

SCHEDULE

STATUTE CONCERNING ACADEMIC STAFF

PART I CONSTRUCTION, APPLICATION AND INTERPRETATION

Construction

1. This Statute and any bye-laws made under this Statute shall be construed in every case to give effect to the following guiding principles, that is to say -
 - (a) to ensure that academic staff have freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their jobs or privileges;
 - (b) to enable the London School of Hygiene and Tropical Medicine (in this Statute called "the School") to provide education, promote learning and engage in research efficiently and economically; and
 - (c) to apply the principles of justice and fairness.

Reasonableness of decisions

2. No provision in Part II or Part III of this Statute shall enable the body or person having the duty to reach a decision under the relevant Part to dismiss any member of the academic staff unless the reason for his or her dismissal may in the circumstances (including the size and administrative resources of the School) reasonably be treated as a sufficient reason for dismissing him or her.

Application

3.
 - (1) This Statute shall apply
 - (a) to Professors, Readers, Senior Lecturers and Lecturers;
 - (b) to research fellows, research assistants and other senior staff holding academic related posts, being posts recognised by the Council (in this Statute called "the Council") for the purposes of this Statute;
 - (c) to the Secretary and Registrar; and

(d) to the Director to the extent and in the manner set out in the Annex to this Statute.

(2) In this Statute any reference to "academic staff" is a reference to persons to whom this Statute applies.

Interpretation

Meaning of "dismissal"

4. In this Statute "dismiss" or "dismissal" mean dismissal of a member of the academic staff and -

(a) include remove or, as the case may be, removal from office; and

(b) in relation to employment under a contract, shall be construed in accordance with section 55 of the Employment Protection (Consolidation) Act 1978.

Meaning of "good cause"

5.

(1) For the purposes of this Statute "good cause" in relation to the dismissal or removal from office or place of a member of the academic staff, being in any case a reason which is related to conduct or to capability or qualifications for performing work of the kind which the member of the academic staff concerned was appointed or employed to do, means -

(a) conviction for an offence which may be deemed by a Tribunal appointed under Part III to be such as to render the person convicted unfit for the execution of the duties of the office or employment as a member of the academic staff; or

(b) conduct of an immoral, scandalous or disgraceful nature incompatible with the duties of the office or employment; or

(c) conduct constituting failure or persistent refusal or neglect or inability to perform the duties or comply with the conditions of office; or

(d) physical or mental incapacity established under Part IV.

(2) In this paragraph -

(a) "capability", in relation to such a member, means capability assessed by reference to skill, aptitude, health or any other physical or mental quality; and

(b) "qualifications", in relation to such a member, means any degree, diploma or other academic, technical or professional qualification relevant to the office or position held by that member.

Meaning of "redundancy"

6. For the purposes of this Statute dismissal shall be taken to be a dismissal by reason of redundancy if it is attributable wholly or mainly to -
 - (a) the fact that the School has ceased, or intends to cease, to carry on the activity for the purposes of which the member of the academic staff concerned was appointed or employed by the School, or has ceased, or intends to cease, to carry on that activity in the place in which the member concerned worked; or
 - (b) the fact that the requirements of that activity for members of the academic staff to carry out work of a particular kind, or for members of the academic staff to carry out work of a particular kind in that place, have ceased or diminished or are expected to cease or diminish.

Incidental, supplementary and transitional matters

7.

- (1) In any case of conflict, the provisions of this Statute shall prevail over those of any other Statute and over those of the bye-laws and the provisions of any bye-laws made under this Statute shall prevail over those of any other bye-laws:

Provided that Part III of and the Annex to this Statute shall not apply in relation to anything done or omitted to be done before the date on which the instrument making these modifications was approved under subsection (9) of section 204 of the Education Reform Act 1988.

- (2) Nothing in any appointment made, or contract entered into, shall be construed as over-riding or excluding any provision made by this Statute concerning the dismissal of a member of the academic staff by reason of redundancy or for good cause:

Provided that nothing in this sub-paragraph shall prevent waivers made under section 142 of the Employment Protection (Consolidation) Act 1978 from having effect.

