

Yr Atodlen

Statudau'r Brifysgol

1. DIFFINIADAU

- (1) Yn y Statudau, ac eithrio lle y bydd y cyd-destun yn gofyn ystyr wahanol, yr ystyr a ganlyn a fydd i'r termau canlynol:

Mae "y Brifysgol" yn golygu Prifysgol Cymru.

Mae "y Siarter" yn golygu Siarter Atodol y Brifysgol sydd mewn grym ar y pryd.

Mae "y Statudau" yn golygu'r Statudau hyn ac unrhyw Statud neu Statudau a fydd ar y pryd yn eu diwygio neu'n eu disodli.

Mae "y Cyngor" yn golygu Cyngor y Brifysgol.

Mae "y Bwrdd Academaidd" yn golygu Bwrdd Academaidd y Brifysgol.

Mae "Graddedigion" yn golygu'r personau hynny y bydd y Brifysgol wedi cyflwyno gradd neu raddau iddynt.

Mae "Staff y Brifysgol" yn golygu'r personau a benodir i'r staff hwnnw gan neu drwy awdurdod y Cyngor.

Mae "Sefydliadau Achrededig" yn golygu'r sefydliadau hynny a ddynodir gan y Brifysgol dan ddarpariaethau'r Siarter a'r Ordiniannau, ac am y tro, yn Sefydliad Achrededig.

Mae "Sefydliadau Perthynol" yn golygu'r sefydliadau hynny a ddynodir gan y Brifysgol dan ddarpariaethau'r Siarter a'r Ordiniannau, ac am y tro, yn Sefydliad Perthynol.

Mae "Cyrrff Cysylltiol" yn golygu Sefydliadau Achrededig, Sefydliadau Perthynol ac unrhyw gyrff neu sefydliadau eraill y mae gan y Brifysgol gysylltiad â hwy yn unol ag Erthygl V(j) o'r Siarter.

Mae "darpariaeth Ddilysedig" yn golygu'r cynlluniau astudio neu'r rhaglenni ymchwil hynny a ddarperir mewn sefydliadau nad ydynt yn Sefydliadau Achrededig neu Perthynol ac a gymeradwywyd gan y Brifysgol ac a ddynodwyd ganddi yn gynlluniau astudio dilysedig neu raglenni ymchwil dilysedig mewn modd a ddynodir drwy Ordiniant.

Mae "Ordiniannau" yn golygu unrhyw Ordiniannau a wneir yn unol â'r Siarter neu'r Statudau.

Mae "Rheoliadau" yn golygu unrhyw Rheoliadau a wneir yn unol â'r Siarter neu'r Statudau neu'r Ordiniannau.

Mae "Rheol Sefydlog" yn golygu Penderfyniad a wneir gan unrhyw gorff a gyfansoddir o dan y Statudau hyn at ddiben rheoli ei drefn weithredu ei hun.

Mae "Blwyddyn" yn golygu blwyddyn galendr.

Bydd i'r geiriau a ddiffinnir yn y Siarter yr un ystyr yn y Statudau onid yw'r cyd-destun yn anghymarus â hynny.

Bydd geiriau sydd yn yr unigol yn cynnwys y lluosog a geiriau sydd yn y lluosog yn cynnwys yr unigol onid ymddengys bwriad i'r gwrthwyneb.

- (2) Bydd i'r geiriau a ddiffinnir yn y Siarter neu'r Statudau yr un ystyr yn yr Ordiniannau a'r Rheoliadau onid yw'r cyd-destun yn anghymarus â hynny.

2. SEFYDLIADAU ACHREDEDIG A SEFYDLIADAU PERTHYNOL

- (1) Gellir dyfarnu statws Sefydliad Achrededig yn unig i sefydliad lle mae o leiaf 'traean' (yn ôl diffiniad yr Ordiniannau) o'i ddarpariaeth academaidd gyflawn yn cael ei gynnig dan nawdd y Brifysgol gan arwain at raddau a/neu ddyfarniadau academaidd eraill y Brifysgol.

- (2) Gellir dyfarnu statws Sefydliad Perthynol i sefydliad lle mae rhywfaint, ond llai na 'thraean' (yn ôl diffiniad yr Ordiniannau) o'i ddarpariaeth academaidd gyflawn yn cael ei gynnig dan nawdd y Brifysgol gan arwain at raddau a/neu ddyfarniadau academaidd eraill y Brifysgol.

- (3) Rhaid i unrhyw Ordiniant sy'n darparu ar gyfer bod unrhyw sefydliad yn dod yn Sefydliad Achrededig neu yn Sefydliad Perthynol gael ei gymeradwyo gan Benderfyniad Arbennig y Cyngor fel y'i diffinnir yn y Siarter.

3. DILEWYD

4. Y CANGHELLOR

- (1) Penodir y Canghellor gan y Cyngor mewn modd ac am dymor i'w pennu drwy Ordiniant.
- (2) Ni ddaw'r Canghellor i'w swydd tan i'r Ymwelydd fod wedi cymeradwyo'i enw neu ei henw.

5. Y DIRPRWY GANGHELLOR

Penodir y Dirprwy Ganghellor gan y Cyngor mewn modd ac am dymor i'w pennu drwy Ordiniant.

6. YR IS-GANGHELLOR

- (1) Penodir yr Is-Ganghellor gan y Cyngor mewn modd ac am dymor i'w pennu drwy Ordiniant.
- (2) Yr Is-Ganghellor fydd Prif Swyddog Academaidd a Gweithredol y Brifysgol a bydd yn gyfrifol i'r Cyngor am hyrwyddo ac uchafu pwrpasau'r Brifysgol ac am gyfundrefn a gweithrediad busnes y Brifysgol.
- (3) Bydd yr Is-Ganghellor yn aelod ex officio o'r Cyngor, y Bwrdd Academaidd a phob corff arall y gellir rhoi iddo gyfrifoldebau sy'n effeithio ar lywodraethu'r Brifysgol gan y Siarter, Statudau neu Ordiniannau, a phob pwyllgor ohonynt.
- (4) Bydd gan yr Is-Ganghellor y pŵer i ddirprwyo i swyddogion eraill a staff y Brifysgol y dyletswyddau hynny o eiddo'r Is-Ganghellor ag y gwêl yn dda.
- (5) Yn ystod unrhyw gyfnod pan fydd y swydd yn wag, neu pan fydd yr Is-Ganghellor yn sâl neu'n analluog, bydd gan y Cyngor y pŵer i benodi Is-Ganghellor Gweithredol.

7. DILEWYD

8. DILEWYD

9. Y SWYDDOGION A'R STAFF

Bydd y Cyngor yn penodi unrhyw swyddogion a staff eraill y barno eu bod yn angenrheidiol a rhoi iddynt y dyletswyddau a farno'r Cyngor yn addas.

10. YR ARCHWILIWR NEU'R ARCHWILWYR

Bydd y Cyngor yn penodi Archwiliwr neu Archwilwyr mewn modd ac am dymor i'w pennu drwy Ordiniant.

11. YMGYNGHORI

Rhaid i'r Brifysgol, mewn modd fydd wedi'i bennu drwy Ordiniant:

- (i) ymgynghori'n gyson â'i Graddedigion, y cyhoedd ac â chyrrff sydd â diddordeb mewn hybu cenhadaeth y Brifysgol, ac

- (ii) adnabod personau sydd yn gymwys ac yn barod i ddarparu cefnogaeth a chyngor i'r Brifysgol mewn perthynas â hybu cenhadaeth y Brifysgol.

12. DILEWYD

13. DILEWYD

14. DILEWYD

15. Y CYNGOR

- (1) Yn ddarostyngedig i ddarpariaethau Statud 34, bydd y Cyngor yn cynnwys y personau a ganlyn:
- (a) *aelod ex officio*
Yr Is-Ganghellor
- (b) *aelodau a benodwyd*
- (i) Tri Is-Ganghellor/Prifathro a benodir gan ac o blith Is-Gangellorion/Prifathrawon y sefydliadau hynny a fydd, o dan ddarpariaethau'r Ordiniannau, ac am y tro, wedi'u dynodi gan y Brifysgol yn Sefydliadau Achrededig
- (ii) Tri Chadeirydd cyrff llywodraethu a benodwyd gan ac o blith Cadeiryddion y sefydliadau hynny a fydd, o dan ddarpariaethau'r Ordiniannau, ac am y tro, wedi'u dynodi gan y Brifysgol yn Sefydliadau Achrededig
- (iii) Dau berson a benodwyd gan ac o blith cynrychiolwyr ar y Bwrdd Academaidd o'r sefydliadau hynny a fydd, o dan ddarpariaethau'r Ordiniannau, ac am y tro, wedi'u dynodi gan y Brifysgol yn Sefydliadau Achrededig
- (iv) Un person wedi'i benodi gan ac o blith staff y Brifysgol
- (v) Un person wedi'i benodi o blith y myfyrwyr sy'n dilyn dyfarniad Prifysgol Cymru, wedi'i benodi gan Lywyddion myfyrwyr (pa derm bynnag a ddefnyddir ar gyfer y swydd honno) o'r sefydliadau hynny a fydd, o dan ddarpariaethau'r Ordiniannau, ac am y tro, wedi'u dynodi gan y Brifysgol yn Sefydliadau Achrededig
- (vi) Deuddeg o bersonau annibynnol eraill
- (c) *aelodau cyfetholedig*
Hyd at ddau berson annibynnol
- (2) (a) Bydd aelod ex officio y Cyngor yn dal y swyddi cyhyd â'i fod neu ei bod yn dal i lenwi'r swyddi y daeth yn aelod o'u herwydd.
- (b) Bydd yr aelodau cyfetholedig o'r Cyngor yn dal eu swyddi am dair blynedd.
- (c) Bydd aelodau eraill y Cyngor yn dal eu swyddi am dair blynedd neu tra cadwant y cymhwyster a'u gwnaeth yn gymwys gyntaf i'w penodi i'r Cyngor, pa un bynnag fydd y cyfnod byrraf.
- (3) Er gwaethaf y darpariaethau uchod, ac yn ddarostyngedig i ddarpariaethau Statud 15(1), bydd yr holl ddarpariaethau eraill sy'n ymwneud â phenodi a chyfethol aelodau o'r Cyngor yn cael eu rhagnodi yn yr Ordiniannau.

16. CADEIRYDD AC IS-GADEIRYDD Y CYNGOR

- (1) Y Cyngor fydd yn penodi Cadeirydd y Cyngor mewn modd ac am dymor i'w pennu drwy Ordiniant.

- (2) Y Cyngor fydd yn penodi Is-Gadeirydd y Cyngor mewn modd ac am dymor i'w pennu drwy Ordiniant.

17. PWERAU'R CYNGOR

Yn ddarostyngedig i ddarpariaethau'r Siarter a'r Statudau, bydd gan y Cyngor, yn ogystal â'r holl bwerau eraill a freiniwyd ynddo, y pwerau a ganlyn:

- (1) I benodi Canghellor, Dirprwy Ganghellor a'r Is-Ganghellor mewn modd ac am dymor i'w pennu drwy Ordiniant.
- (2) I benodi Cadeirydd ac Is-Gadeirydd y Cyngor mewn modd ac am dymor i'w pennu drwy Ordiniant.
- (3) I benodi staff y Brifysgol ac i reoli cyflogau ac amodau cyflogaeth y staff hynny ac i sefydlu'r swyddi o fewn y Brifysgol y credir o bryd i'w gilydd eu bod yn fuddiol.
- (4) I gyflwyno ar sefydliadau eraill statws Sefydliad Achrededig neu Sefydliad Perthynol y Brifysgol.
- (5) Ar gyngor y Bwrdd Academiaidd ac o dan amodau sydd i'w rhagnodi yn yr Ordiniannau:
 - (i) caniatáu i Sefydliadau Achrededig a Sefydliadau Perthynol, ac i Gyrrff Cysylltiol eraill yr hawl i sefydlu a gweithredu cynlluniau astudio a rhaglenni ymchwil sy'n arwain at ddyfarniadau'r Brifysgol a chofrestru myfyrwyr ar y cyfryw gynlluniau a rhaglenni yn y fath fodd ac ar y telerau a'r amodau y bimir gan y Brifysgol eu bod yn briodol;
 - (ii) pennu trefniadau ar gyfer sicrhau ansawdd a safonau mewn perthynas â'r cynlluniau astudio a'r rhaglenni ymchwil hynny sy'n arwain at ddyfarniadau'r Brifysgol a sefydlwyd yn unol â Statud 17(5)(i);
 - (iii) caniatáu i unrhyw Sefydliad Achrededig a Sefydliad Perthynol a fydd wedi ennill ei bwerau dyfarnu graddau a ddysgir ei hun, cyfrifoldeb dirprwyedig am faterion yn ymwneud ag ansawdd a safonau cynlluniau astudio sy'n arwain at ddyfarniadau'r Brifysgol lle bydd cynlluniau astudio o'r fath yn cael eu gweithredu gan y cyfryw sefydliad neu gan unrhyw Sefydliad Achrededig neu Sefydliad Perthynol arall;
 - (iv) caniatáu i unrhyw Sefydliad Achrededig a Sefydliad Perthynol a fydd wedi ennill ei bwerau dyfarnu graddau ymchwil ei hun, cyfrifoldeb dirprwyedig am faterion yn ymwneud ag ansawdd a safonau rhaglenni ymchwil sy'n arwain at ddyfarniadau'r Brifysgol lle bydd rhaglenni ymchwil o'r fath yn cael eu gweithredu gan y cyfryw sefydliad neu gan unrhyw Sefydliad Achrededig neu Sefydliad Perthynol arall;
 - (v) o dro i dro, adolygu unrhyw benderfyniadau a fydd wedi'u gwneud gan y Cyngor mewn perthynas â darpariaethau Statud 17(5)(i), Statud 17(5)(ii), Statud 17(5)(iii) a Statud 17(5)(iv) ac y bimir gan y Cyngor eu bod yn briodol,
 - (a) cadarnhau'r hawliau a'r cyfrifoldebau a ganiatawyd o dan Statud 17(5)(i), Statud 17(5)(iii), a Statud 17(5)(iv) a'r trefniadau a bennwyd o dan Statud 17(5)(ii);
 - (b) pennu amodau ar gyfer parhad yr hawliau a'r cyfrifoldebau a ganiatawyd o dan Statud 17(5)(i), Statud 17(5)(iii), a Statud 17(5)(iv) ac addasu'r trefniadau a bennwyd o dan Statud 17(5)(ii); neu
 - (c) tynnu'r hawliau a'r cyfrifoldebau a ganiatawyd o dan Statud 17(5)(i), Statud 17(5)(iii) a Statud 17(5)(iv) yn ôl a therfynu'r trefniadau a bennwyd o dan Statud 17(5)(ii).

