University Court

In terms of the Universities (Scotland) Act, 1966, the following draft Ordinance, promulgated by the University Court of the University of St Andrews on 5 April 2019, is made available for public inspection:

Draft Ordinance No.133

COMPOSITION OF THE SENATUS ACADEMICUS AND PERIOD OF OFFICE OF ELECTED MEMBERS OF THE SENATUS ACADEMICUS AND ACADEMIC ASSESSORS ON THE UNIVERSITY COURT

This Ordinance is part of a series of Ordinance changes in connection with the full implementation of the Higher Education Governance (Scotland) Act 2016 (the Act). Section 15 of the Act, Composition of academic board, sets out the minimum requirements for membership of the academic board of a higher education institution (Senatus Academicus (the Senatus)).

The Act requires the academic board to be composed of (a) the principal of the institution, (b) the heads of school of the institution, (c) persons appointed by being elected by the academic staff of the institution from among their own number, (d) persons appointed by being elected by the students of the institution from among the students of the institution, and (e) such other persons as are appointed (i) by virtue of an enactment, (ii) in accordance with the governing document of the institution, or (iii) in accordance with a decision of the governing body of the institution. The Act also requires the academic board to be constituted in such a way that more than 50% of its members fall within (c) or (d) above and that at least 10% of its members fall within (d). Draft Ordinance No.133 reflects these requirements.

Section 16 of the Act, Elections to academic board, makes provision for elections to the academic board to be conducted in accordance with rules made by the governing body of the institution. Draft Ordinance No.133 reflects this provision.

Draft Ordinance No.133 also makes provision for the period of office of elected members of the Senatus, includes detail of the manner, time and place of the election of Academic Assessors on the University Court and revokes current University of St Andrews Ordinance No.123 (Composition of the Senatus Academicus and Election of Assessors of the Senatus Academicus on the University Court).

The text of the draft Ordinance is enclosed.

Any comments on the above should be directed to me within eight weeks of the date of this notification, by 4 June 2019, and will, as necessary, be taken into consideration by the University Court. Subject to any comments received, the Court is expected to give final approval to this draft Ordinance at its meeting on 14 June 2019.

Margaret Sinclair
Executive Officer to the University Court & Senate
DRAFT for consultation-Approved by University Court 05/04/19

DRAFT/ ORDINANCE No. 133

COMPOSITION OF SENATUS ACADEMICUS AND PERIOD OF OFFICE OF ELECTED MEMBERS OF THE SENATUS ACADEMICUS AND ACADEMIC ASSESSORS ON THE UNIVERSITY COURT

At St Andrews, the xxx day of Xxxxx, two thousand and nineteen.

WHEREAS the University Court, on the recommendation of the Senatus Academicus, deem it expedient in order that it complies with the requirements of Section 15 of the Higher Education Governance (Scotland) Act 2016 to amend the provisions concerning the composition of the Senatus Academicus of the University of St Andrews;

THEREFORE the University Court, in exercise of its powers conferred by Section 3 of, and paragraphs 1 and 4 of Part I of Schedule 2 to, the Universities (Scotland) Act 1966, and all other powers enabling it, statutes and ordains as follows: -

PART I

COMPOSITION OF THE SENATUS ACADEMICUS OF THE UNIVERSITY OF ST ANDREWS

I. The Senatus Academicus of the University of St Andrews (hereinafter referred to in this Ordinance as “the Senatus”) shall consist of: -

(a) ex officio members, who shall be the Principal of the University, the Heads of School (including any Acting Heads of School) of the University, the Deans of Faculty and at least three members of the senior management team as nominated from time to time by the Principal;

(b) academic staff members, appointed by being elected by the academic staff of the University from among their own number in accordance with sections 15 and 16 of the Higher Education Governance (Scotland) Act 2016;

(c) student members, appointed by being elected from by the students of the University from among the students of the University, in accordance with sections 15 and 16 of the Higher Education Governance (Scotland) Act 2016;

(d) academic assessors, appointed by being elected by the academic staff of the University from among their own number in accordance with sections 15 and 16 of the Higher Education Governance (Scotland) Act 2016;
provided that the total number of elected members of the Senatus referred to in paragraph II(b), (c) and (d) of this Ordinance shall be greater than the total number of *ex officio* members of the Senatus referred to in paragraph II(a) of this Ordinance, and provided that the total number of elected student members of the Senatus referred to in paragraph II(c) of this Ordinance shall be at least one tenth of the total number of members of the Senatus.

II. Any office which confers membership of the Senatus in terms of paragraph I(a) and which is vacant shall be deemed to have an incumbent who is an *ex officio* member.