- (3) Nothing in any other Statute or in any bye-laws made thereunder shall authorise or require any officer of the School to sit as a member of any Committee, Tribunal or body appointed under this Statute or to be present when any such Committee, Tribunal or body is meeting to arrive at its decision or for the purpose of discussing any point of procedure.
- (4) Any reference in this Statute to the University, to the Vice-Chancellor of the University or to Appointed Teachers of the University is a reference to the University of London, or to the Vice-Chancellor or Appointed Teachers of the University of London as the case may be.

- (5) No instrument which would have the effect of modifying the provisions in this Statute shall have the effect unless it has been approved by the Privy Council.
- (6) In this Statute -
 - (a) references to numbered Parts, paragraphs and sub-paragraphs are references to Parts, paragraphs and sub-paragraphs so numbered in this Statute; and
 - (b) unless the context otherwise requires, words in the singular shall include the plural and words in the plural shall include the singular.

PART II REDUNDANCY

Purpose of Part II

8. This Part enables the Council, as the appropriate body, to dismiss any member of the academic staff by reason of redundancy.

Exclusion from Part II of persons appointed or promoted before 20 November 1987

9.
 - (1) Nothing in this Part shall prejudice, alter or affect any rights, powers or duties of the School or apply in relation to a person unless -
 - (a) his or her appointment is made, or his or her contract of employment is entered into, on or after 20 November 1987; or
 - (b) he or she is promoted on or after that date.
 - (2) For the purposes of this paragraph in relation to a person, a reference to an appointment made or a contract entered into on or after 20 November 1987 or to promotion on or after that date shall be construed in accordance with subsections (3) to (6) of section 204 of the Education Reform Act 1988.

The Appropriate Body

10.
 - (1) The Council shall be the appropriate body for the purposes of this Part.
 - (2) This paragraph applies where the appropriate body has decided that it is desirable that there should be a reduction in the academic staff -
 - (a) of the School as a whole; or
 - (b) of any Faculty, department or other similar area of the Schoolby way of redundancy.

11.

- (1) Where the appropriate body has reached a decision under paragraph 10 (2) it shall appoint a Redundancy Committee to be constituted in accordance with sub-paragraph (3) of this paragraph to give effect to its decision by such date as it may specify and for that purpose
 - (a) to select and recommend the requisite members of the academic staff for dismissal by reason of redundancy; and
 - (b) to report their recommendations to the appropriate body.
- (2) The appropriate body shall either approve any selection recommendation made under sub-paragraph (1), or shall remit it to the Redundancy Committee for further consideration in accordance with its further directions.
- (3) A Redundancy Committee appointed by the appropriate body shall comprise -
 - (a) a Chairman; and
 - (b) two members of the Council, not being persons employed by the School; and
 - (c) two members of the academic staff nominated by the Senate.

Notices of intended dismissal

12.

- (1) Where the appropriate body has approved a selection recommendation made under paragraph 11 (1) it may authorise an officer of the School as its delegate to dismiss any member of the academic staff so selected.
- (2) Each member of the academic staff selected shall be given separate notice of the selection approved by the appropriate body.
- (3) Each separate notice shall sufficiently identify the circumstances which have satisfied the appropriate body that the intended dismissal is reasonable and in particular shall include -
 - (a) a summary of the action taken by the appropriate body under this Part;
 - (b) an account of the selection processes used by the Redundancy Committee;
 - (c) a reference to the rights of the person notified to appeal against the notice and to the time within which any such appeal is to be lodged under Part V (Appeals); and
 - (d) a statement as to when the intended dismissal is to take effect.

PART III DISCIPLINE, DISMISSAL AND REMOVAL FROM OFFICE

Disciplinary Procedures

13.

- (1) Minor faults shall be dealt with informally.
- (2) Where the matter is more serious but falls short of constituting possible good cause for dismissal the following procedure shall be used -

Stage 1 - Oral Warning

If conduct or performance does not meet acceptable standards the member of the academic staff will normally be given a formal ORAL WARNING. The member will be advised of the reason for the warning, that it is the first stage of the disciplinary procedure and of the right of appeal under this paragraph. A brief note of the oral warning will be kept but it will be spent after 12 months, subject to satisfactory conduct and performance.