- (6) I gadarnhau cyflwyno graddau, diplomâu, tystysgrifau ac anrhydeddau eraill gan y Brifysgol.
- (7) Yn ddarostyngedig i amodau a bennir yn yr Ordiniannau, i gymeradwyo cyflwyno Graddau er Anrhydedd ac Anrhydeddau eraill gan y Brifysgol.
- (8) I hawlio a chael y cyfryw ffioedd sy'n daladwy i'r Brifysgol mewn perthynas ag astudiaethau sy'n arwain at Raddau a chymwysterau'r Brifysgol.
- (9) Ar ôl ymgynghori â'r Bwrdd Academiaidd i reoli'r ffioedd a'r taliadau eraill sydd i'w talu i arholwyr ac aseswyr allanol mewn perthynas ag arholiadau'r Brifysgol.
- (10) I sefydlu, ar y cyd â'r Bwrdd Academiaidd ac yn ddarostyngedig i unrhyw amodau a osodwyd gan y sylfaenwyr, Gymrodoriaethau, Efydyddiaethau, Ysgoloriaethau, Gwobrau, Arddangostaloedd ac Addysgedau'r Brifysgol a chynorthwyon eraill i astudio ac ymchwilio.
- (11) I gymeradwyo cydgysylltiad cyrff a sefydliadau eraill yn unol ag Erthygl V(j) y Siarter.
- (12) I benodi person neu bersonau i ymweld â'r cyfleusterau cyffredinol o ran dysgu ac ymchwilio mewn unrhyw gorff neu sefydliad sydd yn awr, neu a all ddod, yn Gorff Cysylltiol a chyflwyno adroddiad arnynt.
- (13) I alw am adroddiadau oddi wrth gyrff y Brifysgol, ac unrhyw Gorff Cysylltiol neu Gyrff Cysylltiol.
- (14) I negodi ar ran y Brifysgol ag Adrannau'r Llywodraeth ac unrhyw awdurdodau, sefydliadau, cwmnïau a phersonau eraill.
- (15) I ddiddymu neu amrywio'r Siarter neu i ychwanegu ati.
- (16) I wneud Statudau ac Ordiniannau o fewn y terfynau ac yn ddarostyngedig i'r gweithdrefnau a awdurdodir gan y Siarter, y Statudau a'r Ordiniannau.
- (17) I lywodraethu, rheoli a gofalu am gyllid, cyfrifon, buddsoddiadau, eiddo, busnes a holl faterion y Brifysgol o bob math, ac at y diben hwnnw i benodi bancwyr neu asiantau eraill y bo'r Cyngor yn barnu ei bod yn fuddiol eu penodi ac i beri i lyfrau cyfrifon priodol gael eu cadw ar gyfer pob ffynhonnell o arian a geir ac a werir gan y Brifysgol ac ar gyfer asedion a rhwymedigaethau'r Brifysgol; fel y bo'r llyfrau hynny yn rhoi darlun cywir a theg o faterion y Brifysgol ac yn esbonio'i thrafodion.
- (18) I fuddsoddi unrhyw arian sy'n perthyn i'r Brifysgol yn y stociau, y cronfeydd, y cyfrannau, y sicrydynnau neu'r buddsoddiadau o bob math (heblaw tir) lle bynnag y bônt (p'un a awdurdodir hynny gan y gyfraith gyffredinol ar gyfer buddsoddi arian ymddiried neu nad awdurdodir mohono) y gwêl y Cyngor yn dda neu mewn prynu tir yn y Deymas Unedig yn ddarostyngedig neu heb fod yn ddarostyngedig i brydlesoedd neu denantiaethau ac i amrywio unrhyw fuddsoddiadau o'r fath gan gynnwys sylweddoli buddsoddiadau presennol ac ail-fuddsoddi derbyniadau net y sylweddoliad. Ar yr amod, yn achos arian a ddelir gan y Brifysgol fel ymddiriedolwr, y caiff y pwerau a roir drwy hyn eu hymarfer yn ddarostyngedig i ddarpariaethau'r gyfraith ynglŷn â buddsoddi gan ymddiriedolwyr. Ar yr amod bellach na fydd y pwerau i fuddsoddi ac i amrywio buddsoddiadau a gynhwysir uchod yn estyn i arian a buddsoddiadau a ddelir gan y Brifysgol fel ymddiriedolwr ar ymddiriedolaethau arbennig a grëwyd gan roddwr neu ewyllysiwr.
- (19) I werthu, prynu, cyfnewid, rhoi ar brydles a derbyn prydlesau o eiddo real a phersonol ar ran y Brifysgol.
- (20) I gynnal a gwaredu'r adeiladau, y tir, y celfi/dodrefn a'r cyfarpar sy'n perthyn i'r Brifysgol neu a ddelir mewn ymddiriedolaeth ganddi ac i ddarparu'r adeiladau ychwanegol y bo'r Cyngor yn ystyried eu bod yn briodol.

- (21) I gael benthg arian ar ran y Brifysgol ac, at y diben hwnnw, os gwêl y Cyngor yn dda, i forgeisio neu wystlo neu arwystlo y cyfan neu ran o eiddo'r Brifysgol, boed real neu bersonol, a rhoi unrhyw sicrydyn arall y bo'r Cyngor yn gweld yn dda.
- (22) I lofnodi, amrywio a chyflawni contractau ar ran y Brifysgol.
- (23) I ddarparu ar gyfer lles yr holl bersonau sydd neu a oedd ar unrhyw adeg yn aelodau o staff y Brifysgol a phersonau dibynnol y personau hynny, gan gynnwys talu arian, pensiynau neu fudd-daliadau eraill ac i danysgrifio i gronfeydd haelionus a chronfeydd eraill er lles y personau hynny.
- (24) I benodi a diddymu pwyllgorau sy'n cynnwys yn rhannol neu'n llwyr aelodau o'r Cyngor a dynodi'r modd y penodir aelodau a swyddogaethau pwyllgorau o'r fath.
- (25) O dan amodau sydd i'w pennu yn yr Ordiniannau, cyflwyno i unrhyw berson deitl Athro, Darllenydd neu unrhyw un o deitlau eraill y Brifysgol (ac i dynnu unrhyw deitl o'r fath yn ôl).
- (26) I fod yn unig geidwad a defnyddiwr Sêl Gyffredin y Brifysgol.
- (27) Yn ddarostyngedig i ddarpariaethau'r Siarter a'r Statudau, i bennu'r holl faterion sy'n ymwneud â llywodraeth, cenhadaeth, strategaeth, cynllunio a gweinyddu gweithgareddau'r Brifysgol a'i gwasanaethau canolog.
- (28) Yn ddarostyngedig i ddarpariaethau'r Siarter a'r Statudau, i gymryd unrhyw gamau ag y gwêl yn dda er mwyn hyrwyddo buddiannau ac effeithlonrwydd y Brifysgol a thrafod busnes gweithredol y Brifysgol.
- (29) Yn ddarostyngedig i ddarpariaethau'r Siarter a'r Statudau, ymarfer holl bwerau eraill y Brifysgol.
- (30) I ddirprwyo unrhyw rai o'i bwerau i Swyddogion ac i'r pwyllgorau hynny a sefydlwyd o dan Statud 17(24) am unrhyw gyfnod ac o dan unrhyw amodau a bennir gan y Cyngor, a sefydlu ac adolygu'n gyson y gweithdrefnau a'r cyfyngiadau y bydd awdurdod dirprwyedig yn cael ei ymarfer oddi tanynt, ar yr amod
 - (i) nad oes dim yn caniatáu i'r Cyngor ddirprwyo unrhyw rai o'i bwerau i unrhyw bwyllgor a sefydlwyd o dan ddarpariaethau Statud 17(24) nad yw'r mwyafrif o aelodau'r cyfryw bwyllgor hefyd yn aelodau o'r Cyngor;
 - (ii) nad oes dim yn caniatáu i'r Cyngor ddirprwyo unrhyw rai o'i bwerau mewn perthynas â:
 - (a) phennu unrhyw faterion yn ymwneud â llywodraeth, cenhadaeth a strategaeth y Brifysgol;
 - (b) cymeradwyo'r amcanion incwm a gwariant blynyddol a'r datganiadau ariannol mewn perthynas â phob blwyddyn ariannol;
 - (c) sicrhau hydaledd y Brifysgol a diogelu ei hasedau;
 - (d) penodi neu ddiswyddo'r Is-Ganghellor;
 - (e) diddymu, amrywio neu ychwanegu at y Siarter neu'r Statudau neu'r Ordiniannau.

18. Y BWRDD ACADEMAIDD

- (1) Yn ddarostyngedig i Statud 34, bydd y Bwrdd Academaidd yn cynnwys y personau a ganlyn:
 - (a) *aelodau ex officio*
Yr Is-Ganghellor

Cadeiryddion unrhyw rai o Bwyllgorau'r Bwrdd Academaidd a fydd yn cael eu sefydlu o bryd i'w gilydd

(b) *aelodau a benodir*

Dau aelod o staff academaidd pob un o'r Sefydliadau hynny a ddynodir dan ddarpariaethau'r Siarter a'r Ordiniannau, ac am y tro, yn Sefydliadau Achrededig

Dau aelod o staff academaidd sydd â phrofiad o addysgu cyfrwng Cymraeg wedi'u penodi gan Gyngor y Brifysgol o blith y Sefydliadau Achrededig hynny sy'n darparu addysg cyfrwng Cymraeg

Dau fyfyrwr o blith y rhai hynny sy'n astudio am ddyfarniadau'r Brifysgol

- (2) Yn ddarostyngedig i Statud 18(1), dynodir yr holl ddarpariaethau mewn perthynas â phenodi aelodau o'r Bwrdd Academaidd yn yr Ordiniannau.

19. PWERAU'R BWRDD ACADEMAIDD

(A) Cyffredinol

Yn ddarostyngedig i ddarpariaethau'r Siarter a'r Statudau bydd gan y Bwrdd Academaidd, yn ogystal â'r holl bwerau eraill a freiniwyd ynddo, y pwerau a ganlyn:

- (1) I sicrhau y cynhelir y safonau academaidd uchaf mewn perthynas â'i graddau a'i chymwysterau eraill ac i gadw eu henw a'u huniondeb, sut bynnag a lle bynnag y'i cynigir.
- (2) Cyngori'r Cyngor mewn perthynas â:
- (i) caniatáu i Sefydliadau Achrededig a Sefydliadau Perthynol ac i Gyrff Cysylltiol eraill yr hawl i sefydlu a gweithredu cynlluniau astudio a rhaglenni ymchwil sy'n arwain at ddyfarniadau'r Brifysgol a chofrestru myfyrwyr ar gynlluniau a rhaglenni o'r fath;
 - (ii) pennu trefniadau ar gyfer sicrhau ansawdd a safonau mewn perthynas â'r cynlluniau astudio a'r rhaglenni ymchwil hynny sy'n arwain at ddyfarniadau'r Brifysgol a sefydlwyd yn unol â Statud 17(5)(i);
 - (iii) caniatáu i unrhyw Sefydliad Achrededig a Sefydliad Perthynol a fydd wedi ennill ei bwerau dyfarnu graddau a ddysgir ei hun, cyfrifoldeb dirprwyedig am faterion yn ymwneud ag ansawdd a safonau cynlluniau astudio sy'n arwain at ddyfarniadau'r Brifysgol lle bydd cynlluniau astudio o'r fath yn cael eu gweithredu gan y cyfryw sefydliad neu gan unrhyw Sefydliad Achrededig neu Sefydliad Perthynol arall;
 - (iv) caniatáu i unrhyw Sefydliad Achrededig a Sefydliad Perthynol a fydd wedi ennill ei bwerau dyfarnu graddau ymchwil ei hun, cyfrifoldeb dirprwyedig am faterion yn ymwneud ag ansawdd a safonau rhaglenni ymchwil sy'n arwain at ddyfarniadau'r Brifysgol lle bydd rhaglenni ymchwil o'r fath yn cael eu gweithredu gan y cyfryw sefydliad neu gan unrhyw Sefydliad Achrededig neu Sefydliad Perthynol arall;
 - (v) adolygu unrhyw benderfyniadau a fydd wedi'u gwneud gan y Brifysgol mewn perthynas â darpariaethau Statud 17(5)(i), Statud 17(5)(ii), Statud 17(5)(iii) a Statud 17(5)(iv);
 - (vi) cadarnhau'r hawliau a'r cyfrifoldebau a ganiatawyd o dan Statud 17(5)(i), Statud 17(5)(iii) a Statud 17(5)(iv) a'r trefniadau a bennwyd o dan Statud 17(5)(ii);
 - (vii) pennu amodau ar gyfer parhad yr hawliau a'r cyfrifoldebau a ganiatawyd o dan Statud 17(5)(i), Statud 17(5)(iii) a Statud 17(5)(iv) ac addasu'r trefniadau a bennwyd o dan Statud 17(5)(ii);

- (viii) tynnu'r hawliau a'r cyfrifoldebau a ganiatawyd o dan Statud 17(5)(i), Statud 17(5)(iii) a Statud 17(5) (iv) yn ôl a therfynu'r trefniadau a bennwyd o dan Statud 17(5)(ii).
- (3) I bennu strategaeth a pholisi academaidd y Brifysgol.
- (4) I gynnig Statudau ac Ordiniannau, a ffurfio a chynnal Rheoliadau a Rheolau Sefydlog a datrys cwestiynau o ddehongli a diffyg cydymffurfio sy'n codi o'r cyfryw Reoliadau a Rheolau Sefydlog.
- (5) I ddarparu ar gyfer sefydlu a chyfansoddi unrhyw gyrff academaidd y Brifysgol y gall y Bwrdd Academaidd o bryd i'w gilydd ystyried eu bod yn ddymunol, a phennu cyfansoddiad, pwerau, dyletswyddau a swyddogaethau cyrff academaidd o'r fath a darparu ar gyfer diddymu unrhyw gorff academaidd a sefydlir yn y fath fodd.
- (6) I benodi a diddymu pwyllgorau sy'n cynnwys yn rhannol neu'n llwyr aelodau o'r Bwrdd Academaidd a phennu'r modd y penodir aelodau a swyddogaethau pwyllgorau o'r fath.
- (7) I ddirprwyo unrhyw rai o'i bwerau i Swyddogion ac i'r pwyllgorau hynny a sefydlwyd o dan Statud 19(6) am unrhyw gyfnod ac o dan unrhyw amodau a bennir gan y Bwrdd Academaidd, a sefydlu ac adolygu'n gyson y gweithdrefnau a'r cyfyngiadau y bydd awdurdod dirprwyedig yn cael ei ymarfer oddi tanynt, ar yr amod:
- (i) nad oes dim yn caniatáu i'r Bwrdd Academaidd ddirprwyo unrhyw rai o'i bwerau i unrhyw bwyllgor a sefydlwyd o dan ddarpariaethau Statud 19(6) nad yw'r mwyafrif o aelodau'r cyfryw bwyllgor hefyd yn aelodau o'r Bwrdd Academaidd;
 - (ii) nad oes dim yn caniatáu i'r Bwrdd Academaidd ddirprwyo ei bŵer i lunio Rheoliadau a Rheolau Sefydlog.
- (8) I gynghori'r Cyngor ar gyflwyno graddau, diplomâu, tystysgrifau ac anrhydeddau eraill y Brifysgol.
- (9) O dan amodau sydd i'w pennu yn yr Ordiniannau, awdurdodi derbyn i Raddau unrhyw bersonau fydd wedi dilyn cynllun astudio neu ymchwil cymeradwyedig ac a fydd wedi llwyddo yn arholiadau'r Brifysgol ac amddifadu unrhyw berson o unrhyw Radd fel a enwyd uchod ar sail yr hyn y bydd y Bwrdd Academaidd yn ôl ei ddisgresiwn dilyffethair yn ei ystyried yn achos da ac ar unrhyw adeg i adfer unrhyw Radd i unrhyw berson a amddifadwyd felly.
- (10) O dan amodau sydd i'w pennu yn yr Ordiniannau, cyflwyno a chaniatáu Diplomâu, Tystysgrifau neu ddyfarniadau academaidd eraill i unrhyw bersonau sydd wedi dilyn cynllun astudio cymeradwyedig ac amddifadu unrhyw berson o unrhyw Radd fel a enwyd uchod ar sail yr hyn y bydd y Bwrdd Academaidd yn ôl ei ddisgresiwn dilyffethair yn ei ystyried yn achos da ac ar unrhyw adeg i adfer unrhyw ddyfarniad i unrhyw berson a amddifadwyd felly.
- (11) I alw am adroddiadau gan gyrff Prifysgol a chyrff a sefydliadau o'r fath sydd ar hyn o bryd neu a allai ddyfod yn Gorff Cysylltiol.
- (12) I benodi person neu bersonau i ymweld â'r adnoddau dysgu ac ymchwil cyffredinol mewn unrhyw gorff neu sefydliad sydd ar hyn o bryd neu a allai ddyfod yn Gorff Cysylltiol, ac i gyflwyno adroddiad amynt.
- (13) I sefydlu, ar y cyd â'r Cyngor ac yn ddarostyngedig i unrhyw amodau a wneir gan y sefydlwyr, Gymrodoriaethau, Efrogdyddiaethau, Ysgoloriaethau, Gwobrau, Arddangostaloedd ac Addysgedau'r Brifysgol, a chynorthwyon eraill i astudio ac ymchwilio.

- (14) I ddyfarnu a thynnu'n ôl Gymrodoriaethau, Efrogddiaethau, Ysgoloriaethau, Gwobrau, Arddangostaloedd ac Addysgedau'r Brifysgol, a chynorthwyon eraill i astudio ac ymchwilio ac i reoli'r amodau sydd ynghlwm wrth y gwobrau hynny.
- (15) I bennu cynllun a fformat y tystysgrifau gradd a dyfarniadau eraill.
- (16) I fynegi barn ar unrhyw fater sy'n berthnasol i'r Brifysgol a'i gweithrediadau ac i wneud argymhellion neu adroddiadau i'r Cyngor arno.
- (17) I benodi dau o'i aelodau i'r Cyngor, mewn modd a bennir drwy Ordiniant.

