

ORDINANCES

Part B – Staff of Queen Mary University of London (QMUL)

1. This Ordinance is made pursuant to Council's responsibilities and powers to set the framework for determining the conditions of service of staff under Article 8 (e) of the QMUL Charter. It applies to all staff employed by QMUL, other than the President and Principal.
2. Council has delegated to the President and Principal the authority to approve and adopt from time to time procedures for:
 - 2.1 the handling of disciplinary cases, including the dismissal of members of staff (following confirmation in post after any probationary period) by reason of misconduct and for appeals against disciplinary action;
 - 2.2 the dismissal of members of staff by reason of redundancy and appeals against such dismissals;
 - 2.3 the dismissal of members of staff (following confirmation in post after any probationary period) by reason of unsatisfactory performance and appeals against such dismissals;
 - 2.4 the review of performance and progress of members of staff during any probationary period to which their appointment or employment is subject, and for the dismissal of such staff during or at the end of the probationary period in the event of unsatisfactory progress or performance; and for appeals against such dismissals;
 - 2.5 the dismissal of members of staff on the grounds of ill health or medical incapacity and appeals against such dismissals;
 - 2.6 the dismissal of members of clinical academic staff in circumstances where their registration with the General Medical or Dental Council or similar body, or their honorary or substantive contract or status with a National Health Service Trust or similar body, is terminated, withdrawn or revoked, and for the suspension of such members of staff from employment with QMUL (without pay where registration, contract or status has been suspended as a substantive disciplinary measure) where the registration, contract or status referred to above is suspended.
 - 2.7 the dismissal of members of staff for any reason other than those specified in 2.1 to 2.6 above and appeals against those dismissals;

- 2.8 the handling of grievances raised by members of staff;
 - 2.9 the removal of staff, for any reason, from any role that is not defined within the member of staff's substantive contract of employment.
3. This Ordinance as amended from time to time will override any provision in any contract, term or condition of employment which is inconsistent with it, whether dated before or after the commencement of this Ordinance, but:
- 3.1 it will not affect the validity of any settlement agreement under section 203 of the Employment Rights Act 1996 or any subsequent legislation or any similar agreement permitted by law;
 - 3.2 it will not preclude any member of staff deciding or agreeing to terminate their employment with QMUL, on whatever terms have been agreed.
4. Any procedure in force from time to time pursuant to this Ordinance shall take account of, and shall be construed in every case to give effect to, the following guiding principles:
- 4.1 to ensure, in order to give effect to Article 4 of the QMUL Charter, that staff whose contract of employment with QMUL requires them to be personally responsible for the intellectual content of elements of teaching and/or research shall have freedom within the law to question and test accepted ideas, and to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their jobs or privileges. For these purposes, regard shall be had to Sections VI and VII of the Recommendation concerning the Status of Higher-Education Teaching Personnel adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organisation (UNESCO) in Paris on 11 November 1997;
 - 4.2 to enable QMUL to provide education, promote learning and engage in research efficiently and economically;
 - 4.3 to apply the principles of justice and fairness;
 - 4.4 to apply the highest standards of academic and professional integrity, honesty and probity;
 - 4.5 to allow members of staff to be accompanied by a QMUL work colleague or trade union representative at all formal stages of procedures;
 - 4.6 to apply procedures so that complaints may be resolved at as early a stage as possible and within a reasonable timescale.