

Attendance Policy: The Senate and Standing Committees of the Senate

October 2017

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Responsible Office:	Governance and Legal Services

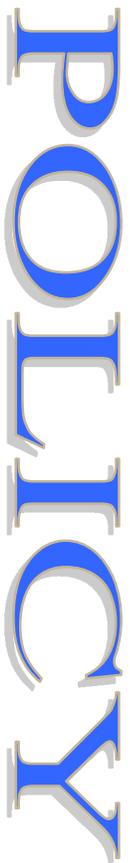
POLICY

Attendance Policy: The Senate and Standing Committees of the Senate

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1.0 Introduction

- 1.1.1 This Policy sets out the requirements and expectations with respect to the attendance of members at meetings of the Senate and the Standing Committees of the Senate.
- 1.1.2 Nothing in this Policy shall be interpreted in a way that is contrary to the Charter, Statutes, and Ordinances. The Charter, Statutes, and Ordinances shall have primacy should this Policy be found to be in any respect contrary to the Charter, Statutes, or Ordinances.
- 1.1.3 The Principal and Vice-Chancellor shall have the final say on all questions as to the interpretation of this Policy.

2.0 General Matters

2.1 Purpose of the Policy

- 2.1.1 The Court delegates to the Senate all of its powers in relation to academic work and standards so that, subject to the terms of the Charter and the Statutes and to the powers reserved to the Court, the Senate is the principal body responsible for the academic work and standards of the University.
- 2.1.2 The effectiveness of the Senate in fulfilling its responsibilities to the Court is dependent on the active participation of Senators both during and outside meetings. The Standing Committees of the Senate are similarly dependent on the consistent contribution of committee members.
- 2.1.3 Serving on the Senate or one of its Committees is a privileged opportunity to contribute to the good governance and continued success of the University. A key element of the privilege of membership is that all Senators and members of Committees should actively participate in a high proportion of meetings.
- 2.1.4 However, it is recognised that other commitments and changing circumstances can make full attendance difficult for some members. Therefore, in order for members individually and collectively to discharge their responsibilities to the governance of the University, this policy states that individual members of the Senate should attend at least **three** of the **five** ordinary meetings per academic year; and that members of the Standing Committees should attend at least **sixty percent** of the ordinary meetings per academic year (or nearest whole number equivalent).

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- 2.1.5 The policy is intended to encourage and facilitate participation of members and enable any potential attendance problems to be raised – and solutions found – in a supportive manner.

2.2 Accountability

- 2.2.1 The Principal and Vice-Chancellor shall be responsible for the effective working, management, and good order of the University in accordance with the Charter and Statutes and such powers as are delegated by the Court.
- 2.2.2 The Principal and Vice-Chancellor shall be responsible for ensuring that members understand requirements and expectations with regards to attendance at meetings as specified in this Policy.

2.3 Approval and Maintenance of the Policy

- 2.3.1 The Senate shall approve this Policy.
- 2.3.2 The Senate Committee for Interim Business and Effectiveness shall every three years review this Policy in terms of its currency and effectiveness and ensure that it is published in accordance with the University publication scheme.
- 2.3.3 The Principal and Vice-Chancellor may approve amendments to this Policy not affecting its substance provided that the amendments are reported to the Senate Committee for Interim Business and Effectiveness at its next ordinary meeting. Amendments affecting the substance of this Policy shall require the approval of the Senate Committee for Interim Business and Effectiveness.

2.4 Related Policies

- 2.4.1 This Policy should be read with the Charter, Statutes, and Ordinances. In particular, terms used in this Policy shall have the definitions given in the Charter, Statutes, and Ordinances unless indicated otherwise.
- 2.4.2 This Policy should also be read with the following related policies:
- a. The Senate: Standing Orders; and
 - b. The Standing Committees of the Senate: Standing Orders.

3.0 Scope of the Policy and Definitions

3.1 Scope of the Policy

- 3.1.1 This Policy applies to the Senate and its Standing Committees, as well as any sub-committees and any short-life working groups. References in the text to 'member', 'chair' and 'clerk' applies to the appropriate person in all of these bodies.

