

University of Aberdeen Immigration Advice

Management Policies and Structures 2001

1. This statement has been produced to demonstrate the University's compliance with parts of paragraph 16 of the Code of Standards issued by the Immigration Services Commissioner in accordance with the requirements of Schedule 5 of the Immigration and Asylum Act 1999.
2. The University of Aberdeen is exempt from the general prohibition on the provision of immigration advice and services imposed by the Immigration and Asylum Act 1999, as it falls within one of the categories specified in the Statutory Instrument 2000 No 3327
3. The University offers advice and help on immigration matters to its students, prospective students and, where appropriate, to their partners and dependants - referred to as "the client group". Advice is normally offered only to members of the client group, but advisers may sometimes take references, for example from another educational institution where an adviser has a conflict of interest. The University has approximately 1500 international students and they and their families form the bulk of the client group.
4. Advice is offered free of charge and without discrimination. The University's International Student Adviser and Student Advice Officer are expected to operate within the Code of Ethics for those advising international students promulgated by UKCOSA and the Association of International Student Advisers.
5. Advice is provided by the International Student Adviser (currently Michele Maltas) and the Student Advice Officer (currently Catriona Freeman). The advice service aims to see any client seeking advice within 5 working days of a request for an interview. Only the International Student Adviser or Student Advice Officer is authorised to give immigration advice. Any secretarial or administrative support given to them - for example, taking client details for record keeping purposes, arranging interviews, giving out guidance notes, etc - will be at Level 0 in terms of the OISC competences and, in such instances, advice will not be given.
6. The job descriptions and person specifications for the International Student Adviser and Student Advice Officer are held by the University's Student Support Services. If a new International Student Adviser or Student Advice Officer is to be appointed, the job descriptions and person specifications will be reviewed to ensure that they specify the required skills, knowledge and experience. Recruitment arrangements will be subject to the University's procedures and equal opportunities policy in force at the time.
7. The University aims to provide to the client group immigration advice and services covering general casework on immigration matters at Level 2. The service will not advise clients needing advice and services relating to asylum, or at Level 3, or otherwise outside the competence of the named advisers, but will help them to identify practitioners competent to provide such advice and services. To this end, the advisers maintain a list of other advisers who are members of designated professional bodies, or who are registered with the Immigration Services Commissioner or hold the Commissioner's certificate of exemption, including advisers who may be able to provide advice without charge.
8. If needed, assistance with interpretation would be sought from other staff or students acceptable to the client, or from other immigration advisers in the area.

9. The International Student Adviser and Student Advice Officer work in Student Support Services. The Head of Student Support Services is responsible for their general line management and for overseeing compliance with procedural aspects of the Code of Standards, including communication with clients, record keeping, confidentiality, participation in training, complaints procedures and client satisfaction surveys. The International Student Adviser and Student Advice Officer discuss cases and periodically cross check each other's casework for consistency and accuracy. The International Student Adviser produces an annual report to the Court through the Student Affairs Committee, on advice given to international students, to include a statistical analysis of the number of clients advised, the matters advised on and the outcomes, where known.
10. The International Student Adviser and Student Advice Officer are subject to the University's normal conditions of service for administrative staff, including its disciplinary and performance appraisal and feedback procedures, which have been agreed with the recognised trade unions. Details of these procedures are available on request from Student Support Services.
11. The advice service is funded by the University as part of the budget of Student Support Services, the budget being determined annually through the University's normal budgetary procedures. The Head of Student Support Services is responsible for day to day financial management. The service is subject to the University's own internal and external audit procedures and, ultimately, the National Audit Office. The service's accounts are subsumed within the audited and published accounts of the University as a whole, which has a turnover in the order of £120 million. Major decisions about the advice service, such as a decision to increase or reduce the number of staff, would be taken by the appropriate University budgetary and personnel committees. Statements will be drawn up of the service's confidentiality policy and its complaints procedure.
12. The University of Aberdeen is a member of UKCOSA and subscribes to the UKCOSA Manual. The UKCOSA telephone advice line provides the International Student Adviser and Student Advice Officer with second-tier support and they are kept up to date on immigration matters by the bi-monthly UKCOSA *Briefing*.
13. Records will be maintained of the skills, knowledge and competence in immigration matters of the International Student Adviser and Student Advice Officer, of the training in immigration matters each has received in the period since September 1999, and of currently planned future training. Their training needs are reviewed annually.
14. Client satisfaction surveys are undertaken from time to time. These can be specifically about satisfaction with the advice given by the International Student Adviser and Student Advice Officer (which covers many other matters in addition to immigration) or a part of wider surveys of the experience of international students in the University.

Statement dated June 2001; Review date: June 2002

APPENDIX TO MINUTE 259 (i)

**STAFFING POLICY AGAINST DISCRIMINATION, HARASSMENT AND BULLYING IN THE
WORKPLACE**

As part of its commitment to equal opportunities, the University of Aberdeen aims to develop and encourage a working environment and culture in which harassment of members of staff is neither tolerated nor acceptable and where individuals have the confidence to complain of harassment without fear of intimidation or reprisals.

It is the responsibility of all members of staff to behave courteously and respectfully towards each other and to ensure that their behaviour does not cause unnecessary offence or upset.

The University undertakes to continuously publicise, disseminate, monitor and review the policy to ensure that it continues to adhere to recognised standards of best practice.

WHAT IS DISCRIMINATION?

Discrimination may involve the favouring of one employee over another as a direct result of age, colour, ethnic or national origin, nationality, disability, health, sexual orientation, marital status, family responsibilities, gender (including gender reassignment), religion or political beliefs and affiliations or socio-economic background or by the application of unnecessary criteria which some members of staff will find easier to meet than others.

WHAT IS HARASSMENT?

Harassment can take many forms and may be directed at an individual or group of individuals. Differences of attitude or culture and mis-interpretation of social signals can mean that what is perceived as harassment by one person may not seem so to another. However, the defining feature is that the behaviour is unwanted by the recipient and would be regarded as harassment by any reasonable person.