(B) Darpariaeth Ddilysedig

Yn ddarostyngedig i ddarpariaethau'r Siarter a'r Statudau bydd gan y Bwrdd Academiaidd, yn ogystal â'r holl bwerau eraill a freiniwyd iddo, y pwerau a ganlyn mewn perthynas â darpariaeth Ddilysedig:

- (1) I bennu Rheoliadau ar gyfer cynlluniau astudio a ddysgir ac ymchwil.
- (2) I reoli matriciweiddio i gynlluniau ôl'raddedig, holl arholiadau'r Brifysgol a phenodi arholwyr allanol, fel y pennwyd yn yr Ordiniannau.
- (3) I ystyried a datrys unrhyw gwestiynau yn ymwneud â dehongli Rheoliadau a Rheolau Sefydlog ac i ystyried a datrys unrhyw achosion arbennig nad ydynt yn cydymffurfio'n llawn â Rheoliadau o'r fath.
- (4) I gyngori'r Cyngor ynglŷn â ffioedd a thaliadau eraill sydd i'w talu i arholwyr ac aseswyr allanol mewn perthynas ag arholiadau ac asesiadau eraill y Brifysgol.
- (5) O dan amodau a gymeradwywyd gan y Brifysgol, i gymeradwyo cynlluniau astudio neu raglenni ymchwil a fydd ar ôl hynny yn cael eu rhestru yn yr Ordiniannau.

20. **DILEWYD**

21. **DILEWYD**

22. **DILEWYD**

23. **DILEWYD**

24. **DILEWYD**

25. **TYNNU'N ÔL STATWS NEU DEITL O EIDDO'R BRIFYSGOL**

- (1) Bydd y Statud hwn yn gymwys yn unig i bersonau na chyflogir mohonynt gan y Brifysgol.
- (2) Bydd unrhyw Statws neu deitl o eiddo'r Brifysgol a ddelir gan aelod o Staff yn darfod ipso facto pan fydd ei ddeiliad yn peidio â bod yn aelod o Staff y corff neu sefydliad hynny onid yw'r Bwrdd Academiaidd yn penderfynu y dylai'r deiliad gadw'r statws neu'r teitl hwnnw.

26. STAFF ACADEMAIDD**RHAN I - PENNU YSTYR, GWEITHREDIAD A DEHONGLI****Ystyr**

- (1) Rhaid pennu ystyr y Statud hwn ac unrhyw Ordiniant neu Reoliad a wneir o dan y Statud hwn ym mhob achos gan weithredu'r egwyddorion cyfeiriol a ganlyn, sef -
- (a) sicrhau bod gan Staff Academaidd ryddid o fewn y gyfraith i gwestiynu a rhoi prawf ar ddoethineb a dderbynnir, ac i gyflwyno syniadau newydd a safbwyntiau dadleuol neu amhoblogaidd, heb iddynt eu gosod eu hunain mewn perygl o golli eu swyddi neu eu breintiau;
 - (b) galluogi'r Brifysgol i ddarparu addysg, hybu dysg ac ymgymryd ag ymchwil yn effeithlon ac yn ddarvoudus; ac
 - (c) cymhwyso egwyddorion cyfiawnder a thegwch.

Rhesymolrwydd penderfyniadau

- (2) Ni fydd unrhyw ddarpariaeth yn Rhan II na Rhan III yn galluogi'r corff neu'r person sydd â'r ddyletswydd i wneud penderfyniad o dan y Rhan berthnasol i ddiswyddo unrhyw aelod o'r Staff Academaidd oni ellir o dan yr amgylchiadau (gan gynnwys maint ac adnoddau gweinyddol y Brifysgol) drin yn rhesymol y rheswm dros ei ddiswyddo neu ei diswyddo fel rheswm digonol dros ei (d)diswyddo.

Gweithrediad

- (3) (1) Bydd y Statud hwn yn weithredol mewn perthynas â'r canlynol:
- (a) yr Ysgrifennydd Cyffredinol ac aelodau staff y Brifysgol a delir ar raddfeydd academaidd;
 - (b) yr aelodau o staff y Brifysgol a delir ar raddfeydd academaidd-gysylltiedig ac a fydd wedi eu derbyn drwy Benderfyniad y Cyngor fel rhai a gynhwysir yn y Statud hwn;
 - (c) yr Is-Ganghellor i'r graddau ac yn y modd a nodir yn Atodlen y Statud hwn.
- (2) Yn y Statud hwn mae unrhyw gyfeiriad at "Staff Academaidd" yn gyfeiriad at y personau y mae'r Statud hwn yn weithredol mewn perthynas â hwy.

Dehongli**Ystyr "diswyddo"**

- (4) Yn y Statud hwn mae "diswyddo" a "diswyddiad" yn golygu diswyddo aelod o'r Staff Academaidd ac -
- (a) yn cynnwys symud neu, fel y bo'r achos, symudiad o swydd; a
 - (b) mewn perthynas â chyflogaeth dan contract, fe bennir ei ystyr yn unol ag adran 95 Deddf Hawliau Cyflogaeth 1996.

Ystyr "achos da"

- (5) (1) At ddibenion y Statud hwn, ystyr "achos da" mewn perthynas â diswyddo aelod o'r Staff Academaidd neu ei symud o'i swydd neu o'i le neu o'i lle, a fydd mewn unrhyw achos yn rheswm sy'n gysylltiedig ag ymddygiad neu â gallu neu gymwysterau i gyflawni gwaith o'r math y penodwyd neu y cyflogwyd yr aelod o'r Staff Academaidd dan sylw i'w wneud, yw -
- (a) iddo neu iddi fod wedi ei gael neu ei chael yn euog o drosedd y bo Tribiwnlys a benodir o dan Ran III yn barnu ei fod cyfryw nes peri bod y person a gafwyd yn euog yn anaddas i gyflawni dyletswyddau'r swydd neu'r gyflogaeth fel aelod o'r Staff Academaidd; neu
 - (b) ymddygiad o natur anfoesol, waradwyddus neu warthus sy'n anghydnaws â dyletswyddau'r swydd neu'r gyflogaeth; neu

- (c) ymddygiad sy'n gyfystyr â methu neu wrthod yn barhaus neu esgeuluso neu anallu i gyflawni dyletswyddau'r swydd neu i gydymffurfio ag amodau'r swydd; neu
 - (d) anallu corfforol neu feddyliol a sefydlwyd o dan Ran IV.
- (2) Yn y paragraff hwn -
- (a) mae "gallu", mewn perthynas ag aelod o'r fath, yn golygu gallu a aseswyd drwy gyfeirio at fedrusrwydd, addasrwydd, iechyd neu unrhyw ansawdd corfforol neu feddyliol arall; a
 - (b) mae "cymwysterau", mewn perthynas ag aelod o'r fath, yn golygu unrhyw radd, diploma neu gymhwyster academaidd, technegol neu broffesiynol arall sy'n berthnasol i'r swydd neu'r safle a ddelir gan yr aelod hwnnw.

Ystyr "afreidioldeb"

- (6) At ddibenion y Statud hwn fe gymerir bod diswyddo yn ddiswyddo oherwydd afreidioldeb os gellir ei briodoli'n gyfan gwbl neu'n bennaf -
- (a) i'r ffaith bod y Brifysgol wedi rhoi'r gorau, neu'n bwriadu rhoi'r gorau, i barhau â'r gweithgarwch y penodwyd neu y cyflogwyd yr aelod perthnasol o'r Staff Academaidd gan y Brifysgol i'w gyflawni, neu ei bod wedi rhoi'r gorau, neu'n bwriadu rhoi'r gorau, i barhau â'r gweithgarwch hwnnw yn y lle y gweithiai'r aelod dan sylw; neu
 - (b) i'r ffaith bod gofynion y gweithgarwch hwnnw am aelodau o'r Staff Academaidd i wneud gwaith o fath arbennig, neu am aelodau o'r Staff Academaidd i wneud gwaith o fath arbennig yn y lle hwnnw, wedi dod i ben neu wedi lleihau neu y disgwylir iddynt ddod i ben neu leihau.

Materion atodol, dros-dro ac ychwanegol

- (7) (1) Mewn unrhyw achos o wrthdaro, bydd darpariaethau'r Statud hwn yn drech na rhai unrhyw Statud arall ac yn drech na rhai'r Ordiniannau a'r Rheoliadau a bydd darpariaethau unrhyw Ordiniant a wneir o dan y Statud hwn yn drech na rhai unrhyw Ordiniant arall:
- Ar yr amod na fydd Rhan III y Statud hwn nac Atodiad y Statud hwn yn weithredol mewn perthynas ag unrhyw beth a wnaed neu yr hepgorwyd ei wneud cyn dyddiad cymeradwyo'r offeryn sy'n gwneud y newidiadau hyn o dan isadran (9) adran 204 Deddf Diwygio Addysg 1988.
- (2) Ni ddehonglir yr un dim mewn unrhyw benodiad a wnaed, neu gytundeb yr ymrwymwyd iddo, fel rhywbeth sy'n drech nag unrhyw ddarpariaeth, neu sy'n cau allan unrhyw ddarpariaeth, a wnaed gan y Statud hwn mewn perthynas â diswyddo aelod o'r Staff Academaidd oherwydd afreidioldeb neu am achos da:
- Ar yr amod na fydd yr un dim yn yr is-baragraff hwn yn rhwystro ildladau a wneir o dan adran 203 Deddf Hawliau Cyflogaeth 1996 rhag bod â grym.
- (3) Ni fydd yr un dim mewn unrhyw Statud arall neu mewn unrhyw Ordiniant neu Reoliad a wneir odano yn awdurdodi neu'n ei gwneud yn ofynnol i unrhyw swyddog o'r Brifysgol eistedd fel aelod o unrhyw Bwyllgor, Tribiwnlys neu gorff a benodir o dan y Statud hwn neu i fod yn bresennol pan fydd y Pwyllgor, y Tribiwnlys neu'r corff hwnnw'n cyfarfod i ddod i'w benderfyniad neu er mwyn trafod unrhyw bwyntiau ynglŷn â threfn weithredu.
- (4) Mae'r cyfeiriadau at Rannau, paragraffau ac is-baragraffau a rifwyd yn gyfeiriadau at Rannau, paragraffau ac is-baragraffau a rifwyd felly yn y Statud hwn.

RHAN II - AFREIDIOLDEB

Diben Rhan II

- (8) Mae'r Rhan hon yn galluogi'r Cyngor, fel y corff priodol, i ddiswyddo unrhyw aelod o'r Staff Academaidd oherwydd afreidioldeb.

Cau allan o Ran II bersonau a benodwyd neu a ddyrchafwyd cyn 20fed Tachwedd 1987

- (9) (1) Ni fydd yr un dim yn y Rhan hon yn rhagfarnu, yn newid nac yn effeithio ar unrhyw hawliau, pwerau neu ddyletswyddau sydd gan y Brifysgol nac yn weithredol mewn perthynas â pherson -
- (a) oni wneir ei benodiad neu ei phenodiad, neu oni ymrwymwyd i'w gontract neu ei chontract cyflogaeth, ar neu ar ôl 20fed Tachwedd 1987; neu
- (b) oni ddyrchefir ef neu hi ar neu ar ôl y dyddiad hwnnw.
- (2) At ddibenion y paragraff hwn mewn perthynas â pherson, caiff cyfeiriad at benodiad a wneir neu gontract yr ymrwymwyd iddo ar neu ar ôl 20fed Tachwedd 1987 neu at ddyrchafiad ar neu ar ôl y dyddiad hwnnw ei ddehongli yn unol ag isadrannau (3)-(6) adran 204 Deddf Diwygio Addysg 1988.

Y Corff Priodol

- (10) (1) Y Cyngor fydd y corff priodol at ddibenion y Rhan hon.
- (2) Mae'r paragraff hwn yn weithredol lle mae'r corff priodol wedi penderfynu ei bod yn ddymunol bod gostyngiad yn Staff Academaidd -
- (a) y Brifysgol gyfan; neu
- (b) unrhyw adran neu faes tebyg arall yn y Brifysgol drwy afreidioldeb.
- (11) (1) Lle mae'r corff priodol wedi dod i benderfyniad o dan baragraff 10 (2) rhaid iddo benodi Pwyllgor Afreidioldeb sydd i'w gyfansoddi yn unol ag is-baragraff (3) y paragraff hwn i weithredu ei benderfyniad erbyn dyddiad ag y bo'n ei bennu ac at y diben hwnnw
- (a) i ddewis ac argymhell yr aelodau gofynnol o'r Staff Academaidd i'w diswyddo oherwydd afreidioldeb; a
- (b) i gyflwyno'u hargymhellion i'r corff priodol.
- (2) Rhaid i'r corff priodol naill ai gymeradwyo unrhyw argymhelliad ynglŷn â dewis a wneir o dan is-baragraff (1), neu ei anfon yn ôl i'r Pwyllgor Afreidioldeb i'w ystyried ymhellach yn unol â'i gyfarwyddiadau pellach.
- (3) Aelodau'r Pwyllgor Afreidioldeb a benodir gan y corff priodol fydd -
- (a) Cadeirydd; a
- (b) dau aelod o'r Cyngor, na chyflogir mohonynt gan y Brifysgol; a
- (c) dau aelod o'r Staff Academaidd.

Rhybuddion o fwriad i ddiswyddo

- (12) (1) Lle bo'r corff priodol wedi cymeradwyo argymhelliad ynglŷn â dewis a wnaed o dan baragraff 11 (1) gall awdurdodi swyddog o'r Brifysgol fel ei ddirprwy i ddiswyddo unrhyw aelod o'r Staff Academaidd a ddewiswyd felly.
- (2) Rhaid i bob aelod o'r Staff Academaidd a ddewisir gael rhybudd unigol o'r dewis a gymeradwywyd gan y corff priodol.
- (3) Rhaid i bob rhybudd unigol nodi'n ddigonol yr amgylchiadau sydd wedi bodloni'r corff priodol fod y diswyddiad a fwriedir yn rhesymol a rhaid iddo gynnwys yn arbennig -
- (a) crynodeb o'r camau a gymerwyd gan y corff priodol o dan y Rhan hon;
- (b) disgrifiad o'r prosesau dewis a ddefnyddiwyd gan y Pwyllgor Afreidioldeb;
- (c) cyfeiriad at hawliau'r person a hysbyswyd i apelio yn erbyn y rhybudd ac at yr amser o fewn yr hwn y mae'n rhaid cyflwyno unrhyw apel o'r fath o dan Ran V (Apelau); a
- (d) datganiad sy'n dweud pryd y bydd y diswyddiad a fwriedir yn dod i rym.

RHAN III - DISGYBLAETH, DISWYDDO A SYMUD O SWYDD***Trefniadau Gweithredu Disgyblaethol***

- (13) (1) Fe ymdrinnir â mân ddiffygion yn anffurfiol.
- (2) Lle bo'r mater yn fwy difrifol ond yn syrthio'n fyr o fod yn achos da posibl ar gyfer diswyddo rhaid dilyn y drefn weithredu a ganlyn -

Cam 1 - Rhybudd Llafar

Os nad yw ei ymddygiad neu ei hymddygiad neu ei berfformiad neu ei pherfformiad yn cyrraedd safonau derbynol caiff yr aelod o'r Staff Academaidd rybudd llafar ffurfiol fel arfer. Fe hysbysir yr aelod o'r rheswm dros y rhybudd, mai cam cyntaf y drefn weithredu ddisgyblaethol ydyw, ac o'r hawl i apelio o dan y paragraff hwn. Cedwir nodyn byr o'r rhybudd llafar ond bydd yn colli ei rym ar ôl 12 mis, yn amodol ar ymddygiad a pherfformiad boddhaol.

Cam 2 - Rhybudd Ysgrifenedig

Os yw'r trosedd yn un difrifol, neu os digwydd trosedd pellach, rhoir rhybudd ysgrifenedig i'r aelod o'r Staff Academaidd gan Bennaeth yr Adran. Bydd y rhybudd hwnnw'n rhoi manylion y gwyn, y gwelliant sy'n ofynnol, ac amserlen y gwelliant. Bydd yn rhybuddio y gellir gwneud cwyn i'r Cyfarwyddwr Personél yn gofyn am ddwyn cyhuddiadau i'w gwrandao gan Dribiwnlys a benodir o dan baragraff 16 os na cheir gwelliant boddhaol a bydd yn hysbysu o'r hawl i apelio o dan y paragraff hwn. Cedwir copi o'r rhybudd ysgrifenedig hwn gan Bennaeth yr Adran ond fe'i hanwybyddir at ddibenion disgyblu ar ôl 2 flynedd yn amodol ar ymddygiad a pherfformiad boddhaol.

Cam 3 - Apelau

Rhaid i aelod o'r Staff Academaidd sy'n dymuno apelio yn erbyn rhybudd disgyblu hysbysu'r Ysgrifennydd Cyffredinol o fewn pythefnos. Gwrandewir pob apêl o'r fath gan yr Is-Ganghellor a bydd ei benderfyniad neu ei phenderfyniad yn derfynol.