3.2 Definitions

- 3.2.1 The terms used in this Policy shall have the following definitions:

Attendance Issue

- 3.2.2 The Senate normally has five meetings in a Session. An attendance issue shall be deemed to arise when a member:

- a. has consecutive and/or non-consecutive absences amounting to more than **two** out of **five** ordinary meetings in the annual committee cycle (committees with more than five meetings per Session should scale up accordingly); or
- b. has two **consecutive un-notified** absences; or
- c. gives cause for the Chair to be concerned over partial attendance¹.

Notified Absence

- 3.2.3 An absence is treated as notified when the member has informed the Clerk in advance of the meeting that they will be absent. If a member is absent due to unforeseen circumstances such as illness or emergency, the absence also qualifies as notified if the member reports the reason to the Clerk as soon as reasonably possible.

Un-Notified Absence

- 3.2.4 If a member misses a meeting and does not inform the Clerk in advance (or, in the case of unforeseen emergency, soon after the meeting), this is treated as an un-notified absence.

¹ Any absences that occur because of circumstances that fall under the 'Protected Characteristics' as defined in the Equality Act (2010) shall not be counted as giving rise to an attendance issue for the purposes of this Policy.

Partial Attendance

- 3.2.5 Business and personal commitments can result in some members having to arrive late at meetings and/or leave before the meeting concludes. As a courtesy, any member having to arrive late and/or leave at a specific time should inform the Chair (via the Clerk) before the meeting.
- 3.2.6 Where partial attendance is found to be a recurring issue for any member, the Chair should instigate a discussion with the member so that concerns can be raised and possible solutions explored. The intention of that discussion would be to find ways for the member to properly fulfil their membership responsibilities. The Chair should take into account the circumstances at each meeting, e.g. if meetings have taken significantly longer than could have been anticipated, and/or if the meetings have extended past the reasonable working hours for members (being mindful of members participation from campuses in different time zones).
- 3.2.7 If the circumstances are genuinely beyond the member's control, the Chair may condone frequent partial attendance. If, however, the Chair considers that frequent instances of partial attendance impinge on a member's ability to properly fulfil their membership responsibilities, then the Chair can decide that it forms an attendance issue and can commence remedial action accordingly.

Ordinary Meetings

- 3.2.8 An ordinary meeting is a meeting in the agreed annual schedule. Where a date is changed or an extraordinary meeting added to the schedule, members' individual circumstances are taken into account, and absences do not contribute towards an 'attendance issue'.

Long-Term Absence

- 3.2.9 Staff on sabbatical leave or leave of absence normally have any committee memberships held in abeyance for their period of leave. Any meetings missed during such a period would not, therefore contribute towards an 'attendance issue'. It is the member's responsibility to inform the Clerk of the start and end dates of any period of agreed long-term absence.

Categories of Member

3.2.10 Members can be designated:

- a. *ex-officio* – that is, they hold a specific position that is included in the composition of the Senate/committee;
- b. *elected* – that is, normally having been elected from a particular constituency for a set term of office;
- c. *appointed* – that is, normally chosen by the Senate to serve on a particular Committee for a set period; or
- d. *co-opted* – that is, normally invited by a Committee to join it for a set period.

Persons in Attendance

- 3.2.11 Persons in attendance are non-members who are invited to attend meetings in order that they can inform discussions if invited to do so, and/or so that they can hear at first hand matters being considered and so assist with the conduct of their role. The persons normally in attendance participate in meetings on an on-going basis and are usually designated by their role in the Terms of Reference.

Observers

- 3.2.12 The Senate and/or any of its Committees may invite persons to observe meetings. Observers are invited at the discretion of the respective Chair, and can attend as a one-off, infrequently from time to time, or on an on-going basis. It is normally expected that observers do not participate in discussions.

4.0 Responsibilities

4.1 General Responsibility

- 4.1.1 All participants in meetings have responsibilities with regard to maintaining good attendance at meetings and participation in the business of the Senate and/or its Committees.

4.2 Chairs

- 4.2.1 The Chairs – assisted by the Clerks – share responsibility with the Secretary of the University for the effective operation of the Senate and each committee. This includes managing attendance levels and ensuring the effective implementation of this Policy.
- 4.2.2 When considering any actions that may affect the continuing membership of any member, the Chair should seek advice from the Secretary of the University.

4.3 Members

- 4.3.1 Individual members need to maintain a high level of attendance – at least **sixty percent** of meetings.
- 4.3.2 Whenever members are unable to attend a meeting, they must notify the Clerk, giving as much notice as possible.
- 4.3.3 This courtesy is especially important for any members who have been assigned work to undertake in advance of a meeting.