Sexual Harassment

Sexual harassment can be physical or verbal. It involves instances of unwanted sexual attention which emphasises sexual status, whatever the gender or sexual orientation of the alleged harasser or recipient, or which makes the recipient feel unjustifiably viewed as a sexual object.

Racial Harassment

Racial harassment involves the undertaking of or incitement to commit any hostile or offensive act or expression by a person of one racial or ethnic origin against a person of another.

Personal Harassment

Personal harassment occurs when one person's behaviour causes discomfort or humiliation to another.

WHAT IS BULLYING?

Bullying can be defined as frequent or infrequent threatening, abusive, intimidating, cruel, vindictive or humiliating behaviour, (which may be an abuse of power, position or knowledge and information) towards a member of staff which erodes their self-confidence and self-esteem. It should be noted that academic debate and legitimate and reasonable management of staff performance must be distinguished from bullying.

WHAT TO DO IF YOU ARE BEING HARASSED, DISCRIMINATED AGAINST, OR BULLIED

Personal Action

If you feel that you are being subjected to harassment in any form, do not feel that you are to blame for the situation or that you have to tolerate it. Act promptly - don't wait until a situation reaches an intolerable level or your personal wellbeing is put in jeopardy.

You can seek advice on courses of action open to you from the following University sources;

- ¥ Human Resources Officer
- ¥ Head of Department/Supervisor
- ¥ Trade Union Representative

You can seek support from the following University Sources:

- ¥ University Counselling Service
- ¥ Chaplaincy
- ¥ Occupational Health Service
- ¥ Alternatively, you may wish to contact your GP or a trained counsellor

These people will provide you with the opportunity to talk to someone who is willing to listen and offer help and support, whether or not you want to make a formal complaint. All discussions with these

people will be treated in the strictest confidence and allegations will not be made known to any other department or individual within the University without your express consent. The only time this confidentiality may not be maintained is if the allegation contains information which constitutes an unacceptable risk to yourself, another member of staff or the University.

The names of staff members who are trained as Harassment Advisers are listed on the back of this leaflet. The Harassment Advisers will provide you with specific advice and support, whether or not you want to make a formal complaint.

Informal Action

You should keep a note of details and dates of any incidents which distress you, including a note of the ways in which the incidents cause you to change your normal pattern of work or social life.

You may be able to deal with many of the forms in which harassment occurs by making it clear to your alleged harasser that you find their behaviour unacceptable and that it is causing you offence. If you feel you need help or advice, you could seek the involvement of a friend or colleague or any of the sources mentioned above. If you wish, a Human Resources Officer can facilitate a meeting with your alleged harasser. Alternatively, you may wish to write to your alleged harasser explaining that their behaviour is causing upset and requesting it to stop.

If you think that your attempts to resolve the situation informally have not succeeded or if you feel unable to personally confront your alleged harasser, you should contact either :

- ¥ Head of Department/Supervisor
- ¥ Human Resources Officer
- ¥ Trade Union Representative

Wherever possible, allegations of discrimination, harassment or bullying will be resolved at a departmental level. You may wish to be accompanied by a friend or colleague at this meeting. During the course of any subsequent investigation, the alleged harasser may also be accompanied at meetings by a friend or colleague.

Formal Action

If a solution is not reached, or if you feel that the matter should be taken further, you should raise it in writing with the University Secretary or Director of Human Resources who will arrange for further investigation under the Disciplinary Procedures. Harassment is a serious breach of the Equal Opportunities Policy and will be viewed very seriously by the University. Discrimination, harassment or bullying may result in action up to and including dismissal. Both you and your alleged harasser will have the opportunity to be represented, accompanied and to make a case.

The purpose of any formal action taken will be to investigate the problem and to arrive at a solution. All allegations will be taken seriously and in good faith and will be investigated thoroughly.

If the alleged harasser is a student, the matter will be referred to the Director of Student Support Services and will be dealt with under Student Procedures.

If a criminal offence e.g. harassing phone calls, physical assault takes place, you should not feel that this Policy is intended to prevent or dissuade you from contacting the Police. Matters referred to the Police as criminal offences will be dealt with in parallel by the University under the Disciplinary Procedures.

CONFIDENTIALITY

The University will treat as confidential all records concerning allegations or complaints of discrimination, harassment or bullying. When complaints are made, confidentiality will be maintained wherever possible, however, if an allegation contains information which constitutes an unacceptable risk to yourself, another member of staff or the University, action may be taken.

TRAINING AND DEVELOPMENT

An awareness of best practice in relation to anti-discriminatory behaviour and an appreciation of how to deal with complaints of harassment or bullying will be incorporated into staff training where appropriate. If you feel you would like personal development in this area, you should contact your line manager or any of the Faculty Human Resources or Development Officers.

All new staff will undergo an induction process and this will include being informed about the University's Equal Opportunities Policy.

HARASSMENT ADVISERS

Details of names, departments and extensions to be incorporated.

APPENDIX TO MINUTE 259 (ii)

POLICY ON THE MANAGEMENT OF WORK RELATED STRESS

The University of Aberdeen is committed to providing a healthy and safe working environment for all staff and recognises that excessive levels of work-related stress are a potential cause of ill-health.

The University has a duty in law to ensure that the health of its employees is not adversely affected by their work. This policy and associated guidance set out what the University does to manage work-related stress.

Policy Statement:

It is the policy of the University of Aberdeen to take all reasonable and practicable steps to safeguard the health and safety of employees while at work. The University recognises that excessive levels of stress, especially if, endured for long periods can lead to ill health. Harmful levels of stress can arise as a result of factors both in the workplace and from employees' personal and family lives. While it has no control over external factors, the University's objectives are to:

- Identify sources of harmful levels of stress and prevent, as far as is reasonable and practicable, employees being exposed to harmful levels of stress at work,
- Enable managers, supervisors and individual employees to recognise, at an early stage, problems which might be related to harmful levels of stress and
- Provide support for those who are suffering ill health due to work related stress and provide assistance to enable employees to recover their full potential as soon as possible.

