



UNIVERSITY COURT

4 December 2023

**General Council Membership & Registration Ordinance**

**Description of paper**

1. University of Edinburgh Ordinance No. 186 (Appendix 1) has defined the criteria for membership of the General Council (GC) since 1991. At its meeting on 29 November 2021 Court approved that the Ordinance be reviewed to address unsatisfactory clauses which had been identified as anachronistic and causing confusion. These issues have been addressed in the attached Draft New Ordinance (Appendix 2).

2. The current Ordinance (Appendix 1) offers membership only to those with University degrees or to senior academic staff. These restrictions do not reflect that the University now confers other awards to graduates and are at odds with the value attached to an inclusive multi-professional University community articulated in Strategy 2030. The review identified the University grade structure as a means of defining comparable criteria for academic and professional staff. The criteria for staff membership of the GC defined in the Draft New Ordinance (Appendix 2) reflect the University's contemporary ethos while also recognising the requirements of the role and responsibilities of GC members.

**Action requested/Recommendation**

3. Court is asked to approve the transmission of the Draft New Ordinance as set out in Appendix 2 for statutory consultation.

**Background and context**

4. The report presented to University Court in November 2021 proposed that Ordinance 186 should be amended substantially so that GC membership could be conferred on:

- i. all those graduating with academic awards approved by Senate, not just degrees;
- ii. all administrative, professional, and technical staff at grade 8 and above, to give parity with similar grade academic staff already eligible to join General Council;
- iii. all Honorary awards and appointments – not just Honorary Fellows and Honorary graduates.

5. Court agreed to 'The initiation of a process of review of Ordinance No. 186 (General Council Membership & Registration) with a view to amending the criteria for General Council membership to resolve identified issues set out in the paper'.

6. During that review period, further consideration of the resource and implementation requirements was made by Development and Alumni (D&A) as it manages the General Council (GC) Register within its Charity Customer Relationship Management (CRM) database. This identified practical data management issues, particularly around extending membership to all Honorary appointments. Also, major changes were about to take place to the CRM systems.

7. Now that the changes to the CRM system have bedded down, it was decided to carry out a more detailed review of the resource implications of the proposed changes to Ordinance 186 and this has been carried out by a working group which included members of the D&A Services Team and the Secretary and the Assistant Secretary of the GC.
8. The Working Group report presented to the University Secretary concluded that:
- a. Most (but not all) of the proposed changes to Ordinance 186 as recommended in the previous report to Court would be straightforward to incorporate into the General Council Register.
  - b. Any additional resource requirements arising from bringing in new categories would be temporary and manageable through phased implementation of changes to incorporate existing staff or award holders who would become eligible.
  - c. The main change from the previous proposal should be not to extend General Council membership to all Honorary appointments, such as Hon Professors, Hon Readers, Hon Senior Lecturers or Hon Lecturers. This earlier proposal arose from confusion over the category of Honorary Fellows eligible to join General Council. When Court decided in 1991 to include this group, it was meant to apply only to those awarded University Honorary Fellowships on the recommendation of Senate, and not to College appointed Honorary Fellows, but this distinction was not made clear enough in subsequent documentation.
  - d. The data management difficulties associated with including hundreds of College Honorary appointments in the General Council Register are complex, time consuming and onerous. As a result, there should be no extension of eligibility to include College appointed Honorary Fellows, Honorary Professors or Honorary Lecturers, as similar data management issues would arise.

## Discussion

9. The proposed amendments to unsatisfactory clauses of the current Ordinance are shown in red in the Draft New Ordinance (Appendix 2).

(i) ***Not all who now graduate receive degrees.*** The current Ordinance restricts GC membership to those awarded degrees. In addition to degrees, there are currently about 30 other awards that can be made by the University, some of which confer the status of being a graduate of the University. Clause 1(a) has been reworded with input from the Director of Student Systems & Administration to reflect the contemporary flexibility in awards and inclusivity, while maintaining the University's formal academic standards, by permitting all graduates of the University to become members of GC. For example, the new wording opens GC membership to those graduating with postgraduate diplomas or those completing joint degrees with partner Universities. This change is reflected in the wording of Clauses 3 and 4(a) of the Appendix 2 which substitute the term 'academic award' for degree.