4.4 Clerks

- 4.4.1 The Clerk of each Committee:
 - a. maintains records of attendance at meetings (and publishes these in the minutes);
 - b. prepares annual reports of attendance and reports these to the Senate; and
 - c. in the course of the year, bring any concerns on participation levels to Chairs and, if necessary, to the Secretary of the University.
 - d. assists the Chair with any necessary preventative and/or remedial actions.

5.0 Attendance Issues

5.1 General Expectation

- 5.1.1 If a member presents an attendance issue (as defined in 3.2.2 above), their ability and/or commitment to serve as a member could be called into question. Accordingly it is appropriate for the Chair and the Clerk to take action – along with the member – to try to prevent an issue occurring; and then to seek to resolve the issue if it occurs.

5.1.2 This Policy seeks to enhance academic governance by supporting optimum engagement from individual Senators and members of the Standing Committees of the Senate. This Policy is to be implemented in a supportive manner.

5.1.3 To try to prevent a member's attendance level falling below the required levels, the procedure as described below shall apply.

5.2 Prevention (Applies to All Members)

5.2.1 The Clerk will write to a member regarding their attendance when that member:

- a. is approaching the sixty percent threshold of meeting attendance set by this Policy, and one further absence in the academic year will cross the threshold.

5.2.2 In writing to the member, the Clerk:

- a. gives a reminder of the importance of consistent participation, and lays out the provisions of this Policy as they apply to that member; and
- b. invites the member to explain to the Chair the circumstances surrounding their absences, and any concerns the member has over their ability to fulfil their membership responsibilities. This can be via face-to-face discussion or via electronic means.

5.2.3 The aim of the Chair's discussion with the member is to determine any assistance that can be given, and whether a resolution can be reached. Full consideration will be given to:

- a. the individuals' personal and professional circumstances and commitments, ensuring that due regard is paid to equality considerations;
- b. ensuring that the right of all participants to privacy in these discussions is respected; and
- c. the member's pattern of attendance in any preceding years of membership is taken into account.

5.2.4 Discussion outcomes are guided as follows:

- a. if the circumstances are agreed to be exceptional, or temporary, or where the absences fall under the Equality Act 2010, no further action is required other than future attendance continues to be monitored in the terms of this Policy; or
- b. if the circumstances are agreed to be likely to persist, with no acceptable resolution likely in the near future, then the member is advised that remedial action will be required should the attendance threshold be crossed.

6.0 Remedial Action

6.1 Requirement for Remedial Action

6.1.1 Remedial action is required when a member presents an attendance issue (as defined in 3.2.2 above)

6.1.2 The remedial actions detailed below take account of the different categories of members of Senate and its committees:

- a. elected members of the Senate;
- b. appointed Members of Senate Committees; and
- c. ex-officio Members of the Senate and of Senate Committees.

6.2 Remedial Action for Elected Members of the Senate

Deferral

6.2.1 The Chair of the Senate can defer remedial action in anticipation of the member's future participation being at the acceptable level.

Short-Term Solution

6.2.2 If deferral is not deemed appropriate, or if the attendance issue persists, the Chair asks the member if they wish a temporary condoned period of absence. The electing body is to be informed of such a development. No replacement member would be sought at this time.

Longer-Term Solution

- 6.2.3 If the attendance issue continues to persist, the Chair of the Senate can decide that this constitutes 'good cause' for removal of the member from membership of the Senate. The Chair therefore informs the member of the intention to remove them from membership and offers the member the opportunity to be heard in person by the Senate.
- 6.2.4 If the member does not take up the opportunity to be heard in person by the Senate, the person ceases to be a Senator with immediate effect, and the vacancy is filled in accordance with the Ordinance.
- 6.2.5 Should the member wish to be heard in person by the Senate, there shall be a brief opportunity at the next available meeting. One of the following outcomes shall apply:
- a. should the Senate uphold the decision to remove the member from membership, the person ceases to be a Senator with immediate effect, and the vacancy is filled in accordance with the Ordinance; or
 - b. should the Senate not uphold the decision, the member shall continue in membership of the Senate.
- 6.2.6 Any person, having been removed from membership of the Senate cannot seek re-election until the remainder of their original term of office has elapsed.