The University recognises that a policy on work related stress cannot sit in isolation. It must be supported by other University policies which address matters which might result in harmful levels of stress.

APPENDIX TO MINUTE 259 (iii)

ACADEMIC AND ACADEMIC-RELATED STAFF PROCEDURE FOR HEARING AN APPEAL

General Principles:

This procedure will be used for all Staff Appeal Hearings* including appeals against dismissal and re-grading appeals:

- i) Each Appeal Committee will be serviced by a Clerk who will normally be a Human Resources Officer.
- ii) The Appellant has a right to be represented by a person of their choosing (Adviser), who may be a Trade Union Representative.

- iii) The Respondent may be, in the case of Disciplinary Appeals, the Head of Department, Director, Dean or Vice Principal. In the case of Re-grading Appeals, the Respondent may be a member of the Grading/Promotions Committee who was party to the original decision.

1. Documentation

The Clerk will circulate members of the Appeal Committee and the Appellant with the following details, not less than seven days in advance of the hearing:

- (a) Information of the decision appealed against.
- (b) A written statement stating the grounds of the appeal, together with any such information as may be relevant.
- (c) A list of any witnesses to be called, the Appellant and Respondent having been timeously advised of their right to call witnesses and having furnished the names of persons to be called.
- (d) The name of the person, if any, who has agreed to accompany the Appellant as Adviser at the hearing.

2. The Hearing

The hearing shall be conducted as follows:

- (a) All statements and questions shall be directed through the Convener.
- (b) The Convener shall, at all times, have the right of control over the proceedings including the right to determine the issue of relevance.
- (c) At any stage the Convener may require a temporary suspension of proceedings to allow consultation with the Appeals Committee.
- (d) In respect of any matter in issue the Convener shall ensure that the Appellant is accorded the right of final comment.
- (e) No witnesses shall be present in the room in which the appeal is conducted until called to give evidence and witnesses shall leave the room on completion of the process of giving evidence.

The hearing shall proceed as follows:

- (f) The Convener shall commence proceedings by outlining to all persons involved the form of procedure to be followed.
- (g) The Convener shall satisfy him/herself that the Appellant understands the procedure. At this stage the Appellant shall be given an opportunity to comment and/or ask a question on any issue concerning the material circulated before the hearing.
- (h) The Convener shall then invite the Appellant to present his/her case by:
 - (i) Making any relevant statement in support of the appeal (such statement may be by the Appellant's Adviser or supplemented by a statement by the adviser); the Respondent, the Convener and/or any member of the Appeal Committee having the opportunity to ask any relevant question arising from any such statement.
 - (ii) By calling any witness (see 1(c) above) to speak to any relevant matter. The Respondent, the Convener and/or any member of the Appeal Committee will then have the opportunity to ask any relevant questions arising from anything said by a witness.
(Where witnesses are called the Appellant shall have the right to determine the order of presentation of the above two aspects of his/her case).
- (i) The Convener shall then invite the Respondent to present his/her case by:
 - (i) Making any relevant statement opposing the appeal. The Appellant, and/or his/her Adviser, the Convener and/or any member of the Appeal Committee will then have the opportunity to ask any relevant question arising from any such statement.
 - (ii) By calling any witness (see 1(c) above) to speak to any relevant matter. The Appellant, and/or his/her Adviser, the Convener and/or any member of the Appeal Committee will then have the opportunity to ask any relevant questions arising from anything said by a witness.

(Where witnesses are called the Respondent shall have the right to determine the order of presentation of the above two aspects of his/her case.)

- (j) On conclusion of that part of the process provided for in paragraphs (h) and (i) the Convener shall invite the Appellant (and/or his/her Adviser) to sum up the case for the Appellant.
- (k) Following the Appellant's summing-up, the Respondent shall be given an opportunity to sum up; in the event of the Respondent doing so the Appellant shall be invited to make a final response.

3. The Decision

The decision of the Committee, which is not subject to further appeal within the University, shall be communicated in writing to the Principal, if appropriate, and to the parties to the Appeal, also in writing, within 3 working days of the Appeal being heard.

*excepting those staff procedures governed by University Ordinances

APPENDIX TO MINUTE 259 (iv)

Redundancy Policy and Procedure – Teaching and Research Staff

1. AIM

The aim of this policy is to ensure that the University deals with redundancy in a fair, consistent and sympathetic manner in line with best practice and within the framework of relevant employment legislation and the statutes and ordinances of the University.

2. POLICY AND PRINCIPLES

2.1 Introduction

It is the University's intention to provide a stable working environment and security of employment for all staff. However, circumstances may arise which necessitate reductions in staffing levels and, in such an event, the University, in consultation with the appropriate campus Trade Union(s), will seek to avoid or minimise compulsory redundancies where possible, by the use of other measures such as early retirement and voluntary redundancy. Where compulsory redundancy is inevitable, the University will handle the redundancy in a fair, consistent and sympathetic manner.

This procedure is based on the University Commissioners' modifications to the Ordinances of the University of Aberdeen, approved in October 1992 which apply to all Professors, Readers, Senior Lecturers and Lecturers as well as other staff paid on academic-related salary scales who are required to undertake teaching and /or research duties by the terms of their contract of employment. This procedure is supplementary to and shall be used in conjunction with the Ordinance in respect of those staff; for the avoidance of doubt in any circumstance where there is apparent conflict between the Ordinance and this procedure, the Ordinance shall have precedence.

