

# Academic Staff

## *Part 1 - General*

- Academic Staff
1. (1) Members of the academic staff other than Professors shall be appointed by Board  
(a) on the nomination of Council;  
(b) on the nomination of bodies as provided for by agreements concluded by Board; or  
(c) pursuant to and subject to the terms of legislation, trusts, benefactions, or endowments.  
(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.
- Academic Freedom
2. (1) Pursuant to the Act of 1997<sup>1</sup> and otherwise, College guarantees to respect, defend and vindicate the traditional principles of academic freedom and freedom of expression.  
(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.  
(3) In accordance with its long-established autonomy, College shall enjoy such freedoms in the conduct and regulation of its affairs.  
(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.  
(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.
- Tenure
3. (1) Pursuant to the Act of 1997<sup>2</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  
(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,  
(b) by resignation or retirement,

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<sup>1</sup> See section 14 of the 1991 Act.

<sup>2</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  
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  - (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.