

E. STAFFING

E.2. DISMISSAL AND REMOVAL FROM OFFICE OF THE VICE-CHANCELLOR AND PRESIDENT

- i. This Ordinance sets out the applicable procedure for the Council determining that the Vice-Chancellor and President shall be dismissed and removed from office, for any reason.
- ii. For the avoidance of doubt, the Vice-Chancellor and President shall be a member of academic staff for the purposes of Article 21 of the Charter (Academic Freedom).
- iii. The Pro-Chancellor and Chair of the Council may at any time request Council to consider the dismissal and removal from office of the Vice-Chancellor and President where:
 - a) The Pro-Chancellor and Chair him/herself considers that there are grounds for such dismissal and removal from office; or
 - b) The Pro-Chancellor and Chair has received a written request from any member of Council seeking the dismissal and removal from office of the Vice-Chancellor and President and the Pro-Chancellor and Chair considers that it raises sufficient grounds for the matter to be referred to Council for decision. In any case where the written request(s) are from four or more Council members, the Pro-Chancellor and Chair must refer the request to Council for decision.
- iv. Where the Council is to be asked to consider the dismissal and removal from office of the Vice-Chancellor and President, the Pro-Chancellor and Chair of the Council shall notify the Vice-Chancellor and President of that fact not less than two working days in advance of the meeting.
- v. The Pro-Chancellor and Chair of Council may suspend the Vice-Chancellor and President from his/her duties and may exclude the Vice-Chancellor and President from the precincts of the University or any part thereof without loss of salary:
 - a) Where the Council is to be asked to consider the Vice-Chancellor and President's dismissal and removal from office; or
 - b) At any other time where the Pro-Chancellor and Chair considers that this is appropriate and the Pro-Chancellor and Chair shall notify all members of Council of this decision within two working days.
- vi. At any meeting of Council at which the dismissal and removal from office of the Vice-Chancellor and President is to be considered, the Vice-Chancellor and President will be invited to attend and present to Council before a decision is made and may be accompanied by a representative. The Pro-Chancellor and Chair may request the Vice-Chancellor and President to absent him/herself from any part of that meeting.
- vii. If the Council considers that it is necessary, before taking any decision on the proposed dismissal and removal from office of the Vice-Chancellor and President to investigate any matter or establish any facts, it may at its discretion

appoint a member or members of the Council to carry out such investigation and make a written report to the Council. It shall be for the member or members of Council so appointed to determine how any such investigation should be progressed, save that the Vice-Chancellor and President shall be afforded the opportunity to make written or oral representations (as the member or members of Council appointed consider appropriate) before reporting back to the Council. Nothing in this paragraph shall oblige the Council to appoint a member or members of the Council to carry out any investigation before the Council determines whether the Vice-Chancellor and President shall be dismissed or removed from office.

- viii. The Council may decide by a simple majority of those present to dismiss the Vice-Chancellor and President and remove him/her from office and whether such dismissal shall be a summary dismissal (i.e. without notice or payment in lieu of notice) or a dismissal on notice or (where provided for in the Vice-Chancellor and President's contract of employment) with a payment in lieu of notice. If the vote shall be equally divided for and against, the Pro-Chancellor and Chair shall have a second and casting vote. The Council's decision shall be final. The quorum for this decision will require that at least two thirds of the appointed Council members (including staff and student members) are present, with the proportion of Independent to Staff and Student members present being at least two to one.