Stage 2 - Written Warning

If the offence is a serious one, or if a further offence occurs, a WRITTEN WARNING will be given to the member of the academic staff by the Head of Department or other authorised person. This will give details of the complaint, the improvement required and the timescale. It will warn that a complaint may be made to the Secretary and Registrar seeking the institution of charges to be heard by a Tribunal appointed under paragraph 16 if there is no satisfactory improvement and will advise of the right of appeal under this paragraph. A copy of this written warning will be kept by the Head of Department or other authorised person, as the case may be, but it will be disregarded for disciplinary purposes after 2 years subject to satisfactory conduct and performance.

Stage 3 - Appeals

A member of the academic staff who wishes to appeal against a disciplinary warning shall inform the Secretary and Registrar within two weeks. The Director or, where the Director is also the Head of Department, the Chairman of the Council shall hear all such appeals and his or her decision shall be final.

Preliminary examination of serious disciplinary matters

14.

- (1) If there has been no satisfactory improvement following a written warning given under Stage 2 of the procedure in paragraph 13, or in any other case where it is alleged that conduct or performance may constitute good cause for dismissal or removal from office, a complaint seeking the institution of charges to be heard by

a Tribunal appointed under paragraph 16 may be made to the Secretary and Registrar who shall bring it to the attention of the Director.

- (2) To enable the Director to deal fairly with any complaint brought to his or her attention under sub-paragraph (1) he or she shall institute such investigations or enquiries (if any) as appear to him or her to be necessary.
- (3) If it appears to the Director that a complaint brought to his or her attention under sub-paragraph (1) relates to conduct or performance which does not meet acceptable standards but for which no written warning has been given under paragraph 13 or which relates to a particular alleged infringement of rules, regulations or bye-laws for which a standard penalty is normally imposed in the School or within the Faculty, department or other relevant area, or is trivial or invalid he or she may dismiss it summarily, or decide not to proceed further under this Part.
- (4) If the Director does not dispose of a complaint under sub-paragraph (3) he or she shall treat the complaint as disclosing a sufficient reason for proceeding further under this Part and, if he or she sees fit, he or she may suspend the member on full pay pending a final decision.
- (5) Where the Director proceeds further under this Part he or she shall write to the member of the academic staff concerned inviting comment in writing.
- (6) As soon as may be following receipt of the comments (if any) the Director shall consider the matter in the light of all the material then available and may -
 - (a) dismiss it himself or herself; or
 - (b) refer it for consideration under paragraph 13; or
 - (c) deal with it informally himself or herself if it appears to the Director appropriate to do so and if the member of the academic staff agrees in writing that the matter should be dealt with in that way; or
 - (d) direct the Secretary and Registrar to prefer a charge or charges to be considered by a Tribunal to be appointed under paragraph 16.
- (7) If no comment is received within 28 days the Director may proceed as aforesaid as if the member concerned had denied the substance and validity of the alleged case in its entirety.

Institution of Charges

15.

- (1) In any case where the Director has directed that a charge or charges be preferred under paragraph 14 (6) (d), he or she shall request the Council to appoint a Tribunal under paragraph 16 to hear the charge or charges and to determine whether the conduct or performance of the member of the academic staff concerned constitutes good cause for dismissal or otherwise constitutes a serious complaint relating to the member's appointment or employment.
- (2) Where the Council has been requested to appoint a Tribunal under paragraph 16 the Secretary and Registrar or, if he or she is unable to act, another office appointed by the Director shall take charge of the proceedings.
- (3) The officer in charge of the proceedings shall formulate, or arrange for the formulation of, the charge or charges and shall present, or arrange for the presentation of, the charge or charges before the Tribunal.
- (4) It shall be the duty of the officer in charge of the proceedings
 - (a) to forward the charge or charges to the Tribunal and to the member of the academic staff concerned together with the other documents therein specified, and
 - (b) to make any necessary administrative arrangements for the summoning of witnesses, the production of documents and generally for the proper presentation of the case before the Tribunal.