2.2 General Principles

- i. this policy and procedure will apply to all members of teaching and research staff;
- ii. the University recognises the need to keep Trade Unions informed as fully as possible about staffing requirements and any need for redundancies;
- iii. wherever possible and practicable the University will aim to offer the employee who is likely to be made redundant, suitable alternative work within the University and the opportunity to retrain;
- iv. consideration will be given to the use of non-compulsory redundancies, through the use of voluntary redundancy, early retirement and other agreed mechanisms;
- v. the University will use specific objective criteria to select employees for redundancy;
- vi. each member of staff selected for redundancy will receive written notice summarising the action taken by the University Court, the selection procedures used, and when the proposed dismissal is to take effect;

- vii. the University recognises the right of employees to appeal against any proposed redundancy;
- viii. if re-deployment is not possible, the University will offer employees reasonable paid time off to look for alternative employment during the final notice period;
- ix. an employee selected for redundancy will be entitled to a redundancy payment if he/she has accrued the statutory period of service within the University;
- x. in accordance with the University's policy on Equal Opportunities, an individual will not be discriminated against either directly or indirectly because of their age, colour, ethnic or national origin, nationality, disability, health, sexual orientation, marital status, family responsibilities, gender (including gender reassignment), religious or political beliefs and affiliations, socio-economic background or any other inappropriate distinction.

3. PROCEDURE

3.1 Introduction

- i. Once the University has decided that it is necessary to reduce staffing levels, it will be necessary to select and recommend the requisite numbers of staff for dismissal by reason of redundancy.
- ii. Non-compulsory redundancies **will** be sought in the first instance through the use of voluntary redundancy and early retirement.

3.2 Consultation

- i. Where it is likely that the University will require to reduce staffing levels through compulsory redundancy, the University shall, at the earliest reasonably practicable opportunity, normally six months before a redundancy will take place, consult **all** appropriate recognised Trade Union(s) Officials. Such consultation will be with a view to considering the ways and means of avoiding compulsory redundancies, reducing the number of employees to be dismissed, and mitigating the consequences of the dismissals and will be undertaken with a view to reaching agreement with the appropriate representatives. To enable the Trade Union(s) to make constructive proposals, the University shall supply them with all information it reasonably regards as relevant, including:

- the reasons for the proposed redundancies;
- the numbers and descriptions of employees who are likely to be affected;
- the total number of employees of any such description employed by the University;
- how employees are to be selected for redundancy;
- the period over which the redundancies are to take effect;
- how any redundancy payments are to be calculated;
- the proposed method of carrying out any redundancies.

The University will also supply, so far as is possible, any other appropriate or relevant information which may be requested by the Trade Union(s).

- ii. The University shall, at the earliest reasonably practicable opportunity, which shall normally follow consultation described in (i). above, consult with the employees likely to be affected (whether the redundancies be voluntary or compulsory).

3.3 Redundancy Committee

The Court will appoint a Redundancy Committee with the following composition:

- A Convenor;
- 2 lay members of the University Court;
- 2 members of the Senate;

A member of the Human Resources Office, or other appropriate Officer of the University, will service the Redundancy Committee.

The remit of the Redundancy Committee will be:

- to approve the redundancy selection criteria;

- to select and recommend staff for dismissal by reason of redundancy;
- to conduct appropriate consultation with the Trade Union(s) and members of staff;
- to report recommendations to the University Court.

3.4 Selection Criteria

In selecting members of staff for redundancy, specific criteria will be used based on the needs of the University **and also its staff** at the time of the redundancy. The relevance of recent employment case law will be taken into account when agreeing the relevant selection criteria. The criteria will be objective and will be applied fairly and consistently, avoiding any bias to a specific criterion. ***The University will ensure that the selection criteria is free of any bias and sex or other discrimination.***

3.5 Notices of Intended Dismissal

Where the University Court approves a recommendation from the Redundancy Committee, it will authorise an officer of the University to dismiss the relevant member(s) of staff. Each member of staff selected for redundancy will receive a redundancy notice detailing:

- a summary of the reasons for the dismissal;
- the selection process used by the Redundancy Committee;
- the date the dismissal will take effect;
- the procedure and timescales for appealing against the decision.

3.6 Period of Notice

The University will endeavour to provide staff who are selected for redundancy with at least six months' notice of intended dismissal. In circumstances where this is not possible, notice will be according to the individual contract of the member of staff concerned, or the provision laid down by legislation, whichever gives the greater period of notice.

3.7 Assistance to Staff

To assist in the consultative process, each member of staff selected for redundancy will be given information in writing along with the notice of intended dismissal, about the following :

- the counselling facilities available to staff;
- the right to reasonable time off to seek alternative employment **and/or** retraining opportunities;
- the calculation of any intended redundancy payment;
- the availability of careers guidance and appropriate training courses.

3.8 Compensation

The University will consult the appropriate Trade Union(s) regarding the calculation of redundancy payments to members of staff selected for redundancy.

3.9 Appeals

Any member of staff wishing to appeal against dismissal by reason of redundancy must do so, in writing, to the University Secretary within 28 days of the date of the redundancy notice, detailing the grounds for appeal. The Secretary will bring the appeal to the notice of the University Court which will appoint a person to hear the appeal. This person will neither be an employee of the University, nor a member of the University Court and will be a solicitor or advocate of at least 10 years' standing. This person will normally consider appeals alone, but may choose to sit with one member of the University Court and one member of Senate if they feel that this is in the best interests of justice and fairness.

The appeal will take the form of an oral hearing where the member of staff will have the right to be represented and may call witnesses. ***Appropriate documentation can be presented at the appeal.*** Appeals will be heard as expeditiously as reasonably practicable.

The person hearing the appeal may allow or dismiss an appeal in whole or in part and may remit the case to the University Court for further consideration. A written reasoned decision will be issued to the member of staff.

Staffing & Development Committee 20 February 2001; Amended 21 February 2001; Redundancy Working Party 7 March 2001; Amended 8 March 2001; Redundancy Working Party 12 June 2001; Amended 12 June 2001

Redundancy Policy and Procedure – Non-Academic Staff, Administrative, Library and Computing and Other Related Staff

1. AIM

The aim of this policy is to ensure that the University deals with redundancy in a fair, consistent and sympathetic manner in line with best practice and within the framework of relevant employment legislation and the statutes and ordinances of the University.