Astudiaeth ragarweiniol o faterion disgyblu difrifol

- (14) (1) Os na chafwyd unrhyw welliant boddhaol yn sgîl rhybudd ysgrifenedig a roddwyd o dan Gam 2 y drefn weithredu ym mharagraff 13, neu mewn unrhyw achos arall lle'r honnir y gallai ymddygiad neu berfformiad fod yn achos da dros ddiswyddo neu symud o swydd, gellir gwneud cwyn sy'n gofyn am ddwyn cyhuddiadau i'w gwrandao gan Dribiwnlys a benodir o dan baragraff 16 i'r Ysgrifennydd Cyffredinol, a fydd yn ei gyflwyno i sylw'r Is-Ganghellor.
- (2) Er mwyn i'r Is-Ganghellor allu ymdrin yn deg ag unrhyw gwyn a gyflwynir i'w sylw o dan is-baragraff (1) rhaid iddo neu iddi gychwyn yr ymchwiliadau neu'r ymholiadau (os o gwbl) yr ymddengys iddo neu iddi eu bod yn angenrheidiol.
- (3) Os yw'n ymddangos i'r Is-Ganghellor fod cwyn a gyflwynwyd i'w sylw o dan is-baragraff (1) yn ymwneud ag ymddygiad neu berfformiad nad yw'n bodloni safonau derbynol ond na roddwyd rhybudd ysgrifenedig yn ei gylch o dan baragraff 13 neu sy'n ymwneud â honiad penodol o dorri rheolau, rheoliadau neu is-ddeddfau y gosodir cosb safonol am hynny fel arfer yn y Brifysgol, yr adran neu faes perthnasol arall, neu'n ddibwys neu'n annilys gall ei gwrthod yn ddiannod, neu benderfynu peidio â mynd ymlaen ymhellach o dan y Rhan hon.
- (4) Os nad yw'r Is-Ganghellor yn delio â chwyn yn derfynol o dan is-baragraff rhaid iddo neu iddi drin yr achos fel un sy'n cynnig rheswm digonol dros fwrw ymlaen ymhellach o dan y Rhan hon ac, os gwêl yn dda, gall wahardd yr aelod o'i waith neu ei gwaith ar gyflog llawn tan y gwneir penderfyniad terfynol.
- (5) Os yw'r Is-Ganghellor yn bwrw ymlaen ymhellach o dan y Rhan hon, rhaid iddo neu iddi ysgrifennu at yr aelod perthnasol o'r Staff Academaidd gan wahodd sylwadau ysgrifenedig.

- (6) Cyn gynted ag y bo modd ar ôl cael sylwadau (os o gwbl) rhaid i'r Is-Ganghellor ystyried y mater yng ngoleuni'r holl ddeunydd sydd ar gael bryd hynny ac -
- (a) gall ef neu hi ei hun ei wrthod; neu
 - (b) gall ei gyfeirio i gael ei ystyried o dan baragraff 13; neu
 - (c) gall ef neu hi ei hun ymdrin ag ef yn anffurfiol os yw'n ymddangos i'r Is-Ganghellor ei bod yn briodol gwneud hynny ac os yw'r aelod o'r Staff Academaidd yn cytuno'n ysgrifenedig y dylid ymdrin â'r mater yn y ffordd honno; neu
 - (d) gall gyfarwyddo'r Ysgrifennydd Cyffredinol i ddwyn cyhuddiad neu gyhuddiadau i'w ystyried neu eu hystyried gan Dribiwnlys i'w benodi o dan baragraff 16.
- (7) Os na ddaw unrhyw sylw i law o fewn 28 niwrnod gall yr Is-Ganghellor fwrw ymlaen fel y nodwyd uchod fel petai'r aelod dan sylw wedi gwadu sylwedd a dilysrwydd yr achos honedig yn ei gyfanrwydd.

Dwyn Cyhuddiadau

- (15) (1) Mewn unrhyw achos lle mae'r Is-Ganghellor wedi cyfarwyddo y dylid dwyn cyhuddiad neu gyhuddiadau o dan baragraff 14(6)(d), rhaid iddo neu iddi ofyn i'r Cyngor benodi Tribiwnlys o dan baragraff 16 i wrando'r cyhuddiad neu'r cyhuddiadau ac i benderfynu a yw ymddygiad neu berfformiad yr aelod perthnasol o'r Staff Academaidd yn gyfystyr ag achos da i'w ddiswyddo neu ei diswyddo neu fel arall yn gyfystyr â chwyn ddifrifol mewn perthynas â phenodiad neu gyflogaeth yr aelod.
- (2) Os yw'r Cyngor wedi cael cais i benodi Tribiwnlys o dan baragraff 16 bydd yr Ysgrifennydd Cyffredinol neu, os na all ef neu hi weithredu, swyddog arall a benodir gan yr Is-Ganghellor, â gofal y gweithrediadau.
- (3) Rhaid i'r swyddog sydd â gofal y gweithrediadau lunio, neu drefnu i lunio, y cyhuddiad neu'r cyhuddiadau a rhaid iddo neu iddi gyflwyno, neu drefnu i gyflwyno, y cyhuddiad neu'r cyhuddiadau gerbron y Tribiwnlys.
- (4) Dyletswydd y swyddog sydd â gofal y gweithrediadau fydd -
- (a) anfon y cyhuddiad neu'r cyhuddiadau ymlaen i'r Tribiwnlys ac at yr aelod perthnasol o'r Staff Academaidd ynghyd â'r dogfennau eraill y cyfeirir atynt ynddo neu ynddynt, a
 - (b) gwneud unrhyw drefniadau gweinyddol angenrheidiol ar gyfer gwysio tystion, dangos dogfennau ac yn gyffredinol ar gyfer cyflwyno'r achos yn gywir gerbron y Tribiwnlys.

Y Tribiwnlys

- (16) Aelodau'r Tribiwnlys a benodir gan y Cyngor fydd:
- (a) Cadeirydd; a
 - (b) un aelod o'r Cyngor, nad yw'n berson a gyflogir gan y Brifysgol; ac
 - (c) un aelod o'r Staff Academaidd a gyflogir gan y Brifysgol.

Darpariaethau ynglŷn â threfn weithredu Tribiwnlys

- (17) (1) Y drefn weithredu sydd i'w dilyn mewn perthynas â pharatoi, gwranddo a phenderfynu ar gyhuddiadau gan Dribiwnlys fydd yr un a nodir mewn Ordiniannau a wneir o dan y paragraff hwn.
- (2) Heb ragfarnu ystyr gyffredinol yr uchod rhaid i Ordiniannau o'r fath sicrhau -
- (a) bod gan yr aelod perthnasol o'r Staff Academaidd yr hawl i gael ei gynrychioli neu ei chynrychioli gan berson arall, boed hwnnw neu honno wedi ymgymhwyso yn y gyfraith neu beidio, mewn ac mewn cysylltiad ag unrhyw wrandawriad o gyhuddiadau gan Dribiwnlys;

- (b) na phenderfynir ar gyhuddiad heb wrandawriad llafar y mae gan yr aelod perthnasol o'r Staff Academaidd ac unrhyw berson a benodwyd ganddo neu ganddi i'w gynrychioli neu ei chynrychioli yr hawl i fod yn bresennol;
- (c) bod yr aelod o'r Staff Academaidd ac unrhyw berson sy'n cynrychioli'r aelod o'r staff yn gallu galw tystion ac yn gallu holi tystion am y dystiolaeth y seilir yr achos yn ei (h)erbyn arni; a
- (d) gwneud darpariaeth lawn a digonol ar gyfer -
 - (i) oedi, gohirio, gwrthod y cyhuddiad neu'r cyhuddiadau oherwydd diffyg erlyn, anfon y cyhuddiad neu'r cyhuddiadau yn ôl at yr Is-Ganghellor i'w ystyried neu eu hystyried ymhellach ac i gywiro gwallau damweiniol; a
 - (ii) terfynau priodol ar amser ar gyfer pob cam (gan gynnwys y gwrandawriad) er mwyn i Dribiwnlys wrando a phenderfynu ar unrhyw gyhuddiad odanynt mor gyflym ag sy'n rhesymol ymarferol.

Hysbysu am benderfyniad y Tribiwnlys

- (18) (1) Rhaid i Dribiwnlys anfon ei benderfyniad ar unrhyw gyhuddiad a gyfeirir ato (ynghyd â'i ganfyddiadau ffeithiol a'r rhesymau dros ei benderfyniad ynglŷn â'r cyhuddiad hwnnw a'i argymhellion, os oes rhai, ynglŷn â'r gosb briodol) at yr Is-Ganghellor ac at bob parti i'r gweithrediadau.
- (2) Rhaid i Dribiwnlys dynnu sylw at y cyfnod o amser o fewn yr hwn y gellir gwneud unrhyw apêl drwy sicrhau anfon copi o Ran V (Apelau) gyda phob copi o'i benderfyniad a anfonir at barti i'r gweithrediadau o dan y paragraff hwn.

Pwerau'r swyddog priodol os cadarnheir y cyhuddiadau gan y Tribiwnlys

- (19) (1) Os cadarnheir y cyhuddiad neu'r cyhuddiadau ac os yw'r Tribiwnlys yn darganfod achos da ac yn argymhell diswyddo neu symud o swydd, ond nid mewn unrhyw achos arall, rhaid i'r swyddog priodol benderfynu a ddylid diswyddo'r aelod perthnasol o'r Staff Academaidd.
- (2) Mewn unrhyw achos lle cadarnheir y cyhuddiadau, ac eithrio lle bo'r swyddog priodol wedi penderfynu o dan is-baragraff (1) i ddiswyddo'r aelod perthnasol o'r Staff Academaidd, gall y camau sydd ar gael i'r swyddog priodol (heb gynnwys cosb sy'n fwy na'r hyn a argymhellwyd gan y Tribiwnlys) fod fel a ganlyn -
 - (a) trafod gyda'r aelod perthnasol y materion a godwyd; neu
 - (b) cynghori'r aelod perthnasol ynglŷn â'i ymddygiad neu ei hymddygiad yn y dyfodol; neu
 - (c) rhybuddio'r aelod perthnasol; neu
 - (d) gwahardd yr aelod perthnasol am y cyfnod y bydd y swyddog priodol yn ei ystyried yn deg ac yn rhesymol, heb fod dros 3 mis ar ôl penderfyniad y Tribiwnlys; neu
 - (e) unrhyw gyfuniad o unrhyw rai o'r uchod neu unrhyw gamau pellach neu eraill o dan gontract cyflogaeth neu delerau penodi'r aelod ag sy'n ymddangos yn deg ac yn rhesymol o dan holl amgylchiadau'r achos.

Swyddogion Priodol

- (20) (1) Yr Is-Ganghellor fydd y swyddog priodol i ymarfer y pwerau a roddir gan baragraff 19 ac mae unrhyw gyfeiriad at y swyddog priodol yn cynnwys cyfeiriad at ddirprwy y swyddog hwnnw.
- (2) Rhaid i unrhyw gamau a gymerir gan y swyddog priodol gael eu cadarnhau'n ysgrifenedig.

RHAN IV - SYMUD O SWYDD OHERWYDD ANALLU AM RESYMAU MEDDYGOL

- (21) (1) Mae'r Rhan hon yn gwneud darpariaeth ar wahân ar gyfer asesu anallu am resymau meddygol fel achos da dros ddiswyddo neu symud o swydd.
- (2) Yn y Rhan hon mae cyfeiriadau at resymau meddygol yn gyfeiriadau at allu a aseswyd drwy gyfeirio at iechyd neu unrhyw nodwedd gorfforol neu feddyliol arall.
- (3) Yn y Rhan hon mae cyfeiriadau at y swyddog priodol yn gyfeiriadau at yr Is-Ganghellor neu swyddog sy'n gweithredu fel ei ddirprwy neu ei dirprwy i gyflawni'r weithred berthnasol.
- (4) Mae cyfeiriadau at yr aelod o'r Staff Academaidd yn cynnwys, mewn achosion lle bo natur yr anallu honedig yn mynnu hynny, berthynas neu gyfaill cyfrifol yn ogystal â'r aelod hwnnw (neu yn ei le neu ei lle).
- (22) (1) Os yw'n ymddangos y byddai cyfiawnhad dros symud aelod o'r Staff Academaidd o'i swydd am resymau meddygol, rhaid i'r swyddog priodol -
- (a) hysbysu'r aelod yn unol â hynny; a
- (b) hysbysu'r aelod yn ysgrifenedig ei bod yn fwrdd gwneud cais i feddyg yr aelod am adroddiad meddygol, a cheisio caniatâd ysgrifenedig yr aelod yn unol â gofynion Deddf Mynediad i Adroddiadau Meddygol 1988.
- (2) Os yw'r aelod yn rhannu'r farn honno rhaid i'r Brifysgol dalu costau rhesymol unrhyw farn feddygol sy'n ofynnol.
- (3) Os nad yw'r aelod yn rhannu'r farn honno rhaid i'r swyddog priodol gyfeirio'r achos yn gyfrinachol, gydag unrhyw dystiolaeth feddygol ategol neu dystiolaeth arall (gan gynnwys unrhyw dystiolaeth feddygol a gyflwynwyd gan yr aelod), i Fwrdd sy'n cynnwys un person a enwebwyd gan y Cyngor; un person a enwebwyd gan yr aelod perthnasol neu, os na cheir yr enwebiad hwnnw, gan y Bwrdd Academaidd; a chadeirydd sy'n gymwys mewn meddygaeth ac y cytunwyd arno neu arni ar y cyd gan y Cyngor a'r aelod neu, os na cheir cytundeb, sydd i'w enwebu neu henwebu gan Lywydd Coleg Brenhinol y Meddygon.
- (4) Gall y Bwrdd ei gwneud hi'n ofynnol i'r aelod perthnasol gael archwiliad meddygol ar draul y Brifysgol.

Terfynu Cyflogaeth

- (23) Os yw'r Bwrdd yn penderfynu y bydd yn ofynnol i'r aelod ymddeol am resymau meddygol, rhaid i'r swyddog priodol gyfarwyddo'r Ysgrifennydd Cyffredinol neu ei ddirprwy neu ei dirprwy i derfynu cyflogaeth yr aelod dan sylw am y rhesymau meddygol hynny.

RHAN V - APELAU***Diben Rhan V***

- (24) Mae'r Rhan hon yn sefydlu trefniadau gweithredu ar gyfer gwrando a phenderfynu ar apelau gan aelodau o'r Staff Academaidd a ddiswyddir neu sydd dan rybudd diswyddo neu a ddisgyblir mewn rhyw ffordd arall.

Gweithrediad a dehongli Rhan V

- (25) (1) Mae'r Rhan hon o'r Statud hwn yn weithredol mewn perthynas ag -
- (a) apelau yn erbyn penderfyniadau'r Cyngor fel y corff priodol (neu ddirprwy o'r corff hwnnw) i ddiswyddo wrth ymarfer ei bwerau o dan Ran II;
- (b) apelau sy'n codi mewn unrhyw weithrediadau, neu o unrhyw benderfyniad a wnaed, o dan Ran III heblaw apelau o dan baragraff 13 (Apelau yn erbyn rhybuddion disgyblu);
- (c) apelau yn erbyn diswyddo ac eithrio yn unol â Rhan II neu Ran III;

- (d) apelau yn erbyn disgyblu ac eithrio yn unol â Rhan III; ac
 - (e) apelau yn erbyn penderfyniadau a wnaed o dan Ran IV ac fe ddehonglir “apêl” ac “apelydd” yn unol â hynny.
- (2) Er hynny, ni ellir apelio yn erbyn -
 - (a) penderfyniad y corff priodol o dan baragraff 10 (2);
 - (b) canfyddiadau ffeithiol Tribiwnlys o dan baragraff 18 (1) ac eithrio lle y gelwir tystiolaeth newydd, gyda chydsyniad y person neu'r personau sy'n gwrando'r apêl, ar ran yr apelydd yn y gwrandawriad hwnnw;
 - (c) unrhyw ganfyddiad gan Fwrdd a sefydlwyd o dan baragraff 22 (3).
 - (3) Yn y Rhan hon mae cyfeiriadau at “y person a benodwyd” yn gyfeiriadau at y person a benodwyd gan y Cyngor o dan baragraff 28 i wrando a phenderfynu ar yr apêl berthnasol.
 - (4) Partïon apêl fydd yr apelydd a'r Ysgrifennydd Cyffredinol ac unrhyw berson arall a ychwanegir fel parti ar gyfarwyddyd y person a benodwyd.

