senior Proctor of the title of the Degree *honoris causa*, the candidates for Degree *honoris causa* shall be individually presented to the Chancellor by the Public Orator in a Latin oration, following the order prescribed in section 1(5) of this Schedule.

- (2) The Chancellor shall admit the candidates for Degrees *honoris causa* individually as they are presented, and when admitting such candidates shall use the formula:

*Gratulamur tibi, illustrissime, quem summam amplitudinem summam claritatem meritis consecutum nostra laurea academica ornare laetamur. Ego auctoritate mihi concessa admitto te ad gradum Doctoratus in* \*.....

**16. Degrees *jure dignitatis***

- (1) Following the individual announcement by the Senior Proctor of the title of the Degree *jure dignitatis*, the candidates for Degree *jure dignitatis* shall be individually presented to the Chancellor by the Public Orator in a Latin oration, the formula of presentation for Degrees *jure dignitatis* is as follows:

*Praehonorabilis Cancellarie totaque Universitas, praesento vobis virum egregium, Praehonorabilem (Honorabilem, Recte Reverendum &c.) apud nos antea graduatum, quem jure dignitatis quam praeclaris suis meritis adsecutus est, gradu Doctoratus in Utroque Jure (vel Sancta Theologia) ornari par esse censuit Senatus.*

- (2) The Chancellor shall admit the candidates for Degrees *jure dignitatis* individually as they are presented, and when admitting such candidates shall use the formula:

*Gratulamur tibi, illustrissime, quem summam  
amplitudinem summam claritatem meritis consecutum  
nostra laurea academica ornare laetamur. Ego  
auctoritate mihi concessa admitto te ad gradum  
Doctoratus in \*.....*

**17. Degrees *in absentia***

- (1) The Senior Proctor shall commend the candidates for degrees *in absentia* in the following words:

*Praehonorabilis Cancellarie totaque Universitas,  
commendo vobis filios meos degentes peregre quorum  
nomina recitata sunt supplicationesque placuerunt  
quos scio tam moribus quam doctrina habiles et  
idoneos esse ut ad gradus quos petunt admittantur.*

- (2) The Chancellor shall admit the absent candidates with the words:

*Ego auctoritate mihi concessa admitto candidatos  
degentes peregre, quorum nomina recitata  
supplicationesque placuerunt, prout quisque meruit,  
ad respondendum quaestioni in \*..... et ad  
incipiendum in \*.....*

**18. Degrees *post obitum intempestivum***

- (1) The Senior Proctor shall commend the candidates for degrees *post obitum intempestivum* in the following words:

*Praehonorabilis Cancellarie totaque Universitas,  
commendo vobis filios meos morte immatura  
praereptos quorum nomina recitata sunt  
supplicationesque placuerunt quos scio tam moribus  
quam doctrina habiles et idoneos fuisse ut ad gradus  
quos petierunt admittantur.*

- (2) The Chancellor shall admit the candidates with the words:

*Ego auctoritate mihi concessa admitto candidatos  
morte immatura praereptos, quorum nomina recitata  
supplicationesque placuerunt, prout quisque meruit,  
ad respondendum quaestioni in \*..... et ad  
incipiendum in \*.....*

**19. Degrees *propter aliam causam***

- (1) The Senior Proctor shall commend the candidates for degrees *propter aliam causam* in the following words:

*Praehonorabilis Cancellarie totaque Universitas,  
commendo vobis filios meos propter aliam causam  
bene meritos, quorum nomina recitata sunt  
supplicationesque placuerunt quos scio tam moribus  
quam doctrina habiles et idoneos esse ut ad gradus  
quos petunt admittantur.*

- (2) The Chancellor shall admit the candidates with the words:

*Ego auctoritate mihi concessa admitto candidatos propter aliam causam bene meritos, quorum nomina recitata supplicationesque placuerunt, prout quisque meruit, ad respondendum quaestioni in \*..... et ad incipiendum in \*.....*

**20. Suspension and Removal of Suspension**

- (1) In case of suspension, the Chancellor shall use the following formula suspensionis:

*Ego, Cancellarius huius Academiae, auctoritate mihi commissa, suspendo N.N. ab omni gradu suscepto vel suscipiendo.*

- (2) In case of the removal of suspension, the Chancellor shall use the following formula absolutionis:

*Ego, Cancellarius huius Academiae, auctoritate mihi commissa, absolvo N.N. ab omni leviore negligentia, et a suspensione nuper illata.*

**21. Closing**

- (1) At the conclusion of the business, the Chancellor shall announce the closing of the meeting with the words:

*Valete senatores, non diutius vos morabimur; valete candidati novis honoribus decorati; valete et vos, hospites acceptissimi. Comitium solvantur in nomine Patris et Filii et Spiritus Sancti.*

[Back to Table of Contents](#)

# Chancellor

## *Part 1 - The Chancellor*

- |               |    |  |
|---------------|----|--|
| Establishment | 1. | (1) Pursuant to the Principal Enactments, the Chancellor shall be the Head of the University on ceremonial occasions.  |
| Election      | 2. | (1) The Chancellor shall be elected by Senate in accordance with Schedule 1, which may be revised by Board with the consent of Senate.<br>(2) Schedule 1 shall provide for<br>(a) the form by which candidates for Chancellor may be nominated by 12 members of Senate, and<br>(b) the proceedings at special <i>Comitia</i> which shall be held for the purposes of such elections.<br>(3) If no valid nominations for the office of Chancellor are received pursuant to Schedule 1, or if Senate declines or omits to elect a Chancellor pursuant to that Schedule, then the Senior Pro-Chancellor shall notify the Government, and the appointment of the Chancellor shall, but on that occasion only, devolve upon the Government.<br>(4) Every person elected or appointed to the office of Chancellor shall make a Declaration before the Provost in the form prescribed by the Schedule on Declarations, and shall thereupon be admitted to office. |
| Functions     | 3. | (1) The Chancellor shall perform such functions as<br>(a) are prescribed in the Chapters on the Visitors and Senate,<br>(b) may be prescribed, with the consent of Board, either by Senate or by Council.  |
| Vacancy       | 4. | (1) Every Chancellor shall retire from office not later than the last day of the academic year on attaining the age of seventy-five years, and may by letter addressed to the Provost resign from office at any time, and the resignation shall take effect on the date on which the letter is received.<br>(2) (a) If it appears to Board that the Chancellor has become incapable of performing the functions of office, it may refer the matter to a Commission consisting of the most senior available Pro-Chancellor and the Judicial Visitor.<br>(b) After due enquiry, and provided that they both agree, they may declare the office to be vacant.<br>(3) If the office of Chancellor shall become vacant, the Registrar shall as soon as practicable send to every member of Senate a notification of such vacancy which shall invite nominations to fill it.   |

*Part 2 - The Pro-Chancellors*

- Election      5.      (1) There shall be as many Pro-Chancellors as are provided for in Schedule 1; and they shall be elected by Senate in accordance with that Schedule.
- (2) Schedule 1 shall provide for
- (a) the form by which candidates for Pro-Chancellor may be nominated by 12 members of Senate, and
- (b) the proceedings at special *Comitia* which shall be held for the purposes of such elections.
- (3) If no valid nominations for the office of Pro-Chancellor are received pursuant to Schedule 1, or if the number of valid nominations is less than the number of vacancies, or if Senate declines or omits to elect a Pro-Chancellor pursuant to Schedule 1, then the right of appointment to such a vacancy shall, for this time only, devolve upon the Chancellor and the Judicial Visitor.
- (4) Every person elected or appointed to the office of Pro-Chancellor shall make a Declaration before the Provost in the form prescribed by the Schedule on Declarations, and shall thereupon be admitted to office.
- Functions      6.      (1) The Pro-Chancellors shall
- (a) act in place of the Chancellor in accordance with the provisions of the Statutes,
- (b) be members of Senate,
- (c) rank in seniority according to the Order of Precedence set out pursuant to the Chapter on the Community, and
- (d) perform such other functions as may be prescribed, with the consent of Board, either by Senate or by Council.
- Substitution    7.      (1) The Chancellor may delegate some or all of the functions of office for any period to any one of the Pro-Chancellors, and during such period that Pro-Chancellor may perform the functions so delegated.
- (2) During a vacancy in the office of Chancellor, or in the event of the absence of the Chancellor, the functions of the Chancellor shall be performed by the most senior available Pro-Chancellor.
- (3) If for any reason neither the Chancellor nor any Pro-Chancellor shall be available to perform the functions of the Chancellor, the Provost may, after such consultation as is practicable with the Chancellor and the Pro-Chancellors, appoint a suitable person to perform the functions of Pro-Chancellor for as long as is necessary for the performance of such functions, but no longer, and during this period the person so appointed may perform all the functions of the Chancellor.

Vacancy

8. (1) Every Pro-Chancellor shall retire and may resign in like manner as the Chancellor.
- (2) If it appears to Board that a Pro-Chancellor has become incapable of performing the functions of office, it may refer the matter to the Visitors. After due enquiry, they may declare the office to be vacant.
- (3) (a) If the office of any Pro-Chancellor shall become vacant, the Registrar shall inform Board of the vacancy.
- (b) Board shall determine whether an election is necessary and if it so decides, the Registrar shall as soon as practicable send to every member of Senate a notification of such vacancy which shall invite nominations to fill it.

[Back to Table of Contents](#)

## Schedule 1

### *Nomination and Election of the Chancellor and Pro-Chancellors*

#### *Part 1 - The Chancellor*

#### 1. Vacancy

- (1) If the office of Chancellor shall become vacant, the Registrar shall, as soon as practical thereafter, invite nominations to fill it.

#### 2. Nominations

- (1) (a) Nominations shall be made in the following form:
- I, A.B. (here insert name and degrees), member of the Senate of the University of Dublin, nominate for the post of Chancellor of the University X.Y. (here insert name, titles and degrees), and I declare that I have satisfied myself that he/she will accept the post if elected.
- (b) Every nomination shall be signed by the nominator.
- (2) Any person who is nominated in the aforementioned form by no fewer than twelve members of Senate shall be validly nominated, provided that all such nominations shall have been received by the Registrar within two months of the date on which the Registrar has despatched to members of Senate the notification of the vacancy.
- (3) (a) The Registrar shall, within one week of the termination of the period of two months specified in sub-section (2), forward the nominations to the most senior among the Pro-Chancellors who is willing and able to act (subject to the provisions of section 4).
- (b) If the said Pro-Chancellor shall judge that only one person has been validly nominated, then the Pro-Chancellor shall declare forthwith to be Chancellor of the University the person so nominated.
- (4) (a) If more than one person shall have been validly nominated, the said Pro-Chancellor shall direct the Registrar to summon a special meeting of the Senate, on a date approved by the Pro-Chancellor, provided it be not less than one month and not more than two months after the last day on which a nomination may be received under the provisions of sub-section (2).
- (b) The summons shall state the names of the candidates, together with the names of the members of the Senate making the nominations.

### **3. Meeting**

- (1) At the meeting of Senate summoned pursuant to section 2(4)(a), the said Pro-Chancellor shall preside, and the election of a Chancellor shall be the sole business.
- (2) The Pro-Chancellor shall arrange for the distribution of ballot papers and shall appoint two scrutineers who shall count the votes and shall satisfy themselves that none but members of Senate shall be present at the meeting or shall vote.
- (3) If any candidate, upon a scrutiny, shall have the clear majority of the lawful votes cast by the members of Senate then present, the Pro-Chancellor shall declare such candidate to be Chancellor of the University.
- (4) If none of the candidates should have a clear majority of the votes, then the names of those two candidates who received the largest number of votes shall go forward to a second ballot and the Pro-Chancellor shall declare the candidate who shall have, on this second ballot, a clear majority of the lawful votes cast by the members of Senate then present to be Chancellor of the University.

### **4. No available Pro-Chancellor**

- (1) No Pro-Chancellor who has been validly nominated for the office of Chancellor shall act under the provisions of sections 2 and 3.
- (2) If all the Pro-Chancellors shall have been so nominated the Board shall appoint a person to act as Pro-Chancellor solely for the purposes specified in sections 2 and 3, and as soon as a Chancellor has been elected such person shall cease to act as Pro-Chancellor.

## *Part 2 - The Pro-Chancellors*

### **5. Establishment**

- (1) There shall be up to six Pro-Chancellors, elected by Senate according to the provisions of this Schedule.
- (2) Within the limit of six, Board shall decide the number of Pro-Chancellors.

### **6. Vacancy**

- (1) If an office of Pro-Chancellor shall become vacant, the Registrar shall, as soon as practical thereafter, invite nominations to fill it.
- (2) Nominations shall be in the form set out in section 2(1), and section 2(2) shall apply.
- (3)
  - (a) The Registrar shall, within one week of the termination of the period of two months specified in section 2(2), forward the nominations to the Chancellor.
  - (b) If the Chancellor shall judge that the number of persons validly nominated does not exceed the number of offices which are vacant, then the Chancellor shall declare forthwith to be Pro-



Chancellors of the University the person or persons so nominated.

- (4) (a) If the number of persons who have been validly nominated shall exceed the number of offices which are vacant, the Chancellor shall direct the Registrar to summon a special meeting of the Senate, on a date approved by the Chancellor, provided it be not less than one month and not more than two months after the last day on which a nomination may be received under the provisions of section 2(2).
- (b) The summons shall state the names of the candidates, together with the names of the members of the Senate making the nominations.

## **7. Meeting**

- (1) At the meeting of Senate summoned pursuant to section 6(4)(a), the Chancellor shall preside, and the election of a Pro-Chancellor or Pro-Chancellors shall be the sole business.
- (2) The Chancellor shall arrange for the distribution of ballot papers and shall appoint two scrutineers, who shall count the votes and shall satisfy themselves that none but members of Senate shall be present at the meeting or shall vote.
- (3) If there is only one vacancy, the candidate who, upon a scrutiny, shall have the clear majority of the lawful votes cast by the members of Senate then present shall be declared to be a Pro-Chancellor of the University.
- (4) If none of the candidates shall have a clear majority of the votes then the names of those two candidates who received the largest number of votes shall go forward to a second ballot and the candidate who shall have a clear majority of the said votes at this second ballot shall be declared elected.
- (5) If there is more than one vacancy to be filled the names of all the remaining candidates shall then again go before the Senate in like manner until all the vacancies shall be filled.

## **8. Time**

- (1) In computing the periods of time specified in this Schedule, no account shall be taken of the Summer session, but the first day of Michaelmas Term shall be deemed to follow immediately on the last day of Trinity Term.
- (2) The days of the Winter session shall be reckoned in computing these periods of time; provided that no election shall be held during the Winter session, and if the provisions of the foregoing sections of this Schedule should designate for the election a day which falls in the Winter session, the election shall be held in the first week of Hilary Term.

[Back to Table of Contents](#)

## Council

- |               |    |   |
|---------------|----|---|
| Establishment | 1. | (1) The University Council, or Academic Council of the University, established pursuant to the Principal Enactments, shall be called the "Council".   |
| Functions     | 2. | (1) Council shall control the academic affairs of the University.<br>(2) Without limiting the generality of subsection (1), in particular Council shall<br>(a) nominate to Board suitable candidates for<br>(i) appointment to the academic staff<br>(ii) promotion to higher grades in the academic staff, and<br>(iii) appointment as external examiners;<br>(b) superintend, regulate and co-ordinate admission, curricula, instruction, assessments, education and academic progress;<br>(c) make regulations concerning the academic and other requirements to be fulfilled to achieve the academic standing necessary for the conferral of degrees and other academic qualifications;<br>(d) make regulations concerning the exceptional circumstances in which degrees and other academic qualifications may be suspended, removed or reinstated;<br>(e) approve examiners;<br>(f) when it has considered reports of examiners, determine which candidates are qualified to proceed to higher degrees;<br>(g) promote, encourage and develop teaching, learning, research and scholarship; and<br>(h) consider and determine matters referred to it by Board.<br>(3) For the avoidance of doubt, the functions of Council shall include those functions set out in the Act of 1997. <sup>45</sup><br>(4) In performing its functions, Council shall respect the principles of tenure and academic freedom. |
| Powers        | 3. | (1) Council shall have such powers as are necessary or expedient to perform its functions pursuant to the Principal Enactments and the Statutes.<br>(2) Except where the Principal Enactments otherwise require,<br>(a) Council may expressly delegate any of its functions, provided that Board has consented in advance to this   |

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<sup>45</sup> See section 27 of the Act of 1997.

delegation, and the principles of delegation shall apply, and

- (b) Council may expressly grant authority to exercise any of its functions to an agent, provided that Board has consented in advance to this grant, and the Principles of Agency shall apply.

Membership

- 4. (1) Council shall consist of the following members:
  - (a) The Provost, the Vice-Provost, the Registrar, the Senior Lecturer, the Senior Tutor, the Dean of Graduate Studies, the Dean of Research, and the Deans of the Faculties;
  - (b) Four members of the academic staff from each of the Faculties;
  - (c) Two representatives of Senate;
  - (d) One member of the research staff;
  - (e) The Education Officer of the Students' Union, and one undergraduate student from each of the Faculties;
  - (f) The Vice-President of the Graduate Students' Union, and one postgraduate student from one of the Faculties of which the Vice-President is not a member; and
  - (g) Not more than two co-opted members.
- (2) The term of office of elected representatives shall begin on the first day of the academic year following election.
- (3) (a) Regulations governing elections or co-options to Council and the filling of casual vacancies shall be set out in Schedule 1.
  - (b) Elections pursuant to sub-sections (1)(b) and (d) shall be held together and concluded not earlier than the fifteenth day of May and not later than the fifteenth day of June.
- (4) (a) The Secretary, the Librarian and College Archivist, the Academic Secretary, and the Chief Operating Officer shall be entitled to attend meetings of Council.
  - (b) The Secretary to the Scholars, and one postgraduate student from each Faculty not represented by the representatives in sub-section 4(1)(f), shall be entitled to be observers at meetings of Council.
  - (c) Council may from time to time provide that one other specified member of College shall also be entitled to attend or be an observer at meetings of Council for the duration of any academic year or part thereof.
  - (d) Any person present at meetings of Council pursuant to the first three paragraphs of this sub-section shall be provided with all relevant papers and shall have a voice on any matter which is under discussion, but shall not be entitled to vote.
  - (e) Council may invite any person to be present for a

meeting or part thereof.

- (5) The Provost shall be the Chairperson of Council and the Senior Lecturer shall be Secretary. The Secretary to College shall assist the Senior Lecturer in bringing forward the business and in implementing the decisions of Council.
- (6) Elected representatives and observers shall, at the beginning of the first meeting which they each attend, make a Declaration in the presence of Council in the appropriate form as prescribed by the Schedule on Declarations.

Meetings

5.
  - (1) Council shall hold such ordinary meetings as the Provost may determine or the Statutes require.
  - (2) Council may hold such additional or extraordinary meetings as the Provost or Council may determine.
  - (3) Council may hold such meetings jointly with Board as the Provost may determine.
  - (4) The Provost shall convene a meeting of Council whenever requested to do so by at least five members of Council.
  - (5) The quorum for a meeting of Council shall be one third of the total number of members, rounded up to the nearest whole number, plus one.
  - (6) The Provost shall ensure that members of Council shall normally receive at least one week's notice of any meeting of Council.
  - (7) The Chairperson shall not vote at divisions on Council except to exercise a casting vote.
  - (8) Council shall otherwise regulate its procedure and business, and such regulations or standing orders as it shall make for this purpose shall be set out in Schedule 2.

Obligations of Members

6.
  - (1) A candidate for a post shall neither take part in any nomination for that post nor be present when the nomination is under discussion by the Council.

Regulations

7.
  - (1) Council may make, and shall administer, such regulations as appear to it to be necessary or expedient for the performance of its functions.
  - (2) Council may provide for the consequences (including, in appropriate cases, exclusion from the University) of failure to observe or fulfil its regulations.
  - (3) The Senior Lecturer shall apply the academic regulations made by Council.
  - (4) Council shall ensure that decisions on appeals by students against the application to them of regulations made by Council shall be taken after due enquiry; provided that matters of student conduct are governed by the Division on Conduct.

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| External relations | <p><b>8.</b> (1) The external relations of the University shall be conducted by Council or, at its request or on its behalf</p> <ul style="list-style-type: none"> <li>(a) by Board,</li> <li>(b) by the Provost,</li> <li>(c) by an Officer established in the Chapter on the Officers, or</li> <li>(d) by an office-holder established in Schedule 3 to the Chapter on Board.</li> </ul> <p>(2) Without limiting the generality of subsection (1), in particular Council may</p> <ul style="list-style-type: none"> <li>(a) approve, and recommend to Board for institution or recognition, courses and examination procedures in institutions other than the College as suitable to qualify for the award of such Degrees and other academic qualifications in the University as may be proposed by Board and approved by Senate, including the award of such Degrees and other qualifications jointly with such other institutions;</li> <li>(b) withdraw such approval, and recommend to Board the withdrawal of such institution or recognition; and</li> <li>(c) make recommendations to Board in relation to the external relations of College.</li> </ul> <p>(3) Further detailed provisions relating to the international and global aspects of the external relations of the University shall be set out in Schedule 3 to the Chapter on Board, which Schedule can be amended only by Decree.</p> |
| Limitations        | <p><b>9.</b> (1) A regulation regarding the academic affairs of the University may be originated either by Board or by Council.</p> <p>(2) No nomination or regulation made by Council shall be valid unless and until it has received the consent of Board.</p> <p>(3) Where Board declines to grant such consent, Council may appeal the matter to the Visitors, pursuant to the provisions of the Chapter on the Visitors.</p> <p>(4) Council shall be subject to Board in matters of finance.</p> <p>(5) Council shall have no role in nominations for and election to Fellowship.</p>   |
| Schedules          | <p><b>10.</b> (1) Schedule 1 may be revised by Council with the consent of Board.</p> <p>(2) Schedule 2 to this Chapter may be revised by Council and shall not require the consent of Board, provided that any revision is approved by at least two-thirds of the members present and voting.</p>   |

[Back to Table of Contents](#)

## Schedule 1

### *Elections to Council*

#### *Part 1 - Representatives*

##### **1. Faculty representatives**

- (1) To elect representatives pursuant to section 4(1)(b) of the Chapter, the electorate shall comprise all those who are described as members of the academic staff of the relevant Faculty on the Register for the time being in force pursuant to the Schedule on the Electorate and Register (Schedule 2 to the Introduction Chapter).
- (2) For the purposes of such elections, the electorate shall be divided into two constituencies in each Faculty, as follows:
  - (a) the Senior Constituency, which shall consist of all of the members of the electorate who are Professors or Associate Professors, and
  - (b) the Junior Constituency, which shall consist of all of the members of the electorate who are Assistant Professors or Lecturers.
- (3) Except where the contrary intention appears or the context otherwise requires, members of the electorate are eligible to be nominated for, to vote in and to represent the constituency of which they are members pursuant to this section.
- (4) The members of the electorate in each constituency shall, every third year, elect from among their number two persons to serve as their Faculty representatives on Council, provided that the Senior Constituency shall elect one Head of School and one other person who is not a Head of School.
- (5) Any person, not being a Professor, Associate Professor, or Head of School, who has been elected to Council pursuant to the terms of this section, and who is thereafter appointed or elected to any of those positions, or any representative who ceases to be a Head of School, shall not for that reason cease to be a member of Council.
- (6) A representative who ceases to be a member of the Faculty from which that representative was elected shall thereupon cease to be a member of Council.
- (7) Any person who has been elected to Council pursuant to the terms of this section shall be eligible for re-election for a further term; but any person who has been elected in two successive elections shall not be eligible for further election until at least three years shall have elapsed.

##### **2. Representative of the Research Staff**

- (1) To elect the representative pursuant to section 4(1)(d) of the Chapter, the research staff shall comprise a constituency which shall, every second year, elect one person to serve as their representative

on Council.

- (2) The electorate shall comprise all those who are described as members of the research staff on the Register for the time being in force pursuant to the Schedule on the Electorate and Register (Schedule 2 to the Introduction Chapter).
- (3) Members of the electorate defined in subsection (2) are eligible to be nominated for, to vote in and to represent the constituency defined in subsection (1).
- (4) Any representative who ceases to be a member of the research staff shall thereupon cease to be a member of Council.
- (5) Any person who has been elected to Council pursuant to the terms of this section shall be eligible for re-election for a further term; but any person who has been elected in two successive elections shall not be eligible for further election until at least two years shall have elapsed.

### **3. Procedures**

- (1) Any election under sections 1 and 2 shall be held and concluded according to the procedures laid down in Part 2; it shall be conducted on the system of proportional representation by means of the single transferable vote; and the counting of votes and the election of representatives shall, so far as possible, be in accordance with the Seanad Electoral (Panel Members) Acts, 1947 and 1954.
- (2) Casual vacancies arising in the constituencies in sections 1 and 2 shall be filled according to the procedures laid down in Part 3.
- (3) The election of members of Council pursuant to section 4(1)(e)-(f) of the Chapter, the election of those present at meetings of Council as observers pursuant to section 4(4)(b), and the filling of casual vacancies, shall follow the procedures laid down in Part 4.
- (4) Pursuant to section 4(1)(c) of the Chapter, one representative of the Senate of the University shall be elected annually in Hilary Term to serve for a period of two years. This election, and the filling of casual vacancies, shall follow the procedures laid down in Part 5.
- (5) Pursuant to the terms of 4(1)(g) of the Chapter, two members may be co-opted to Council. Such members shall be nominated by the Provost at any meeting of Council for approval by Council at a later meeting. Every such member, who has not died or resigned, shall serve until the end of the academic year following co-option.

## *Part 2 - Elections*

### **4. Scrutineers**

- (1) Elections pursuant to sections 1 and 2 shall be arranged and overseen by two Scrutineers, who shall do all such acts and things as may be necessary for their effectual conduct.

- (2) For the purposes of elections pursuant to section 1(3), where the terms of office of representatives of a Faculty have expired by effluxion of time, the Senior Lecturer and the Dean of the relevant Faculty shall act as Scrutineers; and they shall also act as Scrutineers for the purposes of elections pursuant to section 2(1) if the term of office of the representative of the research staff has expired by effluxion of time.

## 5. Elections

- (1) The Scrutineers shall seek nominations in each constituency in which elections are being held; and they shall specify the date and time by which, the address to which, and the means by which, any nominations are to be returned. Each candidate for election in a constituency shall be nominated and seconded by voters in that constituency.
- (2) If the number of duly nominated candidates in any constituency is equal to the number of available seats, the Scrutineers shall declare any such candidates duly elected to the Council. Otherwise, the Scrutineers shall, as soon as practicable, conduct a secret ballot in each constituency.
- (3) (a) The Scrutineers shall send a ballot paper to every person eligible to vote. The ballot paper, in the form for the time being approved by the Council, shall contain the names of all of the duly nominated candidates, a description of the constituency, a statement as to the number of representatives to be elected in that constituency, and the date and time by which, and the address to which, the ballot papers are to be returned.
- (b) Only those ballot papers which have been properly filled in and returned as directed thereon shall be counted by the Scrutineers.
- (4) (a) If, in the application of the principles of proportional representation pursuant to section 29 of the Chapter, the elimination of a candidate in a Senior Constituency would mean that a Head of School could not be elected, the remaining Head of School shall be deemed to be elected without reaching the quota.
- (b) If the elimination of a candidate in a Senior Constituency would likewise mean that a candidate who is not a Head of School could not be elected, that candidate shall be deemed to be elected without reaching the quota.

## *Part 3 - Casual Vacancies*

## 6. Replacement of Faculty representatives

- (1) (a) Where a representative ceases to be a member of Council



pursuant to section 1(5), or resigns, or dies, or is appointed to any of the offices specified in section 4(1)(a) of the Chapter, any replacement shall serve for the remainder of the term of the representative being replaced.

- (b) In the election to fill any such vacancy, the Senior Lecturer and the Dean of the relevant Faculty shall act as Scrutineers, and the election shall as far as possible follow the procedures set out in Part 2.

**7. Replacement of Research Staff representatives**

- (1) (a) Where a representative ceases to be a member of Council pursuant to section 2(2), or resigns, or dies, any replacement shall serve for the remainder of the term of the representative being replaced.
- (b) In the election to fill any such vacancy, the Senior Lecturer and the Dean who had acted as Scrutineer for the election of the representative being replaced shall act as Scrutineers, and the election shall as far as possible follow the procedures set out in Part 2.

*Part 4 - Students*

**8. Students' Unions**

- (1) On election, the names of the Education Officer of the Students' Union and the Vice-President of the Graduate Students' Union, shall be communicated to the Secretary to the College, and shall *ex officio* be members of the Council pursuant to section 4(1)(e) and (f) of the Chapter.
- (2) On election, the names of the undergraduate students who will sit on the Council pursuant to section 4(1)(e) of the Chapter shall be communicated to the Secretary to the College by the Students' Union.
- (3) On election, the names of the postgraduate students who will either be members of Council pursuant to section 4(1)(f) of the Chapter, or attend meetings of the Council pursuant to section 4(4)(b) of the Chapter, shall be communicated to the Secretary to the College by the Graduate Students' Union.
- (4) The Graduate Students' Union shall seek to ensure that, in so far as possible, representation on Council pursuant to section 4(1)(f) of the Chapter and presence at Council pursuant to section 4(4)(b) of the Chapter, shall rotate equally over time among the several Faculties.

**9. Scholars**

- (1) On election, the name of the Secretary to the Scholars shall be communicated to the Secretary to College by the Scholars.

**10. Replacement**

- (1) Any student representative who ceases to be the holder of a position referred to in section 4 of the Chapter, shall thereupon cease to be a member of Council, and the name of any duly elected replacement shall be communicated to the Secretary to College.

*Part 5 - Election of Senate Representatives*

**11. Meeting**

- (1) At the first meeting of Senate held in Hilary Term of each year, the members of Senate eligible to represent Senate upon Council shall be nominated, each being proposed by one member and seconded by another member of Senate present at such meeting.
- (2) In the event of the number of persons so nominated being not greater than the number of members of Council to be elected, the persons so nominated shall be declared elected and the names of such persons shall be communicated by the Registrar to the Senior Lecturer.

**12. Postal ballot**

- (1) In the event of the number of persons so nominated being greater than the number of members of Council to be elected, the Registrar shall, within fourteen days, send to each member of Senate a voting-paper, in a form to be approved by the Chancellor, dated on the day on which such voting-paper is issued by the Registrar, and containing the names of all the persons so nominated.
- (2) Each member of Senate shall
- (a) mark, in the space provided in such voting-paper, a cross opposite the name of each person nominated for whom such member of the Senate desires to vote; and
  - (b) sign such voting paper so marked, and return it to the Registrar within ten days after the date thereof.
- (3) Each member of the Senate shall be entitled to a number of votes equal to the number of members of Council to be elected by the Senate at such election, and may give all such votes or some of them to the persons nominated, but may not give more than one vote to any one person nominated.

**13. Count**

- (1) The Registrar shall deliver all returned voting-papers to two scrutineers appointed by the Chancellor; provided that only members of the Senate shall be eligible to be appointed scrutineers.
- (2) The said scrutineers shall count the votes given by such voting-papers, and shall make a report to the Chancellor of the result of such counting of votes.
- (3) The Chancellor shall, in writing addressed to the Registrar, declare duly elected the number of persons nominated equal to the number

of members of Council to be elected, who shall have received the greatest number of votes.

- (4) If in any case an equality of votes renders it necessary, the Chancellor shall choose between the candidates receiving an equal number of votes, and shall declare the person so chosen to be duly elected as aforesaid.