3. POLICY AND PRINCIPLES

2.1 Introduction

It is the University's intention to provide a stable working environment and security of employment for all staff. However, circumstances may arise which necessitate reductions in staffing levels and, in such an event, the University, in consultation with the appropriate campus Trade Union(s), will seek to avoid or minimise compulsory redundancies where possible, by the use of other measures such as early retirement and voluntary redundancy. Where compulsory redundancy is inevitable, the University will handle the redundancy in a fair, consistent and sympathetic manner.

2.2 General Principles

- xi. this policy and procedure will apply to all members of administrative, library and computing staff, other related staff and non-academic staff, other than those required to undertake teaching and/or research under the terms of their contract of employment who will be covered by the policy relating to teaching and research staff;
- xii. the University recognises the need to keep Trade Unions informed as fully as possible about staffing requirements and any need for redundancies;
- xiii. wherever possible and practicable the University will aim to offer the employee who is likely to be made redundant, suitable alternative work within the University and the opportunity to retrain;
- xiv. consideration will be given to the use of non-compulsory redundancies, through the use of voluntary redundancy, early retirement and other agreed mechanisms;
- xv. the University will use specific objective criteria to select employees for redundancy;
- xvi. each member of staff selected for redundancy will receive written notice summarising the action taken by the University Court, the selection procedures used, and when the proposed dismissal is to take effect;
- xvii. the University recognises the right of employees to appeal against any proposed redundancy;
- xviii. if re-deployment is not possible, the University will offer employees reasonable paid time off to look for alternative employment during the final notice period;
- xix. an employee selected for redundancy will be entitled to a redundancy payment if he/she has accrued the statutory period of service within the University;
- xx. in accordance with the University's policy on Equal Opportunities, an individual will not be discriminated against either directly or indirectly because of their age, colour, ethnic or national origin, nationality, disability, health, sexual orientation, marital status, family responsibilities, gender (including gender reassignment), religious or political beliefs and affiliations, socio-economic background or any other inappropriate distinction.

3. PROCEDURE

3.1 Introduction

- iii. Once the University has decided that it is necessary to reduce staffing levels, it will be necessary to select and recommend the requisite numbers of staff for dismissal by reason of redundancy.
- iv. Non-compulsory redundancies **will** be sought in the first instance through the use of voluntary redundancy and early retirement.

3.2 Consultation

- iii. Where it is likely that the University will require to reduce staffing levels through compulsory redundancy, the University shall, at the earliest reasonably practicable opportunity, normally six months before a redundancy will take place, consult **all** appropriate recognised Trade Union(s) Official. Such consultation will be with a view to considering the ways and means of avoiding compulsory redundancies, reducing the number of employees to be dismissed, and mitigating the consequences of the dismissals and will be taken with a view to reaching agreements with the appropriate representatives. To enable the Trade Union(s) to make constructive proposals, the University shall supply them with all information it reasonably regards as relevant, including:

- the reasons for the proposed redundancies;
- the numbers and descriptions of employees who are likely to be affected;
- the total number of employees of any such description employed by the University;
- how employees are to be selected for redundancy;
- the period over which the redundancies are to take effect;
- how any redundancy payments are to be calculated;
- the proposed method of carrying out any redundancies.

The University will also supply, so far as is possible, any other appropriate or relevant information which may be requested by the Trade Union(s).

- iv. The University shall, at the earliest reasonably practicable opportunity, which shall normally follow consultation described in (i). above, consult with the employees likely to be affected (whether the redundancies be voluntary or compulsory).

3.3 Selection Criteria

In selecting members of staff for redundancy, specific criteria will be used based on the needs of the University **and also its staff** at the time of the redundancy. The relevance of recent employment case law will be taken into account when agreeing the relevant selection criteria. The criteria will be objective and will be applied fairly and consistently, avoiding any bias to a specific criterion. ***The University will ensure that the selection criteria is free from any bias, sex or other discrimination.***

3.4 Notices of Intended Dismissal

Where the Convenor of the Staffing & Development Committee approves a recommendation from a Dean/University Secretary, **they** will authorise an appropriate officer of the University to dismiss the relevant member(s) of staff. Each member of staff selected for redundancy will receive a redundancy notice detailing:

- a summary of the reasons for the dismissal;
- the selection process used to determine the individuals to be so dismissed;
- the date the dismissal will take effect;
- the procedure and timescales for appealing against the decision.

3.5 Period of Notice

The University will endeavour to provide staff who are selected for redundancy with at least six months' notice of intended dismissal. In circumstances where this is not possible, notice will be according to the individual contract of the member of staff concerned, or the provision laid down by legislation, whichever gives the greater period of notice.

3.6 Assistance to Staff

To assist in the consultative process, each member of staff selected for redundancy will be given information in writing along with the notice of intended dismissal, about the following :

- the counselling facilities available to staff to assist;
- the right to reasonable time off to seek alternative employment **and/or** retraining opportunities;
- the calculation of any intended redundancy payment;
- the availability of careers guidance and appropriate training courses.

3.7 Compensation

The University will consult the appropriate Trade Union(s) regarding the calculation of redundancy payments to members of staff selected for redundancy.

3.8 Appeals

Any member of staff wishing to appeal against dismissal by reason of redundancy must do so, in writing, to the Director of Human Resources within 28 days of the date of the redundancy notice, detailing the grounds for appeal. The Director of Human Resources will arrange for the appeal to be heard by the Appeals Committee. This Committee will comprise a Vice-Principal, a Lay member of Court and a Head of Department (not the employing Department).

The appeal will take the form of an oral hearing where the member of staff will have the right to be represented and may call witnesses. ***Appropriate documentation can be presented at the appeal.*** Appeals will be heard as expeditiously as reasonably practicable.

The Committee hearing the appeal may allow or dismiss an appeal in whole or in part and may remit the case to the University Court for further consideration. A written reasoned decision will be issued to the member of staff.