(ii) ***Anomalies.*** The 'ex officio' GC membership of the University Chaplain has now been specified in Clause 1(c). The invitation to retain membership is made

consistently to members demitting office in Clause 1(e) or completing their term of appointment after 3 years in Clause 1(f).

(iii) **Anachronism.** The registration fee referred to in Clauses 1(d-e) and Clause 7 of the current Ordinance (Appendix I) was discontinued by the University in 2012 and has been omitted from the Draft New Ordinance.

(iv) **Administrative simplification.** The changes create an opportunity to consider data flows and processes with the aim of increased efficiency. This will continue in the implementation phase. Offering membership for staff on appointment would be administratively simpler than initiating that after one year in post (Clause 1(c) (iv) of Appendix I). The current reference to retirement - Appendix I, clause 1 (e) - has been removed. The Draft New Ordinance retains the criterion for former staff who were members of General Council and were employed by the University for at least 3 years prior to leaving to be invited to retain their GC membership on leaving the University, except for those who leave because they have been dismissed or following disciplinary action.

(v) **Parity of membership for academic and professional staff.** The academic job titles formerly used to define GC membership criteria translate to University Grade 8 and above. Use of the University Grade profiles offers a means of achieving comparable criteria for professional staff. Clinical academics have their own scale. The wording of the relevant clauses 1(e & g) of Appendix 2 was provided by HR.

### **Resource implications**

10. Any additional resource requirements arising from bringing in new categories would be temporary and manageable through phased implementation of changes to incorporate existing staff or award holders who would become eligible. Potentially the largest group of additional members of GC are those who graduated with awards which were not degrees but as they are already in the D&A CRM database, including them in the General Council Register is straightforward.

### **Risk Management**

11. The General Council Register sits within a database managed by D&A with close attention to data protection legislation and data security. A detailed Data Protection Impact Assessment of the proposed changes was carried out by the Working Party in its review of implementation and this was approved by the University Data Protection Officer.

### **Responding to the Climate Emergency & Sustainable Development Goals**

12. A more diverse membership would ensure that the General Council was better equipped to play its part in supporting the University to deliver its Strategy 2030 outcomes and the Sustainable Development Goals.

13. A key issue for ensuring a contemporary database of active GC members is to align with the University's digital strategy which makes more effective use of digital technology to engage with members sustainably e.g. targeted communication; voting; hybrid events.

## **Equality & Diversity**

14. Current criteria for GC membership discriminate in favour of academic staff to the exclusion of other staff groups. One aim of the review is to propose a more equitable basis for staff membership and hence a GC membership which better reflects the diversity of the University's community. An Equality Impact Assessment was carried out by the Working Party. This has since been approved by the University Secretary and the proposed changes will contribute to meeting the University's general equality duty under the Equality Act 2010.

## **Next steps/implications**

15. Court approval of the transmission of the Draft New Ordinance triggers a statutory 8-week period of consultation with Senate and the General Council which is required to inform the preparation of the final draft of the New Ordinance. This final draft must be approved by Court before onward transmission for consideration by the Scottish Universities Committee and, in due course, for approval by the Privy Council.

## **Consultation**

16. It is recommended the consultation period begins on 29 December 2023 as this would allow consideration of the Draft New Ordinance at the meeting of Senate on 7 February and at the General Council Half Yearly Meeting on 17 February 2024. Given that 29 December 2023 falls during the University's Christmas and New Year closure period the consultation documents will be circulated in mid-December, to give all consultees at least 8 weeks not including closure period to consider. Court would be informed of the outcome of the consultation at its meeting on 26 February 2024.

## **Further information**

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### **Presenter**

Lady Wolffe  
General Council Assessor

## **Freedom of Information**

18. Open paper.

**UNIVERSITY OF EDINBURGH ORDINANCE No 186**

**GENERAL COUNCIL MEMBERSHIP AND REGISTRATION**

At Edinburgh, the Eighth day of July, Nineteen hundred and ninety-one years.