Dwyn Apelau

- (26) Rhaid i aelod o'r Staff Academaidd ddwyn apêl drwy gyflwyno i'r Ysgrifennydd Cyffredinol, o fewn yr amser a ganiateir o dan baragraff 27, hysbysiad ysgrifenedig sy'n nodi ar ba sail y gwneir yr apêl.

Amser ar gyfer apelio a hysbysiadau apêl

- (27) (1) Rhaid cyflwyno hysbysiad apêl o fewn 28 niwrnod o ddyddiad anfon y ddogfen sy'n cofnodi'r penderfyniad yr apelir yn ei erbyn at yr apelydd neu unrhyw gyfnod hwy, os o gwbl, y bo'r person a benodwyd yn penderfynu arno o dan is-baragraff (3).
- (2) Rhaid i'r Ysgrifennydd Cyffredinol gyflwyno unrhyw hysbysiad am apêl a ddaw i law (a dyddiad ei gyflwyno) i sylw'r Cyngor a rhaid iddo neu iddi hysbysu'r apelydd ei fod neu ei bod wedi gwneud hynny.
- (3) Os cyflwynwyd yr hysbysiad apêl i'r Ysgrifennydd Cyffredinol y tu allan i'r cyfnod o 28 niwrnod rhaid i'r person a benodwyd o dan baragraff 28 beidio â chaniatáu i'r apêl fynd yn ei blaen onid yw'n ystyried bod cyfiawnder a thegwch yn ei gwneud yn ofynnol o dan amgylchiadau'r achos.

Personau a benodwyd i wrando a phenderfynu ar apelau

- (28) (1) Os dygir apêl o dan y Rhan hon rhaid i'r Cyngor benodi person a ddisgrifir yn is-baragraff (2) i wrando a phenderfynu ar yr apêl honno.
- (2) Mae'r personau a ddisgrifir yn yr is-baragraff hwn yn bersonau na chyflogir mohonynt gan y Brifysgol ac sy'n dal, neu sydd wedi dal, swydd farnwrol neu sy'n fargyfreithwyr neu'n gyfreithwyr ag o leiaf ddeg mlynedd o brofiad.
- (3) Rhaid i'r person a benodwyd eistedd ar ei ben neu ar ei phen ei hun onid yw'n ystyried mai eistedd gyda dau berson arall fydd y ffordd orau o wasanaethu cyfiawnder a thegwch.
- (4) Y personau eraill a all eistedd gyda'r person a benodwyd fydd -
 - (a) un aelod o'r Cyngor ac nad yw'n berson a gyflogir gan y Brifysgol; a
 - (b) un aelod o'r Staff Academaidd at ddibenion y Statud hwn.

Darpariaethau ynglŷn â threfniadau a phwerau apêl

- (29) (1) Y drefn weithredu sydd i'w dilyn mewn perthynas â pharatoi, cydgrynhoi, gwrando a phenderfynu ar apelau fydd yr un a nodir mewn Ordiniannau a wneir o dan y paragraff hwn.

- (2) Heb ragfarnu ystyr gyffredinol yr uchod rhaid i Ordiniannau o'r fath sicrhau -
- (a) bod gan apelydd yr hawl i gael ei gynrychioli neu ei chynrychioli gan berson arall, boed hwnnw neu honno wedi ymgymhwyso yn y gyfraith neu beidio, mewn ac mewn cysylltiad ag unrhyw wrandawriad o'i (h)apêl;
 - (b) na phenderfynir ar apêl heb wrandawriad llafar y mae gan yr apelydd ac unrhyw berson a benodwyd ganddo neu ganddi i'w gynrychioli neu i'w chynrychioli yr hawl i fod yn bresennol, a chyda chaniatâd y person neu bersonau sy'n gwrando'r apêl, i alw tystion;
 - (c) gwneud darpariaeth lawn a digonol ar gyfer oedi, gohiriadau neu wrthod yr apêl oherwydd diffyg erlyn, a chywiro gwallau damweiniol; a
 - (d) y gall y person a benodwyd osod terfynau priodol ar amser ar gyfer pob cam (gan gynnwys y gwrandawriad ei hun) er mwyn gwrando a phenderfynu ar unrhyw apêl mor gyflym ag sy'n rhesymol ymarferol.
- (3) Gall y person neu'r personau sy'n gwrando'r apêl ganiatáu neu wrthod apêl yn gyfan gwbl neu'n rhannol, a heb ragfarnu'r uchod gall:
- (a) anfon apêl yn erbyn penderfyniad o dan Ran II i'r Cyngor fel y corff priodol (neu unrhyw fater sy'n codi yn ystod apêl o'r fath) i'w ystyried ymhellach fel y bo'r person neu'r personau sy'n clywed yr apêl yn cyfarwyddo; neu
 - (b) anfon apêl sy'n codi o dan Ran III i'w hail-wrando gan Dribiwnlys sydd â chyfansoddiad gwahanol ac sydd i'w benodi o dan y Rhan honno; neu
 - (c) anfon apêl yn erbyn penderfyniad y swyddog priodol o dan Ran IV i'w hystyried ymhellach fel y bo'r person neu'r personau sy'n gwrando'r apêl yn cyfarwyddo; neu
 - (d) gosod unrhyw gosb amgen sy'n llai ac a fyddai wedi bod yn agored i'r swyddog priodol ar ôl y penderfyniad gan y Tribiwnlys a wrandawodd ac a fynegodd farn ar y cyhuddiad neu'r cyhuddiadau gwreiddiol.

Hysbysu am benderfyniadau

- (30) Rhaid i'r person a benodwyd anfon y penderfyniad rhesymedig, gan gynnwys unrhyw benderfyniad a wnaed wrth ymarfer ei bwerau neu ei phwerau o dan baragraff 29(3) (a), (b) neu (c), ar unrhyw apêl ynghyd ag unrhyw ganfyddiadau ffeithiol sy'n wahanol i'r rhai y daethpwyd iddynt gan y Cyngor fel y corff priodol o dan Ran II neu gan y Tribiwnlys o dan Ran III, fel y bo'r achos, at yr Is-Ganghellor ac at bartïon yr apêl.

RHAN VI - TREFNIADAU CWYNO

Diben Rhan VI

- (31) Amcan y Rhan hon yw setlo neu gywiro cwynion unigol yn ddiymdroi, yn deg a chyn belled â phosibl o fewn yr adran neu faes perthnasol arall drwy ddulliau sy'n dderbyniol i bob parti.

Gweithrediad

- (32) Y cwynion y mae'r Rhan hon yn weithredol yn eu cylch yw cwynion gan aelodau o'r Staff Academiaidd ynglŷn â'u penodiadau neu eu cyflogaeth lle bo'r cwynion hynny'n ymwneud -
- (a) â materion sy'n effeithio arnynt hwy fel unigolion; neu
 - (b) â materion sy'n effeithio ar eu hymdrin neu eu perthnasoedd personol â staff eraill y Brifysgol,
- ac nad ydynt yn faterion y darperir yn benodol ar eu cyfer mewn manau eraill yn y Statud hwn.

Gwaharddiadau a Threfniadau Gweithredu Anffurfiol

- (33) (1) Os yw dulliau cywiro eraill o fewn yr adran neu feysydd perthnasol eraill wedi eu dihybyddu gall yr aelod o'r Staff Academaidd godi'r mater gyda Phennaeth yr adran neu faes perthnasol arall.
- (2) Os yw'r aelod o'r Staff Academaidd yn anfodlon ar ganlyniad cais o dan is-baragraff (1) neu os yw'r gwyn yn ymwneud yn uniongyrchol â Phennaeth yr adran neu faes perthnasol arall, gall yr aelod wneud cais ysgrifenedig i'r Is-Ganghellor i gywiro'r gwyn.
- (3) Os yw'n ymddangos i'r Is-Ganghellor fod y mater wedi ei benderfynu'n derfynol o dan Ran III, IV neu V neu fod y gwyn yn ddibwys neu'n annilys, gall ei gwrthod yn ddiannod, neu beidio â gweithredu arni. Os yw'n ymddangos felly i'r Is-Ganghellor rhaid iddo neu iddi hysbysu'r aelod a'r Pwyllgor Cwynion yn unol â hynny.
- (4) Os yw'r Is-Ganghellor yn fodlon y gallai testun y gwyn gael ei ystyried yn gywir gyda'r canlynol (neu ffurfio'r cyfan neu unrhyw ran o'r canlynol) -
- (a) cwyn o dan Ran III;
- (b) penderfyniad o dan Ran IV; neu
- (c) apêl o dan Ran V
- rhaid iddo neu iddi ohirio gweithredu arni o dan y Rhan hon tan i'r gwyn berthnasol, y penderfyniad perthnasol neu'r apêl berthnasol gael ei wrando neu ei gwrando neu fod yr amser i'w dwyn wedi mynd heibio a rhaid iddo neu iddi hysbysu'r aelod a'r Pwyllgor Cwynion yn unol â hynny.
- (5) Os nad yw'r Is-Ganghellor yn gwrthod y gwyn o dan is-baragraff (3) neu os nad yw'n gohirio gweithredu arni o dan is-baragraff (4) rhaid iddo neu iddi benderfynu a fyddai'n briodol, o ystyried buddiannau cyfiawnder a thegwch, iddo neu iddi geisio delio â'r mater yn derfynol yn anffurfiol. Os yw'n penderfynu felly, rhaid iddo neu iddi hysbysu'r aelod a bwrw ymlaen yn unol â hynny.

Trefn Weithredu y Pwyllgor Cwynion

- (34) Os na ddeliwyd â'r gwyn yn derfynol yn anffurfiol o dan baragraff 33 (5), rhaid i'r Is-Ganghellor gyfeirio'r mater i'r Pwyllgor Cwynion i'w ystyried.
- (35) Bydd y Pwyllgor Cwynion sydd i'w benodi gan y Cyngor yn cynnwys -
- (a) Cadeirydd; a
- (b) un aelod o'r Cyngor nad yw'n berson a gyflogir gan y Brifysgol; ac
- (c) un aelod o'r Staff Academaidd at ddibenion y Statud hwn.

Y drefn weithredu mewn cysylltiad â phenderfyniadau; a'r hawl i gynrychiolaeth

- (36) Rhaid pennu'r drefn weithredu mewn cysylltiad ag ystyried a phenderfynu ar gwynion mewn Ordiniannau, a hynny mewn ffordd sy'n sicrhau y bydd gan y person sy'n gwneud y gwyn ac unrhyw berson y mae'r gwyn yn ei erbyn neu yn ei herbyn yr hawl i gael eu clywed mewn gwrandawriad ac i ddod â chyfaill neu gynrychiolydd gyda hwy.

Hysbysu am benderfyniadau

- (37) Rhaid i'r Pwyllgor hysbysu'r Cyngor a oes sail i'r gwyn, ac os oes sail iddi bydd y Pwyllgor yn gwneud y cynigion hynny ar gyfer cywiro'r gwyn ag y gwêl yn dda.

ATODIAD

Paragraff 3(1)(c)

DARPARIAETHAU YNGLŶN Â'R IS-GANGHELLOR

1. Gall y Cyngor ofyn i'w Gadeirydd symud yr Is-Ganghellor o'i swydd am achos da yn unol â'r drefn weithredu a ddisgrifir yn yr Atodiad hwn.
 - (1) Gellir gwneud cwyn sy'n ceisio symud yr Is-Ganghellor o'i swydd am achos da gan nid llai na thri pherson sy'n aelodau o'r Cyngor i Gadeirydd y Cyngor.
 - (2) Os yw'n ymddangos i Gadeirydd y Cyngor, ar sail y deunydd sydd ger ei fron neu ei bron, fod y gwyn yn codi achos *prima facie* ac y gallai hynny, os profir ef, fod yn achos da dros ei ddiswyddo neu ei diswyddo neu ei symud o'i swydd rhaid iddo neu iddi ofyn i'r Cyngor benodi Tribiwnlys i wrando a phenderfynu ar y mater.
 - (3) Os yw'n ymddangos i Gadeirydd y Cyngor nad yw cwyn a gyflwynwyd iddo neu iddi o dan is-baragraff (1) yn codi achos *prima facie* neu ei bod yn ddibwys neu'n annilys, gall argymhell i'r Cyngor na chymerir unrhyw gamau pellach yn ei chylch.
 - (4) Pan fydd y Cyngor wedi penodi Tribiwnlys o dan is-baragraff (2) rhaid iddo gyfarwyddo cyfreithiwr neu berson addas arall i lunio cyhuddiad neu gyhuddiadau ac i gyflwyno, neu i drefnu i gyflwyno, y cyhuddiadau gerbron y Tribiwnlys.
 - (5) Rhaid i Dribiwnlys a benodir gan y Cyngor gynnwys:
 - (a) Cadeirydd annibynnol;
 - (b) un aelod o'r Cyngor, nad yw'n berson a gyflogir gan y Brifysgol; ac
 - (c) un aelod o'r Staff Academaidd at ddibenion y Statud hwn.
 - (6) Yn ddarostyngedig i egwyddorion cyfiawnder a thegwch gall y Tribiwnlys benderfynu ar ei drefn weithredu ei hun.
 - (7) Rhaid i'r Tribiwnlys anfon ei benderfyniad rhesymedig ar unrhyw gyhuddiad a gyfeirir ato ynghyd â'i ddarganfyddion ffeithiol ynglŷn â'r cyhuddiad a'i argymhellion, os oes rhai, ynglŷn â'r gosb briodol, at Gadeirydd y Cyngor ac at yr Is-Ganghellor gan dynnu sylw at y cyfnod o amser o fewn yr hwn y dylid cyflwyno unrhyw apêl.
 - (8) Rhaid i bersonau a benodir i wrando'r apêl honno fod yn bersonau sy'n annibynnol ar y Brifysgol ac sy'n dal, neu sydd wedi dal, swydd farnwrol neu sy'n fargyfreithwyr neu'n gyfreithwyr ag o leiaf ddeg mlynedd o brofiad a bydd y person a benodir felly, yn ddarostyngedig i egwyddorion cyfiawnder a thegwch, yn penderfynu ar y drefn weithredu sydd i'w mabwysiadu wrth wrando'r apêl.
 - (9) Rhaid i berson a benodwyd anfon y penderfyniad rhesymedig ar yr apêl, ynghyd ag unrhyw ganfyddiadau ffeithiol sy'n wahanol i'r rhai y daethpwyd iddynt gan y Tribiwnlys a'i argymhellion neu ei hargymhellion, os oes rhai, ynglŷn â'r gosb briodol, at yr Is-Ganghellor ac at Gadeirydd y Cyngor.
 - (10) Os yw cyhuddiad neu gyhuddiadau wedi ei gadarnhau neu wedi eu cadarnhau gan y Tribiwnlys a heb gael ei wrthod neu eu gwrthod ar apêl, rhaid i Gadeirydd y Cyngor benderfynu a ddylid diswyddo'r Is-Ganghellor ai peidio.
2. Os bwriedir cyfeirio cwyn at Dribiwnlys o dan y Statud hwn, gall Cadeirydd y Cyngor wahardd yr Is-Ganghellor o'i ddyletswyddau neu ei ddyletswyddau a gall wahardd yr Is-Ganghellor o Swyddfeydd Gweinyddu Canolog y Brifysgol heb golli cyflog na buddion.
3. Mae i "achos da" yn yr Atodlen hon yr un ystyr ag ym mharagraff 5 y Statud hwn.

4. At ddiben symud yr Is-Ganghellor o'i swydd oherwydd anallu am resymau meddygol, bydd Rhan IV y Statud hwn mewn grym ar yr amod y cynhwysir y newidiadau a ganlyn:-
- (a) yn lle'r cyfeiriadau at aelod o'r Staff Academaidd fe geir cyfeiriadau at yr Is-Ganghellor;
 - (b) yn lle unrhyw gyfeiriad at swydd yr Is-Ganghellor fe geir cyfeiriad at swydd Cadeirydd y Cyngor;
 - (c) yn lle paragraff (23) ceir -

“(23) Os yw'r Bwrdd yn penderfynu y dylid ei gwneud yn ofynnol i'r Is-Ganghellor ymddeol am resymau meddygol, rhaid i'r Bwrdd ofyn i Gadeirydd y Cyngor, fel y swyddog priodol, benderfynu a ddylid terfynu penodiad yr Is-Ganghellor am y rhesymau meddygol hynny.”