6.3 Remedial Action for Appointed Members of Senate Committees

Deferral

- 6.3.1 The Chair of the Senate Committee can defer remedial action in anticipation of the member's future participation being at the acceptable level.

Short-Term Solution

- 6.3.2 If deferral is not deemed appropriate, or if the attendance issue persists, the Chair asks the member if they wish a temporary condoned period of absence. The appointing body would be informed of such a development, and a short-term replacement may be sought at the Chair's discretion.

Longer-Term Solution

- 6.3.3 If the attendance issue continues to persist, the Chair of the Committee can decide that this constitutes 'good cause' for removal of the member from membership of the Committee. The Chair therefore informs the member of the intention to remove them from membership and offers the member the opportunity to be heard in person by the Committee.
- 6.3.4 Should the Committee uphold the decision to remove the member from membership, the person ceases to be a member with immediate effect, and the appointing body is asked to appoint a replacement.
- 6.3.5 The appointing body shall not reappoint the individual to the committee until a period at least equivalent to the remainder of the original term of office has elapsed.

Right of Appeal

- 6.3.6 Any appointed member of a committee who is subject to any remedial action has the right to appeal to the Chair of the appointing body (via the Clerk to that body).

6.4 Remedial Action for Ex-Officio Members of the Senate and Senate Committees

Deferral

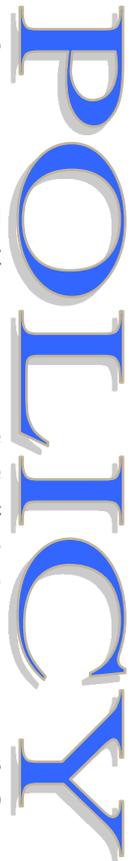
- 6.4.1 The Chair of the Senate (or Senate Committee) can defer remedial action in anticipation of the member's future participation being at the acceptable level.

Short-Term Solution

- 6.4.2 If deferral is not deemed appropriate, or the attendance issue persists, the Chair raises the matter with the post-holder's line manager to seek an improvement (e.g. for the holder of a specific post in a School, the Head of School would be notified). For an ex-officio member with no line-manager, the appointing body will be notified.

Longer-Term Solution

- 6.4.3 If the attendance issue continues to persist the Chair again raises the matter with the post-holder's line manager / appointing body to seek an improvement.



7.0 Other Matters

7.1 Attendance by Non-Members at Senate and Standing Committees

7.1.1 Colleagues who are 'normally' in attendance at meetings are expected to exercise the same courtesy as members in notifying the Clerk of non-attendance, and should they present an attendance issue, they are subject to the same actions as an ex-officio member (i.e. the line manager informed to seek improvement, and their on-going attendance given consideration).

7.2 Remote Participation in Meetings

7.2.1 Since the University operates over campuses on different continents, it is the norm for meetings to include, via remote means, those participants who are based on campus(es) away from the meeting location.

7.2.2 A member participating in a meeting remotely by way of video or audio conferencing or other means which enables that member to speak to each of the others, and to be heard by each of the others simultaneously, shall be accounted for as being present.

7.2.3 Notwithstanding this provision, unless travel is prohibitive, members are expected to attend meetings in person wherever possible.

7.3 Policy Implementation

7.3.1 This Policy is to be implemented in a supportive manner.

7.3.2 This Policy will be publicised widely so that the University community can be familiar with its provisions. New members are given the Policy on appointment and/or during induction by the relevant Clerk, and/or the Secretary of the University. Chairs and Clerks shall remind members of the Policy at the first ordinary meeting of each annual cycle of meetings.

7.3.3 All decisions shall be taken at the discretion of the Chair. However advice must be sought from the Secretary of the University before embarking on a course of action that may result in the removal of membership from any member.

7.3.4 All decisions made under this Policy are reported to the next meeting of the Senate/Committee, and are logged in the annual report to the parent body.

7.3.5 Details of discussions between a Chair and a member shall remain confidential.

7.4 Attendance Monitoring

- 7.4.1 The Senate and each of its committees submits an annual summary of the attendance record of individual members to the Senate Committee for Interim Business and Effectiveness. As such, the information is published under the Freedom of Information (Scotland) Act 2002. Sub-committees and any short-lived working groups report to the appropriate 'parent' body.
- 7.4.2 The Senate Committee for Interim Business and Effectiveness shall annually review the collated data on attendance at Senate and its Standing Committees. The Senate Committee for Interim Business and Effectiveness shall review the effectiveness of this Policy every three years (from the date of its approval), and report to the Senate.