WHEREAS the Universities (Scotland) Act 1966, Section 10(1), provides that the University Court shall cause to be maintained a register of members of the General Council in accordance with provisions to be prescribed by Ordinance:

AND WHEREAS in terms of Sections 3 of the said Act and of paragraphs 1 and 5- of Part I of Schedule 2 thereto, the University Court has power to amend by Ordinance the composition, powers, and functions of, 'inter alia', the General Council, and to prescribe the conditions under which the register of members of the General Council is to be maintained:

AND WHEREAS the University Court deems it expedient to amend the composition of the General Council and to amend the conditions under which the register of members of the General Council is to be maintained:

THEREFORE the University Court of the University of Edinburgh, in exercise of the powers conferred upon it by Section 3 of the Universities (Scotland) Act 1966, and with particular reference to paragraphs 1 and 5 of Part I of Schedule 2 to that Act, hereby statutes and ordains:

1. The General Council of the University of Edinburgh shall consist of:

(a) all persons on whom the University has conferred degrees other than Honorary Degrees, whose names shall be recorded in the Register of Graduates referred to in Section 3 of this Ordinance, in accordance with the provisions of this Ordinance:

(b) all persons on whom the University has conferred an Honorary Degree or on whom it has conferred the title of Honorary Fellow of the University.

(c) during their tenure of office -

(i) the Chancellor of the University;

(ii) the members of the University Court;

(iii) the Professors of the University;

(iv) all Readers, Senior Lecturers, and Lecturers in the University who have held any such office for a period of one year:

(d) former members of the University Court and former Professors who have elected to pay the statutory registration fee, if any.

(e) former Readers, Senior Lecturers and Lecturers who have retired after holding any such office in the University for a period of three years and who have elected to pay the statutory registration fee, if any.

2. The University Court shall from time to time appoint a Registrar of the General Council, upon such conditions as the Court may determine, and the Court shall provide such assistance for the performance of the Registrar's duties as it may consider necessary. The office of Registrar may be held in conjunction with any other office in the University

3. The Registrar shall ensure that a Register of Graduates is maintained, recording the full names of all persons on whom the University has conferred a degree other than an Honorary Degree, the address of each graduand at the time of registration for graduation, the date of graduation, and the degree conferred.

4. The Registrar shall also ensure that a Register of Members of the General Council is maintained, recording

(a) the full names in alphabetical order and addresses (where known) of all graduates whose names are recorded in the Register of Graduates and who are not known to be dead, or presumed dead failing contrary information after eighty years from the date of graduation, together with, in each case, the first degree recorded in the Register of Graduates, and the year of graduation in that degree;

(b) the full names, in alphabetical order, and addresses (where known) of all other members of the General Council not known to be dead and the offices in virtue of which they qualify for membership.

5. <sup>1</sup> .....

6. If any person whose name is not included in the Register of Members - shall consider that it should be so included, it shall be competent for him or her to appeal to the University Court if the Court considers that such person's name should be included in the Register of Members - in terms of this Ordinance, it shall direct the Registrar to amend the Register accordingly. The decision of the Court shall be final.

7. The University Court shall have power to decide whether a fee shall be required as a condition of graduation in any degree or as a condition of membership of the General Council for those categories of persons mentioned in Section 1(d) and (e) of this Ordinance, and to fix the amount of any such fee. Those categories of persons mentioned in Section 1(b) of this Ordinance shall not be required to pay such a fee.

8. Ordinance No 174 (General Council Membership and Registration) is hereby revoked.

9. This Ordinance shall come into force after its approval by Her Majesty in Council on a date to be determined by the University Court.

IN WITNESS WHEREOF .....

Approved by Order in Council, dated 11 February 1992.