27. DILEWYD

28. YR ORDINIANNAU

- (1) Yn ogystal â'r holl bwerau a roir gan y Siarter neu'r Statudau ar gyfer Ordiniannau i ddarparu ar gyfer unrhyw fater, neu ei reoli, fe fydd, yn ddarostyngedig i'r Siarter a'r Statudau, bŵer i Ordiniannau ddarparu ar gyfer unrhyw fater yr ystyrir y dylid gwneud darpariaeth ar ei gyfer ac nad oes unrhyw drefn weithredu arall wedi ei phennu ar ei gyfer gan y Siarter neu'r Statudau.
- (2) Gall unrhyw Ordiniant a wneir yn unol â'r Siarter a'r Statudau bennu y gall unrhyw fater yr effeithir arno drwy hynny gael ei reoli ymhellach, neu y caiff ei reoli ymhellach, drwy Reoliad neu Reol Sefydlog.

29. DILEWYD

30. DILEWYD

31. Y DREFN WEITHREDU

Ac eithrio pan fydd darpariaeth arall yn cael ei wneud yn benodol yn y Siarter neu'r Statudau, gall Ordiniannau ddarparu ar gyfer unrhyw weithdrefnau sy'n ymwneud â gweithredu busnes y Cyngor, y Bwrdd Academaidd a phwyllgorau eraill y Brifysgol.

32. CYFLWYNO RHYBUDDION A DOGFENNAU

- (1) Gall unrhyw rybudd neu ddogfen y mae'n ofynnol o dan y Statudau neu at ddibenion y Statudau ei roi neu ei rhoi i berson neu ei anfon neu ei hanfon at berson gael ei roi neu ei rhoi neu ei anfon neu ei hanfon yn bersonol neu ei anfon neu ei hanfon drwy'r post ato neu ati yn ei gyfeiriad neu ei chyfeiriad diwethaf fel y'i cofrestrwyd gan y Brifysgol.
- (2) Os anfonir rybudd neu ddogfen arall drwy'r post, fe fermir iddo neu iddi fod wedi ei gyflwyno neu ei chyflwyno'n gywir ar y diwrnod yn dilyn y diwrnod y bydd wedi ei bostio neu ei phostio.

33. DEHONGLI'R STATUDAU

Rhaid dehongli'r Statudau mewn modd fel nad ydynt yn gwrthdaro â'r Siarter.

34. DARPARIAETHAU DROS DRO

- (1) Bydd y trefniadau ar gyfer trosglwyddo pwerau a dyletswyddau o'r Cyngor fel y'i cyfansoddir yn union cyn i'r Statud hon ddod i rym ("yr Hen Gyngor") i'r Cyngor fel y'i cyfansoddir gan y Siarter a'r Statudau ("y Cyngor Newydd") yn unol â'r cyfarwyddiadau isod:
- (a) Y bydd yr Hen Gyngor yn parhau ac ef fydd y Cyngor, sy'n ymarfer y swyddogaethau, y pwerau a'r dyletswyddau a roir i'r Cyngor Newydd gan y Siarter a'r Statudau, tan gyfarfod cyntaf y Cyngor Newydd;
 - (b) Cyn gynted ag a bo'n ymarferol ar ôl i'r Statud hon ddod i rym y bydd yr holl bersonau, awdurdodau neu gyrff sydd â'r pŵer drwy'r Statud hon i benodi aelodau'r Cyngor Newydd yn cael gwybod ar unwaith am eu hawliau ac yn cael eu gwahodd i benodi eu cynrychiolwyr ar y dyddiad cyntaf posibl;
 - (c) Cyn gynted ag a bo'n ymarferol ar ôl i benodiadau digonol gael eu gwneud o dan baragraff blaenorol (b) er mwyn creu mwyafrif syml o'r Cyngor Newydd, y gelwir cyfarfod cyntaf y Cyngor Newydd ac ar hynny bydd y Cyngor Newydd yn ymgymryd â'r holl bwerau a dyletswyddau a freinir ynddo gan y Statud hon. Bydd y busnes sydd i'w drafod yn y cyfryw gyfarfod yn cynnwys y canlynol:
 - (i) cyfethol, os gwelir yn dda, nid mwy na dau berson yn aelodau o'r Cyngor Newydd yn unol â pharagraff (1)(c) Statud 15.
 - (ii) penodi aelodau pwyllgorau'r Cyngor Newydd.
 - (iii) cadarnhau statws y pwyllgorau a sefydlwyd gan yr Hen Gyngor yn bwyllgorau'r Cyngor Newydd.
 - (iv) cymeradwyo a mabwysiadu unrhyw Ordiniannau drafft sydd wedi eu gwneud gan yr Hen Gyngor.
- (2) Bydd y trefniadau ar gyfer trosglwyddo pwerau a dyletswyddau o'r Bwrdd Academaidd fel y'i cyfansoddir yn union cyn i'r Statud hon ddod i rym ("yr Hen Fwrdd Academaidd") i'r Bwrdd Academaidd fel y'i cyfansoddir gan y Siarter a'r Statudau ("y Bwrdd Academaidd Newydd") yn unol â'r cyfarwyddiadau isod:
- (a) y bydd yr Hen Fwrdd Academaidd yn parhau ac ef fydd y Bwrdd Academaidd, sy'n ymarfer y swyddogaethau, y pwerau a'r dyletswyddau a roir i'r Bwrdd Academaidd Newydd gan y Siarter a'r Statudau, tan gyfarfod cyntaf y Bwrdd Academaidd Newydd;
 - (b) cyn gynted ag a bo'n ymarferol ar ôl i'r Statud hon ddod i rym y bydd yr holl bersonau, awdurdodau neu gyrff sydd â'r pŵer drwy'r Statud hon i benodi aelodau'r Bwrdd Academaidd Newydd yn cael gwybod ar unwaith am eu hawliau ac yn cael eu gwahodd i benodi eu cynrychiolwyr ar y dyddiad cyntaf posibl;
 - (c) cyn gynted ag a bo'n ymarferol ar ôl i benodiadau digonol gael eu gwneud o dan baragraff blaenorol (b) er mwyn creu mwyafrif syml o'r Bwrdd Academaidd Newydd, y gelwir cyfarfod cyntaf y Bwrdd Academaidd Newydd ac ar hynny bydd y Bwrdd Academaidd Newydd yn ymgymryd â'r holl bwerau a'r dyletswyddau a freinir ynddo gan y Statud hon. Bydd y busnes sydd i'w drafod yn y cyfryw gyfarfod yn cynnwys y canlynol:
 - (i) sefydlu pwyllgorau'r Bwrdd Academaidd Newydd;
 - (ii) penodi aelodau pwyllgorau'r Bwrdd Academaidd Newydd.
- (3) Bydd y Rheoliadau sy'n ymwneud â'r Hen Fwrdd Academaidd yn parhau mewn grym mewn perthynas â'r Bwrdd Academaidd Newydd.

The Schedule

Statutes of the University

1. DEFINITIONS

- (1) In the Statutes except where the context otherwise requires the following terms shall have the following meanings:
- “The University” means the University of Wales.
- “The Charter” means the Supplemental Charter of the University for the time being in force.
- “The Statutes” means these Statutes and any Statute or Statutes for the time being amending or replacing the same.
- “The Council” means the Council of the University.
- “The Academic Board” means the Academic Board of the University.
- “The Graduates” means those persons upon whom the University shall have conferred a degree or degrees.
- “The Staff of the University” means the persons appointed to such staff by or on the authority of the Council.
- “Accredited Institutions” means those institutions that shall, under the provisions of the Charter and the Ordinances, and for the time being, be designated by the University as Accredited Institutions.
- “Affiliated Institutions” means those institutions that shall, under the provisions of the Charter and the Ordinances, and for the time being, be designated by the University as Affiliated Institutions.
- “Associated Bodies” means Accredited Institutions, Affiliated Institutions and any other bodies or institutions with which the University has an association pursuant to Article V(j) of the Charter.
- “Validated provision” means those schemes of study or programmes of research that are provided at institutions other than Accredited or Affiliated Institutions and that have been approved by the University and designated by it as validated schemes of study or validated programmes of research in such manner as shall be prescribed by Ordinance.
- “Ordinances” means any Ordinances made pursuant to the Charter or the Statutes.
- “Regulations” means any Regulations made pursuant to the Charter or the Statutes or the Ordinances.
- “Standing Order” means a Resolution made by any body constituted hereunder for the purpose of regulating its own procedure.
- “Year” means a calendar year.

Words defined in the Charter shall have the same meaning in the Statutes unless the context be repugnant to them.

Words in the singular shall include the plural and words in the plural shall include the singular unless the contrary intention appears.

- (2) Words defined in the Charter or the Statutes shall have the same meaning in the Ordinances and the Regulations unless the context be repugnant to them.

2. ACCREDITED INSTITUTIONS AND AFFILIATED INSTITUTIONS

- (1) Accredited Institution status may only be granted to an institution where at least ‘one-third’ (as defined in the Ordinances) of its overall academic provision is offered under the aegis of the University and leads to degrees and/or other academic awards of the University.
- (2) Affiliated Institution status may be granted to an institution where some, but less than ‘one-third’ (as defined in the Ordinances), of its overall academic provision is offered under the aegis of the University and leads to degrees and/or other academic awards of the University.

- (3) Any Ordinance providing for any institution to become an Accredited Institution or Affiliated Institution must be approved by a Special Resolution of the Council as defined in the Charter.

3. DELETED

4. THE CHANCELLOR

- (1) The Chancellor shall be appointed by the Council in such manner and for such term as shall be prescribed by Ordinance.
- (2) The Chancellor shall not take office until his or her name shall have been approved by the Visitor.

5. THE PRO-CHANCELLOR

The Pro-Chancellor shall be appointed by the Council in such manner and for such term as shall be prescribed by Ordinance.

6. THE VICE-CHANCELLOR

- (1) The Vice-Chancellor shall be appointed by the Council in such manner and for such term as shall be prescribed by Ordinance.
- (2) The Vice-Chancellor shall be the Chief Academic and Executive Officer and shall be responsible to the Council for promoting and advancing the purposes of the University and for the organisation and conduct of the business of the University.
- (3) The Vice-Chancellor shall *ex officio* be a member of the Council, the Academic Board and every other body upon which responsibilities affecting the governance of the University may be conferred by the Charter, Statutes or Ordinances, and of every committee thereof.
- (4) The Vice-Chancellor shall have the power to delegate to other officers and staff of the University such duties of the Vice-Chancellor as he or she thinks fit.
- (5) During any vacancy, or illness or incapacity of the Vice-Chancellor, the Council shall have the power to appoint an Acting Vice-Chancellor.

7. DELETED

8. DELETED

9. THE OFFICERS AND STAFF

The Council shall appoint such other officers and staff as it may deem necessary with such duties as the Council may deem fit.

10. THE AUDITOR OR AUDITORS

The Council shall appoint an Auditor or Auditors in such manner and for such term as shall be prescribed by Ordinance.

11. CONSULTATION

The University shall, in such manner as shall be prescribed by Ordinance:

- (i) regularly consult with its Graduates, the public and with bodies having an interest in the furtherance of the mission of the University, and

- (ii) identify persons qualified and willing to provide support and advice to the University in connection with the furtherance of the mission of the University.

12. DELETED

13. DELETED

14. DELETED

15. THE COUNCIL

- (1) Subject to the provisions of Statute 34, the Council shall consist of the following persons:
 - (a) *ex officio member*
The Vice-Chancellor
 - (b) *appointed members*
 - (i) Three Vice-Chancellors/Principals appointed by and from the Vice-Chancellors/Principals of those institutions that shall, under the provisions of the Ordinances, and for the time being, be designated by the University as Accredited Institutions
 - (ii) Three Chairs of governing bodies appointed by and from the Chairs of those institutions that shall, under the provisions of the Ordinances, and for the time being, be designated by the University as Accredited Institutions
 - (iii) Two persons appointed by and from the representatives on the Academic Board of those institutions that shall, under the provisions of the Ordinances, and for the time being, be designated by the University as Accredited Institutions
 - (iv) One person appointed by and from the staff of the University
 - (v) One person from among the students pursuing a University of Wales award, appointed by the student Presidents (howsoever that office may be termed) of those institutions that shall, under the provisions of the Ordinances, and for the time being, be designated by the University as Accredited Institutions
 - (vi) Twelve other independent persons
 - (c) *co-opted members*
Up to two independent persons
- (2) (a) The ex officio member of the Council shall hold office so long as he/she continues to occupy the position by virtue of which he/she became a member.
- (b) The co-opted members of the Council shall hold office for three years.
- (c) The other members of the Council shall hold office for three years or for so long as they retain the qualification which first made them eligible for appointment to the Council, whichever shall be the shorter period.
- (3) Notwithstanding the provisions aforesaid, and subject to the provisions of Statute 15(1), all other provisions relating to appointment and co-option of members of the Council shall be prescribed in the Ordinances.

16. THE CHAIR AND VICE-CHAIR OF THE COUNCIL

- (1) The Chair of the Council shall be appointed by the Council in such manner and for such a term as shall be prescribed by Ordinance.

- (2) The Vice-Chair of the Council shall be appointed by the Council in such manner and for such a term as shall be prescribed by Ordinance.

17. POWERS OF THE COUNCIL

Subject to the provisions of the Charter and of the Statutes, the Council shall, in addition to all other powers vested in it, have the following powers:

- (1) To appoint the Chancellor, Pro-Chancellor and the Vice-Chancellor in such manner and for such term as shall be prescribed by Ordinance.
- (2) To appoint the Chair and Vice-Chair of the Council in such manner and for such a term as shall be prescribed by Ordinance.
- (3) To appoint staff of the University and to regulate the salaries and conditions of employment of such staff and to institute such offices and posts of the University as may from time to time be considered expedient.
- (4) To confer upon other institutions the status of Accredited Institution or Affiliated Institution of the University.
- (5) On the advice of the Academic Board and under conditions to be prescribed in the Ordinances:
 - (i) to grant to Accredited Institutions and Affiliated Institutions, and to other Associated Bodies, the right to establish and operate schemes of study and programmes of research leading to awards of the University and to enrol students onto such schemes and programmes in such manner and upon such terms and conditions as the University sees fit;
 - (ii) to determine arrangements for the assurance of quality and standards in respect of those schemes of study and programmes of research leading to awards of the University established in accordance with Statute 17(5)(i);
 - (iii) to grant, to any Accredited Institution and Affiliated Institution that shall have been granted its own taught degree awarding powers, delegated responsibility for matters relating to the quality and standards of schemes of study leading to awards of the University where such schemes of study shall be operated by the said institution or by any other Accredited Institution or Affiliated Institution;
 - (iv) to grant, to any Accredited Institution and Affiliated Institution that shall have been granted its own research degree awarding powers, delegated responsibility for matters relating to the quality and standards of programmes of research leading to awards of the University where such programmes of research shall be operated by the said institution or by any other Accredited Institution or Affiliated Institution;
 - (v) from time to time, to review such decisions as may have been taken by the Council further to the provisions of Statute 17(5)(i), Statute 17(5)(ii), Statute 17(5)(iii) and Statute 17(5)(iv) and, as the Council may think fit, to
 - (a) confirm the rights and responsibilities granted under Statute 17(5)(i), Statute 17(5)(iii), and Statute 17(5)(iv) and the arrangements determined under Statute 17(5)(ii);
 - (b) determine conditions for the continuance of the rights and responsibilities granted under Statute 17(5)(i), Statute 17(5)(iii), and Statute 17(5)(iv) and to modify the arrangements determined under Statute 17(5)(ii); or
 - (c) withdraw the rights and responsibilities granted under Statute 17(5)(i), Statute 17(5)(iii) and Statute 17(5)(iv) and to terminate the arrangements determined under Statute 17(5)(ii).