The Tribunal

16. A Tribunal appointed by the Council shall comprise:

- (a) a Chairman; and
- (b) a member of the Council, not being a person employed by the School; and
- (c) one member of the academic staff nominated by the Senate:

Provided that in any case where the member of the academic staff concerned is an Appointed Teacher of the University, the Tribunal shall include, in addition to the members referred to under sub-paragraphs (b) and (c), two members nominated by the University, not being persons employed by the School.

Provisions concerning Tribunal procedure

17.

- (1) The procedure to be followed in respect of the preparation, hearing and determination of charges by a Tribunal shall be set out in bye-laws made under this paragraph.
- (2) Without prejudice to the generality of the foregoing such bye-laws shall ensure -
 - (a) that the member of the academic staff concerned is entitled to be represented by another person, whether such person be legally qualified or not, in connection with and at any hearing of charges by a Tribunal;
 - (b) that a charge shall not be determined without an oral hearing at which the member of the academic staff concerned and any person appointed by him or her to represent him or her are entitled to be present;
 - (c) that the member of the academic staff and any person representing the staff member may call witnesses and may question witnesses upon the evidence on which the case against him or her is based; and
 - (d) that full and sufficient provision is made -
 - (i) for postponements, adjournments, dismissal of the charge or charges for want of prosecution, remission of the charge or charges to the Director for further consideration and for the correction of accidental errors; and
 - (ii) for appropriate time limits for each stage (including the hearing) to the intent that any charge thereunder shall be heard and determined by a Tribunal as expeditiously as reasonably practicable.

Notification of Tribunal decisions

18.

- (1) A Tribunal shall send its decision on any charge referred to it (together with its findings of fact and the reasons for its decision regarding that charge and its recommendations, if any, as to the appropriate penalty) to the Director and to each party to the proceedings.
- (2) A Tribunal shall draw attention to the period of time within which any appeal should be made by ensuring that a copy of Part V (Appeals) accompanies each copy of its decision sent to a party to the proceedings under this paragraph.

Powers of the appropriate officer where charges are upheld by Tribunal

19.

- (1) Where the charge or charges are upheld and the Tribunal finds good cause and recommends dismissal or removal from office, but in no other case, the appropriate officer shall decide whether or not to dismiss the member of the academic staff concerned.
- (2) In any case where the charge or charges are upheld, other than where the appropriate officer has decided under sub-paragraph (1) to dismiss the member of the academic staff concerned, the action available to the appropriate officer (not comprising a greater penalty than that recommended by the Tribunal) may be -
 - (a) to discuss the issues raised with the member concerned; or
 - (b) to advise the member concerned about his or her future conduct; or
 - (c) to warn the member concerned; or
 - (d) to suspend the member concerned for such period as the appropriate officer shall think fair and reasonable, not to exceed 3 months after the Tribunal's decision; or
 - (e) any combination of any of the above or such further or other action under the member's contract of employment or terms of appointment as appears fair and reasonable in all the circumstances of the case.
- (3) Where the appropriate officer has decided under paragraph (1) to dismiss a member of the academic staff who is an Appointed Teacher of the University, the officer shall inform the Vice-Chancellor of the University so that, subject to the outcome of any appeal made by the member of the academic staff under Part V, the University may withdraw from the Teacher the status or title of Professor or Reader of the University.

Appropriate Officers

20.

- (1) The Director shall be the appropriate officer to exercise the powers conferred by paragraph 19 and any reference to the appropriate officer include a reference to a delegate of that officer.
- (2) Any action taken by the appropriate officer shall be confirmed in writing.

PART IV REMOVAL FOR INCAPACITY ON MEDICAL GROUNDS

21.

- (1) This Part makes separate provision for the assessment of incapacity on medical grounds as a good cause for dismissal or removal from office.
- (2) In this Part references to medical grounds are references to capability assessed by reference to health or any other physical or mental quality.
- (3) In this Part references to the appropriate officer are references to the Director or an officer acting as his or her delegate to perform the relevant act.
- (4) References to the member of the academic staff include, in cases where the nature of the alleged disability so requires, a responsible relative or friend in addition to (or instead of) that member.