<sup>1</sup> Omitted by Ordinance No. 202, now superseded by Ordinance No. 213

UNIVERSITY OF EDINBURGH ORDINANCE No 217

GENERAL COUNCIL MEMBERSHIP AND REGISTRATION

At Edinburgh, the [Number] day of [Month], [Year]

WHEREAS the Universities (Scotland) Act 1966, Section 10(1), provides that the University Court shall cause to be maintained a register of members of the General Council in accordance with provisions to be prescribed by Ordinance:

AND WHEREAS in terms of Sections 3 of the said Act and of paragraphs 1 and 5- of Part I of Schedule 2 thereto, the University Court has power to amend by Ordinance the composition, powers, and functions of, 'inter alia', the General Council, and to prescribe the conditions under which the register of members of the General Council is to be maintained:

AND WHEREAS the University Court deems it expedient to amend the composition of the General Council and to amend the conditions under which the register of members of the General Council is to be maintained:

THEREFORE the University Court of the University of Edinburgh, in exercise of the powers conferred upon it by Section 3 of the Universities (Scotland) Act 1966, and with particular reference to paragraphs 1 and 5 of Part I of Schedule 2 to that Act, hereby statutes and ordains:

1. The General Council of the University of Edinburgh shall consist of:

(a) all persons who **having successfully met the requirements of an academic award other than an Honorary Degree and have graduated from the University of Edinburgh and** whose names shall be recorded in the Register of Graduates referred to in Section 3 of this Ordinance, in accordance with the provisions of this Ordinance:

(b) all persons on whom the University has conferred an Honorary Degree or on whom it has conferred the award of Honorary Fellow of the University. [Note: this provision does not apply to those appointed by Colleges or Schools as Honorary Fellows.]

(c) during their tenure of office -

- (i) the Chancellor of the University;
- (ii) the members of the University Court;
- (iii) **the Chaplain to the University.**

[Drafting note: all Professors, Readers, Senior Lecturers, Lecturers are now included under (d) below]

(d) **during the tenure of their appointment: all staff of the University appointed to roles assigned to University Grade 8 or above and their grade equivalent(s).**

(e) those ‘ex officio’ members in Clause 1(c) who accept the invitation to retain their membership of the General Council on demitting office or completion of their period of appointment; [Drafting note: former Professors are now included under (f) below]

(f) former staff (admitted previously as per Clause (d) above) who accept the invitation to retain their membership of the General Council after being employed by the University for a period of at least three years in a role assigned to Grade 8 or above or equivalent and who leave University employment except when dismissed or in other similar categories of case as may be determined by the Registrar.

2. The University Court shall from time to time appoint a Registrar of the General Council, upon such conditions as the Court may determine, and the Court shall provide such assistance for the performance of the Registrar's duties as it may consider necessary. The office of Registrar may be held in conjunction with any other office in the University

3. The Registrar shall ensure that a Register of Graduates is maintained, recording the full names of all persons on whom the University has conferred an **academic award** other than an Honorary Degree, the address of each graduand at the time of registration for graduation, the date of graduation, and the **award** conferred.

4. The Registrar shall also ensure that a Register of Members of the General Council is maintained, recording

(a) the full names in alphabetical order and addresses (where known) of all graduates whose names are recorded in the Register of Graduates and who are not known to be dead, or presumed dead failing contrary information after eighty years from the date of graduation, together with, in each case, the first **academic award** recorded in the Register of Graduates, and the year of graduation in that **academic award**.

(b) the full names, in alphabetical order, and addresses (where known) of all other members of the General Council not known to be dead and the offices in virtue of which they qualify for membership.

5. .... [Omitted by Ordinance No. 202, now superseded by Ordinance No. 213]

5. If any person whose name is not included in the Register of Members shall consider that it should be so included, it shall be competent for him or her to appeal to the University Court **and** if the Court considers that such person's name should be included in the Register of Members - in terms of this Ordinance, it shall direct the Registrar to amend the Register accordingly. The decision of the Court shall be final.

6. Ordinance No **186** (General Council Membership and Registration) is hereby revoked.

7. This Ordinance shall come into force after its approval by **His** Majesty in Council on a date to be determined by the University Court.

IN WITNESS WHEREOF **these presents are sealed with the Common Seal of the University Court of the University of Edinburgh and subscribed on behalf of the Court in terms of the Requirements of the Writing (Scotland) Act 1995**



*[signature to be added]*  
*Professor Sir Peter Mathieson*  
Member of the University Court

*[signature to be added]*  
*Leigh Chalmers*  
Vice-Principal & University Secretary

Approved by Order in Council, dated *[insert date when known]*