Staffing & Development Committee 20 February 2001; Amended 21 February 2001; Redundancy Working Party 7 March 2001; Amended 8 March 2001; Redundancy Working Party 12 June 2001; Amended 12 June 2001

APPENDIX TO MINUTE 269

MEMBERSHIP OF COURT AND JOINT COURT-SENATE COMMITTEES 2001-2002

The Court approved the recommendations of the Nominating Committee, as indicated below, for Court membership on Court committees and joint Court-Senate Committees in 2001/02:

Audit Committee

Mr J Grant (Convener), Professor Ogston, two vacancies, Mr A Mathieson

Committee for the Geddes Harrower Chair

Principal (Convener), Dr G Roberts, Professor Torrance, Dr S Kunin, Dr D Mannings, Dr A Knox, Professor Graham, Professor F Watson

Health & Safety Committee

Professor D Houlihan (Convener), Mr A Mair, Professor M Baker, Miss A Harper

Information Management Committee

Principal, Professor J Sewel (Convener), Professor A Rodger, Professor S Logan, Professor I Torrance, Professor P Sloane, Mr S Cannon, Dr G Roberts (in attendance)

Joint Negotiating and Consultative Committee

Professor S Logan, Professor J Sewel, Dr G Roberts, Dr N Milne

Nominating Committee

Mr A Mair (Convener), Principal, Professor J Sewel, Mrs A Skene, Senate Assessor

JOINT COURT-SENATE COMMITTEES

Chapel Committee

Dr G Roberts (Convener), Mr G Stevenson

Committee on Biological Services Units

Professor D Houlihan (Convener), Professor D Ogston, Miss M Main

Joint Planning Finance & Estates Committee

Principal, Professor J Sewel, Mr A Mair (Convener), Dr H Fullerton, Mr G Stevenson, vacancy, Rector's Assessor in attendance

Museums, Collections & Galleries Committee

Principal, Dr G Roberts, Professor A Rodger, Professor J Simpson, Dr A Dawson, Mrs A Skene

Research & Commercialisation

Professor D Houlihan (Convener), Principal

Staffing & Development Committee

Professor J Sewel, Dr M Mackie, Dr A Dawson, Dr G Roberts, Professor D Houlihan

Student Affairs Committee

Principal, Dr N Milne (Convener), Dr G Roberts, Mr R McGregor, Mrs A Skene, Mr S Cannon.

Student Recruitment & Admissions

Professor D Houlihan (Convener), Professor I Torrance, Miss A Harper, Miss M Main, Dr G Roberts (in attendance)

University's Committee on Teaching & Learning

Dr G Roberts (Convener), Dr J Farrington, Miss A Harper, Professor J Simpson

Note: The Court representation on the following Committees remained as for 2000/01: Remuneration Committee, Military Education Committee.

SENATE APPOINTMENTS TO JOINT-COURT COMMITTEES AND SENATE REPRESENTATION ON COMMITTEES OF THE COURT

Chapel Committee

Professor Torrance.

Committee on Biological Services Units

The Deans of the Faculties of Medicine & Medical Sciences and of Science & Engineering, Professors Lomax, Matthews and Ritchie.

Joint Planning, Finance and Estates Committee

Principal, Senior Vice-Principal, the Deans plus two further members elected from amongst the Senate assessors on the University Court (Professor Graham and one other to be elected).

Military Education Committee

Professors Salmon, Swanson and Torrance, Dr K R Page, Mr J H Wyllie and Dr G Herd.

Museums, Collections and Galleries Committee

Dr J G Roberts (*Convener*), Professor Mannings, the Manager, Historic Collections, Mr G Pryor, Dr M Gorman, Dr J S Reid, Dr N H Trewin and Dr C C Wilcock.

Research Committee

Professors Devine, Gane, Gow, Graham, Ingold, Ingram, Killham and Ralston.
In attendance: The Deans of the Faculties.

Staffing and Development Committee

The Deans of the Faculties.

Student Affairs Committee

Principal or alternate, Vice-Principal with responsibility for Student Welfare, the Conveners of the three Academic Standards Committees.

Student Recruitment and Admissions Committee

The Deans of the Faculties, two Selectors for undergraduate degrees, elected from the Panel of Selectors (Dr S P Townsend and Mr A W Gray), the Convener of the Academic Standards Committee (Postgraduate), the Director of the Student Recruitment and Admissions Service, one other representative of the student recruitment function and the President of the Students' Association.

In attendance: The Academic Registrar, the Director of External Relations and the Manager, KEY Learning Opportunities.

University Committee on Teaching & Learning

The Conveners of the Academic Standards Committees and of the Undergraduate Programme Committees, the Deans of the Faculties, the President of the SA (or alternate) and one other student member.

Committees of the Court with Senate Members

Staff Disciplinary Tribunal Panel

Professors Chandler, Fraser, Evans-Jones, Harrison, MacGregor, Ohlmeyer, Pennington and Thomson.

Staff Grading and Promotions Committee

The Deans of the Faculties.

Staff Grievance Committee Panel

Professors Duff, Mordue, Flin, Ritchie and Saunders, and Mrs M Ross.

APPENDIX TO MINUTE 273

RISK MANAGEMENT POLICY

1 PRINCIPLES INFORMING UNIVERSITY POLICY

The following principles should inform policy:

- The identification and management of risk should be linked to the achievement of institutional objectives;

- The approach to internal control should be risk-based, including an evaluation of the likelihood and impact of risks becoming a reality;
- Review procedures must cover business, operational and compliance as well as financial risk;
- Risk assessment and internal control should be embedded in on-going operations;
- The University Court and relevant Committees should receive regular reports on internal control and risk;
- The principal results of risk identification, evaluation and management review should be reported to, and reviewed by, the University Court.

2 IDENTIFICATION OF RISK

The following factors should be considered:

- The nature and extent of the risks facing the University;
- The extent and categories of risk which the University regards as acceptable to bear;
- The likelihood of the risks concerned materialising;
- The University's ability to reduce the incidence and impact on the business of risks which do materialise;
- The costs of operating particular controls relative to the benefit thereby obtained in managing the related risks.