[Back to Table of Contents](#)

## Schedule 2

### *Standing Orders*

#### 1. Meetings

- (1)
  - (a) Members of Council and those entitled to be observers at or to attend meetings of Council (hereafter: members, observers, and persons in attendance, respectively) shall be summoned to every meeting of Council by the Secretary acting on the direction of the Provost.
  - (b) Those summoned shall receive with the summons an agenda, draft Acta of the previous meeting, and, where possible, papers on matters of importance which are to be discussed.
- (2)
  - (a) Council, or the Secretary acting on the direction of the Provost, may invite any member of the College Community or of the Wider Community to attend either for an item or for a meeting, as Council, or the Secretary acting on the direction of the Provost, sees fit.
  - (b) A person invited for an item shall receive any papers related to that item; and a person invited for a meeting shall receive the papers and other materials mentioned in subsection 1(b).
  - (c) A person invited pursuant to this subsection shall be a person in attendance for the purposes of this Schedule.
- (3) Black gowns are usually worn at Council meetings, pursuant to the Schedule on Academic Dress (Schedule 3 to the Chapter on the College Community).
- (4) All business of Council is confidential; and, subject to subsection (6), all documents, discussions and decisions of Council shall be treated as confidential unless the Provost or Council decides otherwise.
- (5) Members, observers, and persons in attendance, shall at all times act, as a member, observer, or person in attendance, in the best interests of the College and shall not act as a representative of any special interest; provided that nothing in this sub-section shall restrict a member, observer, or person in attendance, from representing at meetings of Council the views of those by whom the member, observer, or person in attendance, has been elected or to restrict the freedom of expression of that member, observer, or person in attendance.
- (6) The Provost is the spokesperson for Council, and no member, observer, or person in attendance, is authorised to speak on behalf of Council in any internal or external forum without the express permission of the Provost or of Council. All queries from the media about the business of Council are referred to the Office of the Director of Public Affairs and Communications in the first instance.
- (7) The agenda for Council meetings is drawn up by the the Vice-Provost/Chief Academic Officer in consultation with the Provost. Members, observers, or persons in attendance, wishing to make an

input to the agenda should consult with the Secretary at least two weeks before the Council meeting in question. All papers for circulation for a regularly scheduled Council meeting shall normally be received by the Secretary's Office at least one week and one day before the Council meeting in question, for circulation pursuant to section 2(3).

- (8) Members, observers, or persons in attendance, wishing to raise matters under "Matters Arising" should contact the Secretary by 5.00pm on the day before the Council meeting in question, and the Provost will determine if this matter will be discussed.
- (9) The Secretary, on behalf of the Provost, shall ensure that the dates of scheduled meetings of Council for the Academic Year shall be circulated to members and persons in attendance either in advance of, or as early as possible in, Michaelmas Term.
- (10) Correspondence to Council shall be addressed to the Secretary on behalf of Council.

## 2. Papers

- (1) Council agenda are divided into the following sections:
  - Section A: Policy matters
  - Section B: Reports from Committees
  - Section C: Matters for noting, or approval, or both
  - Section D: Personnel matters.
- (2) Members, observers, or persons in attendance, wishing to raise business from Sections C or D must advise the Secretary by 5.00pm the day before the meeting in question.
- (3) Papers for Council are normally circulated to members, observers, and persons in attendance, one week in advance of regularly scheduled Council meetings, and circulation shall be in such format and manner as Council or Board may from time to time direct.
- (4) Every effort is made to avoid late circulation of papers by limiting such supplementary circulation to urgent matters.
- (5) Papers for Council may be more widely circulated in such format and manner as Council or Board may from time to time direct.
- (6) Where it is necessary to maintain the confidentiality of Council business pursuant to section 1(4), upon request of the person or committee submitting papers for an item on the agenda pursuant to section 1(7), the Provost or the Vice-Provost/Chief Academic Officer (having consulted with the Secretary or the Academic Secretary) may decide that such papers should be circulated only to members and persons in attendance pursuant to subsection (3), and that they should not therefore be more widely circulated pursuant to subsection (5).

- (7) The draft Acta of Council meetings are circulated for approval by Council at the subsequent meeting. Members, observers, or persons in attendance, wishing to comment on the draft Acta or to suggest amendments to the text, are requested to contact the Secretary by 5.00pm on the day before the Council meeting in question.

### **3. Chairperson**

- (1) Pursuant to the Chapter, the Provost is the Chairperson of Council, and shall, if present, be the chairperson of the meeting.
- (2) If and so long as the Chairperson is not present or the office of chairperson is vacant, the Deputy-Chairperson (who shall be the Vice-Provost) shall, if present, be the chairperson of the meeting.
- (3) If and so long as the Chairperson is not present or the office of chairperson is vacant, and the Deputy-Chairperson is not present or the office of deputy-chairperson is vacant, the members of Council who are present shall choose one of their number to be the chairperson of the meeting.
- (4) For the purposes of this section, the term "not present" shall mean not present within 5 minutes after the time appointed for holding the meeting.

### **4. Vice-Provost/Chief Academic Officer**

- (1) Pursuant to the Chapter, the Senior Lecturer is the Secretary of Council.
- (2) The Vice-Provost/Chief Academic Officer shall (except as otherwise provided in this Schedule) have authority to act as agent on behalf of the Senior Lecturer in this respect; and the Principles of Agency shall apply.

### **5. Academic Secretary**

- (1) Pursuant to the Chapter, the Senior Lecturer is assisted by the Secretary.
- (2) The Academic Secretary shall (except as otherwise provided in this Schedule) have authority to act as agent on behalf of the Secretary in this respect; and the Principles of Agency shall apply.

### **6. Declaration**

- (1) The first business to be transacted after the Chairperson has been ascertained shall be the making of a Declaration in the presence of Council by each newly-elected member of Council or by each newly-elected observer at meetings of Council as the case may be, pursuant to the Schedule on Declarations.
- (2) The failure or refusal of any member or observer to make such a Declaration shall cause that member or observer to be excluded from the meeting and (in the case of a member) from the quorum for the meeting.

## **7. Quorum**

- (1) Pursuant to the Chapter, the quorum for a meeting of Council shall be one third of the total number of members, rounded up to the nearest whole number, plus one.
- (2) The presence of a quorum shall be ascertained at the time when the meeting proceeds to further business after the making of the Declarations (if any) prescribed by the previous standing order, and if a quorum is not then present the meeting shall be adjourned.
- (3) However, notwithstanding subsection (2), if a quorum is not present but in the opinion of the Chairperson business can nevertheless safely be conducted, a quorum shall be deemed to be present.
- (4) If a quorum has been ascertained or deemed to be present and the meeting has continued accordingly, then that meeting may complete its business even if members subsequently leave; provided that, if, in the opinion of the Chairperson, the number of members present has dropped so low that business cannot safely be conducted, the Chairperson may adjourn the meeting.
- (5) Pursuant to section 5(4) of the Chapter, the Chairperson shall convene a meeting of Council whenever requested to do so by at least five members of Council.

## **8. Order of Business**

- (1) The next business of the meeting to be transacted shall be the draft minutes of the preceding meeting which shall be taken as read, amended if necessary, confirmed and signed by the Chairperson.
- (2) The Chairperson shall decide in what order the subsequent business of each meeting shall be taken.
- (3) Matters to be discussed shall be listed in Parts A and B of the Agenda.
- (4) Matters for formal approval shall be listed in Parts C and D of the Agenda and are not normally discussed unless requested by a member, observer, or person in attendance, pursuant to section 2(2).
- (5) Pursuant to the Chapter on Committees, every matter at a meeting of Council shall be determined by consensus, but where in the opinion of the Chairperson or other person presiding consensus is not possible, the question shall be decided by a majority of the votes of members present and voting on the question and, in the case of an equal division of votes, the Chairperson or other person presiding shall have a second or casting vote.

## **9. Statements and Disclosures of Interest**

- (1) (a) A member, observer, or person in attendance, who
  - (i) was party to a decision which is to be discussed at Council, or
  - (ii) apprehends a potential or actual interest in an item which is to be discussed at a meeting of Council,

shall so notify the Secretary as soon as practicable in advance of the meeting.

- (b) If the Secretary apprehends, or is alerted, that paragraph (a) may apply in respect of a member, observer, or person in attendance, then the Secretary shall alert that member or person in attendance accordingly.
  - (c) If a member, observer, or person in attendance, apprehends that paragraph (a) may apply in respect of another member, observer, or person in attendance, then the first member, observer, or person in attendance, shall alert that other member, observer, or person in attendance, and the Secretary accordingly.
  - (d) A member, observer, or person in attendance, to whom paragraph (a), (b) or (c) applies shall bring that matter to the attention of Council at the start of the meeting (immediately after any Declarations made pursuant to section 6).
  - (e) A member, observer, or person in attendance, who apprehends a potential or actual interest in an item that is being discussed during the course of a meeting of Council shall bring that matter to the attention of Council.
  - (f) A member, observer, or person in attendance, who apprehends that another member, observer, or person in attendance may have a potential or actual interest in an item that is being discussed during the course of a meeting of Council shall bring that matter to the attention of Council.
  - (g) A member, observer, or person in attendance, to whom paragraph (d) applies or in respect of whom a statement has been made pursuant to paragraph (e) or (f), may choose to withdraw from the discussion of the relevant item, and that withdrawal shall be recorded in the Acta.
  - (h) Where a member, observer, or person in attendance, to whom paragraph (d) applies or in respect of whom a statement has been made pursuant to paragraph (e) or (f), has not chosen to withdraw pursuant to paragraph (g), then
    - (i) Council shall, after due enquiry, decide what action, if any, to take, and that decision shall be recorded in the Acta, and
    - (ii) the relevant member, observer, or person in attendance, shall be entitled to be present for any such discussion and decision.
- (2) A member observer, or person in attendance, who is related to a person who is a candidate for appointment by Council as an employee of the College shall disclose to Council the fact of the relationship and its nature and shall, if Council so decides, take no part in any deliberation or decision of Council relating to the appointment, and the disclosure and decision shall be recorded in the Acta of Council.



**10. Termination**

- (1) The term of membership of a member, observer, or a person in attendance, (other than an *ex officio* member, observer, or person in attendance)
- (a) shall terminate either by effluxion of time or pursuant to section 7 of the Third Schedule to the Act of 1997, and
  - (b) may terminate pursuant to section 3 of that Schedule, as though the provisions of that Schedule applied to members, observers, or persons in attendance.

**11. Written Procedure**

- (1) During the course of the Academic Year, where, in the opinion of the Provost, there is urgent Council business that must be transacted between two scheduled meetings of Council, then the Provost may
- (a) pursuant to section 5(2) of the Chapter, convene a special meeting of Council to consider it, or
  - (b) direct a proposal to Council by means of a written or electronic procedure.
- (2) For the purposes of the procedure pursuant to subsection (1)(b), the text of the proposal shall be circulated electronically or in writing by the Secretary on behalf of the Provost to all members, observers, and persons in attendance, with a reasonable time limit within which members, observers, and persons in attendance, shall make known any reservations they may have or amendments they may wish to make.
- (3) Any member may, before the expiration of the set time limit, require that the proposal be discussed at the next scheduled meeting of Council, by sending to the Provost (with copies to the other members, observers, and persons in attendance) a written or electronic notification to that effect.
- (4) A proposal on which no member has made a reservation before the expiration of the set time limit shall stand adopted by Council.
- (5) A proposal, or an amended proposal, on which a majority of the members expressly agree at the expiration of the set time limit shall stand adopted by Council.
- (6) Proposals adopted pursuant to this section shall be reported to the next meeting of Council and recorded in the Acta of that meeting.

**12. Matters arising between meetings of Council**

- (1) This section applies where routine matters requiring the approval of Council are likely to arise between two scheduled Council meetings (such as, for example, during the Summer Session, between the last Council meeting of one academic year and the first of the next).

- (2) Pursuant to the Statutes,<sup>46</sup> at or before the earlier of the two meetings, Council may invite Board expressly to grant, to the Provost or Officers who are members of Council, the authority to exercise, when this section applies, the functions of Council as agent for Council; and, if Board so grants, the Principles of Agency shall apply.
- (3) In the case of nominations of suitable candidates for appointment to the academic staff pursuant to section 2(2)(a)(i) of the Chapter, the Provost or Officer acting pursuant to subsection (2) shall make any such nomination to the Staffing Sub-Committee established pursuant to section 7 of the Schedule on Standing Orders of Board (Schedule 2 to the Chapter on Board).
- (4) Authority granted pursuant to this section may neither be delegated pursuant to the Principles of Delegation nor granted to an agent pursuant to the Principles of Agency.
- (5) All decisions taken pursuant to this section shall be reported to the next meeting of Council and recorded in the Acta of that meeting.

[Back to Table of Contents](#)

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<sup>46</sup> See: Part 4 of the Introduction Chapter (on “The Principles of Agency”), section 2(1)(h) of the Chapter on the Provost, and section 3(2)(b) of the Chapter on Board.

## Schedule 3

### *Academic Appeals*

#### 1. Committees

- (1) For the purposes of section 7(4) of the Chapter and of section 9(5) of the Schedule on Committees of Academic Units (Schedule 3 to the Chapter on Units) procedures by which students may appeal decisions relating to academic progress shall be set out in the Calendar.
- (2) In the case of undergraduate students, that process may include appeals from Courts of Examiners to Courts of Appeal in the relevant School or Faculty.
- (3) In the case of undergraduate students, that process may include further appeals to an Academic Appeals Committee.
- (4) In the case of postgraduate students, that process may include an Academic Appeals Committee for Graduate Students (Taught) and an Academic Appeals Committee for Graduate Students (Research).
- (5) The composition and jurisdiction of any committee established pursuant to or under this section shall be set out in the Calendar.
- (6) Part 1 of the Schedule on the Committee on Student Conduct and Capacity (Schedule 1 to the Chapter on Student Conduct and Capacity) shall apply to this Schedule insofar as is possible; and, except where the contrary intention appears or the context otherwise requires, any references to the Schedules attendant upon that Chapter shall be construed to include this Schedule.

#### 2. Procedures

- (1) Committees established pursuant to or under section 1 shall perform their functions with due enquiry and in accordance with the provisions of the Statutes and Schedules and of the Calendar.
- (2) Such Committees shall not deal with matters of conduct, capacity, discipline, mental health, fitness to study, or fitness to practice, as these matters are governed by the Division on Conduct.
- (3) A student shall bring an appeal pursuant to this Schedule to the next sitting of a Committee established pursuant to or under section 1(2) after the date on which the student's results were published by the relevant Court of Examiners.
- (4) A student shall bring an appeal pursuant to this Schedule to the next sitting of the relevant Committee established pursuant to or under section 1, sub-sections (3) and (4), after the date on which the decision being appealed against was communicated to the student.
- (5) (a) If no appeal was taken pursuant to sub-section (3) or sub-section (4), a student may make an application to the relevant Committee seeking leave to bring an appeal.

- (b) There shall be a strong presumption against the grant of leave pursuant to paragraph (a).
- (c) The Committee to which the application was made shall not grant such leave unless it is satisfied that the interests of justice require it.
- (d) The Committee shall, in deciding whether to grant such leave, have regard to the reason for the failure to bring the appeal within the period specified in sub-section (3) or sub-section (4) as the case may be.
- (e) No leave shall be granted after the expiration of eighteen months from the date on which the decision being appealed against was communicated to the student.

[Back to Table of Contents](#)

## Division - Staff

### Professors

- |                    |    |  |
|--------------------|----|--|
| Professors         | 1. | (1) Professors are senior members of the academic staff of College.  |
| Established Chairs | 2. | (1) Professors shall be appointed by Board to Chairs established pursuant to and subject to the terms of applicable legislation, trusts, benefactions, endowments or decisions of Board.<br>(2) Such Chairs shall be listed in Schedule 1. |
| Personal Chairs    | 3. | (1) Professors shall also be appointed by Board to personal Chairs on the nomination of Council.   |
| Other Chairs       | 4. | (1) Professors shall also be appointed by Board to Chairs on the nomination of bodies as provided for by agreements concluded by Board.  |

[Back to Table of Contents](#)

## Schedule 1

### *Established Chairs*

#### 1. Professors

- (1) The chairs mentioned in section 1 of the Chapter are:
- Regius Professor of Physic (1637)
  - Regius Professor of Laws (1668)
  - University Professor of Chemistry (1711)
  - University Professor of Botany (1711)
  - Regius Professor of Greek (1761) and A. G. Leventis Professorship of Greek Culture (2017)
  - Erasmus Smith's Professor of Hebrew (1724/1762)
  - Erasmus Smith's Professor of Oratory (1724/1762)
  - Erasmus Smith's Professor of Natural and Experimental Philosophy (1724)
  - Erasmus Smith's Professor of Modern History (1762)
  - Erasmus Smith's Professor of Mathematics (1762)
  - Professor of Music (1764)
  - Professor of French (1776)
  - Professor of German (1776)
  - Andrews Professor of Astronomy (1783) [currently appointed as an Honorary Professor]
  - University Professor of Anatomy and Chirurgery (1800)
  - King's Professor of Practice of Medicine (1800/1961)
  - King's Professor of Materia Medica and Pharmacy (1800/1961)
  - King's Professor of the Institute of Medicine (1800/1961)
  - King's Professor of Midwifery (1800/1961)
  - Whately Professor of Political Economy (1832)
  - Professor of Moral Philosophy (1837)
  - Professor of Irish (1840)
  - Professor of Civil Engineering (1842)
  - Professor of Geology and Mineralogy (1843)
  - University Professor of Natural Philosophy (1847)
  - Professor of Surgery (1848)
  - Regius Professor of Surgery (1852)
  - Professor of English Literature (1867)
  - Professor of Latin (1870)
  - Professor of Zoology and Comparative Anatomy (1871)
  - Louis Claude Purser Professor of Ancient History (1871)
  - Professor of Pathology (1895)
  - Professor of Education (1905)

Professor of General Chemistry (1922)  
Professor of Physiology (1922)  
Professor of Human Anatomy and Embryology (1922)  
Professor of Spanish (1926)  
Chair of Physical Chemistry (1935)  
Professor of Medicine (1955)  
Professor of Biochemistry (1960)  
Professor of Political Science (1960)  
Professor of Paediatrics (1960)  
Professor of Oral Medicine and Pathology (1964)  
Professor of Oral Surgery (1964)  
Professor of Orthodontics (1964)  
Professor of Conservative Dentistry (1964)  
Professor of Prosthetic Dentistry (1964)  
Professor of Statistics (1965)  
Professor of Geography (1966)  
Professor of Genetics (1967)  
Professor of Psychology (1968)  
Professor of Psychiatry (1968)  
Clinical Professor of Psychiatry (1968)  
Professor of Computer Science (1973)  
Professor of Sociology (1974)  
Reid Professor of Criminal Law, Criminology and Penology  
(1888/1975) [not necessarily appointed on a professorial scale]  
Professor of Microbiology (1919/1975)  
Professor of Medieval and Renaissance Literature (1977)  
Professor of Teacher Education (1977)  
Professor of Laws (1977)  
Professor of Pharmaceutical Chemistry (1977)  
Professor of Business Studies (1979)  
Professor of Pharmacology (1979)  
Professor of Theology (1980)  
Professor of Electronic Engineering (1980)  
Professor of Mechanical Engineering (1980)  
Professor of Public Dental Health (1983)  
Professor of Pharmacology and Therapeutics (1962/1984)  
Professor of Pharmaceutics (1985)  
Professor of the History of Art (1985)  
Smurfit Professor of Medical Genetics (1989)  
Professor of General Practice (1991)  
Samuel Beckett Professor of Drama and Theatre Studies (1994)

George Gabriel Stokes Professor of Haematology (1995)  
Henry Marsh Professor of Child and Adolescent Psychiatry (1996)  
Professor of Early Irish (1996)  
The Felice and Al Lippert Professor of Jewish Studies (1997)  
Professor of Periodontology (1997)  
Robert Boyle Professor of Medical Physics (1997)  
Professor of Restorative Dentistry (1997)  
Professor of Clinical Speech and Language Studies (1999)  
Conolly Norman Professor of Old Age Psychiatry (1999)  
Professor of International Business (1999)  
Bank of Ireland Professor of Contemporary Irish History (1999)  
Professor of Social Work and Social Policy (2000)  
Professor of Medicine (2001)  
Professor of Organic Chemistry (2001)  
Professor of Special Care Dentistry (2001)  
Professor of Surgery (2001)  
Professor of Oral and Maxillofacial Surgery (2002)  
Professor of Haematology (2002)  
Edward Kennedy Professor of Health Policy and Management (2002)  
Joseph W. Bigger Professor of Clinical Microbiology (2003)  
Professor of Public Health (1952/2003)  
Professor of Nursing and Midwifery (2003)  
AIB Professor of Childhood Research (2004)  
Professor of Geriatric Medicine (2004)  
Professor of Gynaecology (2005)  
Professor of Obstetrics (2005)  
Professor of Ecumenics (2005)  
Professor of Psychiatry (2005)  
Research Professor of Psychiatry (2006)  
Professor of Comparative Immunology (2006)  
Thomas N. Mitchell Professor of Cognitive Neuroscience (2006)  
Professor of International Financial Economics and Development (2006)  
Professor of International Business and Development (2006)  
Professor of Comparative Immunology (2006)  
Michael McNamara Professor of Construction Innovation (2006)  
Professor of Gastroenterology (2007)  
Robert Boyle Professor of Medical Physics (2009)  
Professor of Nephrology (2009)  
Professor of Molecular and Clinical Nutrition (2009)  
Professor of Palliative Medicine (2009)



Professor of Child and Adolescent Psychiatry (2009)  
Professor of Population Health Medicine (2009)  
Professor of Cognitive Neuroscience of Ageing (Neurobehavioural Enhancement) (2010)  
Professor of Haematology (2010)  
McCann FitzGerald Professor of Corporate Law (2011)  
Seamus Heaney Professor of Irish Writing (2012)  
Loyola Professor of Catholic Theology (2012)  
Professor of Applied Economics (2013)  
Professor of Orthopaedics and Sports Medicine (2014)  
Professor of Translational Cancer Medicine (2015)  
Ellen Mayston Bates Professor of Epileptology (2016)  
Ellen Mayston Bates Professor of Neurophysiology of Epilepsy (2016)  
Professor of Computer Science (2016)  
Arthritis Ireland Professor of Molecular Rheumatology (2016)  
Professor of Nursing & Chronic Illness (2017)  
L.M. Thapar Professor of Engineering (2017)  
B.M. Thapar Professor of Computer Science (2017)  
Professor of Constitutional Governance (2018)  
Professor of Strategic Management (2018)  
Ryanair Professor of Entrepreneurship (2018)  
Professor of Business Analytics (2018)

## **2. Further Provisions**

- (1) Specific information relating to each Established Chair shall be set out in the Calendar.
- (2) Special regulations relating to individual established chairs may be set out in this Schedule.

[Back to Table of Contents](#)

## Academic Staff

### *Part 1 - General*

- |                  |   |
|------------------|---|
| Academic Staff   | <p>1. (1) Members of the academic staff other than Professors shall be appointed by Board</p> <ul style="list-style-type: none"><li>(a) on the nomination of Council;</li><li>(b) on the nomination of bodies as provided for by agreements concluded by Board; or</li><li>(c) pursuant to and subject to the terms of legislation, trusts, benefactions, or endowments.</li></ul> <p>(2) The academic staff of College shall comprise both those appointed pursuant to this Chapter and Professors appointed pursuant to the Chapter on Professors; and references to members of academic staff (and to similar phrases) elsewhere in the Statutes shall be construed accordingly.</p>   |
| Academic Freedom | <p>2. (1) Pursuant to the Act of 1997<sup>47</sup> and otherwise, College guarantees to respect, defend and vindicate the traditional principles of academic freedom and freedom of expression.</p> <p>(2) Academic members of staff shall enjoy such freedoms in particular in the discharge of their academic functions, and in related participation both in the life of the Community and in society at large.</p> <p>(3) In accordance with its long-established autonomy, College shall enjoy such freedoms in the conduct and regulation of its affairs.</p> <p>(4) Board may provide in a Schedule that such freedoms may also be exercised in other fashions, in other contexts, and/or by other members of staff.</p> <p>(5) Since such freedoms are fundamental to the pursuit of knowledge and the advancement of truth, they shall be enjoyed and exercised with integrity and with due regard to their concomitant duties and responsibilities.</p> |
| Tenure           | <p>3. (1) Pursuant to the Act of 1997<sup>48</sup> and otherwise, to preserve and promote the traditional principles of academic freedom and to provide security against arbitrary dismissal, the principle of tenure guarantees that the employment of permanent, full-time members of the academic staff shall not be terminated, except</p> <ul style="list-style-type: none"><li>(a) in the case of a non-continuation of a contract during the course of or at the end of a period of probation, if any,</li><li>(b) by resignation or retirement,</li></ul>   |

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<sup>47</sup> See section 14 of the 1991 Act.

<sup>48</sup> Section 25(6) of the 1997 Act provides that a statute "shall provide for" tenure.

- (c) through discharge of the contract by operation of law, or
  - (d) pursuant to the procedures set out in the Division on Conduct.
- (2) Board may, in a Schedule, apply the principle of tenure to other categories of academic staff, on terms consistent with their contracts of employment.
- Residence 4. (1) Board shall adopt a policy to ensure that full-time members of the academic staff shall have a principal residence that, in the opinion of Board, is sufficiently close to Dublin for the full and effective performance of their duties.
- Termination 5. (1) (a) A member of the academic staff may resign from employment in College by notice in writing to the Secretary on behalf of Board.
- (b) Any applicable notice period shall run from the date on which the notice is received by the Secretary.
- (c) If that notice period has not expired and the resignation has not already been accepted, then the member of the academic staff in question may, by further notice in writing to the Secretary on behalf of Board, withdraw the resignation.
- (2) If it appears to Board that a member of the academic staff has become incapable of performing the terms and conditions of the contract of employment, Board may apply to the Visitors who may, after due enquiry, declare that the contract of employment has been discharged.
- (3) Subject to the provisions of section 3, the employment of members of the academic staff shall terminate in accordance with a decision of Board taken pursuant to the Division on Conduct.

#### *Part 2 - Common Provisions*

- Titles 6. (1) The titles or grades of various members of staff shall be prescribed by Board and may be set out in Schedule 1.
- (2) In the case of titles of members of academic staff, Board will act only with consent of Council.
- Leave 7. (1) Leave for academic purposes may be granted by or on the directions of Council, subject to such conditions as shall be approved by Council.
- (2) Leave for other purposes may be granted by or on the directions of Board, subject to such conditions as shall be approved by Board.
- (3) Board shall adopt a policy governing temporary absences of members of staff.

Represent  
- ation

8.
  - (1) All members of staff may associate with groups or bodies which represent and promote their interests, and which have been, or which may from time to time be, so recognised by Board.
  - (2) College may also facilitate other representative and similar groups.

[Back to Table of Contents](#)

## Schedule 1

### *Titles*

#### 1. Academic titles

- (1)
  - (a) The official College titles for members of the academic staff shall be set out in the Table on Academic Titles.
  - (b) Each of the titles set out in the Table on Academic Titles shall be separate and distinct from each of the other titles set out therein.
- (2)
  - (a) Without prejudice to the functions ascribed in the Statutes to Professors, Associate Professors, Senior Lecturers, and Lecturers, members of the academic staff who hold contracts of employment with College for a duration of more than one year and who perform the full range of academic functions may be described - for non-Statutory purposes only - as follows:
    - (i) those referred to in the Statutes as "Professors" may be described as "Professors";
    - (ii) those referred to in the Statutes as "Associate Professors" may be described as "Professors";
    - (iii) those referred to in the Statutes as "Senior Lecturers" may be described as "Associate Professors"; and
    - (iv) those referred to in the Statutes as "Lecturers" may be described as "Assistant Professors";and these descriptions are set out in column B in the Table on Academic Titles.
  - (b) Except where the contrary intention appears or the context otherwise requires
    - (i) references in the Statutes to Professors, Associate Professors, Senior Lecturers, and Lecturers shall be construed as references to those members of the academic staff described pursuant to sub-section 2(a) as Professors, Associate Professors, and Assistant Professors, as the case may be; and
    - (ii) descriptions pursuant to sub-section 2(a) of members of the academic staff as Professors, Associate Professors, and Assistant Professors shall be construed as references to those referred to in the Statutes as Professors, Associate Professors, Senior Lecturers and Lecturers, as the case may be.
- (3) The senior members of the academic staff of College shall include Professors, Associate Professors, Senior Lecturers, Deans of Faculty, Heads of School, and Senior Research Fellows.
- (4) Except where the contrary intention appears or the context otherwise requires, references to academic titles in the Schedules and the Calendar are to the titles as described in sub-section (2)(a) and set out in column B in the Table on Academic Titles; and the titles so

described and set out shall be used for all official College and University business carried out on behalf of Board and Council.

## **2. Honorary Professors**

- (1) Council may nominate especially distinguished academics to Board for appointment as Honorary Professors.
- (2) Such appointments do not normally carry a salary, and the duties to be performed shall be agreed between the Honorary Professor and Council.
- (3) Such appointments are normally for a period of five years, though Council may nominate an Honorary Professor for appointment for one further period of five years.

## **3. Professor *Emeritus***

- (1) A Professor who has retired from College and who wishes to continue research may apply in writing to the Provost for designation in the Calendar as a Professor *Emeritus*.
- (2) After appropriate consultation, the Provost may nominate the retired Professor to Council for such a designation.
- (3) Such a designation is a matter of title only; it does not carry a salary; and the duties to be performed shall be agreed between the Professor *Emeritus*, as the case may be, and Council.
- (4) Such a designation is for a period of five years, at the end of which the Professor *Emeritus* may re-apply to the Provost pursuant to subsection (1).

## **4. Research staff**

- (1) Senior Research Fellows and Research Fellows are full-time and part-time members of staff who
  - (a) are engaged on research projects,
  - (b) are supported by externally-funded research grants, and
  - (c) have been approved by Council and Board.
- (2) Research Assistants are full-time and part-time members of staff who
  - (a) are not of post-doctoral standing,
  - (b) are engaged on research projects,
  - (c) are normally supported by externally-funded research grants, and
  - (d) have been appointed as Research Assistants by their Schools or Faculties, or have been approved by Council and Board.
- (3) For the avoidance of doubt, postgraduate students do not come within the terms of subsections (1) or (2) simply because
  - (a) they are registered for higher degrees, or
  - (b) their research is sponsored.

## **5. Interpreting the Table on Academic Titles**

- (1) Each of the titles set out in the Table on Academic Titles (hereafter: the Table) shall be separate and distinct from each of the other titles

set out therein.

- (2) The electorate in the Schedule on the Electorate and Register (Schedule 2 to the Introduction Chapter) shall be drawn from those in columns A to E in the Table.
- (3) The appointment of those in columns A to E may be either full-time or part-time.
- (4) Board and Council may adopt policies to give further effect to the titles in the Table and to the principles in this Schedule.

[Back to Table of Contents](#)

### Table on Academic Titles

A	B	C	D	E	F	G	H
Academic titles in Chapters	Academic titles in Schedules	Research titles	Consultant & Registrar titles	Clinical titles	Adjunct titles	Visiting titles	Other Titles
Professor (holding an established or personal chair)	Professor (holding an established or personal chair)	Research Professor	Professor Consultant	Clinical Professor	Adjunct Professor	Visiting Professor	Honorary Professor & Professor <i>Emeritus</i>
Associate Professor	Professor		Associate Professor Consultant				
Senior Lecturer	Associate Professor	Research Associate Professor	Senior Lecturer Consultant	Clinical Associate Professor	Adjunct Associate Professor	Visiting Academic	
				Clinical Senior Lecturer			
Lecturer	Assistant Professor	Research Assistant Professor	Lecturer Registrar	Clinical Lecturer	Adjunct Assistant Professor		
	Lecturer		Specialist Registrar				
		Senior Research Fellow				Visiting Research Fellow	
	Teaching Fellow	Research Fellow				Visiting Research Assistant	
		Research Assistant					

[Back to Table of Contents](#)



## Schedule 2

### *Principles of Academic Freedom*

#### 1. Academic Freedom

- (1) Having regard to the interdependence of academic freedom and public discourse, the principles in this Schedule shall give effect in the first instance to section 2 of the Chapter.

#### 2. Freedom of Expression

- (1)
  - (a) College policies should recognise that freedom of expression is a core value in College.
  - (b) No policy should be adopted that would, inadvertently or otherwise, curtail freedom of expression among either staff or students.
- (2) Likewise decisions made by Officers in the performance of their functions should give due importance to the benefits for the academic community, and for society as a whole, that flow from freedom of expression.
- (3) Staff and students should understand the obligations and responsibilities that freedom of expression brings.

#### 3. Teaching and learning

- (1) Notwithstanding the requirement of teaching staff to teach a curriculum arrived at through collegial discussion at discipline or other appropriate level, College will maintain an environment for teaching and learning that values diversity of opinion and encourages exchange of opinion between teaching and student as part of a robust educational process.
- (2) Staff are not required to present as valid what they consider to be inaccurate or untrue, and students will be enabled to question that for which inadequate evidence is given.
- (3) In all cases, College will seek to develop the search for truth as part of the experience of teaching and learning, relying not on the imposition of authority or acceptance of received knowledge but rather on the exercise of the critical faculties of the human mind.
- (4) Diversity, whether in teaching and learning styles and modalities, subject matter, or learning outcomes, is valued as a natural consequence of academic freedom.