22.

- (1) Where it appears that the removal of a member of the academic staff on medical grounds would be justified, the appropriate officer -
 - (a) shall inform the member accordingly; and
 - (b) shall notify the member in writing that it is proposed to make an application to the member's doctor for a medical report and shall seek the member's consent in writing in accordance with the requirements of the Access to Medical Reports Act 1988.
- (2) If the member shares that view the School shall meet the reasonable costs of any medical opinion required.
- (3) If the member does not share that view the appropriate officer shall refer the case in confidence, with any supporting medical and other evidence (including any medical evidence submitted by the member), to a Medical Board comprising one person nominated by the Council; one person nominated by the member concerned or, in default of the latter nomination, by the Senate; and a medically qualified chairman jointly agreed by the Council and the member or, in default of agreement, to be nominated by the President of the Royal College of Physicians.
- (4) The Medical Board may require the member concerned to undergo medical examination at the School's expense.

Termination of Employment

23. If the Medical Board determines that the member shall be required to retire on medical grounds, the appropriate officer shall direct the Secretary and Registrar

or his or her delegate to terminate the employment of the member concerned on those medical grounds.

PART V APPEALS

Purpose of Part V

24. This Part establishes procedures for hearing and determining appeals by members of the academic staff who are dismissed or under notice of dismissal or who are otherwise disciplined.

Application and interpretation of Part V

25.

(1) This Part applies -

- (a) to appeals against the decisions of the Council as the appropriate body (or of a delegate of that body) to dismiss in the exercise of its powers under Part II;
- (b) to appeals arising in any proceedings, or out of any decision reached, under Part III other than appeals under paragraph 13 (Appeals against disciplinary warnings);
- (c) to appeals against dismissal otherwise than in pursuance of Part II or Part III;
- (d) to appeals against discipline otherwise than in pursuance of Part III; and
- (e) to appeals against decisions reached under Part IV

and "appeal" and "appellant" shall be construed accordingly.

(2) No appeal shall however lie against -

- (a) a decision of the appropriate body under paragraph 10 (2);
- (b) the findings of fact of a Tribunal under paragraph 18 (1) save where, with the consent of the person or persons hearing the appeal, fresh evidence is called on behalf of the appellant at that hearing;
- (c) any finding by a Medical Board set up under paragraph 22 (3).

(3) In this Part references to "the person appointed" are references to the person appointed by the Council under paragraph 28 to hear and determine the relevant appeal.

- (4) The parties to an appeal shall be the appellant and the Secretary and Registrar and any other person added as a party at the direction of the person appointed.

Institution of Appeals

26. A member of the academic staff shall institute an appeal by serving on the Secretary and Registrar, within the time allowed under paragraph 27, notice in writing setting out the grounds of the appeal.

Time for appealing and notices of appeal

27.

- (1) A notice of appeal shall be served within 28 days of the date on which the document recording the decision appealed from was sent to the appellant or such longer period, if any, as the person appointed may determine under sub-paragraph (3).
- (2) The Secretary and Registrar shall bring any notice of appeal received (and the date when it was served) to the attention of the Council and shall inform the appellant that he or she has done so.
- (3) Where the notice of appeal was served on the Secretary and Registrar outside the 28 day period the person appointed under paragraph 28 shall not permit the appeal to proceed unless he or she considers that justice and fairness so require in the circumstances of the case.

Persons appointed to hear and determine appeals

28.

- (1) Where an appeal is instituted under this Part the Council shall appoint a person described in sub-paragraph (2) to hear and determine that appeal.
- (2) The persons described in this sub-paragraph are persons not employed by the School holding, or having held, judicial office or being barristers or solicitors of at least ten years' standing.
- (3) Subject to paragraph (5) the person appointed shall sit alone unless he or she considers that justice and fairness will best be served by sitting with two other persons.
- (4) The other persons who may sit with the person appointed shall be -
 - (a) a member of the Council not being a person employed by the School; and
 - (b) one member of the academic staff nominated by the Senate.

