

Dispute Resolution Committee ***Extract from the Principal Statute***

H.1. Dispute resolution procedures.

H.2.a. Purpose of procedures. The procedures hereby established by the Governing Body in accordance with the Act are for the resolution of disputes which may arise in the University, other than disputes which are dealt with through industrial relations structures operating in the University, or appeals by students relating to the results of examinations, and other matters for which express provision is made by the University.

H.2.b. The Governing Body shall appoint a Disputes Resolution Committee whose terms of reference shall be to report to Governing Body on measures to resolve disputes arising in the University which fall within its remit.

H.2.c Reference of an issue. An employee or student member of the University may refer an issue for resolution under these procedures, but only after every effort has been made to resolve the dispute using other established procedures. Notice of referral shall be served on the Corporate Secretary.

H.2.d. Assessment Panel: Appointment. Within 21 days of receipt of referral, the University shall appoint an Assessment Panel, which shall comprise three members, appointed by the President.

Should the President be a party to the dispute, or otherwise involved in an earlier attempt to resolve it, the Assessment Panel shall be appointed by a person nominated by the Chairperson of the Governing Body.

H.2.e. Assessment Panel: Procedure. The University member referring an issue shall submit a statement in writing to the Assessment Panel, containing:

- (1) an account of the relevant facts and circumstances of the dispute,
- (2) information sufficient to enable the Assessment Panel to determine whether the matter is one which falls within the remit of the Dispute Resolution Committee described below, and
- (3) an account of the processes within the University which have been used to endeavour to resolve the dispute.

H.2.f. Assessment Panel: Determination. The Assessment Panel shall determine whether the dispute falls within the remit of the Dispute Resolution Committee, and in the light of that determination may:

- (1) Refer the dispute to that Committee, or
- (2) Declare that the dispute is not one which falls within the remit of the dispute resolution procedure, or should be referred to another forum.

H.2.g. Dispute Resolution Committee: Membership. The members of the Dispute Resolution Committee shall not be members of the University. The membership shall comprise:

- (1) a Chair nominated by the Governing Body;
- (2) a second member nominated by the Governing Body; and
- (3) a member who shall be a nominee of the Chancellor of the National University of Ireland.

H.2.h. Dispute Resolution Committee: Procedures. The members of the committee shall meet, adjourn and otherwise regulate their proceedings as they deem fit, subject to the following rules:

- (1) The quorum for all meetings shall be two members. Questions arising shall be decided by majority vote (or, if only two members are present, by unanimous decision).
- (2) All hearings before the committee shall be held in private, and no person shall be entitled to attend a hearing before the committee without the committee's leave.
- (3) The committee shall have before it the written submission which will have been considered by the Assessment Panel. The committee shall, in the first instance, review this statement. It may seek an additional statement or statements from the University members involved, and/or may seek statements from any other parties to the dispute or from any other parties whom the committee considers may be concerned.
- (4) The committee shall call all parties to the dispute to appear before it (by whatever means appear to the committee to be appropriate), and shall hear an account of the matter from each party to the dispute. A party appearing before the committee shall be entitled to be accompanied by a friend or colleague, or any other representative acceptable to the committee.

- (5) Refusal or failure of any party to attend the proceedings or to comply with any time limits determined by the committee shall not invalidate the proceedings, which may, at the discretion of the committee, continue upon evidence that all other procedures stipulated by the statutes have been properly followed.
- (6) The committee shall consider all the evidence, oral and written, presented to it and may, if it sees fit, seek further information, by way of oral or written evidence, from members of the University and from others, as it deems fit.
- (7) The committee shall be entitled to seek such external professional advice as it deems necessary from the professional advisors to the University or others.
- (8) If, at any stage during the hearing of matters relating to the dispute, the parties to the dispute voluntarily agree measures to resolve the dispute, they shall so inform the committee and, if the committee approves the measures agreed upon by the parties to the dispute, it shall terminate consideration of the dispute.

H.2.i. Dispute Resolution Committee: Recommendations. After due deliberation, the committee may:

1. conclude that the matter[s] in dispute cannot be resolved through the process; or
2. provide a report to the Governing Body as to the resolution of the dispute

The committee shall report accordingly to Governing Body which will make a final determination on the matter[s].