#### 4. Research

- (1)
  - (a) Recognising that the search for new knowledge, experience, and practice is an essential part of College's reason for being, College will ensure that an environment is maintained that facilitates the pursuit of knowledge wherever it may lead.

- (2) (a) The maintenance of this undertaking relies on both a positive principle of support and a negative principle of restraint.
- (b) On the positive side, College policy is to support, by various means available to it, individuals and groups in pursuit of their diverse research aspirations. This support includes the role of College in incentivising or rewarding particular areas of research in an open manner.
- (c) Subject to the requirements of law and good academic practice, however, the principle of restraint ensures that College will not actively disadvantage any particular area or type of research.

**5. Policy**

- (1) Following appropriate consultation, the Vice Provost shall, if necessary, draft and implement a Policy to give further effect to the provisions of this of this Schedule.

[Back to Table of Contents](#)

## Administrative, Technical and Support Staff

- |                   |    |   |
|-------------------|----|---|
| Appointment       | 1. | (1) Members of staff other than members of academic staff shall be appointed by or on the directions of Board.  |
| Termination       | 2. | (1) The employment of such members of staff shall terminate according to the terms of their contracts of employment or pursuant to the procedures set out in the Division on Conduct. |
| Common Provisions | 3. | (1) The Common Provisions in Part 2 of the Chapter on Academic Staff shall also apply to the Administrative, Technical and Support Staff.   |

[Back to Table of Contents](#)

## Division - Community

### College Community

- Community
1. (1) The College Community consists of persons associated with College, comprising
    - (a) students and staff of the College,
    - (b) members of Board, Council and Senate,
    - (c) the Chaplains, Visitors, Fellows *Emeriti* and Honorary Fellows, and
    - (d) such other persons as Board may from time to time include.
  - (2) References to the Community elsewhere in the Statutes are references to the College Community as defined in this section.
  - (3) College strives to realize the values and aspirations of the Preamble to the Statutes and to further the general welfare of the Community, and all members of the Community strive to participate appropriately in College's affairs, activities and proceedings.
- Library
2. (1) Subject to the power of Board to make regulations, the Librarian shall ensure that the Library
    - (a) provides for the care of its holdings, collections, resources, and the like,
    - (b) makes regulations relating to access thereto and to the borrowing thereof, and
    - (c) stipulates its opening hours and conditions of entry.
  - (2) The Library may undertake related commercial activities.
  - (3) Those who seek to be admitted to the Library shall make or sign either a Declaration in the form prescribed by the Schedule on Declarations or an undertaking which the Librarian accepts as equivalent to that Declaration.
- Units
3. (1) Matters relating to academic and administrative units shall be provided for in the Chapter on Units.
- Commons
4. (1) Board shall determine, charge, and remit all charges for Commons.
  - (2) The Provost, Fellows (including Fellows *Emeriti* and Honorary Fellows), Scholars, and Sizars shall be entitled to free Commons.
  - (3) Commons shall be presided over by the Provost, the Vice-Provost, or the most senior Fellow present, as the case may be.
  - (4) Grace shall be said both before and after Commons with propriety in the following form:

Before:  
*Oculi omnium in te sperant Domine. Tu das iis escam*

*eorum in tempore opportuno. Aperis tu manum tuam, et imple omne animal benedictione tua. Miserere nostri te quaesumus, Domine, tuisque donis, quae de tua benignitate sumus percepturi, benedicito per Christum Dominum nostrum.*

After:

*Tibi laus, tibi honor, tibi gloria, O beata et gloriosa Trinitas. Sit nomen Domini benedictum et nunc et in perpetuum. Laudamus te, benignissime Pater, pro serenissimis, regina Elizabetha hujus Collegii conditrice, Jacobo ejusdem munificentissimo auctore, Carolo conservatore, caeterisque benefactoribus nostris, rogantes te, ut his tuis donis recte et ad tuam gloriam utentes in hoc saeculo, te una cum fidelibus in futuro feliciter perfruamur, per Christum Dominum nostrum.*

- |               |    |  |
|---------------|----|--|
| Chapel        | 5. | <p>(1) Board shall have power to appoint, on the nomination of the Ordinary of the College Chapel, persons in Holy Orders, to read prayers in the College Chapel.</p> <p>(2) The Chapel shall be used for the exercise of public and private Christian worship, due recognition being given to the long historical association of the Chapel with the Church of Ireland.</p> <p>(3) There shall be a Chapel Committee, as provided for in Schedule 1, which</p> <p style="padding-left: 40px;">(a) shall sanction the celebration of services in the Chapel by such persons, in such manner, and on such occasions, as it thinks fit, and no services other than those so sanctioned shall be held in the Chapel, and</p> <p style="padding-left: 40px;">(b) may permit the use of the Chapel for such other purposes as it thinks fit.</p> <p>(4) Board shall be responsible for the heating, lighting and cleaning of the Chapel and, in consultation with the Chapel Committee, for its maintenance and decoration.</p> <p>(5) The Chapel Committee shall be responsible for all other aspects of the Chapel's management, subject to such financial arrangements as it may from time to time agree with Board.</p> |
| Precedence    | 6. | <p>(1) The members of the College and University shall rank according to the order of precedence set out in Schedule 2.</p>  |
| Public Orator | 7. | <p>(1) Board shall appoint the Public Orator.</p> <p>(2) The Public Orator shall, on the directions of Board, give orations in Latin at commencements at which honorary degrees are conferred and on other ceremonial occasions.</p>   |
| Academic      | 8. | <p>(1) Academic dress, to be worn on ceremonial and other</p>  |

Dress appropriate formal occasions, shall be as set out in Schedule 3.

- Treasures
9. (1) College is proud of its history and traditions, and shall, in so far as practicable, preserve and promote its treasures and heritage.
  - (2) The College Treasures shall include those set out in Schedule 4, which can be amended only by Decree.

[Back to Table of Contents](#)

## Schedule 1

### *College Chapel*

#### **1. Membership**

- (1) The Chapel Committee shall consist of:
- (a) a Chairperson, who shall be either the Provost or one of the Fellows appointed by the Provost for a renewable term of three years
  - (b) all Chaplains recognised by Board,
  - (c) two persons appointed by Board from among the full-time staff of College, to hold office for two years and to be eligible for re-appointment, and
  - (d) two students appointed annually by Board after consultation with the appropriate student bodies.

#### **2. Chapel Organ**

- (1) The Chapel Committee shall afford access to the Chapel organ at all reasonable times
- (a) to members of the academic staff concerned with teaching or research relating to music,
  - (b) to students studying music, and
  - (c) for organ recitals approved by the Committee or the Professor of Music.

#### **3. Plate**

- (1) The Treasurer shall
- (a) make arrangements with the Chapel Committee for the use in the Chapel of such articles of the ecclesiastical plate of College as may be required, and
  - (b) be satisfied as to the arrangements for their safe custody.

[Back to Table of Contents](#)

## Schedule 2

### *Order of Precedence*

#### 1. Order of Precedence

- (1) The order of precedence is as follows:
  - (a) On ceremonial occasions in the University: the Chancellor, followed by the Pro-Chancellors in order of election;
  - (b) The Provost;
  - (c) The Vice-Provost;
  - (d) Retired Provosts, in order of retirement;
  - (e) Officers and Office-holders, in the following order:
    - (i) The Annual Statutory Officers, in the order in which they are set out in the Chapter on the Officers;
    - (ii) The academic office-holders referred to in the Schedule on External Relations (Schedule 3 to the Chapter on Board) and in the Schedule on Detailed Provisions Relating to Officers (Schedule 1 to Chapter on the Officers), in the order in which they are set out in those Schedules; and
    - (iii) the Deans of the Faculties, in order of election;
  - (f) The Fellows, in the following order:
    - (i) The Senior Fellows, in order of co-option; and
    - (ii) The Fellows (including the Fellows *Emeriti* and the Honorary Fellows), in order of election;
  - (g) The Professors who hold Established or Personal Chairs pursuant to the Chapter on Professors, in order of election;
  - (h) Other members of academic staff, in order of appointment;
  - (i) Administrative Officers and Office-holders, in the following order:
    - (i) The Administrative Statutory Officers, in the order in which they are set out in the Chapter on the Officers; and
    - (ii) The administrative office-holders referred to in in the Schedule on Detailed Provisions Relating to Officers (Schedule 1 to Chapter on the Officers), in the order in which they are set out in that Schedule;
  - (j) Graduates of the University, in the following order:
    - (i) Former Scholars, in order of election,
    - (ii) Doctors, in order of commencement,
    - (iii) Masters, in order of commencement, and
    - (iv) Bachelors, in order of commencement;
  - (k) Graduates of College, in order of commencement;
  - (l) Students of College, in the following order:
    - (i) Scholars, in order of election, and
    - (ii) Other students, according to their academic standing; and
  - (m) Other members of the College Community, in order of their membership of the Community.



## Schedule 3

### *Academic Dress*

#### 1. Academic dress

- (1) Academic dress shall be as follows:
  - (a) The Chancellor: a cap of the usual pattern covered in velvet with a gold tassel, and a robe of black corded silk, with two rows of bullion lace down the front and round the cope, and gold lace trimming on the sleeves;
  - (b) The Provost, Fellows, Professors and other members of the academic staff: either a black gown, or the academic dress of their highest degrees, as appropriate to the occasion;
  - (c) Scholars (postgraduates or undergraduates): black cap covered in fine cloth with a black tassel, and black graduate gown;
  - (d) Other postgraduate students: black cap covered in fine cloth with a black silk tassel, and gown according to the Table on Degrees;
  - (e) Other undergraduate students: black cap covered with fine cloth, and black gown.

#### 2. *Comitia*

- (1) At *Comitia* (including Commencements), academic dress shall be as follows:
  - (a) The Chancellor: as above;
  - (b) The Provost and Registrar: the academic dress of their highest degrees from the University of Dublin;
  - (c) The Senior Master non-Regent: the cap, gown and hood of a Master in Arts;
  - (d) The Proctors: the cap and gown of a Bachelor in Arts, with a hood made of black silk lined with ermine;
  - (e) Graduates of the University of Dublin: the academic dress of their highest degrees from the University of Dublin;
  - (f) Candidates for degrees: caps and gowns for graduates, and hoods according to the Table on Degrees;
  - (g) Candidates for other qualifications: as provided in the Calendar; and
  - (h) Candidates for two or more degrees or other qualifications: the academic dress appropriate to the higher or highest of the degrees or other qualifications to be conferred.
- (2) Academic dress for those not mentioned in sub-section (1) shall be as set out in section 1.

#### 3. Caps and gowns

- (1) Where a cap is an element of academic dress, it may be either carried or worn.
- (2) Black gowns are usually worn at meetings of Board and Council.

**4. Table**

- (1) For the purposes of this Schedule, “the Table” is the Table on Degrees, as referred to in the Schedule on Degrees and other academic qualifications awarded by the University (Schedule 1 to the Chapter on the University).

[Back to Table of Contents](#)

## Schedule 4

### *Treasures and Heritage*

#### 1. Community

- (1) Pursuant to the Principal Enactments, the Act of 1997,<sup>49</sup> and the Statutes, College holds and deals with its Treasures for the benefit of the College Community and of the Wider Community.

#### 2. Treasures

- (1) The College Treasures include:
  - (a) General Library contents and collections, including: the Long Room, Map, Fagel, Robinson Cartoon, Beckett, and Pollard Collections; the College Muniments; and the College Archives;
  - (b) The Library treasures, including: the Book of Kells, Book of Durrow, Book of Armagh, Book of Dimma, Fagel Missal, 1916 Proclamation, Depositions of 1641, the St Mary's Abbey manuscript, and the Bibliotheca Quiniana;
  - (c) The historic contents of the Provost's House;
  - (d) The College Art Collections;
  - (e) The College Silver;
  - (f) The Anatomy Museum, Geological Museum, Weingreen Museum, Zoological Museum, and their collections;
  - (g) The Civil Engineering Heritage Archive; and
  - (h) The Botany, Chemistry, Classics, Computer Science, Medicine and Physics collections.

[Back to Table of Contents](#)

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<sup>49</sup> See section 12(c) and 13(2)(d) of the Act of 1997.

## Schedule 5

### *Administration and Services*

#### 1. Elements

- (1) Together with offices, bodies or the like established or referred to elsewhere in the Statutes, the matters envisaged in section 3 of the Chapter also include:

access, international and mature students,  
accommodation, catering, conferences, and housekeeping,  
admissions,  
an Gaeilge (The Irish Language)  
building and maintenance,  
career services,  
chaplancy,  
communications,  
disability,  
equality and non-discrimination,  
enquiries,  
examinations,  
health, well-being and counselling,  
human resources and professional development,  
legislative compliance and procurement,  
nursery,  
research, innovation, and intellectual property,  
sport and recreation,  
records, and  
workplace health, safety, and welfare.

[Back to Table of Contents](#)

## Students

### Definition

1. (1) Subject to the terms of this section, students are those who are registered for a course of study or research in the College or University, and include
  - (a) those who are defined as students in the Act of 1997,<sup>50</sup> and
  - (b) such others as Board on the advice of Council may from time to time include.
- (2) References to students elsewhere in the Statutes are references to students as defined in this section.
- (3) The academic standing of undergraduate students shall normally be described as follows:
  - (a) in the first year, as "Junior Freshmen",
  - (b) in the second year, as "Senior Freshmen",
  - (c) in the third year, as "Junior Sophisters",
  - (d) in the fourth year, as "Senior Sophisters", and
  - (e) in further years, as students of the relevant year.
- (4) Notwithstanding sub-section (3), Council and Board may provide that the academic standing of undergraduate students may also be described as students of the relevant year.
- (5) The academic standing of postgraduate students shall be described according to their registration.
- (6) The academic standing of other students shall be described as provided for by Council and Board.
- (7) In furtherance of the excellence in teaching, learning, research and scholarship to which College is committed, and having particular regard to the object of the College to foster independent critical thinking, students
  - (a) may audit all lectures in College, subject to any policy of the Senior Lecturer and the permission of the lecturer concerned, and
  - (b) will, in accordance with their academic standing, be instructed, educated and assessed.
- (8) Students may make academic progress and rise with their years in accordance with applicable regulations; those who do not rise with their years and who do not come within the terms of section 5 shall cease to be students on the termination of their registration; and, on that date, as former students, they shall become members of the Wider Community.

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<sup>50</sup> Section 3 provides:

'student', in relation to a university, means a person registered as a student by the university or a full-time officer of the Students Union or other student representative body in the university recognised by the governing authority who was first elected or appointed to his or her office while he or she was a registered student of the university;..."

- (9) Those who have successfully completed their courses of study or research (including the exhaustion of any and all relevant appeals)
  - (a) may apply to be conferred with their degrees or other academic qualifications pursuant to the terms of the Division on the University or the Chapter on College, as the case may be; and
  - (b) shall cease to be students on the termination of their registration; and, on that date, as former students, they shall become members of the Wider Community.
- (10) Those whose applications to be conferred pursuant to subsection (9)(a) have been accepted, if they have not ceased to be students pursuant to subsection 9(b) or otherwise, shall cease to be students from the date upon which that application has been accepted; and, on that date, as former students, they shall become members of the Wider Community.
- (11) Those upon whom a degree or other academic qualification has been conferred are not students for the purposes of these Statutes; they are instead, as former students, members of the Wider Community.
- (12) For a person who has registered for or completed a course of study or research, in relation to that course of study or research, the categories in subsections (1), (9)(b), (10) and (11) shall be mutually exclusive.
- (13) Subsections (8) to (12) shall not prevent any former student from registering again as a student, and from being a student for the purposes of this section by virtue of that registration.

- Representation      2.
- (1) Bodies (including Students' Unions as defined in the Act of 1997<sup>51</sup>) which have been, or which may from time to time be, recognised by Board as promoting the general interests of students, shall be entitled to
    - (a) representation on Board and Council pursuant to the terms of the Acts of 1997 and 2000 and of the Statutes,
    - (b) represent students, both individually and collectively, in respect of academic, disciplinary and other matters arising within College, and
    - (c) advocate and otherwise act on behalf of, represent and promote students' general interests.
  - (2) Bodies so recognised may
    - (a) assist with students' academic, welfare, social and recreational needs, and provide related services,

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<sup>51</sup> Section 3 provides:

'Student Union' means a body established to promote the general interests of students of a university and which represents students, both individually and collectively, in respect of academic, disciplinary and other matters arising within the university; ...".

- (b) advance a framework of principles concerning what students and College may reasonably expect from each other, and
  - (c) seek to be appropriately represented on committees or other bodies established pursuant to the Statutes.
- Activities            3.    (1) All members of the Community, and in particular students, are encouraged to participate in extra-curricular activities, especially those organised by students and recognised by College.
- Tutorial Service    4.    (1) The Tutorial Service, under the direction of the Senior Tutor, is a confidential service which offers support to students in all aspects of College life.
- (2) Board, on the advice of the Senior Tutor,
- (a) shall appoint Tutors from amongst the full-time and part-time members of academic staff,
  - (b) may appoint Tutors from amongst other full-time and part-time members of staff whose duties it considers to be sufficiently similar to those undertaken by members of academic staff, and
  - (c) shall determine Tutors' conditions of service and remuneration, if any.
- (3) Full-time undergraduate students shall be assigned a Tutor by or on the directions of the Senior Tutor, and other students may seek the assistance of the Tutorial Service.
- (4) Tutors shall guard their students' collegiate interests generally, and, on the request of a student, shall
- (a) provide confidential advice and guidance on academic and personal matters, and
  - (b) advocate and otherwise act on that student's behalf.
- (5) In the case of illness or absence, a Tutor shall, if possible, arrange for another Tutor to act as substitute and notify the Senior Tutor accordingly.
- (6) Any student may ask the Senior Tutor for a transfer to another Tutor for good and sufficient reason.
- (7) The term of office of a Tutor shall come to an end
- (a) after five years, unless reappointed by Board pursuant to subsection 2 of this section,
  - (b) where a Tutor ceases to be a member of staff, or dies,
  - (c) where Board, on the recommendation of the Senior Tutor and after due enquiry, so decides, or
  - (d) if the Tutor resigns, by giving not less than three months' notice in writing to Board via the Senior Tutor.
- Other students      5.    (1) Persons who are not currently registered as students, but who are mentioned in subsection 2 of this section, shall

be regarded as students for the purposes of the definition of the Community, and may participate in the life and activities of the Community on such conditions as may be specified by Board, Council, an appropriate Officer, the Librarian, a relevant Service, or the Chapel Committee, as the case may be.

- (2) The persons to whom subsection 1 of this section applies are those who
- (a) have not graduated from a course on which they were formerly registered, but who have indicated a wish to return to such a course in accordance with academic regulations,
  - (b) have been given permission to interrupt their academic progress either to intermit Scholarship or to contribute to the Community,
  - (c) are enrolled on courses or programmes provided in College for a general audience, or
  - (d) are otherwise included in this category by Board.

[Back to Table of Contents](#)



## Wider Community

- |  |    |  |
|--|----|--|
| Wider Community                        | 1. | (1) College's engagement with society is fundamental to its mission, and it is therefore committed to encouraging inclusive access to the College Community, to promoting wide participation in its activities, and to developing and enhancing the diverse ways in which it engages with the wider world.<br>(2) In particular, the College and University endeavour to strengthen their associations with their graduates, friends and former students and staff, with other institutions and enterprise, and with the public at large.  |
| Alumni                                 | 2. | (1) The links between the University and its alumni are cherished as a vital part of the life of the College Community.<br>(2) In particular, contributions by alumni and other friends of the University in support of College's ambitions are encouraged and appreciated.  |
| Former Staff                           | 3. | (1) Continuing connections between College and its former members of staff constitute a valued aspect of the life of the College Community.  |
| Institutional Relations and Enterprise | 4. | (1) College fosters relations with other academic institutions and welcomes its connections with their staff and students.<br>(2) In particular, in the spirit of cooperation, College may extend to those persons such privileges of the College Community as it deems fit.<br>(3) College equally values its wide and expanding range of links with enterprise, business and industry.   |
| Society                                | 5. | (1) Conscious of its mutually enriching relationships with society, College will endeavour to<br>(a) support the charitable and volunteer activities of the College Community and its members, and encourage their contributions to society generally;<br>(b) liaise, to the benefit of all concerned, with those who live in the neighbourhoods in which it is located;<br>(c) play a full part in ensuring that Dublin is a city of learning, culture and innovation, and that Ireland is a creative and productive place in which to live, work, and study;<br>(d) continue building its collaborations and exchanges with international academic institutions; and<br>(e) enhance its manifold international associations. |

Gaeilge

6. (1) Nuair is cuí, déanfaidh an Coláiste a dhícheall an méid sin a dhéanamh as Gaeilge agus an Ghaeilge a chur chun cinn.<sup>52</sup>

[Back to Table of Contents](#)

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<sup>52</sup> Translation: “Where appropriate, College will endeavour to do these things in Irish and to promote the Irish language”; (see section 12(e) of the Act of 1997 and, generally, the Official Languages Act, 2003).

## Division - Conduct

### Academic Staff Conduct

#### *Part 1 - Conduct Addressed*

- |            |    |  |
|------------|----|--|
| Procedures | 1. | (1) The following internal College procedures apply to allegations of misconduct or failure to carry out contractual duties by a member of the academic staff of College. They are without prejudice to the right of College to take or initiate measures, where more appropriate, under the criminal or civil law.  |
| Misconduct | 2. | (1) Examples of misconduct governed by these procedures include, but are not confined to,<br>(a) violence or threats of violence towards other members of the Community or persons having legitimate business with College,<br>(b) sexual harassment on College premises or in the course of employment,<br>(c) exploitation, including sexual exploitation, of a student in circumstances which amount to an abuse of authority,<br>(d) theft on College premises or theft of College property,<br>(e) fraud, including academic fraud,<br>(f) malicious damage to College property or other property located on College premises,<br>(g) refusal to carry out lawful and reasonable directions given by a member of staff authorised to do so,<br>(h) refusal without excuse to present a College identity card when requested to do so by an authorised person,<br>(i) serious breaches of College's safety regulations,<br>(j) carrying out duties under the influence of alcohol or proscribed drugs,<br>(k) engaging in remunerative employment while on sick leave or otherwise without following established College procedures, and<br>(l) abuse of the disciplinary code, including the making under it of a false and malicious accusation against a member of staff. |
| Breach     | 3. | (1) Examples of failure to carry out contractual duties include, but are not confined to,<br>(a) consistent failure after due warning to prepare or deliver teaching material to an adequate standard,   |

- (b) a pattern of frequent cancellation, without reasonable excuse, of lectures or other classes, or of gross unpunctuality,
- (c) a pattern of unauthorised absence from College, and
- (d) persistent refusal to co-operate with the reasonable requests of a Head of School in respect of teaching or other contractual duties.

*Part 2 - Responsibilities of Head of School, Faculty Dean and Senior Dean*

- |                       |    |   |
|-----------------------|----|---|
| Complaints            | 4. | <ul style="list-style-type: none"> <li>(1) Complaints of misconduct or failure of duty by a member of the academic staff shall normally be addressed in the first instance to the Head of School or, where the Head of School is the subject of the complaint, to the Faculty Dean.</li> <li>(2) The Senior Dean, on receipt of a complaint made directly against a member of the academic staff, and if satisfied that an investigation is appropriate, may investigate that complaint.</li> </ul>                                     |
| Preliminary Enquiries | 5. | <ul style="list-style-type: none"> <li>(1) Where misconduct/breach of duty has been reported or appears to have taken place, the Head of School (or Faculty Dean or Senior Dean where appropriate) shall make preliminary enquiries and, where possible and appropriate, attempt to deal with the matter on an informal basis.</li> <li>(2) Where the allegations are serious, and in particular where possible criminal conduct is involved, it will usually be inappropriate to deal with the matter informally.</li> </ul>           |
| Interview             | 6. | <ul style="list-style-type: none"> <li>(1) Where the allegation appears to the Head of School to be reasonably based, and it has not been possible or appropriate to resolve the matter informally, the Head of School shall, following consultation with Human Resources, interview formally the member of staff concerned, giving that member of staff prior notice of the allegation and a full opportunity to respond.</li> <li>(2) The staff member shall be entitled to be represented at the interview.</li> </ul>               |
| Function              | 7. | <ul style="list-style-type: none"> <li>(1) Following the interview the Head of School shall, <ul style="list-style-type: none"> <li>(a) if the complaint appears to be unfounded, take no further action, or</li> <li>(b) if the complaint appears to be well founded, do one or more of the following: <ul style="list-style-type: none"> <li>(i) recommend measures to assist the member of staff,</li> <li>(ii) stipulate conditions designed to prevent a recurrence of the conduct in question,</li> </ul> </li> </ul> </li> </ul> |

- (iii) deliver a formal verbal and/or written warning, a record of which shall be held in the Staff Office, or
  - (iv) following consultation with the Faculty Dean, refer the matter to the Senior Dean for further disciplinary action.
- Warnings                    8.        (1) In the case of an alleged failure to perform academic duties properly, reference to the Senior Dean shall be preceded by at least two formal warnings.
- (2) In the case of other alleged misconduct, the Head of School shall decide, in consultation with the Faculty Dean, whether the situation is such that the normal requirement of a formal warning should be dispensed with.
- (3) Where serious misconduct has been alleged, the Head of School may, in consultation with the Faculty Dean, refer the matter directly to the Senior Dean without holding a formal interview.
- Heads of School            9.        (1) The Faculty Dean shall be responsible for dealing with allegations made against a Head of School within the Faculty concerned. The Faculty Dean shall act as nearly as possible in accordance with the above procedures applying to a Head of School.
- Faculty Deans                10.        (1) The Senior Dean shall be responsible for dealing with allegations against Faculty Deans, and shall proceed with these in the same manner as other cases referred to the Senior Dean under these procedures.
- Enquiries by Senior Dean    11.        (1) The Senior Dean, to whom a case has been referred by a Head of School or otherwise, shall carry out such enquiries as that Dean deems appropriate.
- (2) If the Senior Dean decides that further action is justified, that Dean shall interview the member of staff in accordance with the following procedures.
- (a) The member of staff shall, save in exceptional circumstances, be given at least two days' written notice of the date, time and place of the interview.
  - (b) The notice shall include an outline of the allegations, and shall be accompanied by a copy of College's disciplinary code and procedures.
  - (c) The notice shall inform the staff member of the right to be represented at the interview, of the method of recording to be used, and of the identity of any other persons who are to be present.
  - (d) The Senior Dean shall in the course of the interview afford to the staff member a full opportunity to answer any charges.
  - (e) The Senior Dean may be assisted at the interview by

a representative of Human Resources and/or by a legal adviser.

- Suspension            12.    (1) The Senior Dean may, where it appears necessary to do so for the purpose of facilitating enquiries or protecting persons or property, recommend to Board that, pending investigation, the member of staff concerned should be suspended on pay from all or any part of that member's duties, together with any conditions that should apply to such suspension.
- (2) Board shall without delay adopt and implement any such recommendation of the Senior Dean, subject to its right to seek any necessary clarification from the Senior Dean in respect of such recommendation.
- (3) The Senior Dean may in exceptional circumstances order that the suspension should take effect immediately, pending the decision of Board.
- Determinations      13.    (1) After completing the investigation the Senior Dean may
- (a) decide not to proceed, having determined that there is insufficient evidence or that the case is otherwise unfounded, or
- (b) with the prior written consent of the member of staff concerned, recommend to Board an appropriate penalty/disposition, or
- (c) in every case in which dismissal is a possible outcome or where otherwise in the opinion of the Senior Dean the nature of the case justifies such action, refer the case for a hearing to the Disciplinary Panel.
- (2) The Senior Dean shall make such determination as soon as possible and subject to the provisions of section 16.
- Disciplinary Panel    14.    (1) Where there has been a refusal or failure by the member of staff to give consent under section 13(1)(b) the Senior Dean may refer the case to the Disciplinary Panel in accordance with section 13(1)(c), in which case the Panel shall not be informed of the Senior Dean's recommendation and the case will be heard *de novo*.
- (2) A staff member who objects only to the severity of the penalty/disposition recommended by the Senior Dean may appeal to the Disciplinary Panel in accordance with the procedure set out in sections 36 to 41.
- Dispositions            15.    (1) The penalties/dispositions which may be recommended by the Senior Dean under section 13(1)(b) include a written reprimand, fine, suspension for a fixed term with or without pay, withdrawal of privileges, deferment of increment, re-placement on or extension of probation, an order to make restitution and demotion.

- (2) Board shall adopt and implement any such recommendation, subject to its right to seek from the Senior Dean any necessary clarification in respect of such recommendation.

*Part 3 - Reference to Disciplinary Panel*

- |                        |  |
|------------------------|--|
| Reference              | <p><b>16.</b> (1) A reference to a Disciplinary Panel by the Senior Dean under section 13(c) shall be made by written notice to the Registrar, containing a brief specification of each charge against the member of the academic staff.</p> <p>(2) Such notice must normally be received by the Registrar within thirty working days from the date on which the Senior Dean received original notification of the offence.</p> <p>(3) In exceptional circumstances the Senior Dean may serve such notice after the expiry of this time limit. The decision of the Senior Dean to serve such notice after expiry of the normal time limit shall be reviewable by the Disciplinary Panel.</p>   |
| Summons                | <p><b>17.</b> (1) A member of academic staff charged with an offence which has been referred to a Disciplinary Panel shall receive a written summons in the name of the Panel, and signed by or on behalf of the Chairperson of the Panel, by recorded delivery or registered post or by personal delivery by any duly authorised employee of College, giving a brief specification of each charge and requiring the member of academic staff on at least ten working days' notice to appear before the Panel.</p> <p>(2) The summons shall be accompanied by a copy of these disciplinary regulations, and shall draw attention in particular to the parties' right to representation, the right to submit written evidence and the right to call witnesses.</p> <p>(3) In appropriate cases, the Chairperson may order that proceedings already instituted pursuant to this section be discontinued.</p> |
| Witnesses and evidence | <p><b>18.</b> (1) The member of academic staff shall, at least three working days in advance of the hearing, notify the Chairperson of the Panel in writing of the names and addresses of the witnesses to be called, and supply to the Chairperson a copy of any documents to be submitted at the hearing.</p> <p>(2) The member of academic staff may at any time before the hearing, with the permission of the Chairperson, supply to the Chairperson in writing the names and addresses of additional witnesses or copies of additional documents.</p>  |

- (3) Copies of all such communications shall be furnished to the Senior Dean as soon as possible following their receipt by the Chairperson.
- Documents 19. (1) The Senior Dean shall, at least three working days in advance of the hearing, cause the following documents to be served on the member of academic staff and the Chairperson of the Disciplinary Panel
- (a) a statement of the charges against the member of academic staff;
  - (b) a list of witnesses whom the Senior Dean proposes to call;
  - (c) a summary in writing of the evidence that it is proposed should be given by each of them; and,
  - (d) a list of exhibits (if any).
- Inspection 20. (1) The member of academic staff shall have the right to inspect all exhibits.
- Further witnesses and evidence 21. (1) At any time the Senior Dean may, with the permission of the Chairperson of the Disciplinary Panel, cause to be served on the member of academic staff and furnished to the Panel a further statement of the evidence to be given by any witness, or a statement from a new witness whose name has not already been supplied to the member of academic staff.
- (2) The Chairperson shall not grant such permission if satisfied that it would be unfair to the member of academic staff to accede to the Senior Dean's request.
- Part 4 - The Disciplinary Panel*
- Functions 22. (1) The Disciplinary Panel shall:
- (a) hear cases of offences by members of the academic staff referred to it by the Senior Dean;
  - (b) hear appeals by members of the academic staff against the severity of a sentence/disposition recommended by the Senior Dean;
  - (c) consider matters referred back to it by the Visitors or, where clarification is sought, by Board.
- Composition 23. (1) The Disciplinary Panel shall consist of the Chairperson and four members of the academic staff drawn, in respect of each case, from a standing list of thirty persons. Selection from the list shall be on a random basis subject to the requirement that there shall be on every Panel at least one member of each sex. Persons shall be appointed to the standing list by Board, with the agreement of the Academic Staff Association. Any



vacancies shall be filled as they arise and Board shall review the membership of the list every three years.