- (5) In the case of an appeal against a decision taken under paragraph 19 to dismiss a member of the academic staff who is an Appointed Teacher of the University the person appointed shall sit with -
- (a) a member of the Council not being a person employed by the School; and
 - (b) a member of the academic staff nominated by the Senate; and
 - (c) two persons nominated by the University not being persons employed by the School.

Provisions concerning appeal procedures and powers

29.

- (1) The procedure to be followed in respect of the preparation, consolidation, hearing and determination of appeals shall be that set out in bye-laws made under this paragraph.
- (2) Without prejudice to the generality of the foregoing such bye-laws shall ensure -
 - (a) that an appellant is entitled to be represented by another person, whether such person be legally qualified or not, in connection with and at any hearing or his or her appeal;
 - (b) that an appeal shall not be determined without an oral hearing at which the appellant, and any person appointed by him or her to represent him or her are entitled to be present and, with the consent of the person or persons hearing the appeal, to call witnesses;
 - (c) that full and sufficient provision is made for postponements, adjournments, dismissal of the appeal for want of prosecution and for the correction of accidental errors; and
 - (d) that the person appointed may set appropriate time limits for each stage (including the hearing itself) to the intent that any appeal shall be heard and determined as expeditiously as reasonable practicable.
- (3) The person or persons hearing the appeal may allow or dismiss an appeal in whole or in part and, without prejudice to the foregoing, may -
 - (a) remit an appeal from a decision under Part II to the Council as the appropriate body (or any issue arising in the course of such an appeal) for further consideration as the person or persons hearing the appeal may direct; or
 - (b) remit an appeal arising under Part III for re-hearing by a differently constituted Tribunal to be appointed under that Part; or

- (c) remit an appeal from a decision of the appropriate officer under Part IV for further consideration as the person or persons hearing the appeal may direct; or
- (d) substitute any lesser alternative penalty that would have been open to the appropriate officer following the finding by the Tribunal which heard and pronounced upon the original charge or charges.

Notification of decisions

30. The person appointed shall send the reasoned decision, including any decision reached in exercise of his or her powers under paragraph 29 (3) (a), (b) or (c), on any appeal together with any findings of fact different from those come to by the Council as the appropriate body under Part II or by the Tribunal under Part III, as the case may be, to the Director, to the parties to the appeal and to the Vice-Chancellor of the University in the case of an appeal by a member of the academic staff who is an Appointed Teacher of the University.

PART VI GRIEVANCE PROCEDURES

Purpose of Part VI

31. The aim of this Part is to settle or redress individual grievances promptly, fairly and so far as may be, within the Faculty, department or other relevant area by methods acceptable to all parties.

Application

32. The grievances to which this Part applies are ones by members of the academic staff concerning their appointments or employment where those grievances relate -
- (a) to matters affecting themselves as individuals; or
 - (b) to matters affecting their personal dealings or relationships with other staff of the School,

not being matters for which express provision is made elsewhere in this Statute.

Exclusions and Informal Procedures

- 33.
- (1) If other remedies within the Faculty, department or other relevant area have been exhausted the member of the academic staff may raise the matter with the Head of the Faculty, department or other relevant area.

- (2) If the member of the academic staff is dissatisfied with the result of an approach under sub-paragraph (1) or if the grievance directly concerns the Head of the Faculty, department or other relevant area, the member may apply in writing to the Director for redress of the grievance.
- (3) If it appears to the Director that the matter has been finally determined under Part III, IV or V or that the grievance is trivial or invalid, he or she may dismiss it summarily, or take no action upon it. If it so appears to the Director he or she shall inform the member and the Grievance Committee accordingly.
- (4) If the Director is satisfied that the subject matter of the grievance could properly be considered with (or from the whole or any part of) -
 - (a) a complaint under Part III;
 - (b) a determination under Part IV; or
 - (c) an appeal under Part V

he or she shall defer action upon it under this Part until the relevant complaint, determination or appeal has been heard or the time for instituting it has passed and he or she shall notify the member and the Grievance Committee accordingly.