3 INTERNAL CONTROL SYSTEMS

Internal control systems should encompass the policies, processes, tasks, behaviours and other aspects of the University which, taken together:

- Facilitate effective and efficient operation, by enabling the University to respond appropriately to significant business, operational, financial, compliance and other risks in achieving its objectives. This includes the safe-guarding of assets from inappropriate use or from loss and fraud, and ensuring that liabilities are identified and managed.
- Help ensure the quality of internal and external reporting. This requires the maintenance of proper records and processes that generate a flow of timely, relevant and reliable information from within and outside the organisation.
- Help ensure compliance with relevant laws and regulations and with internal policies in respect of the conduct of business;
- The system of control should be embedded in the University's operations and form part of its culture. It should be capable of responding quickly to evolving risks and should include procedures for reporting immediately to appropriate levels of management any significant control failings or weaknesses, together with details of corrective action.

The systems should include control activities, information and communications processes and processes for monitoring the continuing effectiveness of the system of internal control.

APPENDIX TO MINUTE 275

Acquisition and Disposal Policy of the University of Aberdeen

Museums enable people to explore collections for inspiration, learning and enjoyment. They are institutions that collect, safeguard and make accessible artefacts and specimens, which they hold in trust for society. (Museum definition, Museums Association, 1998)

Introduction

1. The University of Aberdeen has responsibilities for significant collections of cultural and scientific materials.
2. This is a Policy Statement regulating the acquisition of items for the collections. In addition to being good practice, the adoption and implementation of such a policy by the University Court is a requirement of the Museum Registration Scheme administered by *Resource: The Council for Museums, Archives and Libraries*.
3. The original policy was adopted by Court at its meeting on 19 May 1998, to be revised in 2001. It is intended to review the present policy in 2006, or sooner if appropriate. The Scottish Museums Council will be notified of any changes to this Policy.
4. This Policy Statement supersedes all previous and existing practices and policies, formal or informal, relating to the acquisition of items for the collections of the University.
5. The Court recognises a number of designated collections, each with a distinct history and purpose. Their individual Collecting Policies are attached as appendices to this Acquisition and Disposal Policy, and form an integral part of this policy. The museum and collections formally recognised are
 - Marischal Museum
 - The Anatomy Museum
 - The Geological Collections
 - The Herbarium
 - The Natural Philosophy Collection of Scientific Instruments
 - The Pathology and Forensic Medicine Collection
 - The Zoology Museum
6. The collections are looked after by professionally trained and/or experienced curators appointed by, and/or ultimately responsible to, the Court. The curators will have a diploma in museum studies or equivalent qualification or experience, and/or a relevant degree or specialist knowledge of the subject of the collection.
7. Within several collections, two main categories of material are held:
 - The main, permanent, accessioned collection of material preserved for posterity, and
 - A study collection: this does not form part of the main collection. Material in the study collection is a working resource rather than an archive collection. It is collected and curated on the basis that items may have a finite use within the University and ultimately may be disposed of.
8. The provisions of this *Acquisitions and Disposal Policy* refer to the permanent, accessioned collections of the University.
9. Within this policy, a distinction should be made between collecting policy and display activities. No statement in this policy should be taken to preclude the borrowing of items of any character for temporary or longer term display in exhibitions.
10. The Court accepts responsibility for ensuring to the best of its ability that all of the collections in its care are adequately housed, conserved, documented and made accessible, as appropriate for each collection.

General Rules for Collecting

11. The University acknowledges that its collecting interests may overlap with the collecting areas of other museums. Acquisitions will be made with the due regard to the collecting policies of other registered museums in order to respect their individuality and to avoid duplication of effort.
12. The University will not acquire, whether by purchase, gift, bequest, exchange or active collecting, any item, unless a curator, acting on the Court's behalf, is satisfied that valid title to the item in question can be acquired. In particular, no item will be collected which has been acquired in, or exported from, its country of origin (including the United Kingdom), or any

intermediate country in which it may have been legally owned, in violation of that country's laws.

13. Where an item is offered as a gift in good faith and the prospective donor is uncertain of the identity of the legal owner/s and the University is unable to find this out as a result of its own reasonable efforts, a curator shall be permitted to accept the item, provided a permanent and detailed note of the circumstances and known facts is made at the time of acceptance.
14. So far as biological and geological material is concerned, the University will not acquire by any direct or indirect means any specimen that has been collected, sold or otherwise transferred in contravention of any national or international wildlife protection or natural history conservation law or treaty of the United Kingdom or any other country, except with the express consent of an appropriate outside authority (e.g. a British court in the case of a specimen seized from a third party under the Wildlife and Countryside Act).
15. Under the legal principles of Treasure Trove and *bona vacantia*, the discovery of antiquities in Scotland is a matter for report to the Crown. Scottish archaeological material will therefore not be acquired by any means other than allocation to the University by the Crown, normally on the advice of the Treasure Trove Advisory Panel or the Historic Scotland Finds Disposal Panel, unless a curator, acting on the Court's behalf, is satisfied that valid title to the item in question can be acquired, such as by a certificate of 'No Claim' from the Treasure Trove Advisory Panel Secretariat.
16. No excavated or archaeological material will be purchased unless a curator, acting on the Court's behalf, can be reasonably certain that the circumstances of excavation or recovery did not involve recent unauthorised destruction of, or damage to, ancient monuments, known archaeological sites or places of special scientific or historic interest, or failure to disclose finds to the owner or occupier of the land where found, or to any proper authority.
17. No object will be acquired by the University if the prospect of adequate care, conservation and documentation cannot be assured.
18. Under normal circumstances only items which are accompanied by adequate documentation as to their origin and method of collection will be acquired.
19. Wherever appropriate, the University will aim to acquire relevant intellectual property rights associated with acquired objects.
20. A curator, as the Court's representative, will normally have delegated authority and responsibility for the acceptance or rejection of gifts or bequests to a collection, for soliciting gifts of material for the collections within the terms of this policy, and for making purchases of material in accordance with this Policy and within the Court's normal standing orders.
21. Where the acquisition of any item or group of items would result in significant financial implications in respect of curation, storage, conservation or display, the matter will be referred to the Court for decision.
22. Items offered to the University as gifts or bequests will not normally be accepted if they are subject to any restrictive covenant or special conditions. A general exception to this rule will be deemed to exist in respect of restrictive covenants or conditions intended only to assure the permanent protection of the item concerned in the University's collections. Court may be asked to approve the acquisition of specific items to which unusual conditions are attached.
23. Items will not normally be accepted into the collections on loan. No item will be accepted on 'permanent loan', a term which has no legal status. In exceptional cases, items of major importance that fall within the scope of this Policy may be accepted on long, fixed-term, loan, the period to be agreed in writing between the curator and owner (or representative). Where the term of a loan has expired, it may be renewed or extended for further finite periods, at the discretion of both the owner and the curator. In exceptional circumstances the University may ask for a contribution from the lender towards the upkeep of items on loan.
24. The University recognises that acquiring material which falls outside the approved collecting policy may in some circumstances be in the best interests of the University or the material. Any