- (2) The Chairperson shall be a person with legal training and shall be appointed by Board, with the agreement of the Academic Staff Association, to serve for a period of three years or until retirement if that occurs earlier. The Chairperson shall be eligible for re-appointment.
- (3) Board may also appoint a deputy Chairperson, on the same terms and conditions as the Chairperson, who shall act as Chairperson in any case in which the Chairperson is unable to act.
- (4) Members of Board and/or Council, (including members in attendance), Officers of College, assistants to the Junior Dean, permanent staff with less than three years service, or any person adjudged by the Chairperson to have a direct interest in the hearing may not be members of a Disciplinary Panel.

- |                |     |   |
|----------------|-----|---|
| Empanelment    | 24. | <ol style="list-style-type: none"><li>(1) Fresh staff members shall be empanelled for each offence, or for each group of offences arising out of the same incident or occasion. It shall be the duty of the Registrar to arrange for this empanelling and of the Chairperson to decide if offences may be grouped.</li><li>(2) The Chairperson has discretion, in exceptional circumstances, to excuse any person from serving on the Panel.</li><li>(3) An opportunity shall be afforded to the parties to a hearing to object, for stated reasons, to a particular member of the academic staff serving as a Panel member. The Chairperson shall determine whether or not such objection shall be upheld.</li></ol> |
| Representation | 25. | <ol style="list-style-type: none"><li>(1) Members of academic staff who are party to proceedings before a Disciplinary Panel may avail of professional representation or representation by another person of their choice.</li><li>(2) The Senior Dean may also choose to be so represented.</li><li>(3) The Chairperson may, in appropriate cases, recommend that College pay any costs reasonably incurred by members of academic staff in their defence.</li></ol>   |
| Proceedings    | 26. | <ol style="list-style-type: none"><li>(1) Disciplinary Panel hearings shall be open to members of College. The Chairperson may impose such restrictions on admissions as are necessary to ensure the orderly conduct of the proceedings.</li><li>(2) The Chairperson may, at the request of the member of academic staff or the Senior Dean or on the Chairperson's own initiative, order that proceedings be conducted in private if satisfied that there are good reasons for doing so. The Chairperson may not make</li></ol>  |

such order without the consent of the member of academic staff who is party to the proceedings unless there are compelling reasons for doing so.

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|------------|------------|--|
| Procedures | <b>27.</b> | (1) The Disciplinary Panel shall observe formal procedures and shall conduct its business according to the rules set out herein, and provisions to implement and administer such procedures may be set out in Schedule 1.<br>(2) It shall be the duty of the Chairperson, subject to the aforesaid rules, to make rulings on matters of procedure.   |
| Penalties  | <b>28.</b> | (1) The penalties which may be recommended by the Disciplinary Panel in respect of offences shall include reprimand, fine, suspension for a fixed term with or without pay, withdrawal of privileges, re-placement on or extension of probation, deferment of increment, demotion and dismissal, as well as, in the case of damage to property or premises, requirement to make good the damage in whole or in part. |
| Service    | <b>29.</b> | (1) The Disciplinary Panel shall be serviced by a full-time member of College staff.<br>(2) In all cases a minute of the proceedings and, where appropriate, a précis of the statements of the parties, the witnesses and the Chairperson shall be kept.   |

*Part 5 - Hearings in respect of cases referred by the Senior Dean*

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|------------|------------|---|
| Referral   | <b>30.</b> | (1) The Disciplinary Panel shall meet within twenty-one working days of the referral of a case to it by the Senior Dean in accordance with section 13(1)(c) above.<br>(2) At this meeting the Chairperson has discretion to grant to the member of academic staff a further period of not more than fifteen working days to prepare the case, if so requested by the member of academic staff in writing. |
| Attendance | <b>31.</b> | (1) The member of academic staff shall attend in person throughout the hearing of the case.<br>(2) If any such member of academic staff does not appear, the Panel may proceed to deal with the charge or charges and, if it considers it appropriate to do so, determine a penalty in his or her absence.  |
| No contest | <b>32.</b> | (1) A member of academic staff wishing to do so may decide not to contest any charge or charges, either in person before the Panel or by letter addressed to the Chairperson prior to the hearing.<br>(2) In either such case the member of academic staff shall appear before the Panel to answer questions, and make  |

submissions in relation to the matter of penalty, and to be informed of the Panel's decision.

Procedure

33. (1) The Chairperson shall conduct the hearing in accordance with the principles of natural justice and fair procedures.
- (2) Having opened the proceedings, the Chairperson shall invite the Senior Dean and/or the representative of the Senior Dean to make the case to the Panel, which case has to be established beyond all reasonable doubt. The member of academic staff and/or the representative of the member of academic staff shall then be heard.
- (3) Where witnesses are called, they may be examined, cross-examined or re-examined by the parties and by members of the Panel.
- (4) When the presentation of evidence is complete, the Chairperson shall invite the parties or their representatives to address concluding remarks to the Panel.
- (5) The Chairperson shall then, in the presence of the parties, address the other members (described hereafter as ordinary members) of the Panel, summarising the evidence presented, giving directions as to the proper approach to evidence adduced and instructing them as to their functions.

Decision

34. (1) Following the Chairperson's address, the ordinary members of the Panel shall retire to consider their decision in private and in the absence of the Chairperson and the parties.
- (2) A decision that the charges have been proven shall not be made unless at least three of the ordinary members are in agreement with such verdict.
- (3) The ordinary members shall nominate from amongst themselves a spokesperson. When a decision has been reached, the spokesperson shall, in the presence of the full Panel and the parties, announce the decision.
- (4) Where the Panel decides that the charges have been proven, the Chairperson shall, following submissions from the parties, address the Panel on factors relevant to the determination of an appropriate penalty. The ordinary members shall then again retire to consider an appropriate penalty. Their spokesperson shall, in the presence of the full Panel and the parties, announce their decision.
- (5) The Chairperson may, if of the opinion that the proposed penalty is *ultra vires* or unreasonable, ask the ordinary members to reconsider the matter.
- (6) Where the four panellists are unable to decide (which decision may be made by simple majority) upon an

appropriate penalty, the penalty shall be determined by the Chairperson.

- Appeal 35. (1) The Chairperson shall, following announcement of the penalty, inform the member of academic staff of the right to appeal to the Visitors in the event of the Panel's decision being confirmed by Board.

*Part 6 - Hearings in respect of appeals against the severity of a penalty/disposition recommended by the Senior Dean*

- Appeal against severity 36. (1) A member of academic staff wishing to appeal, pursuant to section 14, against the severity of a penalty/disposition recommended by the Senior Dean, shall, within seven working days of formal notification of the recommendation, serve notice of appeal to the Registrar, stating briefly the grounds on which the appeal is made.
- (2) The Chairperson of the Disciplinary Panel shall, as soon as possible, after receipt of the note of appeal, call on the Senior Dean for a brief written report of the circumstances of the case and the reasons for the decision. A copy of that written report shall be furnished to the Appellant at least three working days before the appeal hearing.
- (3) A member of academic staff may withdraw an appeal by giving written notification of intention to discontinue to the Registrar.
- Time 37. (1) The appeal hearing shall take place within twenty-one working days of receipt by the Registrar of the notice of appeal.
- (2) The Appellant shall be given at least seven working days' written notice of the date and place of the hearing. The Appellant shall at the same time be furnished with a copy of these rules and be informed of the right to be represented.
- Hearing 38. (1) In an appeal hearing before a Disciplinary Panel the Appellant shall be first to present the case, and thereafter the Senior Dean. The Appellant shall be entitled to be heard in reply.
- Result 39. (1) At the conclusion of the appeal hearing, and following the address and directions of the Chairperson to the ordinary members of the Panel, they shall retire to reach a decision in private.
- (2) The Panel may uphold, set aside or vary the recommendation of the Senior Dean.

- (3) Where the ordinary members are equally divided as to whether the appeal should be allowed or as to whether the recommendation should be varied, the decision of the Senior Dean shall stand.
- Announcement      40.      (1) The decision shall be announced in the presence of the full Panel and the parties and, where the appeal is unsuccessful, the Chairperson shall inform the Appellant of the right to appeal to the Visitors in the event of the Panel's decision being confirmed by Board.
- Rules                41.      (1) In other respects, the rules of procedure in the case of appeals shall be as far as possible the same as those for cases referred under section 13(1)(c).

[Back to Table of Contents](#)

## Schedule 1

### *Grievance and disciplinary issues relating to members of the academic staff*

#### *Part 1 - General Principles*

##### **1. Procedures**

- (1) Grievance and disciplinary issues should be dealt with sensitively and consistently, and with due enquiry.
- (2) They should be dealt with in a manner which properly respects both the dignity of members of academic staff and the reasonable interests of College.
- (3) In particular, the confidentiality of grievance and disciplinary issues should be maintained in so far as practicable and for so long as possible.
- (4) Every reasonable effort should be made to achieve an informal resolution of a potential grievance or disciplinary issue at the most appropriate level before engaging formal grievance or disciplinary procedures.
- (5) In this Schedule
  - (a) a member of the academic staff who has a grievance shall be described as the person aggrieved,
  - (b) the person in respect of whom the person aggrieved has a grievance shall be described as the respondent,
  - (c) the person to whom the grievance has been initially referred (pursuant to section 2) shall be described as the conciliator, and
  - (d) a grievance includes a complaint of unfair treatment by a Head of Discipline or School or any other person in authority.

##### **2. Grievance**

- (1) A person aggrieved should raise a grievance
  - (a) if the respondent is a member of the technical, administrative or support staff, with the respondent's supervisor or section head,
  - (b) if the respondent is a member of the academic staff, with the respondent's Head of School,
  - (c) if the respondent is a Head of School, with the Dean of the Faculty in which the respondent's School is located,
  - (d) if the respondent is a Dean of Faculty, with the Chief Academic Officer,
  - (e) if the respondent is an Officer other than the Vice-Provost, with the Vice Provost, and
  - (f) if the respondent is the Vice-Provost or the Chief Academic Officer, with the Provost.

- (2) The conciliator should attempt, through discussion with the parties and with any necessary assistance from Human Resources, to resolve the matter.
- (3) Except where the matter arises pursuant to section 2(1)(d)-(f), if the matter is not resolved, then it may be referred (by the person aggrieved, the respondent, or the conciliator)
  - (a) if it relates to an academic matter, to the Vice-Provost,
  - (b) if it relates to a non-academic matter, to the Chief Operating Officer, or
  - (c) if the matter is complex, to both the Vice-Provost and the Chief Operating Officer.
- (4) The person or persons considering the matter pursuant to section 2(1)(d)-(f) and section 2(3), having interviewed the parties and made any further necessary enquiries, shall determine whether the grievance is well founded and, if so, what further action is appropriate; such action may take the form of a recommendation to the parties, but may also, if necessary, involve a recommendation for appropriate action by Council or Board or both.
- (5) The grievance procedure in section 2(1)-(4) should normally be exhausted before any disciplinary proceedings arising out of the same circumstances are instituted pursuant to the Chapter; however, this is subject to the overriding right of College to institute disciplinary proceedings pursuant to the Chapter where necessary in the interests of College.

### **3. IFUT-TCD Agreement (1981)**

- (1) The Agreement between University of Dublin, Trinity College, and the Irish Federation of University Teachers on Consultation, Negotiation and Grievance Procedures, dated 8th May, 1981, shall be set out in Part 2.
- (2) If and when the Agreement is revised or replaced, then that revision or replacement shall be set out in Part 2.
- (3) If the Agreement is terminated according to its terms, then Part 2 shall have no force and effect, and it shall be omitted from every official text of these Statutes published after such termination.
- (4) Without prejudice to section 2, for so long as the Agreement is set out in Part 2, a member of IFUT may choose to proceed instead pursuant to the terms of the said Agreement.

### **4. Warnings**

- (1) Where a formal warning has been delivered pursuant to sections 7-8 of the Chapter, the member of staff concerned shall have a right of appeal, as follows:
  - (a) to the Dean of the relevant Faculty, against a warning delivered by a Head of School, and
  - (b) to the Senior Dean, against a warning delivered by a Faculty Dean.

## 5. Representation

- (1) Any party to proceedings before a Disciplinary Panel pursuant to the Chapter who chooses to avail of representation shall, as soon as possible after securing the services of any such representative, notify the Chairperson in writing of the name, address and profession of all such representatives.
- (2) The Chairperson shall, as soon as possible after receiving such notice, so inform all other parties to the proceedings.

## 6. Mental ill-health

- (1) For the avoidance of doubt, since the Chapter applies to allegations of misconduct and failure to carry out contractual duties, it does not normally apply to mental ill-health, and cases of mental ill-health should not normally be dealt with as matters of discipline pursuant to the Chapter.

## 7. Research Ethics

- (1) Research shall be conducted ethically and with integrity.
- (2) For the purposes of section 2(1)(e) of the Chapter, "academic fraud" includes "research misconduct".
- (3) Research misconduct is any intentional, knowing or reckless misconduct which affects the integrity of any aspect of the process of research, including the research itself, research records, and research publication.
- (4) Research misconduct includes
  - (a) intentional, knowing or reckless fabrication of data, falsification of data, and plagiarism, and
  - (b) an intentional, knowing or reckless pattern of misconduct relating to matters such as management of data, personal conduct in the research setting, research practice, publication, and finances.
- (5) For the avoidance of doubt, research misconduct does not include
  - (a) honest error or honest differences in the design, execution, interpretation or judgment in evaluating research methods or results,
  - (b) poor research *per se*, unless this encompasses an intention to deceive, or
  - (c) misconduct unrelated to the research process.
- (6) When an allegation of research misconduct is addressed to the Senior Dean pursuant to section 4(2) of the Chapter, the Senior Dean shall be described as the Research Integrity Officer, and section 11 of the Chapter shall apply.
- (7)
  - (a) Where an allegation of research misconduct comes to the attention of the Dean of Research, then the Dean of Research may undertake a preliminary assessment of the issue; and, for the avoidance of doubt, section 1 shall apply.



- (b) If an informal resolution is not possible, or if the issue is serious, then the allegation of research misconduct may be addressed to the Research Integrity Officer by the Dean of Research pursuant to section 4(2) of the Chapter.
  - (c) In particular, where the issue is sufficiently serious that it could lead to the suspension or dismissal of the member of staff against whom the allegation has been made, then the allegation of research misconduct shall be addressed to the Research Integrity Officer by the Dean of Research pursuant to section 4(2) of the Chapter.
- (8) (a) Having regard to section 1(3), the confidentiality of grievance and disciplinary proceedings relating to research misconduct should be maintained in so far as practicable and for so long as possible; provided that this does not compromise
- (i) the investigation of the allegation,
  - (ii) health and safety, or
  - (iii) the safety of participants in research.
- (b) Paragraph (a) does not preclude appropriate or prescribed disclosure to third parties, such as the Gardaí, relevant authorities, professional bodies, funding bodies, and publishers; provided that this is done with as much confidentiality as possible, at the appropriate time, and through the correct mechanisms.
- (9) No person should suffer any penalty for making an allegation of research misconduct in good faith; but the making in bad faith of allegations of research misconduct shall constitute misconduct for the purposes of section 2(1)(I) of the Chapter.
- (10) Having regard to the detailed scientific and technical nature of the facts of an individual allegation of research misconduct
- (a) a Pro Senior Dean with an appropriate area of expertise or specialism may be appointed pursuant to section 17(1) of the Chapter on Officers to act as Research Integrity Officer; and
  - (b) the Research Integrity Officer may seek the assistance of any standing national panel of international experts established for this purpose by the Royal Irish Academy or similar bodies; provided that all decisions taken or procedures followed by the Research Integrity Officer in this respect are taken or followed, as the case may, pursuant to the Chapter.

## 8. Code and Procedures

- (1) References to College's disciplinary code and procedures (and to similar or cognate phrases) in the Chapter and this Schedule, in the Calendar, and elsewhere, shall be construed as references to the Chapter and this Schedule.

- (2) For the avoidance of doubt, for so long as section 25(8)(b) of the Act of 1997 continues in force in the terms in which it was commenced,<sup>53</sup> this Schedule applies to
- (a) members of staff who became employees of the College on or after 16 June 1997,
  - (b) members of staff who were employees of College before 16 June 1997, to the extent that this Schedule does not alter conditions of service, restrictions and obligations to which they were subject on that date, and
  - (c) members of staff who were employees of College before 16 June 1997, who have agreed to the application of this Schedule to the extent that it alters conditions of service, restrictions and obligations to which they were subject on that date.

[Back to Table of Contents](#)

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<sup>53</sup>See the Universities Act, 1997 (Commencement) Order, 1997 (SI No 254 of 1997).  
[the text of the SI should be added to the legislation in Appendix II

*Part 2*

**Agreement between University of Dublin, Trinity College, and the Irish Federation of University Teachers on Consultation, Negotiation and Grievance Procedures.**

**Preamble**

The purpose of this Agreement is to establish consultation, negotiation and grievance procedures acceptable both to Trinity College, Dublin ('the College') and to the Irish Federation of University Teachers ('the Union') with the aims of ensuring:

- (a) a full exchange of all information necessary for effective consultation on matters affecting the interests of the members of the Union employed by the College
- (b) the establishment of negotiation machinery
- (c) the rapid settlement of grievances and the avoidance of disputes
- (d) the advancement of education and research within the College
- (e) the promotion and protection of academic freedom.

Matters subject to negotiation under this procedure shall include the general terms and conditions of service and employment of the members of the Union employed by the College.

Matters subject to consultation shall include proposals on future development, academic government, staff amenities, social facilities, the formulation and execution of general academic policy and such other matters as may be deemed appropriate by either party.

**1. Preliminary**

1.1. The College hereby recognises the right of the Irish Federation of University Teachers (I.F.U.T.), a Trade Union registered under the Trade Union Acts of 1941 (No. 22 of 1941) and 1971 (No. 33 of 1971), and its local branch, the Academic Staff Association of Trinity College, Dublin, to represent its members in any grade of College employment both individually and collectively, and to negotiate on their behalf.

1.2. Each party to this Agreement shall notify in writing to the other the names and addresses of the person or persons to whom from time to time communications on matters relating to the Agreement should be directed.

1.3. The College and the Union recognise the Importance of the exchange of Information on matters relating to this Agreement In order to enable It to be effective.

1.4. This Agreement is intended to be binding in honour and shall not be held to be legally enforceable

**2. Consultation Procedure**

2.1. The procedure for consultation shall be initiated by either party by written communication directed to the persons designated in accordance with Clause 1.2 above.

2.2. The College shall notify the Union of any intention to make changes in the conditions of employment. Reasonable time shall be given to the Union to study and consult with its members on the effects of the proposed changes.

2.3. The Union, shall, allowing reasonable time for consideration, notify the College of any changes in the conditions of service which it intends to negotiate on behalf of its members.

2.4. Both parties hereby signify their willingness to meet and consult expeditiously on any matter which may arise within the context of the Agreement

### **3. Negotiation Procedure**

3.1. Disputes regarding the following matters shall be subject to direct negotiations between the representatives of the College and of the Union:

(a) Matters relating to procedures for staff recruitment and appointment;

(b) Matters relating to remuneration, special payments, pensions and retirement;

(c) Matters relating to probation, promotion, discipline, tenure, dismissal or termination of employment;

(d) Matters relating to the granting of annual, sick, maternity, special or sabbatical leave;

(e) matters relating to general conditions of employment, including the working facilities necessary to the member for the proper discharge of his or her duties;

(f) Such other matters as may from time to time be considered by either party to be the subject of negotiation

3.2. Direct negotiations shall be initiated by written communications from either party to the persons designated in accordance with Clause 1.2 above.

3.3. If agreement is not reached by direct negotiations between the College and the Union, the matter may be referred by either party to the Conciliation Service of the Labour Court.

3.4. If the matter remains unresolved, it may then be referred by either party to a full hearing of the Labour Court.

3.5. No form of industrial action or change in negotiating practice or procedure shall take place unless and until the provisions of Clauses 3.2-3.4 above have been exhausted.

### **4. GRIEVANCE PROCEDURE**

4.1. The following grievance procedure shall relate to questions arising from matters listed in Clause 3.1 above.

4.2. Any member or group of members wishing to raise any issue related to these matters shall in the first instance discuss it with the Head of the Department concerned, and/or with the Faculty Dean or the Dean's equivalent in cases of grievances outside the academic sphere.

4.3. Failing a satisfactory resolution of the problem, the matter may then be raised by an officer of the branch or a national officer of the Union with the Head of the Department concerned and/or the Dean of his equivalent. In any case involving a national officer of the Union, the appropriate representative of the College's administration shall be informed.

4.4. If the matter continues to be unresolved, the problem may then be discussed with a representative of the College on the written request of an officer of the Union.

4.5. Every effort should be made to resolve an issue in a positive and expeditious manner at each stage of the procedure prescribed above. If no settlement is reached, the matter may then be referred to the Labour Court, which may arrange a Conciliation Conference, or to a Rights Commissioner, as appropriate.

## **5. REVISION OF AGREEMENT**

5.1. A revision of this Agreement may be requested by either party, but shall become effective only when acceptable to both parties.

5.2. Either party may terminate this Agreement by giving three months notice in writing to the other side.

Signed on behalf of the University of Dublin, Trinity College  
Mr. G.H.H. Giltrap (Secretary to the College)

Signed on behalf of the Irish Federation of University Teachers  
Mr. D. O'Ceallaigh (General Secretary)

8th May, 1981

[Back to Table of Contents](#)

## Administrative, Technical and Support Staff Conduct

- Application            1.     (1) The provisions of this Chapter shall apply to technical, administrative and support staff in College, and to such other employees as Board may from time to time provide in Schedule 1.
- Procedures<sup>54</sup>        2.     (1) Grievance and disciplinary procedures should be applied sensitively and consistently, and in accordance with the principles of natural and constitutional justice and fair procedures.  
(2) They should be applied in a manner which properly respects both the dignity of employees and the reasonable interests of College.  
(3) In particular, the confidentiality of disciplinary procedures should be maintained in so far as practicable and for so long as possible.
- Entitlements           3.     (1) In general, employees are entitled  
(a) to have allegations or complaints against them properly investigated and dealt with,  
(b) to have notice of any allegations or complaints put to them, in writing in appropriate cases,  
(c) to be represented during any investigative or disciplinary procedure,  
(d) to be given reasonable time and opportunity to prepare and present their response to any such allegations or complaints,  
(e) in significant cases,  
    (i) to be made aware of the source of allegations or complaints, and  
    (ii) to have issues determined by a hearing, convened after a proper investigation and a finding that there is a case to answer,  
(f) to receive a fair and impartial determination of the issues concerned, taking into account any representations made by them or on their behalf, and any other relevant or appropriate evidence, factors, or circumstances,  
(g) to appeal against disciplinary action, and  
(h) to have issues determined by persons who neither have an improper interest in the outcome of the procedure nor might be reasonably apprehended to have such an interest.  
(2) In general, College is entitled to expect a good standard

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<sup>54</sup> See the Industrial Relations Act 1990 Code of Practice on Grievance and Disciplinary Procedures (Declaration) Order 2000 (SI No 146 of 2000) giving effect to the Labour Relations Commission *Code of Practice on Grievance and Disciplinary Procedures*.

of conduct and performance from its employees.

Resolution

4. (1) Formal disciplinary action should not normally be taken without every reasonable effort first having been made to resolve the matter on an informal basis.
- (2) Thereafter, disciplinary action may include
  - (a) oral and written warnings,
  - (b) withdrawal of privileges,
  - (c) deferral of increments,
  - (d) suspension with or without pay,
  - (e) transfer to another task or to another section within College,
  - (f) demotion,
  - (g) other appropriate disciplinary action short of dismissal, and
  - (h) dismissal.
- (3) If possible, disciplinary procedures should progressively follow the pattern in subsection (2), although it is not necessary that every action be implemented, and the more severe forms of disciplinary action may be taken at earlier stages where this is warranted.
- (4) Except for cases of gross or serious misconduct, dismissal will not normally be the first step in a disciplinary process.
- (5) Any penalty should be proportionate to the nature and severity of the offence, having regard to any relevant mitigating factors.

Suspension  
and dismissal

5. (1) An employee may be suspended on full pay pending the outcome of an investigation into an alleged breach of discipline.
- (2) An employee may be dismissed where there are substantial grounds justifying the dismissal within the meaning of applicable Unfair Dismissals legislation.
- (3) In particular, an employee may be dismissed for gross or serious misconduct, which is conduct so serious that it results in a fundamental breach of trust and confidence in the relationship between the employee and College; examples include theft, fraud, assault, battery, criminal damage, intoxication, persistent absenteeism, or serious breach of College's policies, practices and regulations.

Schedules

6. (1) Provisions to implement and administer grievance and disciplinary procedures may be set out in Schedules to this Chapter.
- (2) In particular, agreements relating to matters of discipline shall be set out in Schedules.
- (3) Any Schedule which sets out the terms of such an agreement may be amended by Board if and only if the agreement is revised or replaced by the relevant parties.
- (4) If and when such an agreement is revised or replaced, the relevant Schedule shall be amended by Board to reflect the revision or replacement.

[Back to Table of Contents](#)



## Schedule 1

### *Grievance and disciplinary issues relating to members of the technical, administrative and support staff*

#### 1. Application

- (1) The issue of whether an employee is a member of the technical, administrative and support staff covered by the Chapter, or a member of the academic staff covered by the previous Chapter, shall be governed by the employee's contract of employment.
- (2) Employees who are not members of the academic staff of the College and who are not covered by the terms of an agreement in another Schedule to the Chapter are nevertheless covered by the terms of the Chapter, and the following provisions of the Schedule apply to such employees.

#### 2. Principles

- (1) This procedure is to help ensure consistent and fair treatment for all staff and to ensure compliance with natural justice. The supervisor/manager will make preliminary enquiries with the staff member involved and where appropriate deal with the matter on an informal basis. If the supervisor/manager believes a disciplinary hearing may be required he/she will inform the staff member that the matter will proceed to investigation in line with this procedure. The staff member will also be informed of the nature of the complaint.
- (2) Disciplinary hearings will not be convened until the matters under consideration, or which are the subject of complaints, have been properly investigated and there has been a finding that there is a case to answer.
- (3) At every stage in the procedure the employee will be advised of the nature of the complaint against him/her and will be given the opportunity to state his/her case before any decision is made.
- (4) At all stages during the investigation and disciplinary meeting (if required), the employee will have the right to be accompanied by an authorised Trade Union Official, Staff Representative or working colleague.
- (5) All matters of discipline shall be dealt with by the College in a manner which protects the dignity of staff and no disciplinary action shall take place in the presence of staff not directly concerned.
- (6) An employee will have the right to a fair and impartial determination of the issues being investigated, taking into account the allegations or complaints themselves, the response of the employee concerned to them, any representations made by or on behalf of the employee concerned and any other relevant or appropriate evidence, factors or circumstances.

- (7) No employee will be dismissed for a first breach of discipline except in the case of serious misconduct when the penalty may be immediate dismissal.
- (8) An employee will have the right to appeal against any disciplinary penalty imposed.
- (9) The procedure may be implemented at any stage if the employee's alleged misconduct warrants such action.

### 3. Offences

- (1) The following list provides examples of offences which normally warrant disciplinary action:
  - (a) Sub-standard work performance;
  - (b) Unauthorised absence;
  - (c) Time keeping;
  - (d) Absenteeism;
  - (e) Breach of Leave Regulations;
  - (f) Breach of Confidentiality;
  - (g) Insubordination;
  - (h) A continual refusal to obey reasonable instructions;
  - (i) Unacceptable behaviour towards Colleagues
- (2) The above list of examples should not be regarded as exhaustive.

### 4. Sanctions

- (1) While in the case of minor offences disciplinary action will normally be incremental, the appropriate action will be related to the nature of the offence in each case. The College reserves the right to exercise discretion as to the suitability of the type of disciplinary action applicable in any given situation. Disciplinary action will normally take one of the following forms:
  - (a) Verbal warning;
  - (b) Written warning;
  - (c) Withdrawal of privileges (including eligibility for overtime work);
  - (d) Deferment of increment;
  - (e) Limited suspension with pay;
  - (f) Limited suspension without pay;
  - (g) Demotion for a stated period;
  - (h) Dismissal.

#### *Stage 1- Verbal Warning*

If conduct or performance does not meet acceptable standards, the staff member will normally be given a formal verbal warning. He/She will be advised of the reason of the warning and that it is the first stage of the disciplinary procedure. The warning will be confirmed in writing to the employee and recorded in the employee's file as a verbal warning.

#### *Stage 2- Written Warning*

If the offence is a serious one, and if a further offence occurs or if

the required improvement does not take place a written warning will be issued. He/She will be warned that action under Stage 3 will be considered if there is no satisfactory improvement.

*Stage 3 - Final Written Warning and/or Suspension with/without Pay*  
If there is still a failure to improve, and conduct or performance is still unsatisfactory, or if the conduct is sufficiently serious to warrant it, a Final Written Warning will normally be given to the employee. This will give details of the complaint, and will warn that dismissal will result if there is no satisfactory improvement, or if there is any recurrence or other serious misconduct. Deferment of an increment and/or demotion may also accompany this step.

All warnings comprehended in stages 1-3 above will be removed from personal files at the relevant expiry date

*Stage 4 - Dismissal*

If the conduct or performance is still unsatisfactory and the staff member fails to reach the prescribed standards or if further serious misconduct occurs, then dismissal will result. The staff member will be provided, as soon as reasonably practicable, with written reasons for dismissal and the date on which the employment will terminate.

**5. Serious Misconduct**

- (1) The following list provides examples of offences which are normally regarded as serious misconduct and may lead to disciplinary action commencing beyond Stage 1.
  - (a) Unauthorised removal of property not belonging to the member of staff concerned;
  - (b) Threatening or carrying out (serious) acts of violence towards another member of staff, student, or member of the public;
  - (c) Engaging in remunerative employment while on sick leave (irrespective of whether the sick leave is medically certified or not);
  - (d) Causing malicious damage to College property, or to property on College premises belonging to another member of staff, or student, or member of the public;
  - (e) Serious breaches of the College's policies regarding sexual or other forms of harassment;
  - (f) Refusing to carry out lawful and reasonable directions given by a member of staff authorised to do so;
  - (g) Committing a serious breach of College safety regulations;
  - (h) Unauthorised absence from work.
  - (i) Reporting for work under the influence of alcohol or drugs other than those prescribed and advised to the appropriate college authority, or having or consuming them on the College premises.
- (2) The above list of examples should not be regarded as exhaustive.
- (3) If someone is accused of an act of serious misconduct, they may be placed off duty with pay pending a full investigation into the matter.

Payments may be stopped if the individual concerned does not cooperate with the process outlined here. If on completion of the investigation and the full disciplinary procedure, the College is satisfied that serious misconduct has occurred, the result may be immediate dismissal.

**6. Representation**

- (1) The person against whom a complaint is made has the right to representation at all stages during the disciplinary process. The staff member may choose to have a colleague, shop steward or trade union official present.

**7. Role of Staff Office**

- (1) The role of the Staff Office is to ensure fair and consistent application of disciplinary procedures. They will provide advice and guidance, as necessary, at all stages of the process. A member of Staff Office may be present at any meeting in the process attended by a trade union official.

**8. Investigation**

- (1) A Disciplinary Hearing will not take place before the alleged breach or complaint has been fully investigated.
- (2) Details of the alleged breach or complaint will be made available to the staff member in writing in advance of an investigation meeting.
- (3) Confidentiality is required of all parties when the complaint is made by one staff member of another.
- (4) Generally the investigation will be conducted through the supervisory structure of the department in question.
- (5) Investigation meetings will be held in confidence and all staff will be treated with dignity and respect.
- (6) Those attending investigation meeting will be told in advance of the meeting of:
  - (a) The purpose of the meeting;
  - (b) The complaint being investigated;
  - (c) The time and venue;
  - (d) Their right to representation;
  - (e) That the investigation may lead to disciplinary action.
- (7) Staff members have representation rights as outlined above.
- (8) The investigation will look at all evidence pertinent to the alleged offence/breach of regulation and interview all relevant parties.
- (9) All material relevant to the alleged offence/breach will be made available to the staff member during the course of the investigation.
- (10) The staff member will get the full details of matters under investigation and the opportunity to respond to them fully.
- (11) Further investigation meetings may be scheduled if required as issues

arise.