- (5) If the Director does not reject the complaint under sub-paragraph (3) or if he or she does not defer action upon it under sub-paragraph (4) he or she shall decide whether it would be appropriate, having regard to the interests of justice and fairness, for him or her to seek to dispose of it informally. If he or she so decides he or she shall notify the member and proceed accordingly.

Grievance Committee Procedure

34. If the grievance has not been disposed of informally under paragraph 33 (5), the Director shall refer the matter to the Grievance Committee for consideration.
35. The Grievance Committee to be appointed by the Council shall comprise -
 - (a) a Chairman; and
 - (b) a member of the Council not being a person employed by the School; and
 - (c) one member of the academic staff nominated by the Senate.

Procedure in connection with determinations; and right to representation

36. The procedure in connection with the consideration and determination of grievances shall be determined in bye-laws in such a way as to ensure that the aggrieved person and any person against whom the grievance lies shall have the

right to be heard at a hearing and to be accompanied by a friend or representative.

Notification of decisions

37. The Committee shall inform the Council whether the grievance is or is not well-found and if it is well-found the Committee shall make such proposals for the redress of the grievance as it sees fit.

Paragraph 3 (1) (d)

ANNEX

PROVISIONS AS TO THE DIRECTOR

1. The Council may request its Chairman to remove the Director from office for good cause in accordance with the procedure described in this Annex.
 - (1) A complaint seeking the removal from office of the Director for good cause may be made by not less than three members of the Council to the Chairman of the Board.
 - (2) If it appears to the Chairman of the Council, on the material before him or her, that the complaint raises a prima facie case and that this could, if proved, constitute good cause for dismissal or removal from office he or she shall request the Council to appoint a Tribunal to hear and determine the matter.
 - (3) If it appears to the Chairman of the Council that a complaint made to him or her under sub-paragraph (1) does not raise a prima facie case or is trivial or invalid, he or she may recommend to the Council that no further action be taken upon it.
 - (4) When the Council has appointed a Tribunal under sub-paragraph (2) it shall instruct a solicitor or other suitable person to formulate a charge or charges and to present, or arrange for the presentation of, the charges before the Tribunal.
 - (5) A Tribunal appointed by the Council shall comprise:
 - (a) an independent Chairman; and
 - (b) a member of the Council not being a person employed by the School; and
 - (c) one member of the academic staff.
 - (6) Subject to the principles of justice and fairness the Tribunal may determine its own procedure.
 - (7) The Tribunal shall send its reasoned decision on any charge referred to it together with its findings of fact regarding the charge and its recommendations, if any, as

to the appropriate penalty to the Chairman of the Council and to the Director drawing attention to the period of time within which any appeal should be made.

- (8) Persons appointed to hear such an appeal shall be persons independent of the School holding, or having held, judicial office or being barristers or solicitors of at least 10 years' standing and the person so appointed shall, subject to the principles of justice and fairness, determine the procedure to be adopted in hearing the appeal.
- (9) A person appointed shall send the reasoned decision on the appeal, together with any findings of fact different from those come to by the Tribunal and his or her recommendations, if any, as to the appropriate penalty, to the Director and to the Chairman of the Council.
- (10) Where a charge or charges have been upheld by the Tribunal and not dismissed on appeal, the Chairman of the Council shall decide whether or not to dismiss the Director.
2. Where a complaint is to be referred to a Tribunal under this Statute, the Chairman of the Council may suspend the Director from his or her duties and may exclude the Director from the precincts of the School or any part thereof without loss of salary.
3. "Good cause" in this Annex has the same meaning as in paragraph 5 of this Statute.
4. For the purpose of the removal of the Director for incapacity on medical grounds, Part IV of this Statute shall have effect subject to the following modifications: -
 - (a) for references to a member of the academic staff there shall be substituted references to the Director;
 - (b) for any reference to the office of Director there shall be substituted a reference to the office of Chairman of the Council;
 - (c) for paragraph 23 there shall be substituted -

"23. If the Council determines that the Director should be required to retire on medical grounds, it shall ask the Chairman of the Council as the appropriate officer, to decide whether or not to terminate the appointment of the Director on those medical grounds."