8.0 Definitions

- 8.1.1 Terms used in this Policy shall have the definitions given in the Charter, Statutes, and Ordinances unless indicated otherwise.

<i>Academic Staff</i>	means those Staff defined as academic Staff in the Statutes
<i>Charter</i>	means the Charter of the University
<i>Court</i>	means the Court of the University
<i>Head of School</i>	means the executive manager and leader of a School
<i>Ordinances</i>	means Ordinances made under the Charter and Statutes
<i>Principal and Vice-Chancellor</i>	means the Principal and Vice-Chancellor and Chief Accounting Officer and Chief Executive Officer of the University
<i>School</i>	means any primary academic unit of the University devoted to one or more academic disciplines
<i>Secretary of the University</i>	means the Secretary to the Court and Chief Operating Officer of the University
<i>Senate</i>	means the Senate of the University as defined in the Charter

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<i>Staff</i>	means all persons employed by the University or by any member of the Heriot-Watt Group
<i>Statutes</i>	means the Statutes of the University
<i>Student</i>	means a person following a programme of study of the University including taught and research programmes
<i>Vice-Principal</i>	means the Vice-Principal and Deputy Vice-Chancellor

9.0 Further Help and Advice

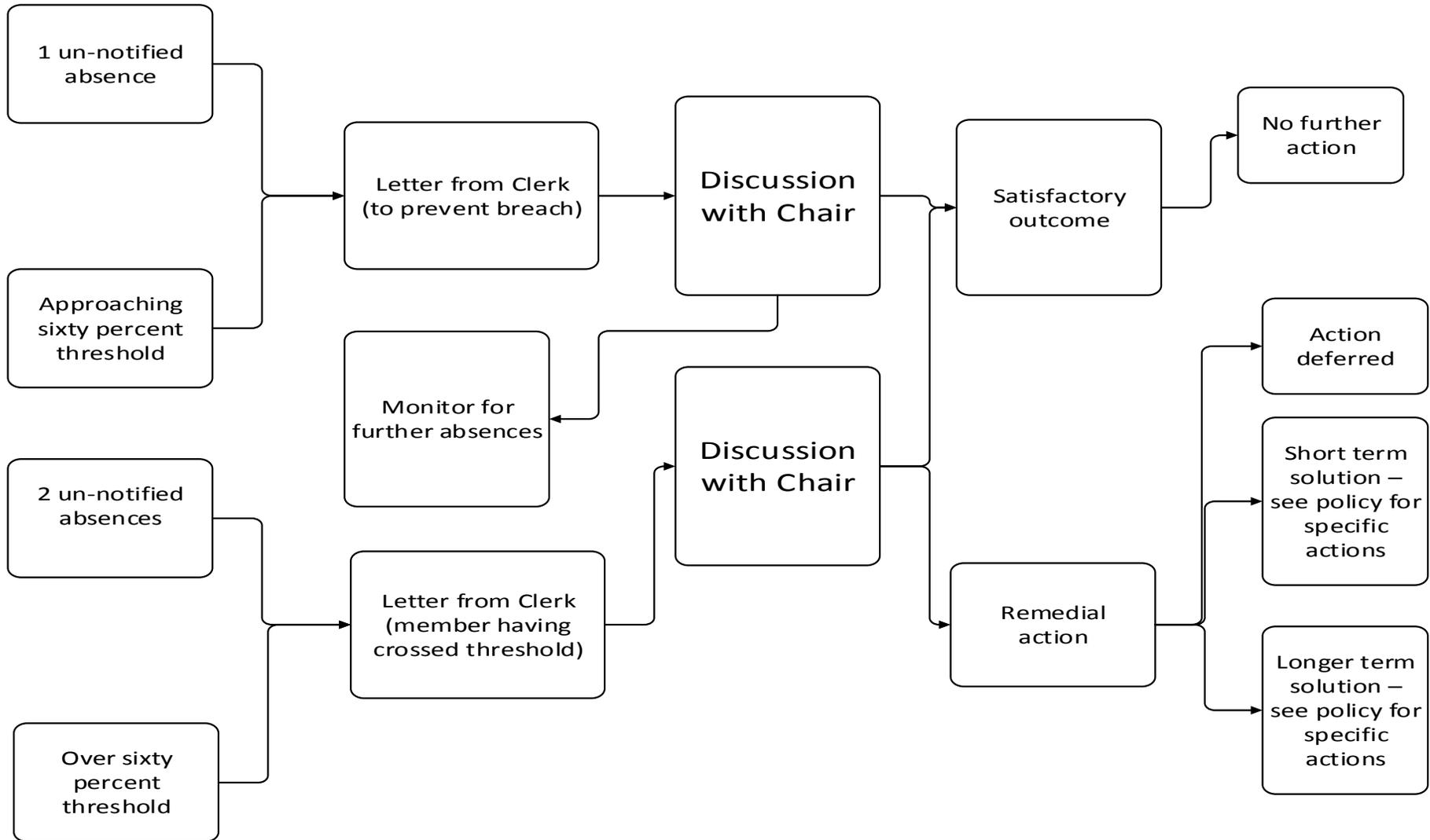
- 9.1.1 Members can gain further advice or support on matters related to this Policy from the respective Chair and/or Clerk, and/or the Secretary of the University.
- 9.1.2 The responsible office for this Policy shall be Governance and Legal Services.
- 9.1.3 Further enquiries regarding this Policy should be addressed to Governance and Legal Services – please email secretariat@hw.ac.uk