- (12) Staff are obliged to co-operate with legitimate College investigations. Continued frustration of the process may lead to the process being concluded without input from the party concerned. Written records of the meeting will be kept. Signed statements and/or signed acceptance of records may be requested of attendees.
- (13) The outcome of the investigation will be communicated in writing to the parties involved.
- (14) The person conducting the investigation may themselves issue a verbal warning if this is the outcome of their investigation.
- (15) If the investigator(s) believe that other disciplinary action may be appropriate they will recommend that a disciplinary hearing be convened. If a disciplinary hearing is recommended, the person involved will be told in writing of:
  - (a) The outcome of the investigation;
  - (b) The convening of the disciplinary hearing;
  - (c) The time and venue and the chairperson of the hearing;
  - (d) Their right to representation;
  - (e) The range of possible sanction applicable
- (16) The Staff member will be given all of the pertinent documentation, including any evidence to be presented by the investigators to the disciplinary hearing.

## **9. Disciplinary Hearing**

- (1) The Disciplinary Hearing will be conducted by a College Official who was not part of the investigation. Generally the hearing will be conducted through the supervisory structure of the department in question. In cases related to performance an official from within the department will be nominated by College. In other cases an appropriate College Official from outside the department will be assigned.
- (2) The outcome of the investigation will be presented by the investigator to the Chair of the Disciplinary hearing in front of the staff member person against whom the complaint is made, and their representative.
- (3) The staff member or their representative will be afforded the opportunity to make whatever representation they deem relevant.
- (4) The person conducting the hearing will satisfy themselves that they obtained all relevant material and that the staff member has been afforded reasonable opportunity to respond.
- (5) The person conducting the hearing will inform the staff member of when they can expect a decision (within 7 working days generally) before adjourning the hearing.
- (6) Having reached a decision the person conducting the hearing will advise the staff member of any intended disciplinary action within 7

working days.

- (7) The staff member will also be informed of their right of appeal.

#### **10. Appeal**

- (1) An appeal must be lodged with the appropriate department head within 5 working days of the finding of the disciplinary hearing being notified.
- (2) Disciplinary action will not be implemented pending appeal.
- (3) An appeal will be heard by an official of the College usually more senior to the person who chaired the Disciplinary Hearing.
- (4) The staff member will have the same rights of representation as with the disciplinary hearing. The staff member person or their representative will be afforded the opportunity to make whatever representation they deem relevant.
- (5) The person conducting the hearing will inform the staff member of when they can expect a decision (within 7 working days generally) before adjourning the appeal. Having reached a decision the person conducting the appeal will advise the staff member of his/her decision in writing.

#### **11. Further Appeals**

- (1) The individual has the right to seek redress before a Rights Commissioner or the Employment Appeals Tribunal as provided for in current legislation.

#### **12. Industrial Action**

- (1) In accordance with the Industrial Relations Act 1990, no form of industrial action may be taken with regard to a disciplinary matter, until the matter has been fully processed in accordance with disciplinary procedures and with the Labour Relations Commission and Labour Court.

#### **13. Grievance Procedure**

- (1) This procedure should be used by staff members to progress grievances, in instances where there is no other College/trade union agreed procedure in place.
- (2) Stage 1: a staff member who has a grievance should raise it with his or her immediate Supervisor or Section Head in the first instance.
- (3) Stage 2: if the grievance is not resolved at stage 1, or if the grievance is with the relevant Supervisor or Section Head, then the staff member may raise it with the relevant Head of School or the Head of the relevant administrative or support area.
- (4) Stage 3: if the grievance is not resolved at stage 2, or if the grievance is with the relevant Head of School or the Head of the relevant administrative or support area, then the staff member may raise it with Human Resources.

- (5) Stage 4: if the matter is still not resolved, it may be referred to an appropriate external third party.

[Back to Table of Contents](#)

## Schedule 2

### *Recognition and Procedure Agreement between the University of Dublin, Trinity College and Services Industrial Professional Technical Union*

#### **A. Recognition**

**1. Scope:**

This agreement covers All College Staff who are members of Services Industrial Professional Technical Union hereto referred to as (SIPTU).

**2. Time Frame**

This agreement takes effect from (date of agreement) and will continue in force indefinitely. Either party may serve notice of intent to seek revision of this agreement. In this case two full calendar months will be given for negotiation and implementation of the revised agreement. In the event that negotiations on the revision of this agreement are not concluded within this time frame, the existing agreement will continue in force until a new agreement has been concluded and agreed by all parties. There shall be no alterations to this agreement without consultation and agreement between the parties.

**3. Interpretation**

Any disagreement between the College and employees/SIPTU over interpretation of application of this agreement of any subsection thereof, which cannot be resolved locally, will be referred to the normal Industrial Relations Mechanisms

**4. Union Recognition:**

The College recognises SIPTU and accepts the Trade Unions right to represent its members on all matters relating to pay, pension, working conditions, and employment practices affecting its members.

**5. Consultation:**

The College accepts SIPTU's right to be consulted on all matters relating to pay, pension, working conditions, and employment practices affecting its members.

**6. Negotiating rights:**

SIPTU has negotiating rights in respect of all College staff grades listed in Appendix 1. College will inform all new members of the listed grades of the negotiating rights of SIPTU.

**7. Representatives**

The College will be advised in writing of the name of the elected representatives and any subsequent changes. Reasonable facilities will be given for elections to be conducted on organisation premises outside normal working hours. Only representatives so notified to the organisation will be recognised for negotiating purposes.

The number of staff representatives should be reasonable.

The staff representatives will be subject to the normal rules, procedures and standards applicable to all employees in their category.



Employee representatives will be afforded necessary time off, as detailed below, for carrying out their representative functions. Employee representatives should obtain prior permission for release from Staff Office and local management. Such permission will not be unreasonably withheld. Reasonable limits may be set on the amount of time off.

- Staff representatives will be released with pay for all company union meeting where release has been sought and granted in advance. Where representatives are attending such meetings outside of normal working hours, and their attendance is agreed in advance, they will be granted time in lieu.
- Staff representatives will be granted reasonable time off for SIPTU/ICTU meetings, Seminars and training courses which relate to their activities as employee representatives. The College is favourably disposed toward granting this time without loss of pay within reasonable limits. Priority consideration will be given to releases for employees who are members of other Trade Union Committees listed in Appendix 2.
- Officers will be released for a monthly Branch meeting. Staff Office to be advised of officers and schedule of meetings on an annual basis.

Application for release will generally be made through Staff Office but may be made at local level to deal with local business. The parties will take reasonable account of emergency situations requiring immediate attention and the need to ensure ongoing operational coverage. Requests for release for union business, other than that outlined in the 3 points above, will be considered at the time. It is expected that generally this business will take place outside normal working time save in exceptional circumstances.

#### **8. Union Contributions**

The College shall deduct the appropriate union contributions and local levies from the members' wages and shall remit the contributions to the Union, and Levy to the section, on a regular basis, not less frequently than every 5 weeks. Changes to rates and levies will require reasonable notice

#### **9. Facilities**

Local representative shall be granted the facility to communicate by electronic mail, non party political newsheets, publications and other documents relating to normal trade union activities, to the members in TCD.

Staff representatives will be granted reasonable access to all workplaces where they represent trade union members and where such access is necessary to enable them to carry out their representative functions.

Staff representatives will have access, without undue delay, to management at the appropriate level on matters relating to their representative functions and responsibilities.

Local representatives shall be granted a presence on the local college web as a reference source for agreements and policies agreed by College and SIPTU.

## B. Consultation & Negotiation Procedure

1. The purpose of the consultation procedure is to establish machinery that will ensure adequate consultation takes place between the College and SIPTU on all matters affecting conditions of employment.
2. Where local management proposes to make significant changes in working practice and /or conditions of employment, the local shop steward or Secretary of the SIPTU Section committee, shall be given reasonable advance notice of any departmental meeting convened, for the purpose of consulting with staff members with regard to such proposals.
3. Proposed changes will be discussed at local / departmental level in the first instance. If agreement cannot be reached here, either party may refer the issue for central talks where the Union Official and Staff Office will become involved.
4. The intention to make changes to conditions of employment shall be notified, in writing, by the College to the Education Branch Organiser and Secretary of SIPTU Section Committee.
5.
  - i. Sufficient time shall be given to the Unions local representatives or Branch Organiser to consult with their members and to negotiate with the College on the effect of the proposed changes.
  - ii The Union shall give the College sufficient time to study, consider and negotiate upon any proposals for change, which it presents to the College.
6. Every attempt will be made to resolve matters locally in the first instance and then centrally. Where agreement is still not possible the issue will be dealt with under the process outlined below under "Dispute Resolution". Where matters are in process on any Industrial Relations issue, as part of this procedure, this shall be clearly advised to the ESPVG.
7. All procedures set out above will be carried out as expeditiously as possible.
8. **Multi-category negotiations**  
In general where matters of common interest arise, affecting different categories of workers, which may involve more than one union or staff negotiating committee, they will combine and one set of negotiations will take place with management. In such cases procedures and logistics will be agreed between the parties at the time but there is acceptance that the arrangements will take practical account of time and resource matters. While it is accepted that circumstances may arise which necessitate meeting unions individually it is equally accepted that this will not be the norm.
9. **Dispute Resolution**  
This process will be adhered to if and when local and central talks fail to resolve a given issue. If agreement is not reached and either party wishes to pursue the matter further, that party shall refer the dispute either to the Labour Relations Commission, or another mutually agreed body / person where both parties shall participate in conciliation. If a mutually acceptable conciliation body is not agreed within seven days, then either party shall refer the dispute to the Labour Relations Commission.

If the dispute remains unsettled, the matter may be referred to a full hearing of the Labour Court.

The status quo shall be observed while an issue is being processed through the procedure. This is without prejudice to either party's position. Where there is not an identifiable status quo (or where circumstances mean that the status quo would place a severe financial cost on College) the Staff Secretary and Regional Secretary will define an interim status quo which will be observed by the parties. The interim status quo cannot change the basic pay, grade, category or employment status of any employee. If the final outcome is other than the interim status quo, and employees were at a financial disadvantage during the period of the interim status quo, this loss shall be made good by College as part of the settlement of the dispute. The interim status quo is without prejudice to either party's position.

**10. Industrial Action**

No strike or lock-out or other form of industrial action (work to rule, withdrawal of co-operation etc), and no unilateral imposition of proposed changes which are in dispute, shall be taken by either party while the above procedure is being followed.

Where notice of a strike or any other form of industrial action is being served on an employer a minimum of 14 days' notice will apply.

**11. Emergency Cover**

While the primary responsibility for the provision of minimum levels of services rests with managements, this Agreement recognises that there is a joint obligation on College and the Union to have in place agreed contingency plans and other arrangements to deal with any emergency which may arise during an industrial dispute.

The Union will co-operate with the introduction of such plans and contingency arrangements. In particular, College and the Union commit to co-operate in making arrangements concerning:

- i. the maintenance of plant and equipment;
- ii. all matters concerning health, safety and security;
- iii. the provision of emergency services required on humanitarian grounds.
- iv. special operational problems which exist with continuous processes ( e.g. laboratories)
- v. the provision of urgent medical services and supplies;

Detailed emergency cover plans will be agreed at a local level.

**12. Terminal Examinations**

Industrial action will not affect Terminal Examinations. The definition of terminal examinations is agreed with the ICTU Group of Unions in TCD - A Terminal examination is a final exam leading directly to a degree, or an examination that must be passed to move to the next year of a degree programme.

## **C Grievance Procedure**

**1. Principles**

It is recognised by the College and the Union that it is in their mutual interest that issues affecting employees shall be dealt with effectively and speedily in an atmosphere of mutual trust and confidence, and it is intended that most issues shall be resolved informally between the member concerned and his or her supervisor or Head of Department. In cases where this is not possible, the following procedure for the resolution of grievances shall apply.

Where possible, grievances shall be resolved at the earliest possible stage of the grievance procedure, and the parties shall make every effort to avoid unreasonable delays in arranging meetings at all stages of the procedure.

## **2. Process**

- i. Where a staff member or group of members has a grievance, they shall raise it with their Supervisor/ Section Head in the first instance.
- ii. If the grievance is not resolved at stage one, it shall be raised with the Head of Department by the member concerned, accompanied by his/her shop steward and/or a section officer.
- iii. If the grievance is not resolved at stage two, it shall be raised with the Staff Office by the fulltime union official, accompanied by the shop steward for the area concerned, and/or a section officer as appropriate. At this point the grievance may be pursued through an Industrial Relations meeting or a formal hearing by a suitable independent College Official may be requested. The process for such a hearing is detailed below under "Grievance Hearings". Alternatively the parties may agree to pursue a mediated solution.
- iv. If the grievance is not resolved at stage three, it shall be referred to the Labour Relations Commission (Rights Commissioner, Equality Officer, Conciliation Service) or to the Employment Appeals Tribunal.
- v. If the grievance is not resolved following the intervention of the Labour Relations Commission, it may be referred to the Labour Court for investigation and recommendation.
- vi. If an employee/employees have a grievance or complaint but are uncertain as to what action should be taken, or if the grievance involves personal or other sensitive issues, which it is felt would be inappropriate to raise directly with the relevant supervisor/manager, advice should be sought from the Staff Office /SIPTU. A designated person in Staff Office will deal with such matters in a neutral capacity.
- vii. Both parties agree to undertake to ensure that all reasonable efforts are made to resolve disputes as speedily as possible.

## **3. Grievance Hearings**

### **i. Representation**

The person making a complaint has the right to representation at all stages during the process. They may choose to have a colleague, shop steward, Section Officer or Union Organiser present. If there is a Union Organiser present it would be appropriate to have someone from Staff Office Present.

### **ii. Role of Staff Office**

The role of the Staff Office is to ensure fair and consistent application of grievance procedures. They will provide advice and guidance as necessary, to management involved in all stages of the process. A member of Staff Office will be present at any meeting in the process attended by a union organiser.

### iii. Investigation Hearings

- The complainant should detail the complaint in writing in advance of the hearing.
- A copy of the complaint will be given to the employee against whom the hearing is being convened at least three days (72 hours) before the commence of the hearing.
- The Hearing will be conducted by a College Official who is not party to the complaint investigation. Generally College will supply the Union with a list of 3 names from which the presiding official will be agreed.
- Meetings pertinent to the hearing will be held in confidence and all staff will be treated with dignity and respect.
- The complainant or their representative will be afforded the opportunity to make whatever representation they deem relevant.
- The person conducting the hearing will satisfy themselves that they obtained all evidence relevant to the complaint. This will include interviewing all relevant parties to the complaint. This may mean that the hearing involves more than one sitting.
- The hearing will examine all evidence pertinent to the complaint and may examine likely outcomes.
- Staff are obligated to co-operate with all hearings held in accordance with the terms of this process.
- Written records of the meeting will be kept, and supplied to parties as appropriate.
- The person conducting the hearing will inform the staff member of when they can expect a decision (between 1 and 7 working days generally) before adjourning the hearing.
- Having reached a decision the person conducting the hearing will advise the staff member of the outcome in writing.
- The staff member will have the right of appeal through the normal Industrial Relations process.

### 3. Mediation Process

The parties support the use of mediation as an alternative method of resolving complaints. Mediation is an informal process, through which a Mediator helps the parties in a dispute to talk about the issues between them, and if they wish, to reach an agreement which is acceptable to both sides. The process is voluntary and both parties must be willing to take part and agree to the appointment of an agreed Mediator internal or external.

## **D. Disciplinary Procedure**

### **1. Principles**

This procedure is to help ensure consistent and fair treatment for all staff and to ensure compliance with natural justice. The supervisor/manager will make preliminary enquiries with the staff member involved and where appropriate deal with the matter on an informal basis. If the supervisor/manager believes a disciplinary hearing may be required he/she will inform the staff member that the matter will proceed to investigation in line with this procedure. The staff member will also be informed of the nature of the complaint.

Disciplinary hearings will not be convened until the matters under consideration, or which are the subject of complaints, have been properly investigated and there has been a finding that there is a case to answer.

At every stage in the procedure the employee will be advised of the nature of the complaint against him/her and will be given the opportunity to state his/her case before any decision is made.

At all stages during the investigation and disciplinary meeting (if required), the employee will have the right to be accompanied by an authorised Trade Union Organiser, Staff Representative or working colleague.

All matters of discipline shall be dealt with by the College in a manner which protects the dignity of staff and no disciplinary action shall take place in the presence of staff not directly concerned.

An employee will have the right to a fair and impartial determination of the issues being investigated, taking into account the allegations or complaints themselves, the response of the employee concerned to them, any representations made by or on behalf of the employee concerned and any other relevant or appropriate evidence, factors or circumstances.

No employee will be dismissed for a first breach of discipline except in the case of serious misconduct when the penalty may be immediate dismissal.

An employee will have the right to appeal against any disciplinary penalty imposed.

The procedure may be implemented at any stage if the employee's alleged misconduct warrants such action.

### **2. Offences**

The following list provides examples of offences which normally warrant disciplinary action :

- i. Sub-standard work performance
- ii. Unauthorised absence
- iii. Time keeping
- iv. Absenteeism
- v. Breach of Leave Regulations
- vi. Breach of Confidentiality
- vii. Insubordination
- viii. A continual refusal to obey reasonable instructions
- ix. Unacceptable behaviour towards Colleagues

The above list of examples should not be regarded as exhaustive.

### 3. Sanctions

While in the case of minor offences disciplinary action will normally be incremental, the appropriate action will be related to the nature of the offence in each case. The College reserves the right to exercise discretion as to the suitability of the type of disciplinary action applicable in any given situation. Disciplinary action will normally take one of the following forms:

- Verbal warning
- written warning;
- withdrawal of privileges (including eligibility for overtime work);
- deferment of increment;
- limited suspension with pay;
- limited suspension without pay;
- demotion for a stated period;
- dismissal.

#### Stage 1- Verbal Warning

If conduct or performance does not meet acceptable standards, the staff member will normally be given a formal verbal warning. He/She will be advised of the reason of the warning and that it is the first stage of the disciplinary procedure. The warning will be confirmed in writing to the employee and recorded in the employee's file as a verbal warning.

#### Stage 2- Written Warning

If the offence is a serious one, and if a further offence occurs or if the required improvement does not take place a written warning will be issued. He/She will be warned that action under Stage 3 will be considered if there is no satisfactory improvement. The warning will be signed by the employee.

#### Stage 3 - Final Written Warning and/or Suspension with/without Pay

If there is still a failure to improve, and conduct or performance is still unsatisfactory, or if the conduct is sufficiently serious **to warrant it**, a Final Written Warning will normally be given to the employee. This will give details of the complaint, and will warn that dismissal will result if there is no satisfactory improvement, or if there is any recurrence or other serious misconduct. Deferment of an increment and/or demotion may also accompany this step.

All warnings comprehended in stages 1-3 above will be removed from personal files at the relevant expiry date

#### Stage 4 – Dismissal

If the conduct or performance is still unsatisfactory, and the staff member fails to reach the prescribed standards, or if further serious misconduct occurs, then dismissal will result. All dismissals will only be implemented by the Staff Office and by a written directive. The staff member will be provided, as soon as reasonably practicable, with written reasons for dismissal and the date on which the employment will terminate.

### 4. Probation

During the probationary period, any disciplinary action, up to and including dismissal, will be conducted in line with the agreed Probationary Process (see Appendix 3)

## 5. Serious Misconduct

The following list provides examples of offences which are normally regarded as serious misconduct and may lead to disciplinary action commencing beyond Stage 1.

- i. Unauthorised removal of property not belonging to the member of staff concerned.
- ii. Threatening or carrying out (serious) acts of violence towards another member of staff, student, or member of the public.
- iii. Engaging in remunerative employment while on sick leave (irrespective of whether the sick leave is medically certified or not).
- iv. Causing malicious damage to College property, or to property on College premises belonging to another member of staff, or student, or member of the public.
- v. Serious breaches of the College's policies regarding sexual or other forms of harassment.
- vi. Refusing to carry out lawful and reasonable directions given by a member of staff authorised to do so.
- vii. Committing a serious breach of College safety regulations.
- viii. Unauthorised absence from work.
- ix. Reporting for work under the influence of alcohol or drugs other than those prescribed and advised to the appropriate college authority, or having or consuming them on the College premises.

The above list of examples should not be regarded as exhaustive.

If someone is accused of an act of serious misconduct, they may **be placed off duty** with pay pending a full investigation into the matter. Payments may be stopped if the individual concerned does not co-operate with the process outlined here. If on completion of the investigation and the full disciplinary procedure, the College is satisfied that serious misconduct has occurred, the result may be immediate dismissal.

## 6. Role of Staff Office

The role of the Staff Office is to ensure fair and consistent application of grievance procedures. They will provide advice and guidance as necessary, to management involved in all stages of the process. A member of Staff Office will be present at any meeting in the process attended by a union organiser.

## 7. Representation

The person against whom a complaint is made has the right to representation at all stages during the disciplinary process. The **staff member may** choose to have a colleague, shop steward or Union Organiser present. If there is a **full time** Union Organiser present, then it is appropriate that a representative of the Staff Office also be present.

## 8. Investigation

A Disciplinary Hearing will not take place before the alleged breach or complaint has been fully investigated.

Details of the alleged breach or complaint will be made available to the staff member in writing in advance of an investigation meeting.

Confidentiality is required of all parties when the complaint is made by one staff member of another.



Generally the investigation will be conducted through the supervisory structure of the department in question.

Investigation meetings will be held in confidence and all staff will be treated with dignity and respect.

Those attending investigation meeting will be told in advance of the meeting of

- The purpose of the meeting
- The complaint being investigated
- The time and venue
- Their right to representation
- That the investigation may lead to disciplinary action.

Staff members have representation rights as outlined above.

The investigation will look at all evidence pertinent to the alleged offence/breach of regulation and interview all relevant parties.

All material relevant to the alleged offence/breach will be made available to the staff member during the course of the investigation.

The staff member will get the full details of matters under investigation and the opportunity to respond to them fully.

Further investigation meetings may be scheduled if required as issues arise.

Staff are obliged to co-operate with legitimate College investigations. Continued frustration of the process may lead to the process being concluded without input from the party concerned. Written records of the meeting will be kept. Signed statements and/or signed acceptance of records may be requested of attendees.

The outcome of the investigation will be communicated in writing to the parties involved.

The person conducting the investigation may themselves issue a verbal warning if this is the outcome of their investigation. In this case Staff Office will be notified and will inform the Branch Organiser of the outcome

If the investigator (s) believe that other disciplinary action may be appropriate they will recommend that a disciplinary hearing be convened. If a disciplinary hearing is recommended, the person involved will be told in writing of

- the outcome of the investigation
- the convening of the disciplinary hearing
- the time and venue and the chairperson of the hearing
- their right to representation
- the range of possible sanction applicable

The Staff member will be given all of the pertinent documentation, including any evidence to be presented by the investigators to the disciplinary hearing.

## **9. Disciplinary Hearing**

The Disciplinary Hearing will be conducted by a College Official who was not part of the investigation. Generally the hearing will be conducted through the supervisory structure of the department in question. In cases related to performance an official from within the department will be nominated by College. In other cases College will generally supply the Union with a list of 3 names from which the presiding official will be agreed.

The outcome of the investigation will be presented by the investigator to the Chair of the Disciplinary hearing in front of the staff member person against whom the complaint is made, and their representative.

The staff member or their representative will be afforded the opportunity to make whatever representation they deem relevant.

The person conducting the hearing will satisfy themselves that they obtained all relevant material and that the staff member has been afforded reasonable opportunity to respond.

The person conducting the hearing will inform the staff member of when they can expect a decision (between 1 and 7 working days generally) before adjourning the hearing.

Having reached a decision the person conducting the hearing will advise the staff member of any intended disciplinary action within 5 Working Days.

The staff member will also be informed of their right of appeal.

## **10. Appeal**

An appeal must be lodged with the appropriate department head within 5 working days of the finding of the disciplinary hearing being notified.

Disciplinary action will not be implemented pending appeal.

An appeal will be heard by an official of the College usually more senior to the person who chaired the Disciplinary Hearing.

The staff member will have the same rights of representation as with the disciplinary hearing. The staff member person or their representative will be afforded the opportunity to make whatever representation they deem relevant.

The person conducting the hearing will inform the staff member of when they can expect a decision (between 1 and 7 working days generally) before adjourning the appeal. Having reached a decision the person conducting the appeal will advise the staff member of his/her decision in writing.

If disciplinary action is upheld it will be implemented within 3 working days of the postmark of the issued finding.

## **11. Further Appeals**

The individual has the right to seek redress before a Rights Commissioner or the Employment Appeals Tribunal as provided for in current legislation.

## **12. Industrial Action**

In accordance with the Industrial Relations Act 1990, no form of industrial action may be taken with regard to a disciplinary matter, until the matter has been fully processed in accordance with disciplinary procedures and with the LRC and Labour Court.

## Appendix 1

*SIPTU has negotiating rights in respect of College staff in grades listed below*

- *Attendants*
- *Buildings Office General Operatives*
- *Catering – General Operatives/Assistants/Chefs/Supervisors*
- *Day Nursery Assistants*
- *Grounds – General Operatives*
- *Housekeeping Assistants & Supervisors*
- *ISS*
- *Laboratory Attendants*
- *Library Assistants, Library Executives 1,2,3 and Library Shop Staff*
- *Library Guards*
- *Residential Service Attendants*
- *Security Grades*
- *Secretarial and Executive Officer Grades*

## Appendix 2

*SIPTU members who are also members of the following trade union committees shall seek release as per the norm*

- *Education Branch Committee*
- *Regional Executive Committee*
- *National Executive Council*
- *National Women's Committee*
- *National Educational Council*
- *SIPTU Commission*
- *ICTU Committees*
- *Any other SIPTU or ICTU Committees/ Sub-committees that may evolve over the time of this and future agreements and are agreed with Staff Office for inclusion on this list.*
- *Delegates to SIPTU and ICTU Biennial Women's Forum, Biennial and Special Conferences*

## APPENDIX 3.

Agreed Probationary Process

When concluded this agreement will be subject to a ballot vote of the membership. Either party may seek the subsequent review of the document, by giving 2 months notice, in every subsequent calendar year following the signing of the concluded and ratified agreement.

Following the conclusion of this process it is the intention of both parties to conclude a Comprehensive Respect and Dignity Policy Agreement which shall include agreements on Sexual Harassment in the Workplace; and an Anti Bullying Policy Document

[Back to Table of Contents](#)

## Schedule 3

### *Recognition and Procedure Agreement between the University of Dublin, Trinity College and Unite (Formally AMICUS & MSF)*

#### **A RECOGNITION**

**1. Scope:**

This agreement covers All College Staff who are members of the Unite the Union (Amicus section) here in after referred to as Unite.

**2. Union Recognition:**

The College recognises Unite and accepts the Trade Unions right to represent its members on all matters relating to pay, working conditions, and employment practices affecting its members.

**3. Consultation:**

The College accepts Unite's right to be consulted on all matters relating to pay, working conditions, and employment practices affecting its members. Technical staff may sit on departmental meetings when matters relating to technical staff are discussed.

**4. Negotiating rights:**

Unite has negotiating rights in respect of all College staff listed in appendix 1.

Unite can also jointly negotiate for College staff listed in appendix 2.

College will inform all new members of Technical staff of the negotiating rights of Unite.

**5. Trade Union conferences/courses**

The College shall release members, without loss of earnings, to participate in Trade Union conferences, seminars and courses organised by either the Unite or the Irish Congress of Trade Unions. The College is favourably disposed to granting such leave and shall do so where reasonably practical following application being made through the Staff Office.

**6. Representatives**

The College shall release, without loss of earnings, Committee members to discharge Union business.

The Unite house committee shall be entitled to reasonable leave during normal working hours, without loss of earnings, to conduct union business.

**7. Union Contributions**

The College shall deduct the appropriate Unite contributions from the member's wages and shall remit the contributions to Unite.

**8. Facilities**

Local representative shall be granted the facility to communicate by electronic mail, non-political newsheets, publications and other documents relating to normal trade union activities, to the members in TCD.

Local representatives shall be granted a presence on the local college web as a reference source for agreements and policies agreed by College and Unite. In addition, as a consultation resource during negotiations.

**9. Expert Group Report on University Technician Grades**

This report deals with the role of the profession: - including, inter alia, the impact of ongoing change across the Universities, with particular reference to student instruction and developments in research. Career structures including the Designated Title, Qualifications, Professional Certification, Unified career structure are also dealt with. Management structure, development within the profession and development plans for the delivery of services are also dealt with (appendix 3).

## **B Consultation Procedure**

1. The purpose of the consultation procedure is to establish machinery that will ensure adequate consultation takes place between the College and Unite on all matters affecting conditions of employment.
2. Where local management proposes to make significant changes in working practice and/or conditions of employment, the secretary of the Unite house committee, shall be informed in advance of any departmental meeting convened, for the purpose of consulting with staff members with regard to such proposals.
3. The intention to make changes to conditions of employment shall be notified, in writing, by the College to the Unite Regional Officer and secretary of Unite house Committee.
4. Sufficient time shall be given to the Unions local representatives or Regional Officer to consult with their members and to negotiate with the College on the effect of the proposed changes.
5. In case of failure to secure agreement on the proposed changes at local level the matter shall be processed in accordance with the agreed 'Negotiating Procedure'.
6. All procedures set out above will be carried out as expeditiously as possible.

## **C Disciplinary Procedures**

- (I) Preamble
  - a) The College shall ensure that all members are treated in a fair and reasonable way, and in accordance with the principles of natural justice. The same principles of reasonableness and natural justice shall form basis of the disciplinary procedures, which shall apply in relation to all College Staff.
  - b) The College expects a good standard of conduct and work performance from all staff, and wishes to ensure that all staff are given a fair and reasonable opportunity to rectify any problems which may occur in relation to their conduct or work performance. The maintenance of standards relating to work and general behaviour is entirely the responsibility of Heads of Department.
  - c) For the vast majority of staff, the question of disciplinary action is unlikely to arise. The purpose of these formal disciplinary procedures is to ensure common and equitable treatment of those staff who fail to meet the accepted standards of job performance or conduct. Where practicable, the procedures will be used to help such staff achieve the necessary improvement in standards.
  - d) The College shall deal with all matters of discipline in a manner, which protects the dignity of members, and no disciplinary action shall take place in the presence of staff not directly concerned.
  - e) The College recognises the right of any Unite member who may be subject to disciplinary action to be made aware of all the grounds on the basis of which the College may be contemplating taking such action, and to be given an equal opportunity to respond to any allegations.

- f) While in the case of minor offences disciplinary action will normally be incremental; the appropriate action will be related to the nature of the offence in each case. The College reserves the right to exercise discretion as to the suitability of the type of disciplinary action applicable in any given situation. Disciplinary action will normally take one of the following forms:
- Written Reprimand
  - Withdrawal of Privileges (including eligibility for overtime work)
  - Deferment of Increment
  - Limited Suspension with/Without Pay
  - Demotion for a stated period
  - Dismissal.
- g) In all cases, the Staff Office will be sent a written record of Stage One warnings, and will be consulted by the Department Head concerned prior to the issuing of Stage Two or Three warnings or of notice of dismissal.
- h) No disciplinary action will be taken against a Trade Union representative until the circumstances have been discussed with a full-time official of the Union concerned.
- i) The Disciplinary Procedure does not apply to members during their probationary period. At each stage of the procedure, members shall be given all reasonable facilities to explain his/her position. This will include adequate time to produce evidence and consult with representatives.
- j) Where the College is contemplating the taking of disciplinary action against a member, the Staff Office shall furnish the member with;
- (a) A written list of complaints(s) against the member and a list of the probable sanctions which may apply.
  - (b) A list of individuals who shall be giving evidence against the member and details of any allegation(s) made by such individual(s) against the member.

In any disciplinary action, where the sanction of dismissal is being sought the member and representative may question all College personnel giving evidence in the case.

## **PROCEDURES**

### **FIRST STAGE - RECORDED VERBAL WARNING**

The College recognises that most minor disciplinary matters can be speedily and effectively handled on an informal basis and where this is possible it is the preferred method. Informal verbal admonitions are not therefore to be considered as part of the Disciplinary Procedure.

The head of department for an infringement of College regulations, lateness, absenteeism, negligence, poor performance, or other misconduct may issue a recorded verbal warning. The member will be informed of the manner in which their job performance or conduct is unsatisfactory, what must be done to improve it, and the consequences of a failure to improve. The member shall be given all reasonable facilities to explain his/her position. This will include adequate time to produce evidence and consult with representatives.

A record of this verbal warning will be sent to the Staff Office and placed on the staff member's file, and a copy to the Unite Regional Officer.