- (6) To confirm the designation of the degrees, diplomas, certificates and other academic distinctions of the University.
- (7) Subject to conditions prescribed in the Ordinances to approve the conferring of Honorary Degrees and other Honorary Distinctions of the University.
- (8) To demand and receive such fees as may be payable to the University in respect of studies leading to Degrees and awards of the University.
- (9) To regulate, after consultation with the Academic Board, the fees and other emoluments to be paid to external examiners and assessors in respect of the examinations of the University.
- (10) To institute, jointly with the Academic Board and subject to any conditions made by the founders, University Fellowships, Studentships, Scholarships, Prizes, Exhibitions and Bursaries and other aids to study and research.
- (11) To approve the association of other bodies and institutions in accordance with Article V(j) of the Charter.
- (12) To appoint a person or persons to visit and report on the general facilities in teaching and research at any body or institution which is now or which may become an Associated Body.
- (13) To call for reports from University organisations, and any Associated Body or Bodies.
- (14) To negotiate on behalf of the University with Government Departments and any other authorities, institutions, companies and persons.
- (15) To repeal, vary or add to the Charter.
- (16) To make Statutes and Ordinances within the limits and subject to the procedures authorised by the Charter, the Statutes and the Ordinances.
- (17) To govern, manage and regulate the finances, accounts, investments, property, business and all affairs whatsoever of the University, and for that purpose to appoint bankers or other agents whom the Council may deem expedient to appoint and to cause proper books of account to be kept for all sources of money received and expended by the University and for the assets and liabilities of the University; so that such books give a true and fair view of the University's affairs and explain its transactions.
- (18) To invest any moneys belonging to the University in such stocks, funds, shares, securities or investments (other than land) whatsoever and wheresoever situate (whether authorised by the general law for the investment of trust moneys or not so authorised) as the Council shall think fit or in the purchase of land in the United Kingdom subject or not subject to leases or tenancies and to vary any such investments including the realisation of existing investments and the re-investments of the net proceeds of the realisation. Provided that in the case of moneys held by the University as trustee the powers hereby conferred shall be exercised subject to the provisions of the law relating to investment by trustees. Provided further that the powers of investment and varying investments hereinbefore contained shall not extend to moneys and investments held by the University as trustee upon special trusts created by a donor or testator.
- (19) To sell, buy, exchange, lease and accept leases of real and personal property on behalf of the University.
- (20) To maintain and dispose of the buildings, premises, furniture and apparatus belonging to or held in trust by the University and to provide such additional buildings as the Council shall consider expedient.

- (21) To borrow money on behalf of the University and, for that purpose, if the Council thinks fit, to mortgage or charge all or part of the property of the University, whether real or personal, and to give such other security as the Council shall think fit.
- (22) To enter into, vary and discharge contracts on behalf of the University.
- (23) To provide for the welfare of all persons who are or were at any time members of the staff of the University and the dependants of such persons including the payment of money, pensions or other benefits and to subscribe to benevolent and other funds for the benefit of such persons.
- (24) To appoint and dissolve committees consisting either wholly or partly of members of the Council and to prescribe the method of appointment of the members and the functions of such committees.
- (25) Under conditions to be prescribed in the Ordinances to confer upon any person the title of Professor, Reader or any other title of the University (and to withdraw any such title).
- (26) To have sole custody and use of the Common Seal of the University.
- (27) Subject to the provisions of the Charter and Statutes to determine all matters relating to the governance, mission, strategy, planning and administration of the activities of the University and its central services.
- (28) Subject to the provisions of the Charter and of the Statutes to take such steps as it may think proper for the purposes of advancing the interests and efficiency of the University and to conduct the executive business of the University.
- (29) Subject to the provisions of the Charter and Statutes to exercise all other powers of the University.
- (30) To delegate any of its powers to Officers and to those committees established under Statute 17(24), for such period and under such conditions as the Council may determine, and to establish and keep under regular review the procedures and limits under which delegated authority will be exercised, provided that
 - (i) nothing shall enable the Council to delegate any of its powers to any committee established under the provisions of Statute 17(24) where a majority of the members of such committee are not also members of the Council;
 - (ii) nothing shall enable the Council to delegate any of its powers with regard to:
 - (a) the determination of any matters relating to the governance, mission and strategy of the University;
 - (b) the approval of the annual estimates of income and expenditure and the financial statements in respect of each financial year;
 - (c) ensuring the solvency of the University and the safeguarding of its assets;
 - (d) the appointment or dismissal of the Vice-Chancellor;
 - (e) the repealing of, varying of or addition to the Charter or the Statutes or the Ordinances.

18. THE ACADEMIC BOARD

- (1) Subject to the provisions of Statute 34, the Academic Board shall consist of the following persons:
 - (a) *ex officio members*
The Vice-Chancellor

The Chairs of such Committees of the Academic Board as may be established from time to time

(b) *appointed members*

Two members of the academic staff from each of those Institutions as shall, under the provisions of the Statutes and Ordinances, and for the time being, be designated as Accredited Institutions

Two members of the staff experienced in Welsh medium provision appointed by the University Council from among those Accredited Institutions that teach through the medium of Welsh

Two students from among those studying for awards of the University

- (2) Subject to the provisions of Statute 18(1), all provisions relating to appointment of members of the Academic Board shall be prescribed in the Ordinances.

19. POWERS OF THE ACADEMIC BOARD

(A) General

Subject to the provisions of the Charter and of the Statutes the Academic Board shall, in addition to all other powers vested in it, have the following powers:

- (1) To ensure the maintenance of the highest academic standards in respect of its degrees and other qualifications and to preserve and protect their reputation and integrity, howsoever and wheresoever offered.
- (2) To advise the Council with regard to:
- (i) granting to Accredited Institutions and Affiliated Institutions, and to other Associated Bodies, the right to establish and operate schemes of study and programmes of research leading to awards of the University and to enrol students onto such schemes and programmes;
 - (ii) determining arrangements for the assurance of quality and standards in respect of those schemes of study and programmes of research leading to awards of the University established in accordance with Statute 17(5)(i);
 - (iii) granting, to any Accredited Institution and Affiliated Institution that shall have been granted its own taught degree awarding powers, delegated responsibility for matters relating to the quality and standards of schemes of study leading to awards of the University where such schemes of study shall be operated by the said institution or by any other Accredited Institution or Affiliated Institution;
 - (iv) granting, to any Accredited Institution and Affiliated Institution that shall have been granted its own research degree awarding powers, delegated responsibility for matters relating to the quality and standards of programmes of research leading to awards of the University where such programmes of research shall be operated by the said institution or by any other Accredited Institution or Affiliated Institution;
 - (v) reviewing such decisions as may have been taken by the University further to the provisions of Statute 17(5)(i), Statute 17(5)(ii), Statute 17(5)(iii) and Statute 17(5)(iv);
 - (vi) confirming the rights and responsibilities granted under Statute 17(5)(i), Statute 17(5)(iii) and Statute 17(5)(iv) and the arrangements determined under Statute 17(5)(ii);
 - (vii) determining conditions for the continuance of the rights and responsibilities granted under Statute 17(5)(i), Statute 17(5)(iii) and Statute 17(5)(iv) and modifying the arrangements determined under Statute 17(5)(ii);

- (viii) withdrawing the rights and responsibilities granted under Statute 17(5)(i), Statute 17(5)(iii) and Statute 17(5)(iv) and terminating the arrangements determined under Statute 17(5)(ii).
- (3) To determine the academic strategy and policy of the University.
- (4) To propose Statutes and Ordinances, and to make and maintain Regulations and Standing Orders and to resolve questions of interpretation or non-compliance arising from such Regulations and Standing Orders.
- (5) To provide for the establishment and constitution of such academic organisations of the University as the Academic Board may from time to time consider desirable, and to prescribe the constitution, powers, duties and functions of such academic organisations and to provide for the dissolution of any academic organisation so established.
- (6) To appoint and dissolve such and so many committees consisting either wholly or partly of members of the Academic Board and to prescribe the method of appointment of such members and the functions of such committees.
- (7) To delegate any of its powers to Officers and to those committees established under Statute 19(6), for such period and under such conditions as the Academic Board may determine, and to establish and keep under regular review the procedures and limits under which delegated authority will be exercised, provided that:
 - (i) nothing shall enable the Academic Board to delegate any of its powers to any committee established under the provisions of Statute 19(6) where a majority of the members of such committees are not also members of the Academic Board;
 - (ii) nothing shall enable the Academic Board to delegate its powers to make Regulations and Standing Orders.
- (8) To advise the Council on the designation of the degrees, diplomas, certificates and other academic distinctions of the University.
- (9) Under conditions to be prescribed in the Ordinances to authorise the admission to Degrees of persons who shall have pursued an approved scheme of study or research and who shall have passed the examinations of the University and to deprive any person of any Degree as aforesaid on what the Academic Board shall in its unfettered discretion consider to be good cause and at any time to restore such Degree to any person so deprived.
- (10) Under conditions to be prescribed in the Ordinances to confer and grant Diplomas, Certificates or other academic awards on and to persons who have pursued an approved scheme of study and to revoke any such awards made on what the Academic Board shall in its unfettered discretion consider to be good cause and at any time to reinstate any such award so revoked.
- (11) To call for reports from University organisations and such bodies and institutions which are now or which may become an Associated Body.
- (12) To appoint a person or persons to visit and report on the general facilities in teaching and research at any body or institution which is now or which may become an Associated Body.
- (13) To institute, jointly with the Council and subject to any conditions made by the founders, University Fellowships, Studentships, Scholarships, Prizes, Exhibitions and Bursaries, and other aids to study and research.

- (14) To award and withdraw Fellowships, Studentships, Scholarships, Prizes, Exhibitions and Bursaries, and other aids to study and research and to regulate the conditions governing such awards.
- (15) To prescribe the design and format of degree and other awards certificates.
- (16) To express an opinion on any matter pertinent to the University and its affairs and to make recommendations or reports to the Council thereon.
- (17) To appoint two of its members to the Council, in a manner to be prescribed by Ordinance.

(B) Validated Provision

Subject to the provisions of the Charter and of the Statutes the Academic Board shall, in addition to all other powers vested in it, have the additional following powers in respect of Validated provision:

- (1) To prescribe Regulations for taught and research schemes of study.
- (2) To regulate matriculation to postgraduate schemes, all examinations of the University and the appointment of external examiners, as prescribed in Ordinances.
- (3) To consider and resolve all questions of interpretation of Regulations and Standing Orders and to consider and resolve all special cases not fully complying with such Regulations.
- (4) To advise the Council on the fees and other emoluments to be paid to external examiners and assessors in respect of University examinations and other assessments.
- (5) Under conditions approved by the University, to approve schemes of study or programmes of research which shall subsequently be listed in the Ordinances.

20. **DELETED**

21. **DELETED**

22. **DELETED**

23. **DELETED**

24. **DELETED**

25. **WITHDRAWAL OF UNIVERSITY STATUS OR TITLE**

- (1) This Statute shall only apply to persons who are not employed by the University.
- (2) Any University Status or title held by a member of the Staff of a body or institution shall *ipso facto* lapse upon the holder thereof ceasing to be a member of the Staff of that body or institution unless the Academic Board resolves that the holder should retain such status or title.

26. ACADEMIC STAFF

PART I - CONSTRUCTION, APPLICATION AND INTERPRETATION

Construction

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

Reasonableness of decisions

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

Application

- (3) (1) This Statute shall apply:
- (a) to the Secretary General and the members of the staff of the University paid on academic scales;
 - (b) to the members of the staff of the University paid on academic related scales who shall have been accepted by Resolution of the Council as being included within this Statute;
 - (c) to the Vice-Chancellor to the extent and in the manner set out in the Annex to this Statute.
- (2) In this Statute any reference to “Academic Staff” is a reference to persons to whom this Statute applies.

Interpretation

Meaning of “dismissal”

- (4) In this Statute “dismiss” and “dismissal” mean dismissal of a member of the Academic Staff and -
- (a) include remove or, as the case may be, removal from office; and
 - (b) in relation to employment under a contract, shall be construed in accordance with section 95 of the Employment Rights Act 1996.

Meaning of “good cause”

- (5) (1) For the purposes of this Statute “good cause” in relation to the dismissal or removal from office or place of a member of the Academic Staff, being in any case a reason which is related to conduct or to capability or qualifications for performing work of the kind which the member of the Academic Staff concerned was appointed or employed to do, means -
- (a) conviction for an offence which may be deemed by a Tribunal appointed under Part III to be such as to render the person convicted unfit for the execution of the duties of the office or employment as a member of the Academic Staff; or
 - (b) conduct of an immoral, scandalous or disgraceful nature incompatible with the duties of the office or employment; or

- (c) conduct constituting failure or persistent refusal or neglect or inability to perform the duties or comply with the conditions of office; or
 - (d) physical or mental incapacity established under Part IV.
- (2) In this paragraph -
- (a) “capability”, in relation to such a member, means capability assessed by reference to skill, aptitude, health or any other physical or mental quality; and
 - (b) “qualifications”, in relation to such a member, means any degree, diploma or other academic, technical or professional qualification relevant to the office or position held by that member.

Meaning of “redundancy”

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

Incidental, transitional and supplementary matters

- (7) (1) In any case of conflict, the provisions of this Statute shall prevail over those of any other Statute and over those of the Ordinances and Regulations and the provisions of any Ordinance made under this Statute shall prevail over those of any other Ordinance:
 Provided that Part III of and the Annex to this Statute shall not apply in relation to anything done or omitted to be done before the date on which the instrument making these modifications was approved under subsection (9) of section 204 of the Education Reform Act 1988.
- (2) Nothing in any appointment made, or contract entered into, shall be construed as over-riding or excluding any provision made by this Statute concerning the dismissal of a member of the Academic Staff by reason of redundancy or for good cause:
 Provided that nothing in this sub-paragraph shall prevent waivers made under section 203 of the Employment Rights Act 1996 from having effect.
- (3) Nothing in any other Statute or in any Ordinance or Regulation made thereunder shall authorise or require any officer of the University to sit as a member of any Committee, Tribunal or body appointed under this Statute or to be present when any such Committee, Tribunal or body is meeting to arrive at its decision or for the purpose of discussing any point of procedure.
- (4) References to numbered Parts, paragraphs and sub-paragraphs are references to Parts, paragraphs and sub-paragraphs so numbered in this Statute.

PART II - REDUNDANCY

Purpose of Part II

- (8) This Part enables the Council, as the appropriate body, to dismiss any member of the Academic Staff by reason of redundancy.

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

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

The Appropriate Body

- (10) (1) The Council shall be the appropriate body for the purposes of this Part.
- (2) This paragraph applies where the appropriate body has decided that it is desirable that there should be a reduction in the Academic Staff -
- (a) of the University as a whole; or
 - (b) of any department or other similar area of the University by way of redundancy.
- (11) (1) Where the appropriate body has reached a decision under paragraph 10 (2) it shall appoint a Redundancy Committee to be constituted in accordance with sub-paragraph (3) of this paragraph to give effect to its decision by such date as it may specify and for that purpose
- (a) to select and recommend the requisite members of the Academic Staff for dismissal by reason of redundancy; and
 - (b) to report their recommendations to the appropriate body.
- (2) The appropriate body shall either approve any selection recommendation made under sub-paragraph (1), or shall remit it to the Redundancy Committee for further consideration in accordance with its further directions.
- (3) A Redundancy Committee appointed by the appropriate body shall comprise –
- (a) a Chairman; and
 - (b) two members of the Council, not being persons employed by the University; and
 - (c) two members of the Academic Staff.

Notices of intended dismissal

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

PART III – DISCIPLINE, DISMISSAL AND REMOVAL FROM OFFICE***Disciplinary Procedures***

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

Stage 1 - Oral Warning

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

Stage 2 - Written Warning

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

Stage 3 - Appeals

A member of the Academic Staff who wishes to appeal against a disciplinary warning shall inform the Secretary General within two weeks. The Vice-Chancellor shall hear all such appeals and his or her decision shall be final.

Preliminary examination of serious disciplinary matters

- (14) (1) If there has been no satisfactory improvement following a written warning given under Stage 2 of the procedure in paragraph 13, or in any other case where it is alleged that conduct or performance may constitute good cause for dismissal or removal from office, a complaint seeking the institution of charges to be heard by a Tribunal appointed under paragraph 16 may be made to the Secretary General who shall bring it to the attention of the Vice-Chancellor.
- (2) To enable the Vice-Chancellor to deal fairly with any complaint brought to his or her attention under sub-paragraph (1) he or she shall institute such investigations or enquiries (if any) as appear to him or her to be necessary.
- (3) If it appears to the Vice-Chancellor that a complaint brought to his or her attention under sub-paragraph (1) relates to conduct or performance which does not meet acceptable standards but for which no written warning has been given under paragraph 13 or which relates to a particular alleged infringement of rules, regulations or byelaws for which a standard penalty is normally imposed in the University, department or other relevant area, or is trivial or invalid he or she may dismiss it summarily, or decide not to proceed further under this Part.
- (4) If the Vice-Chancellor does not dispose of a complaint under sub-paragraph (3) he or she shall treat the complaint as disclosing a sufficient reason for proceeding further under this Part and, if he or she sees fit, he or she may suspend the member on full pay pending a final decision.
- (5) Where the Vice-Chancellor proceeds further under this Part he or she shall write to the member of the Academic Staff concerned inviting comment in writing.