III. (1) The Principal of the University, whom failing the Deputy Principal, whom failing the member of the senior management team designated by the Principal, shall preside at any meeting of the Senatus.

(2) In the absence of all the persons mentioned in sub-paragraph (1) of this paragraph, the professor who is first in order of seniority among the professors shall preside.

PART II

PERIOD OF OFFICE OF ELECTED MEMBERS OF THE SENATUS

IV. Except as otherwise provided in this Ordinance, the following periods of office shall apply in respect of elected members of the Senatus referred to in paragraph I(b), (c) and (d) of this Ordinance:

(a) in the ordinary course and rotation, a member elected under paragraphs I(b) or I(d) of this Ordinance shall hold office for a period of four years from the first day of August of the year of election and shall be eligible for re-election;

(b) in the ordinary course and rotation, a member elected under paragraph I(c) of this Ordinance shall hold office for a period of one year from the first day of August of the year of election and shall be eligible for re-election;

(c) if, at the date on which a member’s period of office on the Senatus would otherwise expire, that person is an academic assessor on the University Court, the period of office on the Senatus shall be extended to the date of expiry of appointment as an academic assessor on the University Court and if the latter date does not coincide with a date when elected members are retiring in the normal course, the vacancy for an elected member shall be deemed to be a casual vacancy;

(d) an elected academic staff member referred to in paragraph I(b) who holds an office which confers *ex officio* membership of the Senatus, shall not be debarred by virtue of such office from holding office as an elected academic staff member of the Senatus, in which event for the period or periods during which the two offices coincide, that person shall be counted under paragraph I(b) as an elected member;
(e) notwithstanding the prescribed period of office for a member of the Senatus elected under paragraphs I(b) and (d), such a member shall demit that office on ceasing to be a member of the academic staff of the University;

(f) notwithstanding the prescribed period of office for an elected student member of the Senatus elected under paragraph I(c), such a member shall demit that office on ceasing to be a student of the University;

(g) an elected member of the Senatus may resign from membership of the Senatus at any time;

(h) a member elected as an academic assessor to the University Court under paragraph I(d) shall be deemed to demit office as an academic assessor to the University Court on ceasing to be a member of the Senatus;

(i) in the event of a casual vacancy among the members appointed under paragraphs I(b), (c) and (d), the procedures for filling such a vacancy shall be provided for in rules made by the University Court under the Higher Education Governance (Scotland) Act 2016.

PART III

ACADEMIC ASSESSORS ON THE UNIVERSITY COURT

V. With due regard to the provisions of University of St Andrews Ordinance No 132 (Composition of the University Court), the academic assessors on the University Court shall be elected, at St Andrews, by the following constituencies as constituted from time to time in accordance with rules made by the University Court:

   (a) Professorial staff in the constituency of Arts and Divinity;
   (b) Professorial staff in the constituency of Science and Medicine
   (c) Non-professorial academic staff in the constituency of Arts and Divinity;
   (d) Non-professorial academic staff in the constituency of Science and Medicine.

Each academic assessor shall normally be elected on a four-yearly cycle as the University Court shall determine from time to time. The Alternative Vote system shall apply unless the University Court determines otherwise.

PART IV

REVOCATION OF ORDINANCES

VI. The University of St Andrews Ordinance No. 123 (Composition of the Senatus Academicus and Election of Assessors of the Senatus Academicus on the University Court) is hereby revoked.
PART V
INTERPRETATION

VII. For the purposes of this Ordinance: -

(a) a reference to a student of the University shall include any person who is a matriculated student of the University and any person who holds a sabbatical office in the Students’ Association of the University, whether or not they remain as a matriculated student of the University during the period of their sabbatical office;

(b) a reference to a member of academic staff of the University means any person holding a permanent or fixed term salaried contract of employment with the University Court within the Academic Job Family as defined from time to time by the University.

PART VI
DATE OF OPERATION

VIII. Paragraphs I to IV of this Ordinance shall come into force on 30 December 2020 or on the date on which the first elected members of the Senatus elected in accordance with the Higher Education Governance (Scotland) Act 2016 and appointed under paragraph I(b), (c) and (d) of this Ordinance commence their term of service on the Senatus, which ever date is earlier.

IX. Paragraphs V to IX of this Ordinance shall come into force on the date on which it is approved by Her Majesty in Council.

IN WITNESS WHEREOF these presents are sealed with the Common Seal of the University Court of the University of St Andrews and are subscribed on its behalf, as required by Ordinance No. 118 of the said University Court, by xxxxxxx, Member of Court, and xxxxxx, Secretary of the University Court.