10.0 Policy Version and History

Authors:	John McDermott, Officer to the Secretariat; Brett Dodgson, Officer to the Secretariat
Date of Original Approval:	Approved by the Senate 4 October 2017;
Last Amended:	4 October 2017
Date of Next Review:	The Senate Committee for Interim Business and Effectiveness shall periodically review this Policy in terms of its currency and effectiveness

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Appendix One – Attendance Issues Flow Chart



Appendix Three – Template for Message from Clerk to Senator/Committee Member to Prevent Breach

Email subject: Attendance Policy for Senators and Committee Members

cc-ed: Chair of Senate/Committee
Secretary of the University
Clerk of Senate

Dear (Senator or Committee Member)

I email in connection with the above policy and your role as a Senator/Committee Member.

As you will be aware I contact Senators/Committee members before a breach of the attendance policy occurs – this is detailed in paragraph 5.1 of the Policy which I have attached for your convenience.

From the minutes and attendance records of Senate/Committee you are close to breaching the policy as you have had (delete as appropriate) **one un-notified** absence or you are close to breaching the policy as you are approaching the **sixty percent threshold** of meeting attendance set by the Attendance Policy, and one further absence in the academic year will cross the threshold.

I would like to remind you that a key element of the privilege of membership is that all Senators/members of Committees should actively participate in a high proportion of meetings. We recognise that competing commitments and changing circumstances can make 100% attendance difficult for some (Paragraph 1 of the Policy).

The Chair, (insert details) of (the Senate/Committee) will be in contact to follow-up this message and to discuss the circumstances surrounding your absence.

In the meantime, if you have any questions concerning this email or the Attendance Policy please do not hesitate to contact me and/or the Chair of the Senate/Committee

Kind regards

(Clerk of the Senate/Committee)

Appendix Four – Chair’s Checklist for Discussion with Senator/Committee Member re: Attendance Issues

Attendance issues regarding:	(Senate/(name) committee)
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Name:	(Senator/committee member)
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BEFORE MEETING:

Date of email from Clerk:	
Date of initial communication by Chair:	
Form of communication:	
Details of any further communication:	

THE MEETING:

Date of meeting:	(if taking place)
Attendees:	

Issues for discussion:		
1. Nature of issue to be addressed		
2. Pattern of attendance in previous years		
3. Reasons behind the issue e.g.		Potential Resolution
<ul style="list-style-type: none"> Professional circumstances? 		
<ul style="list-style-type: none"> Personal circumstances? 		
<ul style="list-style-type: none"> Other issues? 		

Agreed outcomes:	
No further action is required	(yes/no)
Remedial action	(give details)

Signed:	(Chair of the Senate / Committee)
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NB Under the Data Protection Act (1998), the information on this form must be kept confidential and used solely for the purposes of the Senate and Senate Committee Attendance Policy.