#### **STAGE TWO - FIRST WRITTEN WARNING**

If there is no improvement in job performance or conduct following a recorded verbal warning, or in cases where there has been a more serious failure to meet reasonable and acceptable standards of work performance or conduct, the staff member will be issued with a First Written Warning. The Staff Office following consultation with the Department Head concerned will issue this, and a copy will be sent to the Unite Regional Officer.

The written warning will explain the nature of the offence, what the staff member must do to attain acceptable standards of job performance or conduct, and the consequences of failure to do so.

Depending on the circumstances, and the seriousness of the offence, further written warnings may be issued before a final written warning.

#### **STAGE THREE - FINAL WRITTEN WARNING**

If, despite at least one previous written warning, a staff member fails to attain the required standard of job performance or conduct, or in cases where a serious offence has been committed, the staff member may be issued with a Final Written Warning. This warning shall be stated verbally to the member in Staff Office, with the member's representative or Regional Officer present.

The Staff Office, following consultation with the Department Head concerned will issue the final written warning. A copy will be sent to the Unite Regional Officer.

The final written warning will state the nature of the offence, what the staff member must do to attain acceptable standards of job performance or conduct, and that he or she will be dismissed if there is a continuation of the offence.

In certain very serious cases, the staff member may be suspended with pay for a number of days on receiving a final written warning.

#### **STAGE FOUR - SUSPENSION/DISMISSAL**

If, despite, a previous final written warning, the required improvement in job performance or conduct has not taken place, the staff member may be suspended or dismissed. The decision to dismiss or suspend will be taken by the Department Head concerned in consultation with the Staff Office. This decision will be relayed to the Unite Regional Officer.

In cases of gross misconduct, suspension or dismissal may take place without the previous stages of the Procedure having been implemented. In cases where there is suspicion of gross misconduct, the staff member may be suspended on full pay to allow time for a full investigation.

Examples of gross misconduct include the following:

- Unauthorised removal of property not belonging to the member of staff concerned.
- Threatening or carrying out acts of violence towards another member of staff, student, or a member of the public.

- Causing malicious damage to College property, or to property on College premises belonging to another member of staff, or student, or member of the public.
- Serious breaches of the College's policy regarding sexual harassment, or Bullying.
- Knowingly committing a serious breach of College safety regulations.
- Continuous and repeated unauthorised absence from work.
- Reporting for work under the influence of alcohol or controlled drugs, or having or consuming them on the College premises.

The above list of examples should not be regarded as exhaustive.

If following the implementation of the procedures laid down in this agreement, a disciplinary matter is resolved, a written statement to this effect shall be added to the member's personnel file/record.

### **Members on probation**

The performance of members on probation shall be formally reviewed by the head of department at least twice during the probationary period. Where there are shortcomings in the level of performance, the Head of Department shall inform the member concerned and shall indicate clearly, and in writing what standards of performance is required, and what steps are necessary to attain this standard.

At the end of the probationary period, a final review shall be undertaken, resulting in either confirmation in appointment or termination of employment. Alternatively, the Head of Department may recommend that the probationary period be extended. Other than in cases of gross misconduct no decision to discontinue the employment of a member on probation shall be implemented without at least two reviews having been undertaken. Either party may terminate employment during, or at the end of, the probationary period. The College and the member are required to give notice as set out in their conditions of employment.

**At all stages of this procedure, the staff member involved shall be informed of their rights of representation.**

### **APPEALS**

1. A member who has had any of the stages of the Disciplinary Procedure invoked against him or her may appeal within 5 working days. In stages 1 and 2, the appeal shall be handled through the Grievance Procedure. Appeals against dismissal or suspension, which must also be submitted within 5 working days, shall be referred to an external Appeals Officer, who shall issue a decision as to whether he or she considers the proposed disciplinary action to be fair and appropriate within 5 working days. Disciplinary action shall not be implemented by the College pending the outcome of procedures laid down by this agreement. A member appealing against dismissal shall be suspended on full pay until the appeals officer has given his or her decision.



## **C Grievance Procedure**

1. It is recognised by the College and Unite that it is their mutual interest that issues affecting employees shall be dealt with effectively and speedily in an atmosphere of partnership, and is intended that most issues shall be resolved informally between the member concerned and his or her Head of Department. In case where this is not possible, the following procedure for the resolution of grievances shall apply.
2. Whenever possible, grievances shall be resolved at the earliest possible stage of the grievance procedure, and the parties shall make every effort to prevent unreasonable delays in arranging meetings at all stages of the procedure.
3. Nothing in this agreement shall interfere with the right of Unite to ballot its members for industrial action and for its members to take such action where this is deemed necessary.

### **Procedure**

1. Where a member or group of members have a grievance, they shall raise it with their supervisor in the first instance.  
Where Unite have a grievance on behalf of its members it shall move to part 3 of this procedure.
2. If the grievance is not resolve, it shall be raised with the Head of Department by the member(s) concerned, accompanied by his or her representative.
3. If the grievance is not resolve, Unite representatives and/or regional Officer shall raise it with the Staff Office.
4. If the grievance is not resolved it shall be referred to the labour Relations Commission (a rights commissioner, an Equality Officer or an Industrial Relations Officer) or the Employment Appeals Tribunal.
5. If the grievance is not resolved following the intervention of the Labour Relations Commission, it may be referred to the Labour Court for investigation and recommendation.

### **Negotiating Procedure**

1. The College shall inform the Union, in writing, any proposed changes in working conditions or practices well in advance of such changes.
2. Disputes relating to any proposed changes in working conditions or practices shall in the first instance be the subject of negotiations between the College, represented by the Staff Office, and Unite represented by the Regional Officer and local Representatives.
3. If agreement is not reached and either party wishes to pursue the matter further, that party shall refer the dispute either to the labour Relations Commission or other mutually agreed body where both parties shall participate in conciliation. If a mutually accepted conciliation body is not agreed within 7 days, then either party shall refer the dispute to the labour Relations Commission.
4. If the dispute remains unsettled, the matter may be referred to a full hearing of the Labour Court.
5. Either party shall take no strike or lockout, and no unilateral imposition of proposed changes, which are in dispute, while the above procedure is being followed.
6. There shall be no alterations to the recognition and procedural agreement or to the working conditions or practice of the members without prior consultation and agreement between the parties.

## **Procedures for dealing with workplace Bullying**

Trinity College is committed to supporting the right of all members of the College Community to a working environment, which is free from any forms of bullying. Bullying is a behaviour, which can be damaging to a person's general welfare and to the College's community spirit and working environment. Bullying behaviour is not acceptable and it is the responsibility of all members of College to ensure that this behaviour does not happen. This responsibility includes awareness of one's own behaviour and its potential effects on others. The College's Heads of Departments, Managers and Supervisors have a specific responsibility to support and implement this College policy and to provide a positive working environment. The issuing of reasonable work-related instructions should not be construed as bullying. Any breach of this policy may constitute grounds for disciplinary action and, in serious offences, disciplinary action up to and including suspension and dismissal.

**DEFINITION:** Bullying is unwanted and unwelcome behaviour which is persistent and repeated, is offensive or threatening to the recipient or which leaves the recipient isolated or vulnerable. While an isolated incident of aggressive behaviour – while clearly unacceptable – does not in itself constitute Bullying, if the impact of the incident subsequently serves to intimidate on an on-going basis, then such an incident could be regarded as Bullying. Bullying can take many forms, from open aggression, threats, and shouting to subtle comments or exclusion. It can be verbal, physical or psychological. It is destructive and may have serious consequences. The impact of the behaviour on the recipient will be taken into consideration when dealing with cases of Bullying.

### **EXAMPLES OF BULLYING BEHAVIOUR:**

- Exclusion or hostile attitude, malicious rumours;
- Personal insults, nicknames, ridiculing; persistent picking on person as a 'joke';
- Abuse of power; undermine the ability of staff to carry out their work; excessive criticism; withholding essential information;
- Aggressive behaviour; intimidation and threats; unwelcome physical contact.

Bullying can involve an individual or group of individuals who bully or threaten an individual or group of individuals. Individuals involved may be at any level within the College i.e. peers, person in authority, person in minority groupings etc.

**SOURCES OF HELP:** There are several sources of help for all parties involved (victims, witnesses, perpetrators) as follows:

The Contact Persons, the Employee Assistance Programme and workplace representatives.

**TRAINING:** Training will be given to the Contact Persons, and College will inform all staff of their responsibilities about the prevention of Bullying.

**PROCEDURE:** Please refer to the Colleges *Dignity & Respect Policy* which sets out both the informal and formal procedures (link below).

[http://www.tcd.ie/Staff\\_Office/policies/healthsafety/DIGNITY\\_AND\\_RESPECT.pdf](http://www.tcd.ie/Staff_Office/policies/healthsafety/DIGNITY_AND_RESPECT.pdf)

## **Addendum**

- 1) This addendum is specific to, and part of the policy agreed by Unite and Trinity College
- 2) Unite supports this policy, and will take an active part in its implementation.
- 3) In appointing contact persons the College will ensure they have the necessary qualifications for such a post and, as far as practicable, they will reflect the wide range categories of staff in College.
- 4) In case of a member of the Academic staff being involved, this policy agreement between Trinity College and Unite will have the full and active support of the Senior Dean.
- 5) Unite and Trinity College Dublin will meet each year to review this policy.

## Appendix 1

Unite has negotiating rights in respect of all College staff listed below

Technical Officer  
Senior Technical officer  
Chief Technical Officer Specialist  
Chief Technical Officer II  
Experimental Officer

## Appendix 2

Unite can also jointly negotiate for College staff listed

Chief Technical Officer I  
Senior Experimental Officer

## Appendix 3

### Expert Group

#### Report of the Expert Group on University Technician Grades

*June 2005*

#### **Table of Contents**

- Section 1: Introduction
- Section 2: The role of the profession: - including, inter alia, the impact of ongoing change across the Universities, with particular reference to student instruction and developments in research.
- Section 3: Career structures including the Designated Title, Qualifications, Professional Certification, Unified career structure, if appropriate to the institutions within the sector and training and education requirements including funding and facilities.
- Section 4: Management structure and development within the profession.
- Section 5: Development plans for the delivery of services.*

#### Section 1 - Introduction

#### Background to the Establishment of the Expert Group

The labour Relations Commission (Ref.CC97/566) in May 1997, recommended the establishment of an Expert group for Medical Laboratory technicians/technologists as part of a set of proposals to settle their pay claims under the PCW. The Expert Group issued its report in February 2001.

Based on the pay relationship between university technicians and medical laboratory technicians under PCW, it has now been agreed that an Expert Group will be established for university technicians with the following terms of reference;

## **Terms of Reference**

The terms of reference of the Expert Group are to examine and report on:

- The role of the profession: - including, inter alia, the impact of ongoing change across the Universities, with particular reference to student instruction and developments in research.
- Career structures including
  - Qualifications
  - Professional Certification
  - Unified career structure, if appropriate to the institutions within the sector.
  - Training and education requirements including funding and facilities.
  - Designated Title.
- Management structure and development within the profession.
- Development plans for the delivery of services.

The Expert Group comprised of an independent chairperson (agreed by both parties) and four representatives from the university employers and four representatives from staff trade unions. The members of the Expert Group were:

**Raymond McGee (LRC) Chairperson from  
March 2003 until June 2003**

**Kevin Foley (LRC) Chairperson from  
November 2004**

**Ms Marian Burns (DCU) from July 2003**

**Michael Chapman (AMICUS-MSF)**

**Olan Dwyer (SIPTU)**

**Pat Fitzgerald (DCU) from February 2005**

**Michael Flanagan (UCD)**

**Colm Flannery (NUIG) from February 2005**

*Robert French (AMICUS-MSF)*

**Professor Paul Giller (UCC)**

**Maria Kelly (TCD) until June 2003**

*Chris McNairney (NUIG)*

**Therese Moloney (AMICUS-MSF)**

## **Expert Group Methodology**

*It was agreed that:*

1. The Expert Group would carry out its task by way of plenary discussions. Where appropriate local negotiations will take place in individual Universities between management and union nominees on issues relevant to that University. The Expert group will monitor and co-ordinate the local negotiations.

2. The Group would then report its findings to the Joint Management and Union Body (Umbrella Group). This body is comprised of representatives of the 7 Universities, 3 Unions (AMICUS-MSF, SIPTU and IFUT), THE Higher Education Authority, Department of Education and Science and the Department of Finance.

3. The Expert Group may, following consultation with the Joint Management and Union Body on a subgroup of that body as appropriate where such is agreed, consider other relevant issues

4. All technical staff currently in post at an agreed date and who meet the existing qualification requirements for progression or who subsequently meet those requirements will be deemed to have the necessary qualifications for progression.

The Expert Group commenced work in March 2003 and met seven times during the period March 2003 and February 2005. This Report is based on the agreed minutes of these meetings.

## Acknowledgements

The Expert Group would like to express its appreciation to the Labour Relations Commission and to University College Cork for their support in hosting its meetings.

## Section 2 – Role of the Profession

The Expert Group agreed that the role of the profession should be enhanced and expanded to include managerial and supervisory duties, teaching support, continuous professional development, instruction and training, research support and redeployment as appropriate to the grade. Details of the new expanded roles are given in Section 4, titled, “Management Structure and Development within the Profession”.

## Section 3 – Career Structure

The Expert Group considered the following issues, namely, **Title, Structure and Qualifications**, and agreed to base their discussion on the Report of the Expert Group on Medical Laboratory Technician / Technologist Grades in the Health Sector. It was agreed that similar qualifications and grading structures applying to technicians in the Health Sector should apply to University Technicians

### Title

The expert group recommends that the sector moves towards a graduate entry profession for Technicians, and the designated title of the profession should be Technical Officer.

### Structure

The Expert Group recommends that;

1: As per the terms of reference of this report

- The basic structure will have three grades. This will apply in all seven Universities<sup>1</sup>.
- The three grades will be **Technical Officer, Senior Technical Officer and Chief Technical Officer**.
- Promotion from Technical Officer to Senior Technical Officer will be the normal career progression within each institution and will in future be linked inter alia to qualifications.

- Entry to the grade of Chief Technical Officer will be on the basis of competition and the existing arrangements in each university will continue to apply.
- Other technical grades that currently apply in individual universities (e.g. experimental officers in TCD) will continue to apply and will be the subject of local discussions in each university.

## Qualifications

The expert Group recommends that;

- Entry to the profession will require a relevant Honours degree.
- Promotion to Senior Technical Officer and beyond will in future require a Masters Degree qualification or equivalent.
- The Universities will have the option of externally advertising posts at all levels.

The Group also noted that in many instances, it would be difficult to establish a relevant Masters degree and indeed Honours degree (for example for technicians working in material testing stations) and each institution would have to consider locally how “acquired experiential learning” combined with other qualifications could be used to determine equivalence to formal qualifications.

The Expert Group makes no recommendations on the issue of professional certification.

## Section Four – Management Structure

### **Chief Technical Officer**

The Expert group recommends that;

The reporting structure of the Chief Technical Officer will be to the Head of Department (HoD) or equivalent who will be appropriately qualified and be of sufficient academic standing to provide that leadership.<sup>2</sup> In the event of conflicting demands on the Chief Technical Officer, the matter will be referred to the HoD or equivalent

Chief Technical Officer will have a managerial role including, inter alia, for disciplinary, grievance and performance issues, for technical staff. This will involve a change in the role of the Chief Technical Officer and will require the development of new competencies. These Officers will be recruited internally and externally as appropriate.

### **Senior Technical Officer**

The Expert group recommends that this expanded role would include:

- Enhanced role in the supervision, where appropriate, of technical staff on a day-to-day basis.
- Provide a support role to teaching duties such as demonstrations and general instruction.
- Assist in the design and development of practical classes.
- Assist in the development/training of Demonstrators.
- Mentoring of junior staff.

- Assist in the development of student practical workbooks.

<sup>2</sup>: Appropriately qualified shall be determined by management at each institution

- Commitment to continuous professional development including taking on responsibilities consequent on new technologies.
- Extended role in research programmes to include new equipment training.
- Increased role in general administrative responsibilities including areas such as Health and Safety, budget control, purchasing etc.

### **Technical Officer**

It was agreed that this expanded role would include:

- Support teaching generally and provide “demonstrating” and/or “instruction” as necessary.
- Assist in the design and development of practical classes.
- Assist in the development/training of Demonstrators, subject to experience.
- Assist in the development of student practical notebooks.
- Commitment to continuing Professional Development, including taking on responsibilities consequent on new technologies.
- Expanded role in research, which would involve supporting research activities, or a more inclusive role in Research Programmes and greater engagement in this area. This may involve additional training, for example with particular equipment and/or techniques.
- Increased role for general administrative responsibilities, for example Health and Safety requirements, Stores and the assistance in activities such as budget control and purchasing etc.

Technical staff at all grades may be redeployed along the lines of current agreements in each institution and/or as per attached appendices to this report.

## **Section Five - Delivery of Services**

The agreed expanded roles of Chief Technical Officer, Senior Technical Officer, and Technical Officer grades include a range of activities and responsibilities that encompass, managerial and supervisory duties, teaching support, instruction and training, research support, redeployment and continual professional development and administration, as appropriate to the grade. The expert group agreed that institutions would need to oversee technical service delivery under these expanded technical roles through the establishment of a relevant Committee within each institution. This committee would be subject to the procedures for the establishment of committees in each institution.<sup>3</sup> As the expanded roles and proposed reporting relationships may well span across traditional departmental boundaries, this committee might also take on a co-ordinating role.

It is essential that the establishment of any such Committee should be fully representative of technical, academic and administrative bodies within the institution. As such, the following Committee structure might apply:

### **Technical Services Committee**

Chair – President or his/her nominee.

Three academic representatives including a Dean and a Head of Department/School from relevant Faculties/Colleges.



Three technical representatives.  
One representative from the Human Resources department.

The mechanism for selecting the various representatives should be defined by the academic and technical bodies of each institution.<sup>4</sup>

It is envisaged that the remit of the Committee would vary somewhat amongst the various institutions (depending on their specific configuration and activities) but could include advising on the following:

- Promoting consultation and communication between academic and technical staff
- Policy development issues related to service delivery.
- Monitoring the success of implementation of the expanded roles and activities.

<sup>3,4</sup>: In accordance with Section 18 subsections (4) & (5) and Section 24 subsection (3) fourth Schedule (5) of the Universities Act 1997.

- Evaluation of redeployment and flexibility requirements to meet service delivery and, as necessary, co-ordination of redeployment and flexibility issues.
- Professional development and additional training opportunities.
- Implementation of new technologies.
- Initial consideration of staffing issues, where appropriate, which may arise in relation to technical services delivery.

**Footnote:** The Group recommends that additional supervisory/management training should be given to staff and in particular to Chief Technical Officers.

## PCW agreement 1999 TCD

### Co-operation with Change

It is agreed that changes in work practices will be introduced in a spirit of co-operation. It is recognized that the implementation of change will call for the continued commitment from both parties to:

- i) Co-operation regarding the introduction of new schemes, the adaptation of existing schemes and other initiatives which may involve change in work practice.

Examples of possible changes in work practice may include:

#### a) Cross-Departmental Working

Technical staff will cooperate with the implementation of working groups which may include staff from more than one department, and which may involve carrying out work for more than one department. These groups may operate on a temporary, part-time or permanent basis. In all cases appropriate arrangements will be made in advance to ensure that the home department duties of the Technical staff concerned will not accumulate and will be taken into account when allocating their new duties.

#### b) Inter-Departmental Working

Technical staff may on occasion carry out duties for a department other than their own, subject to the prior agreement of their Own Head of Department. In all cases, appropriate arrangements will be made in advance to ensure that the home department duties of the Technical staff concerned will not accumulate and will be taken into account when allocating their new duties.

Any new inter-departmental arrangements will be made at local level with the full participation of all the Technical staff involved.

*Updated: October 2008*

[Back to Table of Contents](#)

## Student Conduct and Capacity

- |                      |    |   |
|----------------------|----|---|
| Conduct and capacity | 1. | (1) Board, on the advice of Council, shall make regulations concerning student conduct and capacity, and related matters.<br>(2) A Committee on Student Conduct and Capacity, to hear, determine and resolve certain cases relating to student conduct and capacity, shall be provided for in Schedule 1.   |
| Discipline           | 2. | (1) Board shall maintain oversight of the disciplinary procedures relating to students.<br>(2) A disciplinary code, including the disciplinary functions of the Junior Dean, and the composition and procedures of a Panel of Enquiry, shall be set out in Schedule 2.  |
| Mental Health        | 3. | (1) Cases of student mental ill-health raise sensitive personal issues.<br>(2) A policy and procedures to deal with such cases shall be set out in, or pursuant to, Schedule 3.   |
| Fitness to Study     | 4. | (1) Cases of students' fitness to study in College raise delicate medical issues.<br>(2) A policy and procedures to deal with such cases shall be set out in, or pursuant to, Schedule 4.   |
| Fitness to Practise  | 5. | (1) Cases of students' fitness to practise trades or professions during their courses of study and after graduation raise complex academic issues.<br>(2) Council shall maintain oversight of this matter.<br>(3) A policy and procedures to deal with such cases shall be set out in, or pursuant to, Schedule 5.  |
| Scholarship          | 6. | (1) Scholarship may be terminated pursuant to the Chapter on the Scholars.<br>(2) Board may, for disciplinary reasons and after due enquiry, suspend the Scholarship of, or a privilege of Scholarship of, any Scholar on the recommendation of the Junior Dean, the Committee on Student Conduct and Capacity or a Panel of Enquiry, as the case may be; provided that any such recommendation has been taken pursuant to Schedules 1 and 2.<br>(3) Board may, after due enquiry, suspend a privilege of Scholarship of any Scholar on the recommendation<br>(a) of the Junior Dean or the Committee on Student Conduct and Capacity taken pursuant to Schedules 1 and 3, or<br>(b) of the Senior Lecturer, Dean of Graduate Studies or Committee on Student Conduct and Capacity taken pursuant to Schedules 1 and 4. |

- Schedules
7. (1) The Schedules to this Chapter may be revised by Board only with the consent of Council.
- (2) Although matters appropriate to a Schedule (other than Schedule 1 on the Committee on Student Conduct and Capacity) should not normally be dealt with pursuant to another Schedule, nevertheless separate aspects of a case may be dealt with pursuant to separate Schedules.
- (3) Although some class of matter may raise issues pursuant to an existing Schedule, Board may provide in a further Schedule that it should normally be dealt with pursuant to that further Schedule.
- (4) Board and Council may adopt a comprehensive policy detailing College's supports and interventions in the areas covered by the Chapter and its attendant Schedules; and any such policy may be set out in the Calendar.
- Best Interests
8. (1) Any person or body taking decisions pursuant to this Chapter and attendant Schedules shall seek to act in the best interests both of any and every student concerned and of every other member of the College Community.
- (2) In particular, such a decision-maker should
- (a) consider first whether concern and support are more in the best interests of a student concerned than proceeding pursuant to one of the Schedules,
- (b) act with sensitivity and understanding in cases of student mental ill-health, and
- (c) take into account the level and types of support already in place, if any, in cases relating to students with disabilities.

[Back to Table of Contents](#)

## Schedule 1

### *Committee on Student Conduct and Capacity*

#### *Part 1 - General Provisions*

#### 1. Interpretation

- (1) For the purposes of the Schedules to the Chapter
  - (a) "student" includes
    - (i) those who are registered for a course of study or research for so long as they are so registered; and
    - (ii) those who otherwise come within sections 1 and 5 of the Chapter on Students, section 3(1) of the Schedule on Degrees and other academic qualifications awarded by College (Schedule 1 to the Chapter on College), and section 3(1) of the Schedule on Degrees and other academic qualifications awarded by the University (Schedule 1 to the Chapter on the University);
  - (b) "day" has the meaning ascribed to it in the Introduction Chapter; provided that, in matters already before the Committee, it shall also include any other day as agreed by the parties and the Committee;
  - (c) references to "a Panel" shall be construed as references to a Panel of Enquiry established pursuant to the Schedule on Discipline; and
  - (d) references to a student's tutor shall, in the case of a postgraduate student, include the Postgraduate Student Support Officer or a postgraduate advisor.
- (2) For the purposes of this Schedule, the "relevant decision-maker"
  - (a) in respect of decisions taken pursuant to Schedule 2 on Discipline, is the Junior Dean or the other decision-makers referred to in section 3 of that Schedule, as the case may be;
  - (b) in respect of decisions taken pursuant to Schedule 3 on Mental Health, is the Junior Dean;
  - (c) in respect of decisions taken pursuant to Schedule 4 on Fitness to Study, is the relevant Officer as defined in that Schedule; and
  - (d) in respect of decisions taken pursuant to section 2(3) of this Schedule, is the Dean of Students.
- (3) Where a process has begun pursuant to the Chapter and its attendant Schedules, but the person subject to the process ceases to be a student within the meaning of section 1(1)(a), then the process may nevertheless proceed to a conclusion (including the exhaustion of any and all relevant appeals), and the person subject to the process shall be bound by the outcome of the process.

## 2. Schedules

- (1) Matters appropriate to one of the subsequent Schedules to this Chapter should not normally be dealt with pursuant to another of the subsequent Schedules.
- (2) However, separate aspects of a case may be dealt with pursuant to separate Schedules.
- (3) Where, in the opinion of the Dean of Students, a case raises issues relevant to more than one Schedule, then the Dean of Students shall co-ordinate the distribution of those issues among these Schedules.
- (4) Decisions of the Dean of Students pursuant to this section may be appealed to the Committee, which shall consider the issue pursuant to Part 2.
- (5) Except where the contrary intention appears or the context otherwise requires, references in the Schedules to "the Suspension Section", the "Certification Section", or the "Assessment Section", as the case may be, shall be construed as references to the relevant section in Part 3 of this Schedule.
- (6) Pursuant to section 2 of the Schedule on Academic Appeals (Schedule 3 to the Chapter on Council), this Part shall apply to such appeals, and references in this Part to "subsequent Schedules" (or to similar or cognate phrases) shall insofar as is possible be construed to include that Schedule.

## 3. Best Interests

- (1) Pursuant to the Chapter, any person or body taking decisions pursuant to these Schedules shall seek to act in the best interests both of any and every student concerned and of every other member of the College Community.
- (2) In particular, where an issue arises pursuant to a subsequent Schedule, the relevant decision-maker may nevertheless decide to adjourn for the time being any proceedings pursuant to that Schedule, if the decision-maker considers that concern and support are more in the student's best interests than continuing such proceedings.
- (3) In such cases, the relevant decision-maker may impose such conditions or requirements as are appropriate in the circumstances.
- (4) Where the student fails or refuses either to accept any supports offered or to comply with any conditions or requirements imposed, then
  - (a) where the proceedings have been adjourned for one year or less, the relevant decision-maker shall decide whether or not to recommence the adjourned proceedings or to commence new proceedings pursuant to an appropriate Schedule, and
  - (b) where the proceedings have been adjourned for longer than a year, the relevant decision-maker shall not have the option to recommence any such adjourned proceedings, and may only

decide whether or not to commence new proceedings pursuant to an appropriate Schedule.

**4. Students with disabilities**

- (1) Pursuant to the Chapter, where an issue arises pursuant to a subsequent Schedule in relation to a student who is known to have a disability, and where the disability is relevant to the issue that has arisen, then the relevant decision-maker shall in the first instance give consideration to the level and types of support put in place for that student in conjunction with College's Disability Service.
- (2) Where, notwithstanding any such support, the relevant decision-maker has or continues to have concerns in relation to the issue that has arisen, then the decision-maker may proceed to a decision pursuant to the relevant Schedule.
- (3) Where a student has not engaged with the reasonable accommodations process to provide for such support, and the relevant decision-maker has or continues to have concerns in relation to the issue that has arisen, then the relevant decision-maker may proceed to a decision pursuant to the relevant Schedule.
- (4) A decision to proceed pursuant to sub-section (2) or (3) may be appealed to the Committee, which shall consider the issue pursuant to Part 2.
- (5) For the purposes of this section
  - (a) the best way for a student to be "known to have a disability" is to be registered with an appropriate College service such as the Disability Service, but a failure to be so registered shall not of itself preclude a student from having the benefit of this section, and
  - (b) the meaning of "disability" shall include the meanings ascribed to it in applicable Acts of the Oireachtas (in particular: the Equal Status Act, 2000,<sup>55</sup> the Disability Act, 2004,<sup>56</sup> and any related amendments).

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<sup>55</sup> Section 2 of the Equal Status Act, 2000 provides that "disability" means:

- (a) the total or partial absence of a person's bodily or mental functions, including the absence of a part of a person's body,
- (b) the presence in the body of organisms causing, or likely to cause, chronic disease or illness,
- (c) the malfunction, malformation or disfigurement of a part of a person's body,
- (d) a condition or malfunction which results in a person learning differently from a person without the condition or malfunction, or
- (e) a condition, disease or illness which affects a person's thought processes, perception of reality, emotions or judgement or which results in disturbed behaviour.

<sup>56</sup> Section 2 of the Disability Act, 2004 provides that "disability", in relation to a person, means:

a substantial restriction in the capacity of the person to carry on a profession, business or occupation in the State or to participate in social or cultural life in the State by reason of an enduring physical, sensory, mental health or intellectual impairment.

## *Part 2 - Committee on Student Conduct and Capacity*

### **5. Establishment**

- (1) In the Schedules to this Chapter other than Schedule 5 on Fitness to Practise, references to the Committee are references to the Committee on Student Conduct and Capacity established by section 1(2) of the Chapter.
- (2) The Chairperson of the Committee shall be the Registrar, or a nominee of the Registrar.
- (3) There shall be up to twenty further members, consisting so far as possible of eight members of the academic staff, four undergraduate students, four graduate students, and four members of the technical, administrative and support staff.
- (4) The Registrar, having consulted with representatives of the academic staff, technical, administrative and support staff and students, shall annually propose the membership of the Committee to Board for its approval.
- (5) For any given hearing, the Committee shall sit as a chamber of seven members: the Chairperson, and, provided that this includes at least one man and at least one woman, six others selected by the Chairperson, as follows: three of the academic members, two of the students (comprising, as far as practicable, one undergraduate and one graduate student), and one of the technical, administrative and support staff members.
- (6) The quorum shall be five, at least one of whom shall be a student.
- (7) There shall also be a Secretary to the Committee, who shall be appointed by the Chairperson, but who shall not be a member of the Committee.
- (8) The Chairperson shall, if necessary, convene the Committee at least once each year, and may, on an application by a party to a matter pending before it, convene it at other times.

### **6. Procedures**

- (1) Any matter considered by the Committee shall be by way of a full hearing or rehearing, as the case may be.
- (2) For the avoidance of doubt, if a matter falls to be reconsidered by the Committee, the matter can be reconsidered by any validly constituted Chamber of the Committee.
- (3) Unless the Committee decides otherwise, any decision being appealed to the Committee shall remain in place and shall retain full force and effect during the currency of any appeal.
- (4) The Committee may consider any documents provided by any party in advance of the hearing, provided that such documents are also provided to all other parties as soon as practicable after their



provision to the Committee; and, at the hearing, it may admit any evidence it deems relevant.

- (5) Where two or more matters are pending before the Committee relating either to the same incident or occasion or to sufficiently related incidents or occasions, then the Committee may decide to consolidate the matters and hear them together in a single hearing before the same Chamber of the Committee.
- (6) Where two or more matters are pending before the Committee which were treated together by the Junior Dean, the Committee may nevertheless decide to treat them as separate matters and consider them in separate hearings before different Chambers of the Committee.
- (7) At the hearing, the student's tutor or other person of the student's choice may represent the student; and the student and any such representative shall be given full opportunity to be heard on the matter before the Committee.
- (8) The Committee shall otherwise determine its own procedures, and perform its functions with due enquiry.
- (9) The Committee may make such decisions as it deems appropriate, having regard to the evidence before it.
- (10) The Committee shall frequently and regularly report to Board a summary of decisions taken pursuant to this Schedule.

## **7. Jurisdiction**

- (1) The Committee shall have jurisdiction to hear any appeal pursuant to the Suspension Section.
- (2) The Committee shall also have jurisdiction to hear any
  - (a) referral by the Junior Dean to the Committee pursuant to Schedule 2 on Discipline,
  - (b) appeal by an affected student against a final decision (other than a decision to suspend the student) taken by a relevant decision-maker, and
  - (c) application by an affected student to challenge the disciplinary consequences of decisions taken by any other person or College body, other than Board.
- (3) Notice of appeal or application pursuant to subsection (2) must be made in writing to the Chairperson of the Committee within 15 days of the date on which the decision giving rise to such appeal or application was communicated to the student.
- (4) The Junior Dean shall provide the Committee with a copy of any notice furnished to a student pursuant to section 5 of Schedule 2 on Discipline.
- (5) At any stage before it has come to a final decision on any disciplinary matter before it pursuant to this section, the Committee may - in exceptional cases - refer such matter to a Panel.