proposal to accept such gifts must be put before the Court, if necessary after taking advice from the Scottish Museums Council or relevant expert bodies.

25. Within the constraints of available funding and staff resources, the University will aim to meet standards of collections care as recommended in the relevant *Standards in the Museum Care ...* as published by the Museums and Galleries Commission (now incorporated in *Resource*). In relation to the holding or acquisition of archives, including photographs and printed ephemera, the University shall be guided by the *Code of Practice on Archives for Museums in the United Kingdom*. The University will also aim to meet the standards outlined in the Royal Commission on Historical Manuscripts' *Standards for Record Repositories* (1990) and BS 5454: 2000, *Recommendations for the Storage and Exhibition of Archival Documents*.

Disposal

26. One of the basic functions of a museum is preservation; items acquired by a museum are generally considered to be inalienable once they have been incorporated into its collections. The University's principal duty in this respect is to hold its collections in trust, now and for future generations. There is therefore a strong presumption against disposal of any item in its care. However there are circumstances in which disposal might be considered, as set out below.
27. The Court hereby confirms that the collections of Aberdeen University are held in trust for future generations. Only under exceptional circumstances will the disposal of any specimen from the Collections be permissible.
28. No museum item may be disposed of without the specific authority of the Court. Such a decision is the responsibility of the Court, acting on the advice of the relevant Curator, and not of any person acting alone.
29. If the disposal of a quantity of similar material is proposed, the Court may, however, give a curator delegated authority to act in the specific, once a general principle has been approved.
30. Items belonging to any one of the University's collections may more appropriately be looked after and used within one of the other University collections. Such matters will be considered by the relevant Curators and any transfer between the collections of the University will not be regarded as disposals. Full records will be kept of such transfers by both donor and recipient collections.

Reasons for Disposal

31. When an item is too badly damaged or has deteriorated beyond restoration then the curator should consider the continuing scientific or educational value of the item against the resources needed to keep it in care.
32. It may be necessary to dispose of items which represent an unavoidable health and safety risk or an unavoidable serious conservation threat to other items in the collection.
33. When an object is unprovenanced or provides duplicate material surplus to the University's requirements, disposal may be considered, but only if reasonable efforts to recover any data which may be associated with the object have been unsuccessful.
34. When material acquired in the past falls outside the University's current collecting policies it may be considered for disposal.
35. Decisions to dispose of items will not be made with the principal aim of generating funds.

Disposal Procedure

36. The curator will determine whether the University is legally free to dispose of the item (in cases of doubt, advice will be sought). Any decision to dispose of material from the collections will be taken only after due consideration.
37. The Court, acting on the advice of the curator, may decide to return objects or human remains to a country or people of origin. This will be decided considering the relevant ethical and legal

position. Under such circumstances, it would be inappropriate to apply the formal disposal procedures outlined below (paragraph 42).

38. Where items were acquired, or conserved, with financial assistance from an outside body, the views of that body concerning the proposed disposal will be sought and grant conditions applied by that body will be respected.
39. Items given or bequeathed will not normally be disposed of without prior consultation with the original donors or their families within the first generation. This is, however, a matter of courtesy rather than a legal requirement. The curator shall be entitled to waive this requirement where reasonable efforts to trace a donor or their family have failed.
40. Items which are badly damaged or deteriorated beyond use may be destroyed in a discreet and permanent manner, and this should be observed and recorded by witnesses.
41. Where an item from the collections is to be disposed of and is not to be destroyed, priority will be given to retaining the item within the public domain and with this in view it will be offered first to other registered museums, wherever possible as a gift, but otherwise by exchange or sale, before disposal to other interested individuals or organisations is considered.
42. In cases where an arrangement for the exchange, gift or sale of material is not being made with an individual registered museum, the museum community at large will be advised of the intention to dispose of the material. This will normally be through an announcement in the Museums Association's *Museums Journal* and other professional journals if appropriate. The announcement will indicate the number and nature of the items involved and the basis on which the material will be transferred to another institution. A period of at least two months will be allowed for an interest in acquiring the material to be expressed.
43. Where it is intended that an item should be sold, an independent valuation should be sought. The Court will accept this as the maximum price for the sale of the item to a registered museum, for a period of six months. If sale to an individual, or an organisation other than a museum, does become necessary, the item would then normally be offered at a price no less than valuation.
44. Where an item is transferred to a registered museum, associated documentation (or a copy) will be transferred with the item. Where appropriate, this may include photographic records.
45. The University will retain a copy of the documentation. Full records will be kept of all disposals from collections.
46. Any money received as the result of the disposal of an item from the collections will normally be used for the acquisition of further items. The prior approval of the Scottish Museums Council will be sought on any occasion when an alternative use, such as improvements to the care of collections, is proposed.