



DCU Statute No. 4 of 2001

Dispute Resolution Procedure

While recognising that DCU is unionised and that a comprehensive agreement exists between the University and SIPTU which covers the normal industrial relations procedures, and acknowledging that structures exist to address issues of academic freedom and student matters, the following process will be available under the governance of the Universities Act 1997. This process will be utilised only in exceptional cases and for disputes which are outside the remit of the normal industrial relations procedures or the structures referred to above

THIS STATUTE is made by the Governing Authority of Dublin City University (hereinafter called the "Governing Authority") pursuant to the powers conferred on it by Section 33 of the Universities Act 1997.

1. The purpose of this Statute is to establish procedures under Section 26 of the Universities Act 1997 for the resolution of disputes which arise in the University between members of the University and every person who is:
 - a member of the staff of the University;
 - a registered student of the University; or
 - within any other category of persons in the University as may from time to time be specified by regulation or resolution of the Governing Authority

Shall be regarded as a member of the University for the purpose of this Statute

- 2. A Dispute Resolution Committee (hereinafter called "the Committee") shall be established to hear any disputes between members of the University (other than those which may be disposed of informally or which are required by Governing Authority to be adjudicated upon by the appropriate body established by the University to deal with industrial relations issues, academic affairs or student discipline) and a member of the University may refer any such dispute to the Committee.
- The Committee shall, save as herein provided, comprise:
 - the Secretary for the time being of the University who shall act as chairman of all Committee meetings;
 - Two members of the permanent academic staff of the University elected by Academic staff.

- Two members of the staff of the University not covered by 3(b) elected by said group of staff.
- In the event that the University Secretary is a party to any dispute referred to the Committee he/she shall in such case be replaced by the Registrar of the University who shall act as Chairman at all Committee meetings relating to such dispute. Should any other member of the Committee be a party to any dispute referred to the Committee he/she shall be replaced by an alternate who shall be nominated by the nominator of the original Committee member.
- The members of the Committee may meet together for the despatch of business, adjourn and otherwise regulate their proceedings as they deem fit. Questions arising at Committee meetings shall be decided by a majority of votes. Where there is an equality of votes, the Chairman of the meeting shall have a second or casting vote.
- The Committee shall be entitled to engage such external professional advisors in any case and in such manner as it sees fit in order to assist the Committee or provide advice in relation to any matters referred to the Committee.
- The members referring an issue to the Committee shall provide the Committee with a comprehensive written account of the relevant facts and circumstances of the dispute. The committee shall, in the first instance, review this account and decide whether the matter referred to it is one which should properly be dealt with by the Committee. In making this decision the Committee may ask for statement(s) in writing or other written particulars as it may require from the parties to the dispute or from any other parties concerned. The Committee may also require individuals to appear before it. If the Committee is of the opinion that the dispute is not one which falls within its remit or that it should be referred to another forum, it shall so direct
- Where the Committee is satisfied that the matter referred to it is properly within its remit, it will call all parties to the dispute to appear before it and shall hear an account of the incident from the parties to the dispute. All parties appearing before the Committee shall be entitled to be accompanied by a friend or other representative acceptable to the Committee.
- After hearing the parties, the Committee shall deliberate on the matters in issue and inform the parties to the dispute of its recommendation for the resolution of the dispute. The Committee shall produce a written report to University Executive.
- If any party to the dispute is dissatisfied with a direction or recommendation of the Committee they shall have the right to appeal to such independent person or persons as the President of the University shall nominate to hear the dispute. The member(s) of the University who referred the dispute to the Committee and/or exercised the right of an appeal pursuant to the provisions hereof shall be bound by the decision of such



independent person or persons. The person or persons nominated to hear the dispute shall produce a written report to Executive.

- The procedures set out in Section 5, 6, 7, 8 and 9 above shall apply, mutatis mutandis, to all appeals to such independent person or persons as the President of the University shall nominate to hear the dispute.
- All hearings pursuant to these procedures shall be held in private. No person shall be entitled to attend a hearing before the Committee, or any independent person or persons nominated by the President as a foresaid, without leave of the Committee or such person(s) as the case may be.
- This Statute may be cited as Statute number 4 of 2001, Dublin City University.
- This Statute shall come into operation of the 22nd day of February 2001.

Present when the seal of Dublin City University was affixed hereto:

Signed: _____

Dr. T P Hardiman
Chancellor

Signed: _____

Prof. Ferdinand von Prondzynski
President

Document Name	DCU Statute No. 4 of 2001	
Version Reference	N/a	
Document Owner	Chief Operations Officer	
Approved by	Governing Authority	
Date	22nd February 2001	