- (6) If the Committee does not refer a disciplinary matter to a Panel, it shall consider the matter pursuant to section 6; provided that, if the Committee decides to impose a penalty upon a student, it shall do so pursuant to section 8 of Schedule 2 on Discipline.

#### **8. Panel**

- (1) All final decisions in disciplinary matters taken by the Committee may be appealed to a Panel by any party to the Committee's decision, but only with the leave of the Committee or of the Chairperson of the Panel, which shall be granted only where substantial grounds are demonstrated or where the sanction of expulsion from the University and College has been imposed.
- (2) An application for such leave shall be made in the first instance to the Committee within five days of the decision; the Committee shall determine the matter within a further five days.
- (3) If the Committee grants such leave, the Registrar shall notify the Chairperson of the Panel within five days.
- (4) If the Committee refuses such leave, an application to the Chairperson of the Panel for such leave may be made within a further five days; and the Chairperson shall determine the matter as soon as practicable, but if possible within a further five days.
- (5) In any application for leave, the Committee or Chairperson shall receive submissions from both parties, and may grant leave on such terms as it deems appropriate, including the imposition or maintenance of a suspension of the student in question.

### *Part 3 - The Suspension, Certification and Assessment Sections*

#### **9. Suspension Section**

- (1) For the purposes of this section, suspension of a student includes any
  - (a) suspension from College and University, or similar exclusion,
  - (b) suspension from Scholarship,
  - (c) requirement that the student withdraw from a course of study or go off-books,
  - (d) prohibition on the student's exercise of functions or privileges arising pursuant to the Statutes, or
  - (e) other prohibition on the student either from entering or attending or being present at any part of College, or from using specific services provided by College, or from communicating with a specified member or specified members of the College Community; provided that such a prohibition is
    - (i) open-ended in duration,
    - (ii) expressed to be for a period of more than one calendar month, or
    - (iii) otherwise likely to have a significant impact on the student's academic activity.

- (2) Where a relevant decision-maker has taken a decision to suspend a student, then that decision-maker shall
  - (a) as soon as practicable, inform the student of that decision, and
  - (b) within 5 days of taking that decision, provide a full report in writing on the matter to the Chairperson of the Committee.
- (3) As soon as practicable thereafter, the Chairperson shall provide notice to any such suspended student of the date on which an appeal will be heard by the Committee against the decision of the relevant decision-maker; provided that this date shall not be more than 10 days later than the date on which the report referred to in sub-section (2) was received by the Chairperson.
- (4)
  - (a) The student shall reply to the Chairperson within 5 days of the date on which the notice referred to in sub-section (3) was received by the student, and that reply shall indicate whether the student wishes to pursue the appeal.
  - (b) Where a student wishes to pursue the appeal, but is unfit to do so for sufficiently attested reasons of physical or mental ill-health, the Chairperson may postpone the appeal hearing until the student is fit to pursue the appeal.
- (5) Where the decision of the relevant decision-maker also includes matters other than the suspension, those matters shall also be considered in any appeal taken pursuant to this section.
- (6) The Committee shall consider the appeal pursuant to section 6.
- (7)
  - (a) Where the Committee decides to suspend a student, then the student may re-apply to the Chairperson of the Committee, seeking to have the matter reconsidered by the Committee on the grounds that the circumstances which led the relevant decision-maker or the Committee to take that decision no longer obtain.
  - (b)
    - (i) The Chairperson shall consider the application with due enquiry, and shall first decide whether the application is ill-founded.
    - (ii) If it is ill-founded, the Chairperson shall reject the application and ensure that such decision be included in the Committee's next report to Board pursuant to section 6(10).
    - (iii) The applicant may make no further applications pursuant to this sub-section until after Board has considered that report; and the Chairperson shall not, until then, consider any such purported further
  - (c)
    - (i) If the application is not ill-founded, the Chairperson shall decide whether or not the applicant has raised a real issue for determination; and if so, the Chairman shall refer the matter to the Committee.
    - (ii) If the Chairperson decides to refer the matter to the Committee, then it shall reconsider the matter pursuant to section 6.

- (iii) If the Chairperson decides not to refer the matter to the Committee, then the Chairperson shall ensure that such decision be included in the Committee's next report to Board pursuant to section 6(8).
  - (iv) If the Chairperson decides not to refer the matter to the Committee, then the Chairperson shall inform the student of the right to appeal to the Visitors in the event of that decision being confirmed by Board.
- (8) A student who has been granted leave to appeal to a Panel or who has lodged an appeal to the Visitors may not make an application to the Chairperson pursuant to sub-section (7) during the currency of that appeal; and any such application shall be treated by the Chairperson as ill-founded.
- (9) Where the Committee has retained a suspension imposed by the Junior Dean to assist the investigation of a major offence pursuant to Schedule 2 on Discipline, a subsequent decision by the Junior Dean that the student has no case to answer in respect of that major offence shall automatically discharge the suspension.

#### 10. Certification Section

- (1)
  - (a) In circumstances where this section applies, the required letter of certification shall be provided by an appropriately qualified person who is unrelated to and independent of the relevant student.
  - (b) The best means of complying with paragraph (a) would be by submitting a letter from an unrelated and independent physician or psychiatrist or other medical professional who is or has been treating the relevant student.
- (2) Where a student fails or refuses to comply with a requirement to submit a letter of certification, the relevant decision-maker may take any or some or all of the following decisions:
  - (a) suspend the student, and the Suspension Section shall apply,
  - (b) require the student to undergo an examination or assessment for the purposes of obtaining the relevant letter of certification, and the Assessment Section shall apply,
  - (c) impose such conditions or requirements as are appropriate in the circumstances.
- (3) Where a student has complied with a requirement to submit a letter of certification, but the relevant decision-maker has or continues to have serious concerns about the relevant issue which are not allayed by the letter, the relevant decision-maker shall consult with the Director either of the College Health Service or of the Student Counselling Service, and may then
  - (a) seek a further assessment; and the Assessment Section shall apply,

- (b) impose such conditions on admission, readmission, or accommodation, as the case may be, as are appropriate in the circumstances, or
  - (c) decide to suspend the student or to continue a suspension, as the case may be; and the Suspension Section shall apply.
- (4) A student who has not appealed pursuant to the Suspension Section may submit a further letter to the relevant decision-maker seeking to allay the decision-maker's concerns; and the previous sub-section shall apply.

**11. Assessment Section**

- (1) (a) In circumstances where this section applies, the assessment shall be carried out by an appropriately qualified person nominated by the relevant decision-maker.
- (b) That person may be
- (i) a member of the College Health Service or the Student Counselling Service, or
  - (ii) a person external to College; in which case, if necessary, the assessment shall be at the expense of College.
- (2) The relevant decision-maker may suspend a student who has not complied with a requirement to undergo an assessment; and the Suspension Section shall apply.
- (3) Where a student has complied with such a requirement, but the relevant decision-maker has or continues to have serious concerns about the relevant issue which are not allayed by the assessment, then the relevant decision-maker shall consult with the Director either of the College Health Service or of the Student Counselling Service, and may then
- (a) impose such conditions on admission or readmission, as the case may be, as are appropriate in the circumstances, or
  - (b) decide to suspend the student or to continue a suspension, as the case may be; and the Suspension Section shall apply.

[Back to Table of Contents](#)

## Schedule 2

### *Discipline*

#### *Part 1 - Conduct Addressed*

#### 1. Offences

- (1) This Schedule applies to matters relating to student discipline.
- (2) Disciplinary offences to which this Schedule applies shall include breaches or attempted breaches of the criminal law and of College regulations (including those set out in the Calendar), whether committed inside or outside the College, including but not limited to
  - (a) activity which brings the College into disrepute,
  - (b) misconduct in relation to examinations, libraries, and the use of other College facilities, services, and accommodation
  - (c) disruption of the normal operation of activities within the College, and
  - (d) harassment or misbehaviour on College property or in dealings with others;provided that this Schedule does not infringe the legitimate right of students to assemble and express grievances.
- (3) A disciplinary offence shall be dealt with as expeditiously as possible.

#### *Part 2 - Investigation and reporting of offences*

#### 2. Commission of offences

- (1) It shall normally be the responsibility of the Junior Dean to investigate the commission of alleged disciplinary offences.
- (2) Notice of the commission of an alleged offence, where appropriate, must be given to the Junior Dean as soon as practicable after the commission of the offence. The person charged with responsibility over a particular area of College (for example, the Senior Lecturer in the case of examinations, or a Head of School) will normally be responsible for such notification.

#### 3. Junior Dean and others

- (1) The functions and obligations of (including requirements of notification upon) the Junior Dean may also be performed
  - (a) in the case of offences relating to Trinity Hall, by the Warden,
  - (b) in the case of breaches of Library Regulations, by the Librarian and College Archivist,
  - (c) in the case of breaches of IT Services regulations in general, and of the IT and Network Code of Conduct in particular, by the Director of IT Services, and
  - (d) by any other person or body as Board may direct,

and any references in this Schedule to the Junior Dean shall be construed accordingly.

**4. Postponement of procedures**

- (1) Notwithstanding section 1(3), the Junior Dean, the Committee, or a Panel of Enquiry, as the case may be, shall have regard to any criminal, disciplinary or other similar process arising out of the same or similar matter, and may postpone disciplinary procedures (including the application of time limits) being taken pursuant to this Schedule until any such process is complete.
- (2) For the purposes of this Schedule, "day" has the meaning ascribed to it in Schedule 1; provided that
  - (a) in matters already before a Panel, it shall also include any other day as agreed by the parties and the Panel, and
  - (b) it shall exclude days during a postponement of procedures pursuant to subsection (1).

*Part 3 - Procedures to be followed by the Junior Dean*

**5. Investigation**

- (1) The Junior Dean shall perform the functions of office with due enquiry.
- (2) Where an alleged disciplinary offence comes to the attention of the Junior Dean, whether by notification pursuant to section 2 or otherwise, then the Junior Dean shall furnish to the student a notice in writing in satisfaction of section 37 which also sets out the specific disciplinary offence with which the student is charged and, if possible, indicates whether that offence is likely to be characterised as either major or minor.
- (3) The Junior Dean shall interview the student as soon as is practicable thereafter. At that interview, the student's tutor or other person of the student's choice may represent the student; and the student and any such representative shall be given full opportunity to comment on the allegations made against the student.
- (4) If the student refuses to attend that interview, the Junior Dean may nevertheless proceed to take a decision pursuant to section 7.

**6. Classification of offences**

- (1) The Junior Dean shall, following the interview and the completion of the initial investigation, decide whether a case has been established against the student and, if so, whether, in the case of each offence in question, it is a minor or major offence.
- (2) It shall be for the Junior Dean in the first instance to decide whether an offence is major, but the Junior Dean shall have regard to factors such as the potential for criminal or professional misconduct proceedings arising out of the offence, the impact of the offence on others, the disruption of the normal functioning of the College and/or

its facilities and/or members, plagiarism, falsification or serious misuse of official College or University documents or false pretences in connection with academic attainments, or refusal to comply with any final penalty imposed pursuant to this Schedule.

**7. Decision of Junior Dean**

- (1) The Junior Dean shall, within 15 days of the furnishing to the student of a notice pursuant to section 5, have finally dealt with the matter, having either decided that there was no case to answer, dealt with the matter summarily and imposed a penalty, or referred the matter to the Committee pursuant to section 9 or section 12.
- (2) The time limit in subsection (1) may be extended by the Junior Dean only where it is necessary to do so in the interests of the student, as for example, where the student is temporarily unavailable for interview.
- (3) The student may, pursuant to section 7(2)(b) of Schedule 1 on the Committee on Student Conduct and Capacity, appeal the final decision of the Junior Dean taken pursuant to subsection (1).

**8. Penalties**

- (1) Any person or body imposing a penalty pursuant to this Schedule shall impose an appropriate penalty, having regard to the offence, its consequences, and the means and circumstances of the student.
- (2) The penalty for each minor offence committed by the student may include a fine which shall not exceed any limit as set by Board from time to time.
- (3) The penalty for each major offence committed by the student and dealt with summarily may include suspension from the University and College not extending beyond the end of the next academic year, disqualification from an examination, and a fine which shall not exceed any limit as set by Board from time to time.
- (4) The penalty for each major offence committed by the student and not dealt with summarily may include reprimand, disqualification from an examination, suspension from academic and other privileges, suspension from the University and College not extending beyond the end of the second next academic year, expulsion from the University and College, and a fine which shall not exceed any limit as set by Board from time to time.
- (5) In all such cases, the student may also be required to pay compensation, make reparation, provide restitution and/or donate to charity.
- (6) For the avoidance of doubt, the penalties available under this section include suspension as defined in the Suspension Section; and, where the Junior Dean has imposed a penalty that includes a suspension, then the Suspension Section shall apply.



- (7) (a) The Junior Dean may impose a penalty, and postpone its application conditional upon the good behaviour of the student concerned for a stated period of time.
- (b) If, in the opinion of the Junior Dean, the student concerned maintains good behaviour for that stated period of time, the Junior Dean may discharge the penalty.
- (c) If, in the opinion of the Junior Dean, the student concerned does not maintain good behaviour, then at any stage during the stated period of time, the Junior Dean may reinstate the penalty; and, if the reason why the student has not maintained good behaviour amounts to a disciplinary offence, the Junior Dean may take further disciplinary action pursuant to this Schedule.

*Part 4 - Summary procedure by consent in respect of major offences*

**9. Reference**

- (1) A Junior Dean who finds that a major offence has been committed by a student shall refer the matter by notice in writing to the Chairperson of the Committee, unless
  - (a) the student admits responsibility and consents in writing to summary procedure, and
  - (b) the Junior Dean is of the opinion, having regard to all the circumstances and, in particular, the range of penalties available, that summary procedure is appropriate.

**10. Academic activity**

- (1) In the case of any major offence related to an academic activity, the Junior Dean shall, before making a decision pursuant to section 9, seek and take into account the views of the Senior Lecturer or the Dean of Graduate Studies, as the case may be.
- (2) Such views shall include views as to an appropriate penalty.
- (3) Any such views shall be made known to the student.

**11. Penalties**

- (1) A Junior Dean who decides to deal with a major offence by summary procedure shall invite the student to make submissions in mitigation or otherwise relating to an appropriate penalty.
- (2) Such submissions may be made either orally or in writing, and either by the student or by the student's representative.
- (3) A Junior Dean who then decides to impose a penalty upon the student shall do so pursuant to section 8.
- (4) The student may, pursuant to section 7(2)(b) of Schedule 1 on the Committee on Student Conduct and Capacity, appeal the penalty imposed by the Junior Dean pursuant to subsection (3).

**12. Withdrawal of consent**

- (1) A student charged with a major offence may withdraw consent to the summary procedure at any time before penalty is imposed, by notifying the Junior Dean to this effect, who shall then refer the matter by notice in writing to the Chairperson of the Committee.

**13. Suspension**

- (1) Where, in the opinion of the Junior Dean, it is necessary to assist the investigation of a major offence or to prevent clear and reasonably imminent harm, the Junior Dean may suspend a student; and the Suspension Section shall apply.

*Part 5 - Panel of Enquiry*

**14. Membership of Panel**

- (1) A Panel of Enquiry shall consist of three full-time members of the academic staff and three students of the College, all chosen at random for each case, and a Chairperson; provided that the staff and student membership shall each include at least one man and one woman.
- (2) The Chairperson shall be a person with legal training and shall be appointed by Board with the agreement of the Students' Unions to serve for a period of three years or until resignation if that occurs earlier. The Chairperson shall be eligible for re-appointment.
- (3) (a) Board shall also appoint a Deputy Chairperson, who shall act as Chairperson in any matter in which the Chairperson is unable to act.
- (b) The Deputy Chairperson shall be a person with legal training and shall be appointed by Board with the agreement of the Students' Unions to serve for a period of three years or until resignation if that occurs earlier.
- (c) The Deputy Chairperson shall be appointed on the same terms and conditions as the Chairperson, and shall be eligible for re-appointment.
- (4) The Junior Dean, members of the Committee, and members of Board may not be members of a Panel.

**15. Secretary**

- (1) A member of the College staff shall act as Secretary to the Panel, but shall not be a member of a Panel.
- (2) In all cases, a minute of the proceedings and, where appropriate, a full record of the proceedings, shall be kept.

**16. Jurisdiction**

- (1) A Panel shall have such powers and functions as defined by Board and the Statutes and Schedules, and shall hear any

- (a) appeal against a decision of the Committee for which leave has been obtained,
  - (b) referral by the Committee pursuant to Schedule 1 on the Committee on Student Conduct and Capacity, or
  - (c) matter referred back to it by Board.
- (2) Unless the Chairperson decides otherwise, any decision being appealed to the Panel shall remain in place and shall retain full force and effect during the currency of any appeal.

**17. Witnesses and evidence**

- (1) The student shall, at least five days in advance of the hearing, or such longer period as the Chairperson shall specify, notify the Chairperson in writing of the names and addresses of the witnesses he or she proposes to call, and supply to the Chairperson a copy of any documents which he or she proposes to submit at the hearing.
- (2) The Chairperson shall furnish to the Junior Dean copies of all such communications as soon as practicable following their receipt.

**18. Documents**

- (1) The Junior Dean shall, at least five days in advance of the hearing, or such longer period as the Chairperson shall specify, cause the following documents to be served on the student and the Chairperson:
- (a) a statement of the charges against the student,
  - (b) a list of witnesses whom the Junior Dean proposes to call (if any),
  - (c) a summary in writing of the evidence that it is proposed should be given by each of them, and
  - (d) a list of exhibits (if any).
- (2) The student shall have the right to inspect all exhibits.
- (3) At any time the Junior Dean may, with the permission of the Chairperson, cause to be served on the student and furnished to the Panel a further summary of evidence to be given by any witness, or a statement from a new witness whose name has not already been supplied to the student. The Chairperson shall grant such permission, unless satisfied that it would be unfair to the student to accede to the Junior Dean's request.

**19. Empanelment**

- (1) Where two or more appeals are pending before the Panel relating either to the same incident or occasion or to sufficiently related incidents or occasions, then the Chairperson may decide to consolidate the appeals and hear them together in a single hearing before one Panel.
- (2) Where two or more appeals are pending before the Panel in matters which were either treated together by the Junior Dean or heard together in a single hearing by the Committee, the Chairperson may

nevertheless decide to treat them as separate appeals and consider them in separate hearings before different Panels.

- (3) The Secretary to the Panel shall arrange for a Panel to be empanelled for each hearing.
- (4) The Chairperson may, at his or her discretion, excuse any person from serving on the Panel, where that person has a direct interest in the hearing, or in other exceptional circumstances.
- (5) An opportunity shall be afforded to each party to object without cause shown to any two people serving as panel members. In addition, the parties shall be afforded an opportunity to object for stated reasons to any number of persons serving as panel members. The Chairperson shall determine whether or not such objection shall be upheld.
- (6) A Panel may continue to operate despite the withdrawal of one member.

## **20. Representation**

- (1) Students before a Panel may be represented by their tutors or other persons of their choice, including professional representation.
- (2) The Junior Dean may also avail of representation, including professional representation.

## **21. Proceedings**

- (1) Panel hearings shall be open to members of the Community; provided that the Chairperson shall have the discretion to impose such restrictions on admission as are necessary to ensure the orderly conduct of the proceedings.
- (2) The Chairperson may, at the request of the student or Junior Dean or on the Chairperson's own initiative, order that proceedings be conducted in private if satisfied that there are good reasons for doing so; provided that the Chairperson may not make such order without the consent of each student party to the proceedings unless there are compelling reasons for doing so.

## **22. Procedures**

- (1) A Panel shall conduct its business according to the rules set out in this Schedule; it shall otherwise determine its own procedures, and perform its functions with due enquiry.
- (2) It shall be the duty of the Chairperson to make rulings on all matters relating to the establishment, procedure and conduct of the Panel.
- (3) If, at any stage in the proceedings, the Chairperson is satisfied that there is insufficient evidence to establish an offence with which the student is charged, then the Chairperson may withdraw that offence from consideration by the Panel and direct the Panel to return a verdict of not guilty in respect thereof.

**23. Documentary evidence**

- (1) In any proceedings before a Panel, the Calendar and any official College or University document shall be admissible in evidence, and, unless the contrary is proven, the facts stated therein shall be presumed to be true.
- (2) The Chairperson may admit any other relevant document or evidence.
- (3) For the purposes of this section, "official College or University document" shall include a certified copy of any examination paper, examination script, transcript of results, examiner's report and minutes of a meeting of Board or Council, or of any committee or body established or appointed pursuant to the Chapter on Committees, or of any academic unit.

*Part 6 - Hearings of a Panel of Enquiry in respect of major offences*

**24. Summons**

- (1) In the case of a referral of a major offence to a Panel by the Committee pursuant to Schedule 1 on the Committee on Student Conduct and Capacity, the student shall receive a written summons in the name of the Panel.
- (2) The summons shall
  - (a) be signed by or on behalf of the Chairperson of the Panel,
  - (b) contain a brief specification of each charge,
  - (c) give notice of the date, time and place of the hearing, and
  - (d) require the student to appear at the hearing before the Panel.
- (3) The summons shall be accompanied by a copy of this Schedule and of Schedule 1 on the Committee on Student Conduct and Capacity, drawing attention in particular to the student's right to representation, to submit written evidence, and to call such witnesses in defence as the student may think fit.
- (4) The summons shall be delivered to the student by registered post, by courier delivering on behalf of the Chairperson, by personal delivery by or on behalf of any Officer, by recorded delivery, or by any other method of delivery - including electronic delivery - deemed appropriate by the Chairperson.
- (5) Where it appears to the Chairperson that due and reasonable diligence has been exercised in endeavouring to deliver a summons pursuant to subsection (4), then the Panel shall not lack for jurisdiction to deal with the case, notwithstanding that the student seeks to object that the summons was not successfully delivered.
- (6) At any stage in the proceedings, the Chairperson may direct that the specification of a charge against a student as set out in the summons be amended, and the Chairperson may make any consequential order as may seem appropriate in all the circumstances of the case.

**25. Time**

- (1) The summons shall be delivered to the student within 15 days of any referral of a major offence pursuant to Schedule 1 on the Committee on Student Conduct and Capacity, and the Panel shall meet within a further 15 days, or such longer period as the Chairperson shall specify.

**26. Attendance**

- (1) The student shall attend in person throughout the hearing of the case.
- (2) If a student does not appear, the Panel may proceed to deal with the charge and, if it considers it appropriate to do so, determine a penalty in the student's absence.

**27. Guilty plea**

- (1) A student wishing to do so may plead guilty to any charge, either in person before the Panel or by letter addressed to the Chairperson prior to the hearing.
- (2) In either case the student shall appear before the Panel, to answer questions and/or make submissions in relation to the matter of penalty, and to be informed of the Panel's decision.

**28. Hearings**

- (1) Having opened the proceedings, the Chairperson shall invite the presentation of the Junior Dean's case to the Panel. The student shall then be heard.
- (2) Where witnesses are called, they may be examined, cross-examined and/or re-examined by the parties and by members of the Panel.
- (3) When the presentation of evidence is complete, the Chairperson shall invite the parties to address concluding remarks to the Panel.
- (4) The Chairperson shall then, in the presence of the parties, address the other members of the Panel, summarising the evidence presented, giving directions as to the proper approach to the evidence adduced and instructing them as to their functions.
- (5) For the purposes of this section, a reference to the Junior Dean and the student shall include their representatives, if any.

**29. Verdict**

- (1) Following the Chairperson's address, the other members of the Panel shall retire to consider their verdict in private and in the absence of the Chairperson and of the parties.
- (2) The panellists shall nominate from amongst themselves a spokesperson, who shall, in the presence of the Panel, the Chairperson and the parties, announce the Panel's decision.
- (3) A verdict (whether of guilty or not guilty) shall not be returned unless at least five of the panellists are in agreement with such verdict; in

other cases it shall be recorded that the Panel was unable to reach a verdict.

- (4) Where a verdict of not guilty is returned, or where the Panel was unable to reach a verdict, the Chairperson shall dismiss the case.

### 30. Penalty

- (1) Where a verdict of guilty is returned, the Chairperson shall, and the parties may at their choice, address the panellists on factors relevant to the determination of an appropriate penalty, having regard in particular to section 8 of Schedule 2 on Discipline.
- (2) The panellists shall then again retire to consider an appropriate penalty, which decision may be made by simple majority; and, having made their decision, their spokesperson shall, in the presence of the Panel, the Chairperson and the parties, announce it.
- (3) If, in the opinion of the Chairperson, any proposed penalty is *ultra vires* (beyond their powers) or unreasonable, the Chairperson may ask the panellists to reconsider the matter.
- (4) Where the panellists are equally divided or otherwise unable to decide upon an appropriate penalty, the penalty shall be determined by the Chairperson.
- (5) The Chairperson shall, following announcement of the penalty, inform the student of the right to appeal to the Visitors in the event of the Panel's decision being confirmed by Board.

### *Part 7 - Appeals to a Panel from decisions of the Committee*

### 31. Hearing date

- (1) In the case of an appeal against a decision of the Committee for which leave has been obtained, the hearing of the appeal shall take place either within
  - (a) 15 days of the date upon which the Chairperson of the Panel granted leave to appeal or received notification pursuant to section 8 of Schedule 1 on the Committee on Student Conduct and Capacity that such leave had been granted, or
  - (b) such other period as the Chairperson may determine.
- (2) The appellant shall be given at least five days' written notice of the date, time and place of the hearing, and shall, at the same time be furnished with a copy of this Schedule and of Schedule 1 on the Committee on Student Conduct and Capacity, drawing attention in particular to the student's right to representation, to submit written evidence, and to call such witnesses as the student may think fit.

### 32. Rehearing

- (1) An appeal shall be a full rehearing.

- (2) Except as directed by the Chairperson, the Junior Dean shall make the first presentation, the student shall make the next presentation, and the Junior Dean shall be entitled to be heard in reply.
- (3) Except as aforesaid, the appeal shall as far as possible proceed according to Part 6.

### *Part 8 - Board and Visitors*

#### **33. Board**

- (1) Board shall maintain oversight of the College's disciplinary procedures in respect of students.
- (2) In particular, and subject to overriding considerations of fairness, Board shall ensure the proper imposition of discipline and the orderly operation of referrals and appeals to the Committee and a Panel of Enquiry.

#### **34. Panel Reports**

- (1) The Chairperson of a Panel shall report to Board, within 15 days, on all findings made by a Panel; this report shall contain a summary of the proceedings, of the evidence given, and of the outcome. The Chairperson shall also report, within 15 days, on any denial of leave to appeal to a Panel.
- (2) Board shall take a decision on either report no later than at its next regularly scheduled meeting; Board may adopt such report, refer it to the Visitors, refer it back to the Panel for clarification, or refer it to a new Panel for further consideration.
- (3) The student shall be immediately notified of that decision by registered post, by courier delivering on behalf of Board, by personal delivery by or on behalf of any Officer, by recorded delivery, or by any other method of delivery - including electronic delivery - deemed appropriate by Board.
- (4) Where it appears to Board that due and reasonable diligence has been exercised in endeavouring to deliver such notification pursuant to subsection (3), then the Visitors or the Panel or a new Panel (as the case may be) shall not lack for jurisdiction to deal with the issue, notwithstanding that the student seeks to object that the notification was not successfully delivered.
- (5) Where Board has referred a matter to a new Panel for further consideration, the Chairperson, having heard submissions from the parties, shall determine the procedure to be followed, provided that the appeal shall as far as possible proceed according to Part 6. No matter shall be considered more than twice by a Panel.



**35. Visitors**

- (1) Appeal from a decision of Board in a disciplinary matter, whether relating to a decision of the Committee or of a Panel or otherwise, lies to the Visitors pursuant to the Chapter on the Visitors.
- (2) The Visitors' decision in any such appeal shall be published as soon as is practicable.

*Part 9 - Application and review*

**36. Effectiveness of penalties**

- (1) Penalties imposed pursuant to this Schedule shall be effective when imposed, unless their application is postponed pursuant to
  - (a) section 8(7) of this Schedule,
  - (b) section 16(2) of this Schedule, or
  - (c) section 6(3) of Schedule 1 on the Committee on Student Conduct and Capacity.

**37. Rights of appeal**

- (1) Any person or body which is investigating an alleged offence or imposing or upholding a penalty on a student shall indicate to the student any and all rights of representation, appeal or further appeal.

**38. Review**

- (1) Board may from time to time constitute a committee charged with reviewing the regulations governing disciplinary procedures. Such a committee shall be drawn from areas in College with appropriate expertise and its composition shall be agreed between Board and the Students' Unions.
- (2) Further details relating to this Schedule may be set out in the Calendar.

[Back to Table of Contents](#)

## Schedule 3

### *Mental Health*

#### 1. Application

- (1) This Schedule applies to matters relating to students' mental health.
- (2) Pursuant to the Chapter, it is in the best interests of students with mental health issues that they be treated with sensitivity and understanding, and it is only in exceptional cases that the circumstances or consequences of such issues are so serious that this Schedule applies.

#### 2. Clear and reasonably imminent danger

- (1) Where, in the opinion of the Junior Dean, students constitute a clear and reasonably imminent danger to themselves or to others, the Junior Dean may suspend any and every such student, provided that the Junior Dean has first consulted with the Director either of the College Health Service or of the Student Counselling Service; and the Suspension Section shall apply.

#### 3. Mental health or capacity

- (1) Where the Junior Dean has serious concerns about a student's mental health or capacity, then the Junior Dean may require that the student undergo a psychiatric or psychological examination or assessment for the purpose of obtaining an opinion as to the student's mental health or capacity; and the Assessment Section shall apply.
- (2) In particular, the Junior Dean may have such concerns
  - (a) where there are worrying signs of mental illness or other mental health difficulties on the part of a student,
  - (b) where psychological, personality or emotional disorders on the part of a student have a disturbing impact on the functioning of that student or of others, or
  - (c) where the student's mental health difficulties result in undue disruption of College activities.

#### 4. Discharge from facility

- (1) The vast majority of cases in which a student has been admitted to a facility for the care and treatment of persons suffering from mental illness or mental disorder raise no issue under this section, and it is only in exceptional cases that the circumstances or consequences of such admission are so serious that this section applies.
- (2) This section applies to students
  - (a) whom the Junior Dean knows to have been admitted to a facility for the care and treatment of persons suffering from mental illness or mental disorder,
  - (b) who discharge themselves from, or who have been discharged from, such a facility, and

- (c) whom the Junior Dean believes constitute either a potential danger to themselves or others or a potential cause of undue disruption of College activities.
- (3) The Junior Dean may require students to whom this section applies to submit a letter certifying that they are mentally fit to return to College; and the Certification Section shall apply.
- (4) For the purposes of this section, students are mentally fit to return to College if they are
  - (a) mentally able to proceed with their courses of study (including clinical placements), and to participate in their courses to the standards required by College, and
  - (b) do not constitute either a potential danger to themselves or others or a potential cause of undue disruption of College activities.
- (5) If a student to whom this section applies is entitled to reside in College or becomes entitled to reside in College, then the Junior Dean may require the student to submit a letter certifying that the student is safely able to live independently in College accommodation; and the Certification Section shall apply.

## 5. Policy

- (1) Following appropriate consultation, the Junior Dean, the Dean of Students, and the Directors of the College Health and Student Counselling Services, shall, if necessary, draft, from time to time revise, and implement a Policy to give further effect to this Schedule.
- (2) Further details relating to that Policy or to this Schedule may be set out in the Calendar.

[Back to Table of Contents](#)

## Schedule 4

### *Fitness to Study*

#### 1. Application

- (1)
  - (a) This Schedule applies to cases of students' fitness to study in College.
  - (b) In particular, it applies to their medical fitness either to proceed with their courses of study (including placements) or to participate in their courses to the standards required by the College.
  - (c) In this Schedule, references to fitness to study shall be interpreted having regard to the provisions of this sub-section; and concerns relating to fitness to study shall include concerns relating to potential fitness to study.
  - (d) Pursuant to the Chapter, it is in the best interests of students with health issues that they be treated with sensitivity and understanding, and it is only in exceptional cases that the circumstances or consequences of such issues are so serious that this Schedule applies.
- (2) For the purposes of this Schedule, the "relevant Officer"
  - (a) in relation to undergraduate students is the Senior Lecturer, and
  - (b) in relation to postgraduate students is the Dean of Graduate Studies.