- (6) As soon as may be following receipt of the comments (if any) the Vice-Chancellor shall consider the matter in the light of all the material then available and may -
- (a) dismiss it himself or herself; or
 - (b) refer it for consideration under paragraph 13; or
 - (c) deal with it informally himself or herself if it appears to the Vice-Chancellor appropriate to do so and if the member of the Academic Staff agrees in writing that the matter should be dealt with in that way; or
 - (d) direct the Secretary General to prefer a charge or charges to be considered by a Tribunal to be appointed under paragraph 16.
- (7) If no comment is received within 28 days the Vice-Chancellor may proceed as aforesaid as if the member concerned had denied the substance and validity of the alleged case in its entirety.

Institution of Charges

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

The Tribunal

- (16) A Tribunal appointed by the Council shall comprise:
- (a) a Chairman; and
 - (b) one member of the Council, not being a person employed by the University; and
 - (c) one member of the Academic Staff employed by the University.

Provisions concerning Tribunal procedure

- (17) (1) The procedure to be followed in respect of the preparation, hearing and determination of charges by a Tribunal shall be that set out in Ordinances made under this paragraph.
- (2) Without prejudice to the generality of the foregoing such Ordinances shall ensure -
- (a) that the member of the Academic Staff concerned is entitled to be represented by another person, whether such person be legally qualified or not, in connection with and at any hearing of charges by a Tribunal;

- (b) that a charge shall not be determined without an oral hearing at which the member of the Academic Staff concerned and any person appointed by him or her to represent him or her are entitled to be present;
- (c) that the member of the Academic Staff and any person representing the staff member may call witnesses and may question witnesses upon the evidence on which the case against him or her is based; and
- (d) that full and sufficient provision is made for -
 - (i) postponements, adjournments, dismissal of the charge or charges for want of prosecution, remission of the charge or charges to the Vice-Chancellor for further consideration and for the correction of accidental errors; and
 - (ii) appropriate time limits for each stage (including the hearing) to the intent that any charge thereunder shall be heard and determined by a Tribunal as expeditiously as reasonably practicable.

Notification of Tribunal decision

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

Powers of the appropriate officer where charges are upheld by Tribunal

- (19) (1) Where the charge or charges are upheld and the Tribunal finds good cause and recommends dismissal or removal from office, but in no other case, the appropriate officer shall decide whether or not to dismiss the member of the Academic Staff concerned.
- (2) In any case where the charge or charges are upheld, other than where the appropriate officer has decided under sub-paragraph (1) to dismiss the member of the Academic Staff concerned, the action available to the appropriate officer (not comprising a greater penalty than that recommended by the Tribunal) may be -
 - (a) to discuss the issues raised with the member concerned; or
 - (b) to advise the member concerned about his or her future conduct; or
 - (c) to warn the member concerned; or
 - (d) to suspend the member concerned for such period as the appropriate officer shall think fair and reasonable, not to exceed 3 months after the Tribunal's decision; or
 - (e) any combination of any of the above or such further or other action under the member's contract of employment or terms of appointment as appears fair and reasonable in all the circumstances of the case.

Appropriate Officers

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

PART IV - REMOVAL FOR INCAPACITY ON MEDICAL GROUNDS

- (21) (1) This Part makes separate provision for the assessment of incapacity on medical grounds as a good cause for dismissal or removal from office.
- (2) In this Part references to medical grounds are references to capability assessed by reference to health or any other physical or mental quality.
- (3) In this Part references to the appropriate officer are references to the Vice-Chancellor or an officer acting as his or her delegate to perform the relevant act.
- (4) References to the member of the Academic Staff include, in cases where the nature of the alleged disability so requires, a responsible relative or friend in addition to (or instead of) that member.
- (22) (1) Where it appears that the removal of a member of the Academic Staff on medical grounds would be justified, the appropriate officer -
- (a) shall inform the member accordingly; and
- (b) shall notify the member in writing that it is proposed to make an application to the member's doctor for a medical report and shall seek the member's consent in writing in accordance with the requirements of the Access to Medical Reports Act 1988.
- (2) If the member shares that view the University shall meet the reasonable costs of any medical opinion required.
- (3) If the member does not share that view the appropriate officer shall refer the case in confidence, with any supporting medical and other evidence (including any medical evidence submitted by the member), to a Board comprising one person nominated by the Council; one person nominated by the member concerned or, in default of the latter nomination, by the Academic Board; and a medically qualified chairman jointly agreed by the Council and the member or, in default of agreement, to be nominated by the President of the Royal College of Physicians.
- (4) The Board may require the member concerned to undergo medical examination at the University's expense.

Termination of Employment

- (23) If the Board determines that the member shall be required to retire on medical grounds, the appropriate officer shall direct the Secretary General or his or her delegate to terminate the employment of the member concerned on those medical grounds.

PART V - APPEALS

Purpose of Part V

- (24) This Part establishes procedures for hearing and determining appeals by members of the Academic Staff who are dismissed or under notice of dismissal or who are otherwise disciplined.

Application and interpretation of Part V

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

- (d) to appeals against discipline otherwise than in pursuance of Part III; and
 - (e) to appeals against decisions reached under Part IV
- and “appeal” and “appellant” shall be construed accordingly.
- (2) No appeal shall however lie against -
 - (a) a decision of the appropriate body under paragraph 10 (2);
 - (b) the findings of fact of a Tribunal under paragraph 18 (1) save where, with the consent of the person or persons hearing the appeal, fresh evidence is called on behalf of the appellant at that hearing;
 - (c) any finding by a Board set up under paragraph 22 (3).
 - (3) In this Part references to “the person appointed” are references to the person appointed by the Council under paragraph 28 to hear and determine the relevant appeal.
 - (4) The parties to an appeal shall be the appellant and the Secretary General and any other person added as a party at the direction of the person appointed.

Institution of Appeals

- (26) A member of the Academic Staff shall institute an appeal by serving on the Secretary General, within the time allowed under paragraph 27, notice in writing setting out the grounds of the appeal.

Time for appealing and notices of appeal

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

Persons appointed to hear and determine appeals

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

Provisions concerning appeal procedures and powers

- (29) (1) The procedure to be followed in respect of the preparation, consolidation, hearing and determination of appeals shall be that set out in Ordinances made under this paragraph.

- (2) Without prejudice to the generality of the foregoing such Ordinances shall ensure -
- (a) that an appellant is entitled to be represented by another person, whether such person be legally qualified or not, in connection with and at any hearing of his or her appeal;
 - (b) that an appeal shall not be determined without an oral hearing at which the appellant, and any person appointed by him or her to represent him or her are entitled to be present and, with the consent of the person or persons hearing the appeal, to call witnesses;
 - (c) that full and sufficient provision is made for postponements, adjournments, dismissal of the appeal for want of prosecution and for the correction of accidental errors; and
 - (d) that the person appointed may set appropriate time limits for each stage (including the hearing itself) to the intent that any appeal shall be heard and determined as expeditiously as reasonably practicable.
- (3) The person or persons hearing the appeal may allow or dismiss an appeal in whole or in part and, without prejudice to the foregoing, may -
- (a) remit an appeal from a decision under Part II to the Council as the appropriate body (or any issue arising in the course of such an appeal) for further consideration as the person or persons hearing the appeal may direct; or
 - (b) remit an appeal arising under Part III for re-hearing by a differently constituted Tribunal to be appointed under that Part; or
 - (c) remit an appeal from a decision of the appropriate officer under Part IV for further consideration as the person or persons hearing the appeal may direct; or
 - (d) substitute any lesser alternative penalty that would have been open to the appropriate officer following the finding by the Tribunal which heard and pronounced upon the original charge or charges.

Notification of decisions

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

PART VI - GRIEVANCE PROCEDURES

Purpose of Part VI

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

Application

- (32) The grievances to which this Part applies are ones by members of the Academic Staff concerning their appointments or employment where those grievances relate -
- (a) to matters affecting themselves as individuals; or
 - (b) to matters affecting their personal dealings or relationships with other staff of the University,
- not being matters for which express provision is made elsewhere in this Statute.

Exclusions and Informal Procedures

- (33) (1) If other remedies within the department or other relevant areas have been exhausted the member of the Academic Staff may raise the matter with the Head of the department or other relevant area.
- (2) If the member of the Academic Staff is dissatisfied with the result of an approach under sub-paragraph (1) or if the grievance directly concerns the Head of the department or other relevant area, the member may apply in writing to the Vice-Chancellor for redress of the grievance.
- (3) If it appears to the Vice-Chancellor that the matter has been finally determined under Part III, IV or V or that the grievance is trivial or invalid, he or she may dismiss it summarily, or take no action upon it. If it so appears to the Vice-Chancellor he or she shall inform the member and the Grievance Committee accordingly.
- (4) If the Vice-Chancellor is satisfied that the subject matter of the grievance could properly be considered with (or form the whole or any part of) -
- (a) a complaint under Part III;
 - (b) a determination under Part IV; or
 - (c) an appeal under Part V
- he or she shall defer action upon it under this Part until the relevant complaint, determination or appeal has been heard or the time for instituting it has passed and he or she shall notify the member and the Grievance Committee accordingly.
- (5) If the Vice-Chancellor does not reject the complaint under sub-paragraph (3) or if he or she does not defer action upon it under sub-paragraph (4) he or she shall decide whether it would be appropriate, having regard to the interests of justice and fairness, for him or her to seek to dispose of it informally. If he or she so decides he or she shall notify the member and proceed accordingly.

Grievance Committee Procedure

- (34) If the grievance has not been disposed of informally under paragraph 33 (5), the Vice-Chancellor shall refer the matter to the Grievance Committee for consideration.
- (35) The Grievance Committee to be appointed by the Council shall comprise -
- (a) a Chairman; and
 - (b) one member of the Council not being a person employed by the University; and
 - (c) one member of the Academic Staff for the purposes of this Statute.

Procedure in connection with determinations; and right to representation

- (36) The procedure in connection with the consideration and determination of grievances shall be determined in Ordinances in such a way as to ensure that the aggrieved person and any person against whom the grievance lies shall have the right to be heard at a hearing and to be accompanied by a friend or representative.

Notification of decisions

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

ANNEX

Paragraph 3(1)(c)

PROVISIONS AS TO THE VICE-CHANCELLOR

1. The Council may request its Chairman to remove the Vice-Chancellor from office for good cause in accordance with the procedure described in this Annex.
 - (1) A complaint seeking the removal from office of the Vice-Chancellor for good cause may be made by not less than three persons being members of the Council to the Chairman of the Council.
 - (2) If it appears to the Chairman of the Council, on the material before him or her, that the complaint raises a *prima facie* case and that this could, if proved, constitute good cause for dismissal or removal from office he or she shall request the Council to appoint a Tribunal to hear and determine the matter.
 - (3) If it appears to the Chairman of the Council that a complaint made to him or her under sub-paragraph (1) does not raise a *prima facie* case or is trivial or invalid, he or she may recommend to the Council that no further action be taken upon it.
 - (4) When the Council has appointed a Tribunal under sub-paragraph (2) it shall instruct a solicitor or other suitable person to formulate a charge or charges and to present, or arrange for the presentation of, the charges before the Tribunal.
 - (5) A Tribunal appointed by the Council shall comprise:
 - (a) an independent Chairman;
 - (b) one member of the Council, not being a person employed by the University; and
 - (c) one member of the Academic Staff for the purposes of this Statute.
 - (6) Subject to the principles of justice and fairness the Tribunal may determine its own procedure.
 - (7) The Tribunal shall send its reasoned decision on any charge referred to it together with its findings of fact regarding the charge and its recommendations, if any, as to the appropriate penalty to the Chairman of the Council and to the Vice-Chancellor drawing attention to the period of time within which any appeal should be made.
 - (8) Persons appointed to hear such an appeal shall be persons independent of the University holding, or having held, judicial office or being barristers or solicitors of at least ten years' standing and the person so appointed shall, subject to the principles of justice and fairness, determine the procedure to be adopted in hearing the appeal.
 - (9) A person appointed shall send the reasoned decision on the appeal, together with any findings of fact different from those come to by the Tribunal and his or her recommendations, if any, as to the appropriate penalty, to the Vice-Chancellor and to the Chairman of the Council.
 - (10) Where a charge or charges have been upheld by the Tribunal and not dismissed on appeal, the Chairman of the Council shall decide whether or not to dismiss the Vice-Chancellor.
2. Where a complaint is to be referred to a Tribunal under this Statute, the Chairman of the Council may suspend the Vice-Chancellor from his or her duties and may exclude the Vice-Chancellor from the Central Administration Offices of the University without loss of salary and benefits.
3. "Good cause" in this Annex has the same meaning as in paragraph 5 of this Statute.

4. For the purpose of the removal of the Vice-Chancellor for incapacity on medical grounds, Part IV of this Statute shall have effect subject to the following modifications:-
- (a) for references to a member of the Academic Staff there shall be substituted references to the Vice-Chancellor;
 - (b) for any reference to the office of Vice-Chancellor there shall be substituted a reference to the office of Chairman of the Council;
 - (c) for paragraph (23) there shall be substituted -
 “(23) If the Board determines that the Vice-Chancellor should be required to retire on medical grounds, it shall ask the Chairman of the Council, as the appropriate officer, to decide whether or not to terminate the appointment of the Vice-Chancellor on those medical grounds.”

27. DELETED

28. THE ORDINANCES

- (1) In addition to all powers conferred by the Charter or the Statutes for Ordinances to provide for, or regulate, any matter, there shall, subject to the Charter and the Statutes, be power for Ordinances to provide for any matter for which it may be considered that provision ought to be made and for which no alternative procedure is prescribed by the Charter or the Statutes.
- (2) Any Ordinance made pursuant to the Charter and the Statutes may prescribe that any matter affected thereby may, or shall be, further regulated by Regulation or Standing Order.

29. DELETED

30. DELETED

31. PROCEDURE

Except to the extent that other provision is expressly made in the Charter or the Statutes, Ordinances may provide for any procedures relating to the conduct of the business of the Council, the Academic Board and other University committees.

32. THE SERVICE OF NOTICES AND DOCUMENTS

- (1) Any notice or document required by or for the purposes of the Statutes to be given or sent to a person may be given or sent personally or sent by post to him or her at his or her last address registered by the University.
- (2) Where a notice or other document is sent by post, service thereof shall be deemed to have been properly effected on the day following that on which it shall have been posted.

33. THE INTERPRETATION OF THE STATUTES

The Statutes shall be interpreted in such manner as not to conflict with the Charter.

34. TEMPORARY PROVISIONS

- (1) The arrangements for transferring powers and duties from the Council as constituted immediately before this Statute takes effect (“the Old Council”) to the Council as constituted by the Charter and Statutes (“the New Council”) shall be as directed hereunder.
 - (a) The Old Council shall continue and shall be the Council, exercising the functions, powers and duties bestowed upon the New Council by the Charter and Statutes until the first meeting of the New Council;
 - (b) As soon as practicable after this Statute takes effect all persons, authorities or bodies empowered by this Statute to appoint members of the New Council shall forthwith be informed of their rights and invited to appoint their representatives at the earliest possible date;
 - (c) As soon as practicable after sufficient appointments have been made under the preceding paragraph (b) so as to constitute a simple majority of the New Council, the first meeting of the New Council shall be convened whereupon the New Council shall assume all the powers and duties vested in it by this Statute. The business to be transacted at such meeting shall include:
 - (i) if thought fit, to co-opt not more than two persons as members of the New Council in accordance with paragraph (1)(c) of Statute 15.
 - (ii) to appoint members of committees of the New Council.
 - (iii) to confirm the status of committees established by the Old Council as committees of the new Council.
 - (iv) to approve and adopt such draft Ordinances as may have been made by the Old Council.

- (2) The arrangements for transferring powers and duties from the Academic Board as constituted immediately before this Statute takes effect (“the Old Academic Board”) to the Academic Board as constituted by the Charter and Statutes (“the New Academic Board”) shall be as directed hereunder:-
 - (a) the Old Academic Board shall continue and shall be the Academic Board, exercising the functions, powers and duties bestowed upon the New Academic Board by the Charter and Statutes, until the first meeting of the New Academic Board;
 - (b) as soon as practicable after this Statute takes effect all persons, authorities or bodies empowered by this Statute to appoint members of the New Academic Board shall forthwith be informed of their rights and invited to appoint their representatives at the earliest possible date;
 - (c) as soon as practicable after sufficient appointments have been made under the preceding paragraph (b) so as to constitute a simple majority of the New Academic Board, the first meeting of the New Academic Board shall be convened whereupon the New Academic Board shall assume all the powers and duties vested in it by this Statute. The business to be transacted at such meeting shall include:
 - (i) to establish the committees of the New Academic Board;
 - (ii) to appoint members of the committees of the New Academic Board.

- (3) Regulations relating to the Old Academic Board shall continue to have effect in relation to the New Academic Board.