#### 2. Assessment

- (1) Where a relevant Officer has serious concerns about a student's fitness to study, the relevant Officer may require that student to undergo a medical examination or assessment for the purpose of obtaining an opinion as to the student's fitness to study; and the Assessment Section shall apply.

#### 3. Policy

- (1) Following appropriate consultation, the relevant Officers shall, if necessary, draft, from time to time revise, and implement a Policy to give further effect to this Schedule.
- (2) Further details relating to that Policy or to this Schedule may be set out in the Calendar.

[Back to Table of Contents](#)

## Schedule 5

### *Fitness to Practise*

#### 1. Application

- (1)
  - (a) This Schedule applies to matters relating to students' fitness to practise trades or professions during their courses of study and after graduation.
  - (b) In particular, it applies to matters relating to students' fitness to participate in clinical or other placements which are an essential component of their courses of study.
  - (c) In this Schedule, references to fitness to practise shall be interpreted having regard to the provisions of this sub-section; and concerns relating to fitness to practise shall include concerns relating to potential fitness to practise.
  - (d) Pursuant to the Chapter, it is in the best interests of students with personal issues which give rise to concerns relating to their fitness to practise that they be treated with sensitivity and understanding, and it is only in exceptional cases that the circumstances or consequences of such issues are so serious that this Schedule applies.
- (2) For the purposes of this Schedule, and for the avoidance of doubt, references to students' courses of study include participation in clinical or other placements.

#### 2. Schools' Fitness to Practise Committees

- (1) Each School in which fitness to practise matters can normally arise should
  - (a) formulate a policy relating to such matters, and
  - (b) constitute a Fitness to Practise Committee, and all references in this Schedule to "the Committee" shall be to the Fitness to Practise Committee of the relevant School.
- (2) In each such School, the Committee shall be constituted in accordance with the provisions laid down from time to time by the School.
- (3) Anyone who has concerns regarding a student's fitness to practise may raise such concerns with an appropriate person, who shall decide whether such concerns should be referred to the Committee; for the purposes of this Schedule, the appropriate person shall be the Junior Dean, or the Head of the relevant Discipline, or the Head of the relevant School.
- (4) Where a student's behaviour threatens the well-being of others (including patients, students or staff), the Head of the relevant Discipline or School or other appropriate member of the work-based placement staff
  - (a) may suspend the student from a placement with immediate effect, and

- (b) shall immediately refer the matter, either to the Committee, or to the Dean of Students for a determination pursuant to section 2(4) of Schedule 1 on the Committee on Student Conduct and Capacity of whether any aspect of the matter should be dealt with pursuant to any other Schedule.
- (5) The Committee shall determine its own procedures and shall perform its functions with due enquiry.

### 3. Decisions of the Committee

- (1) Where the Committee decides that concerns relating to a student's fitness to practise are well founded, it may take any of the following actions:
  - (a) caution the student in relation to the matter;
  - (b) recommend that the student be required to undergo testing in respect of suspected drug or alcohol mis-use;
  - (c) recommend that the student be required to undergo a medical examination or assessment, which may include psychiatric assessment;
  - (d) recommend that the student withdraw from College;
  - (e) recommend that the student be suspended from College;
  - (f) following consultation with the Senior Lecturer (in the case of undergraduate students) or the Dean of Graduate Studies (in the case of postgraduate students), require the student to complete such academic exercise, including a placement, as shall be prescribed by the Committee; or
  - (g) refer the matter or any aspect thereof to the Dean of Students to be dealt with pursuant to any other Schedule to this Chapter.
- (2)
  - (a) In the case of undergraduate students, recommendations pursuant to sub-section (1)(b)-(e) shall be made to the Senior Lecturer.
  - (b) In the case of postgraduate students, recommendations pursuant to sub-section (1)(b)-(e) shall be made to the Dean of Graduate Studies.
  - (c) Such recommendations shall not take effect until they are approved by the Senior Lecturer or the Dean of Graduate Studies, as the case may be.
- (3) Students
  - (a) who fail to comply with an approved recommendation made pursuant to sub-section (1)(b) or (c),
  - (b) whose tests pursuant to sub-section (1)(b) confirm drug or alcohol mis-use, or
  - (c) who are assessed pursuant to sub-section (1)(c) to be unfit to continue with their studies or to be unable or unsuitable to participate in their courses of study to the standard required by College, may be required by the Committee either to withdraw from their courses of study or to go off-books until such time as they submit a letter - from an appropriately

qualified person as defined by sub-section (1) of the Certification Section - to the Committee certifying that they are fit to proceed with their courses of study.

- (4) Students who have been suspended pursuant to sub-section (1)(d) shall not be re-admitted until such time as they submit a letter - from an appropriately qualified person as defined by sub-section (1)(a) of the Certification Section - to the Committee certifying that they are fit to proceed with their courses of study
- (5) Where a test or examination or assessment is required pursuant to the terms of this section, the Committee shall nominate an appropriately qualified person as defined by sub-section (1)(b) of the Assessment Section to undertake it.

#### **4. College Fitness to Practise Committee**

- (1) There shall be a College Fitness to Practise Committee, and all references in this Schedule to "the College Committee" shall be to the College Fitness to Practise Committee.
- (2) The membership of the College Committee shall be determined by Council, subject to the approval of Board.
- (3) All decisions of a School's Fitness to Practise Committee may be appealed to the College Committee within fifteen days of the date on which the decision has been communicated to the parties.
- (4) An appeal to the College Committee shall be a full rehearing; that Committee shall determine its own procedures; and it shall perform its functions with due enquiry.
- (5) Section 3 shall apply to the decisions of the College Committee in like manner as it applies to decisions of a School's Fitness to Practice Committee; except that recommendations pursuant to sub-section (1)(b)-(e) shall be made to Council and shall not take effect until they are approved by Council; and all other decisions of the Committee shall be notified to Council.

#### **5. Policy**

- (1) Following appropriate consultation, the Senior Lecturer and the Dean of Graduate Studies shall, if necessary, draft, from time to time revise, and implement a Policy to give further effect to this Schedule.
- (2) Further details relating to that Policy or to this Schedule may be set out in the Calendar.

[Back to Table of Contents](#)

## Appendices

### Appendix 1 - Divinity School Council

#### Prefatory Note

(prepared by Professor David Webb in 1993)

Until the mid-nineteenth century Divinity was the most important faculty in the College. The circumstances of the foundation ensured, of course, that its teaching was that of the Church of Ireland, and for a long time its chief function was the training of Anglican clergy, both for Ireland and overseas. In 1873 an Act of Parliament, usually known as Fawcett's Act, removed the religious tests for all offices and prizes in the University, but the Divinity School and its staff were expressly excluded from its operation. A few years later some members of the Church of Ireland became uneasy at the prospect of the Divinity School coming under the control of a Board of which the members might be of any faith or none. The Church and the College, however, could not agree on the best solution for this problem, and a controversy rumbled on for over thirty years. It was put an end to by the Letters Patent of 1911, which enacted a reasonable compromise: the Divinity School was henceforth, both in regard to teaching and appointment of Professors, to be under the control of the Divinity School Council, on which both Board and the Church of Ireland were represented. To prevent this compromise being upset by unilateral action the same Letters Patent prohibited the College from passing any statutory change that would 'alter or affect the Constitution or powers of the Divinity School Council'.

This arrangement continued satisfactorily enough until about 1960, when various changes in the College and the country began to raise doubts as to the propriety of a denominational faculty in a University otherwise free from denominational discrimination. Consequently, as teaching posts in the Divinity School fell vacant they were not filled, and the Divinity Council has, for all practical purposes, ceased to exist.



## Unrepealed provisions of the Consolidated Statutes, 1966 relating to the Divinity School Council

### *Chapter III*

#### *Section 9, para 2*

The Visitors shall hear and determine any appeal which may be made to them against a decision of the Board by the Secretary of the Divinity School Council in accordance with the provisions of Chapter XIV section 16.

### *Chapter IV*

#### *Section 6*

The Provost shall have power to summon at any time an extraordinary meeting of ... the Divinity School Council ...

### *Chapter VII*

#### *Section 7*

Should the Provost at any time not be, or cease to be, a member of the Church of Ireland, his place on the Divinity School Council shall be taken by the Vice-Provost, if and so long as he shall be a member of the said Church.

In this event he shall be Chairman of the Divinity School Council, and have a second or casting vote, and shall not be entitled to take part in the nomination by the Board of the five members of the Divinity School Council to be nominated by the Board.

### *Chapter VIII*

#### *Section 1*

The Professors of the University shall be divided into ... Classes as follows:

... Class C - Professors in the Divinity School appointed by the Board on the nomination of the Divinity School Council in accordance with the provisions of Chapters XII and XIV of these Statutes, namely:

The Regius Professor of Divinity,  
Archbishop King's Professor of Divinity,  
\*The Professor of Ecclesiastical History

together with any Professors appointed to Professorships hereafter to be established in the Divinity School with the consent of the Board and the Divinity School Council.

#### *Section 3*

It shall be deemed to be an essential part of the terms of employment of every Professor that if he shall, at any time, engage in any occupation, in or out of the College, which the Board shall pronounce to be incompatible with the proper discharge of his duties as Professor, and shall not immediately abandon the same when required by it to do so, he shall be liable to deprivation of his office as Professor, provided that, in the case of a Professor in the Divinity School, the Board shall act only on the recommendation of the Divinity School Council.

#### *Section 4*

If any Professor shall be negligent in the discharge of his duty, and shall continue to be negligent after having been twice warned by the Provost, in the presence of the Board, he shall be summoned before the Board by the Provost, to answer for his negligence, a fitting time being allowed for him to prepare his defence; and if, when the case is heard, he shall be plainly convicted of negligence, he shall be deprived of his Professorship by the Board, provided always that, in the case of a

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\* Suspended for such time as may seem good to the Board and Divinity School Council.

Professor in the Divinity School, the Board shall act only on the recommendation of the Divinity School Council. But Professors shall have the right of appeal to the Visitors from a sentence of deprivation, provided that notice of appeal is given to the Visitors and to the Provost within seven days of the promulgation of the sentence. The Visitors shall hear and decide the appeal as quickly as possible consistently with justice, and shall have power to confirm the sentence or to annul it and render it void, or to modify it as shall to them seem just. Pending the appeal, the Professor shall perform strictly the duties of his office, and, if he shall be negligent during that time the Visitors shall inquire into this before they hear the appeal, and, taking the whole matter into account, shall decide whether the Professor shall be removed from his Professorship or otherwise punished.

#### *Section 5*

If any Professor shall be prevented by sickness or any other unavoidable cause from the performance of his duties, the Board shall have the power of appointing a qualified deputy to act for him during the time of his incapacity, and of paying to such deputy a part of the salary of the Professor, as determined by the Board. The Board shall have the same power in the case of the absence of a Professor, which shall only be permitted for weighty reasons. In the case of a Professor in the Divinity School, these powers shall be exercised only on the recommendation of the Divinity School Council.

#### *Section 8*

If any Professor in Class C shall cease to be a member of the Church of Ireland, or of a Church in communion therewith, or shall, in the opinion of the Divinity School Council teach any doctrines contrary to or at variance with the doctrines of the said Church of Ireland, he shall be cited before the Divinity School Council and dealt with according to the Provisions of Chapter XIV, section 17 of these Statutes.

#### *Section 9*

Every Professor in Class C shall hold office until the last day (September 19) of the academic year in which he shall attain the age of sixty-five years, unless he shall previously have resigned his Professorship, or shall have been deprived in accordance with the provisions of these Statutes.

The duties of each Professor shall be defined from time to time by the Board with the consent of the Divinity School Council.

#### *Section 10*

No person shall be eligible to be appointed as Regius Professor of Divinity or as Archbishop King's Professor of Divinity, unless he is a Clerk in Holy Orders of the Church of Ireland or a Church in communion therewith.

#### *Section 11*

Previous to the nomination of a Regius Professor of Divinity each member of the Divinity School Council who takes part in the nomination shall solemnly declare that he will vote for that person among the candidates whom in his conscience he thinks best qualified to perform the duties of the office. The making of such declaration, together with the name of the person nominated shall be reported to the Board and entered on the College register, and whensoever it shall so happen that an election shall have been held, the same shall be signified under the seal by an instrument addressed to the Chancellor of the University, praying that he will admit the person so appointed into the said office, he having previously made the following declaration before the Chancellor:

*Ego N.N. electus in professorem Sacrae Theologiae, declaro me fideliter et diligenter exerciturum munus mihi demandatum, juxta statuta hujus Collegii.*

#### *Section 12*

The Board shall determine, with the consent of the Visitors and of the Divinity School Council, the terms of tenure of office of the Professors of Ecclesiastical History and of Biblical Greek.

#### *Section 13*

The regulations relating to the Professorships in Class D shall be as follows:

...

(c) The Professor of Pastoral Theology shall be nominated to the Provost and Senior Fellows by the Archbishops and Bishops of the Church of Ireland, by a writing under the hand of the Lord Primate, or, in his absence, of the Archbishop of Dublin, for the time being, provided that nobody shall be nominated who is not a Master in Arts or Doctor in Divinity of the University, and a member of the Church of Ireland in Priest's Orders. If the person so nominated shall be approved by the Provost and Senior Fellows, such person shall be by the Provost and Senior Fellows elected and declared to be the Professor. If not approved, then the Archbishops and Bishops shall proceed to nominate another properly qualified person, and so on until some person nominated by them shall be approved by the Provost and Senior Fellows, who shall thereupon declare such person to be elected.

The duties of the Professor shall be defined from time to time by the Provost and Senior Fellows, with the consent and approval of the Archbishops and Bishops of the Church of Ireland; and he shall be liable to deprivation for wilful neglect of the same. The Professor shall hold office for five years, and shall be eligible for re-election.

The Professor shall be a Professor in the School of Divinity, and shall be subject to the provisions of Chapter XIV, section 17 of these Statutes.

#### *Section 16*

Associate Professors, Readers, Senior Lecturer, Junior Lecturers and other academic officers may be appointed from time to time by the Board on the nomination of the ... Divinity School Council.

The Board, with the consent of the ... Divinity School Council, shall determine the duties and tenure of such officers, provided always that the tenure shall not extend beyond the last day (September 19) of the academic year, in which the officer attains the age of sixty-five years.

The Board shall determine the salaries of such officers, and shall make appropriate provisions for retiring pensions.

### *Chapter XII*

#### *Section 3A, para 1*

... Laws, Statutes, or Ordinances, or alterations or amendments of such Laws, Statutes, or Ordinances shall not alter or affect ... the Constitution or powers of the Divinity School Council; and ... no ... Law, Statute, or Ordinance or ... alteration or amendment of any Law, Statute, or Ordinance dealing with studies or examinations in the Divinity School or with studies or examinations precedent to the Testimonium in Divinity shall have any effect or validity unless and until it shall have been approved by the Divinity School Council; ...

#### *Section 3C*

(2) Except so far as is otherwise provided by legislation or by direction of private founders, the Board shall have power, with the approval of the Council, to repeal or alter the rules or regulations existing at any time, or to make new rule and regulations respecting studies, instruction or examinations in any school or department of the College or University (save and except examinations for Fellowship, and save and except any studies, instruction and examination in relation to or connected with the School of Divinity) and respecting the qualifications, duties or tenure of office of any member of the academic staff, provided always that the terms of the contract under which any existing member of the academic staff was appointed shall not be varied without his consent in writing, and further provided always that the Board alone shall have the right to determine, subject to the provisions of these Statutes, the qualifications, duties and conditions of tenure for Fellowship.

Any such new rules or regulations or alterations in any such rules or regulations may be originated either by the Board or by the Council.

(3) The Board shall have power, with the approval of the Divinity School Council, to make new rules and regulations, or alterations in existing rules or regulations, respecting studies, lectures

and examinations in the Divinity School precedent to and including the examination for the Divinity Testimonium, and, subject to the provisions in these Statutes relating to the Divinity School Council, shall exercise general control over the Divinity School and the duties of its teaching staff and the discipline of its students.

(4) The Board shall have power to found, with the consent of the Visitors and the Council, such new Professorships, and to found, with the consent of the Council, such other academic posts in the College and University and to create such new offices as shall seem to it to be for the advantage of the College and University, and to elect all Professors, Lecturers, and officers, and to assign to them annual salaries, provided that, except in the case of those Professorships, the nomination to which is vested in some other body or persons by legislation or by the directions of private founders, and except in the cases of the Professorships in Classes C or F, no election to a Professorship or other academic post shall be made by the Board save on the nomination of the Council, and further provided that no new Professorship in connection with the Divinity School shall be created or founded without the consent of the Divinity School Council; and that no election to a Professorship or Lectureship in the Divinity School, except in the case of those, the nomination to which is vested in some other body or persons by legislation or by directions of private founders, shall be made except on the nomination of the Divinity School Council.

The Board shall have power, on the nomination of the Divinity School Council, to elect to the office of Regius Professor of Divinity, any person who is a Clerk in Holy Orders in the Church of Ireland or in a church in communion therewith, and who holds a degree of an approved university.

#### *Section 18*

The Board shall have power to appoint all Examiners, except where otherwise provided by the specific directions of private founders, and except in so far as, in reference to Divinity Examinations, powers are conferred in these Statutes on the Divinity School Council, and, in reference to External Examiners, on the University Council.

### *Chapter XIII*

#### *Section 1, para 3*

The Council shall have no power to legislate for or advise the Board on those studies which are entrusted to the Divinity School Council under the provisions of Chapter XIV of these Statutes. It shall however, be competent to make regulations concerning such courses in theology or biblical studies as may be provided for students other than those in the School of Divinity.

#### *Section 2, para 3*

The Council shall nominate to the Board for appointment all persons to be appointed to posts on the academic staff (other than Fellowship, and posts in the School of Divinity), including temporary and part-time appointments. It shall also nominate to the Board persons suitable for promotion to a higher grade in the academic staff (other than Fellowship).

### *Chapter XIV*

#### *Statute relating to the Divinity School Council*

1. The Divinity School Council for the Divinity School of the College, as established by the Letters Patent of 1911, shall, subject to the approval of the Board, make provision for the education and training of Students of the University who desire to take Holy Orders in the Church of Ireland, or in a Church in communion therewith; and, unless otherwise provided by competent authority, the Testimonium in Divinity shall be awarded to such of the said Students as shall have completed the Courses of Studies, Lectures, and Examinations, and shall have fulfilled all such other conditions as may, from time to time be prescribed by competent authority as being precedent to and including the examination for the said Testimonium.

2. The Divinity School Council shall consist of the following members, all of whom shall be members of the Church of Ireland:

(a) The Provost of the College for the time being who shall be Chairman of the Divinity School Council, and in the event of any equality of votes shall have a second or casting vote.

(b) Five members to be nominated from time to time by the members of the Board other than the Provost.

(c) Three members of the Teaching Staff (as hereunder defined) of the said Divinity School, viz.:

(i) The Regius Professor of Divinity for the time being, or his Deputy.

(ii) Archbishop King's Professor of Divinity for the time being.

(iii) One member to be nominated from time to time by and from amongst the said Teaching Staff, other than the said Regius Professor, Archbishop King's Professor of Divinity, and any member of the said Staff who may have been nominated as aforesaid by the Board.

(d) Three members to be nominated from time to time by and from amongst the Bishops of the Church of Ireland, in such manner as the said bishops shall from time to time determine.

3. The Teaching Staff of the Divinity School shall consist of:

(a) The Professors of the said School, or any Deputy to any such Professor.

(b) The Lecturers and Assistant Lecturers in the said School other than the Donnellan Lecturer.

(c) The Wallace Divinity Lecturer.

4. Should the Provost at any time not be, or cease to be, a member of the Church of Ireland, his place on the Divinity School Council shall be taken by the Vice-Provost, if and so long as he shall be a member of the said Church.

Should the Vice-Provost not be, or cease to be, a member of the said Church, the Board shall nominate another person, being a member of the said Church, to take the place of the Provost, or the Vice-Provost, in the event of his becoming a member of the Divinity School Council, under the provisions hereinbefore contained, or the person so nominated as aforesaid, as the case may be, shall be Chairman of the Divinity School Council, and have a second or casting vote, and shall not be entitled to take part in the nomination by the Board of the said five members of the Divinity School Council as hereinbefore provided.

5. Should the Provost or the Vice-Provost, as the case may be, or any other member of the Divinity School Council, nominated by the Board under any of the provisions hereinbefore contained, be unable to attend any meeting of the Divinity School Council, the Board shall, on receiving due notice of such inability, nominate a substitute or substitutes from a list previously prepared by them to take the place of him or them at such meeting; and in the event of the Provost, or Vice-Provost, or the person nominated to take the place of the Provost or Vice-Provost as aforesaid, being unable to attend such meetings, the person nominated as substitute shall be Chairman of the Divinity School Council at such meeting, and have a casting vote as aforesaid.

6. Should any member of the Divinity School Council nominated by the Bishops of the Church of Ireland as aforesaid be unable to attend any meeting of the Divinity School Council, the said Bishops shall, on receiving due notice of such inability, nominate a substitute or substitutes from a list previously prepared by them to take the place of him or them at such meeting.

7. No member of the Divinity School Council shall be entitled to attend or vote at any election to an office for which he is a candidate.

8. Should either the Regius Professor of Divinity, Archbishop King's Professor of Divinity, or the member of the Divinity School Council nominated by the Teaching staff be debarred from attending and voting at any Council meeting by his candidature for an office in the patronage of the said Council, as hereinbefore provided, his place shall, subject as hereinafter provided, be filled for that occasion by that member of the teaching staff not thus disqualified and not already a member of the said Council who shall be senior in order of first appointment on the teaching staff not thus disqualified and not already a member of the said Council who shall be senior in order of first appointment on the teaching staff. Provided that Professors in all cases shall rank for this

purpose as senior to other members of the teaching staff and amongst themselves in the following order, viz: The Professor of Ecclesiastical History, the Professor of Biblical Greek, the Professor of Pastoral Theology, and that the Wallace Divinity Lecturer shall for the same purpose rank last in order of seniority on the teaching staff.

9. Each member of the Divinity School Council (other than the Provost or Vice-Provost, as the case may be, and the said Regius Professor and Archbishop King's Professor of Divinity) shall continue in office for three years from the date of his nomination as a member of the Divinity School Council. At the end of such periods nominations for the vacant offices shall be made as hereinbefore provided, and the outgoing members shall in all cases be re-eligible.

10. In the event of any casual vacancy occurring by death, resignation, or otherwise, among the members of the Divinity School Council nominated by the Board, or by the Bishops, or by the teaching staff of the said Divinity School, such vacancy shall be filled by the like nomination by the Board or the said Bishops, or the said Teaching Staff, as the case may be, of a duly qualified person.

11. The person nominated upon the occurrence of any such casual vacancy shall retire from office at the same time as the person in whose stead he shall have been nominated would have done had no such vacancy occurred.

12. The Divinity School Council shall, subject to the approval of the Board, determine and decide upon all courses of study, lectures, and examinations in the Divinity School precedent to and including the examination for the Divinity Testimonium, and shall, subject as aforesaid, select, and appoint the examiners at such examinations, and shall also, subject as aforesaid, determine and decide upon all courses of study and examinations in the College in connection with the Church of Ireland, and shall also, subject as aforesaid, from time to time, make such Rules and Regulations, or alterations in existing Rules and Regulations, as may be necessary for the purposes aforesaid. Subject to the provisions aforesaid, the general control of the Divinity School, and of the duties of the Teaching staff and discipline of the students, shall be exercised by the Board.

13. New Rules and Regulations, or alterations in existing Rules or Regulations, respecting studies, lectures, and examinations in the Divinity School, may be originated either by the Board or by the Divinity School Council, but no such Rules, Regulations, or alterations shall take effect without the approval both of the Board and of the Divinity School Council.

14. No new Professorship in connection with the Divinity School shall be created or founded without the consent of the Board and of the Divinity School Council.

15. The Divinity School Council shall nominate to all Professorships and Lectureships in the Divinity School, except those the nomination to which is vested in some other body or persons by legislation, or by the direction of private founders, and all powers, authorities, rights, and duties, exercisable by or imposed upon the Provost and Senior Fellows by any Letters Patent, Royal Letters, Charters or Statutes, existing immediately before 24 May 1911, in reference to the appointment of any Professor or Lecturer, shall thereafter be exercised and discharged by the Divinity School Council, and all such Letters Patent, Royal Letters, Charters, or Statutes shall, as far as they deal with the matters aforesaid, be read and construed as if the Divinity School Council were substituted for the Provost and Fellows, provided always that the exercise and discharge by the Divinity School Council of any of such powers, authorities, rights, and duties shall be subject in all cases to the approval of the Board.

16. In exercising the said powers of nomination to any such Professorship, Lectureship, or Deputyship, the Divinity School Council may nominate or appoint any person who, in addition to possessing any required qualification, is a member of the Church of Ireland or of a Church in communion therewith. All such nominations shall be subject to the approval of the Board: and in the event of the Board refusing their approval to the nomination by the Divinity School Council, the Chancellor of the University shall decide whether the grounds for such refusal are sufficient. If they shall appear to him to be insufficient, he shall declare the person nominated by the Divinity School Council to be duly elected; if otherwise, the Divinity School Council shall proceed to a fresh nomination. If no election shall take place within a space of six calendar months from the date of

the vacancy, or from the time of the creation of any new Professorship or Lectureship, or upon the occurrence of any event necessitating the nomination of a Deputy, the right of nomination and election for the purpose of filling up the said vacancy, or of appointing to such new Professorship, Lectureship or Deputyship, shall vest in the Chancellor.

17. If any Professor or Deputy to any Professor, or other member of the teaching staff of the Divinity School, shall cease to be either a member of the Church of Ireland or of a Church in communion therewith, or shall, in the opinion of the Divinity School Council, teach any doctrines contrary to or at variance with the doctrines of the said Church of Ireland, he shall be cited to appear before the Divinity School Council, and due time to prepare for his defence shall be allowed him in the citation; and if, on hearing the cause and defence, he shall be convicted by the Divinity School Council of the matter charged against him, then he shall be removed from his office, or otherwise dealt with by the Divinity School Council as they may think fit: provided always that any such Professor, Deputy, or member of the teaching staff may, within 14 days from the date of the publication of any decision of the Divinity School Council, appeal from such decision to the Court of the General Synod of the Church of Ireland, which may either affirm or reverse such decision, or otherwise deal with the cause as it may think fit.

18. If any member of the Divinity School Council nominated by the teaching staff of the Divinity School shall, from any cause, permanently cease to teach in the Divinity School, he shall cease to be a member of the Divinity School Council.

19. It shall not be in the power of the Board to alter or affect the constitution or powers of the Divinity School Council.

[Back to Table of Contents](#)

## Appendix 2 - Selected Legislation

### Universities Act, [1997](#)

Commenced on 16 June 1997 by the Universities Act, 1997 (Commencement) Order, 1997 ([S.I. No. 254/1997](#))

### The Trinity College, Dublin (Charters and Letters Patent Amendment) Act, [2000](#)

### Higher Education Authority Act, [1971](#)

### Qualifications (Education and Training) Act, [1999](#)

Sections 1(3)(c) and 40 refer to the 1997 Act

Sections 1(2) and 42(6) refer to sections 35 and 49(b) of the 1997 Act

### Official Languages Act [2003](#)

### Institutes of Technology Act [2006](#)

Section 1(7) refers to the 1997 Act

Sections 1(2)-(3) and 53 amend section 24 of the 1997 Act and Schedule 4 of the 1997 Act

### Financial Measures (Miscellaneous Provisions) Act [2009](#)

Section 3 and Schedule 1 Part 1 refer to the University of Dublin Trinity College Pension Fund

Section 9(4) refers to section 25(8) of the 1997 Act

Section 13 amends section 25(7) of the 1997 Act and refers to Schedule 5 of the 1997 Act

Finance (Transfer of Departmental Administration and Ministerial Functions) Order 2011 ([S.I. No. 418/2011](#)) refers to sections 8(1) and 25(4) of the 1997 Act, and to section 9 of Schedule 3 of the 1997 Act; see also Ministers and Secretaries (Amendment) Act [2011](#)

### Qualifications and Quality Assurance (Education and Training) Act [2012](#)

Sections 1(2) and 86, and Schedule 3

amend sections 9 and 34 of the 1997 Act

insert section 47A into the 1997 Act, and

delete section 49(b) of the 1997 Act

Sections 1(2)-(3), 6(1) and 84, and Schedule 2, repeal section 5 of the 1997 Act

### Local Government Reform Act [2014](#)

Sections 1(22) & 5(8), and Schedule 2 Part 6 amend section 16 of the 1997 Act

### Education (Miscellaneous Provisions) Act [2015](#)

Sections 6 and 11(5) amend section 52(1) of the 1997 Act



## Assents and Approvals

	Council	Board	Assent of Fellows	Approval of Visitors
<b>2010 Consolidated Statutes of Trinity College Dublin and of the University of Dublin</b>	10/03/2010	10/03/2010		
<b>Amendments to Chapters: Officers, Governance, Staff</b>		31/03/2010		
<b>Final Restatement for issuing to Fellows</b>		12/04/2010	04/05/2010	12/07/2010
<b>Chapter Introduction, Section 17 Definitions</b>	14/03/2012	28/03/2012	19/06/2012	29/06/2012
<b>Chapter on Visitors, Section 7(5) Appeals</b>	14/03/2012	28/03/2012	19/06/2012	29/06/2012
<b>Chapter on Provost, Section 11 Electorate</b>	n/a	04/05/2011	31/05/2011	01/07/2011
Provost - Schedule 1 on the Process by which the Provost is chosen by College	n/a	08/12/2010	n/a	n/a
<b>Chapter on Scholars, Section 7(4) Termination and Suspension</b>	14/03/2012	28/03/2012	19/06/2012	29/06/2012
<b>Chapter on Board, Section 10 External Relations</b>	16/05/2012	30/05/2012 29/02/2012 and	26/10/2012	06/11/2012
Board - Schedule 1 on Elections to Board	n/a	02/05/12	n/a	n/a
Board - Schedule 2 on Standing Orders	n/a	29/02/2012	n/a	n/a
Board - Schedule 3 on External Relations	16/05/2012	30/05/2012	n/a	n/a
Board - Schedule 4 on Reserved Business Officers - Schedule 1 on Detailed Provisions relating to Officers	n/a	29/02/2012	n/a	n/a
Committees - Schedule 1 on Finance Committee	16/05/2012	30/05/2012	n/a	n/a
Committee	n/a	28/03/2012	n/a	n/a
<b>Chapter on Council, Section 8 External Relations</b>	16/05/2012	30/05/2012	26/10/2012	06/11/2012
Council - Schedule 2 on Standing Orders	18/04/2012	02/05/2012	n/a	n/a
Academic Staff – Schedule 1 on Titles	n/a	29/06/2011	n/a	n/a
Schedule on Principles of Academic Freedom	14/03/2012	28/03/2012	n/a	n/a
<b>Chapter on College Community</b>	n/a	01/02/2012	23/02/2012	09/03/2012
College Community - Schedule 4 on Treasures and Heritage[D]	n/a	01/02/2012	09/03/2012	09/03/2012
<b>Chapter on Students, Section 1(3), (4) Definition</b>	14/03/2012	28/03/2012	19/06/2012	29/06/2012
<b>Chapter on Student Conduct and Capacity</b>	14/03/2012	28/03/2012	19/06/2012	29/06/2012
Student Conduct and Capacity - Schedule 1 on Committee on Student Conduct and Capacity	14/03/2012	28/03/2012	19/06/2012	29/06/2012
Student Conduct and Capacity - Schedule 2 on Discipline	14/03/2012	28/03/2012	19/06/2012	29/06/2012
Student Conduct and Capacity - Schedule 3 on Mental Health	14/03/2012	28/03/2012	19/06/2012	29/06/2012
Student Conduct and Capacity - Schedule 4 on Fitness to Study	14/03/2012	28/03/2012	19/06/2012	29/06/2012
Student Conduct and Capacity - Schedule 5 on Fitness to Practise	14/03/2012	28/03/2012	19/06/2012	29/06/2012
<b>2010 Consolidated Statutes of Trinity College Dublin and of the University of Dublin including updates to 3 March 2016</b>	20/01/2016	20/01/2016	15/02/2016	01/03/2016

[Back to Table of Contents](#)