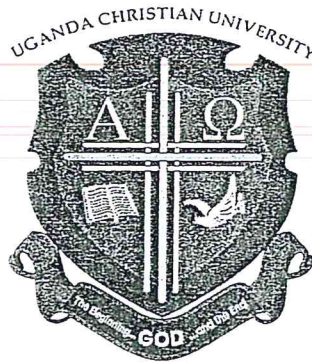


UGANDA CHRISTIAN UNIVERSITY

STAFF TRIBUNAL RULES OF PROCEDURE



A Centre of Excellence in the Heart of Africa

Schedule

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|-------------------------------------|--|
| Title | The Rules of Procedure for Uganda Christian University Staff Tribunal |
| Policy Lead Contact | Chairman – Staff Tribunal |
| Date of approval | 1 December 2011 |
| Approving Body | Staff Tribunal |
| Revisions | |
| This version No. | 0.1 |
| Policy linkage | <ul style="list-style-type: none">o Instruments of Identityo UCU Staff & Employee Handbookso Staff Code of Conducto Statute on Student & Staff Discipline |
| Review interval | Three (3) years |
| Staff Tribunal Chairman's Signature | <i>Abakubinga</i> |

UGANDA CHRISTIAN UNIVERSITY STAFF TRIBUNAL

THE RULES OF PROCEDURE OF UGANDA CHRISTIAN UNIVERSITY STAFF TRIBUNAL MADE UNDER SECTION 15 (3) (B) UGANDA CHRISTIAN UNIVERSITY STAFF CODE OF CONDUCT AND SECTION 2 (2) OF THE STATUTE ON STUDENT AND STAFF DISCIPLINE (ADOPTED ON THE 1st DAY OF DECEMBER, 2011)

Entry into force on the 1st day of December, 2011

Rule I

General:

1. These Rules of Procedure shall apply to the Staff Tribunal of Uganda Christian University (hereinafter referred to as the "Tribunal") and shall be known as the Rules of Procedure of the Tribunal (hereinafter referred to as the "Rules").
2. The Rules shall principally be subject to the provisions of:-
 - a) The Uganda Christian University Instruments of Identity;
 - b) The Uganda Christian University Staff and Employee Handbooks;
 - c) The provisions of Uganda Christian University Staff Code of Conduct;
 - d) The Statute on Student and Staff Discipline.

Rule II

The working language of the Tribunal shall be English.

Rule III

The Secretariat:

Under authority of the Chairperson, the Secretariat which is headed by the Human Resource Manager shall:-

- a) Receive complaints instituting proceedings and related documentation of the case;
- b) Be responsible for transmitting all documents and making all notifications required in connection with cases before the Tribunal; these shall be made well in advance;
- c) Make for each case a dossier which shall record all actions taken in connection with the case, the dates thereof, and the dates on which any document or

notification forming part of the procedure are received in or dispatched from the Tribunal;

- d) Attend all meetings and hearings of the Tribunal;
- e) Prepare and keep the minutes of these hearings and meetings of the Tribunal.

Rule IV

Institution of Proceedings:

- 1) Complaints shall be made in writing and signed by the complainant to the Tribunal through the Secretariat who shall acknowledge receipt.
- 2) The complainant shall attach as annexes all documents cited in the complaint and any other necessary evidence in support of his/her complaint.
- 3) The Secretariat shall within seven (7) working days from the day of receipt of a complaint transmit to the accused, a copy of the complaint and summon him/her to submit a written defence to the complaint to the Secretariat.
- 4) The Secretariat shall serve a copy of the complaint and summons to file a defence to the Supervisor of the accused.
- 5) The accused shall within ten (10) working days from the day of receipt of the complaint file a written defence to the complaint.
- 6) The Secretariat shall without delay transmit to the Chairperson of the Tribunal a copy of the complaint and the defence.
- 7) The Chairperson of the Tribunal shall in consultation with the Human Resource Manager other technical staff of the University, decide whether in light of the defence and the evidence on record, the complaint raises a prima facie case against the accused warranting a Tribunal hearing.
- 8) The Chairperson of the Tribunal shall have the discretion to refer the case to be resolved by at the Faculty or Departmental level and shall inform the Tribunal accordingly within ten (10) working days.
- 9) Where the Chairperson of the Tribunal sanctions a case to be heard by the Tribunal, the Secretariat shall draft a charge sheet stating the offence (s) committed and the particulars of the offence (s). In such instances, all line managers up to the Deputy Vice Chancellor responsible for the accused shall be informed in writing by copy of the charge sheet to each of them.
- 10) The Secretariat shall serve on the accused the charge sheet and summons requiring him/her to appear before the Tribunal at least seven (7) days before the sitting of the Tribunal.

- 11) The Tribunal shall endeavour to complete the judgement on each case within two (2) calendar months after the hearing.
- 12) All appeals to the Tribunal shall follow the procedures laid out in the Statute on Student and Staff Discipline.

Rule V

Tribunal Proceedings:

- 1) The Tribunal shall deliberate in private. All its deliberations and hearings shall be confidential.
- 2) Only members of the Tribunal shall take part in the deliberations and hearings. No other person may be admitted except by special decision of the Tribunal.
- 3) The accused has the right to and shall appear before the Tribunal in person.
- 4) Oral proceedings shall normally be held.
- 5) The Tribunal may, of its own initiative or at the request of a party, decide to hear any witness or expert as well as any person whose evidence or statements seem likely to assist the hearing.
- 6) The Tribunal shall only allow for one (1) failure of the accused to appear before it without just cause, after which it shall proceed to deliberate on the case and pass judgement in the absence of the accused.

Rule VI

Decisions:

- 1) All decisions of the Tribunal shall be confidential.
- 2) The decision of the Tribunal shall be adopted by majority vote.
- 3) A party may through the Secretariat request revision of a decision issued by the Tribunal, but only in the event that a fact or a document is discovered which by its nature might have had decisive influence on the decision of the Tribunal and which at the time of the judgment was unknown to the Tribunal and to the party to the case making application for the revision and such ignorance was not the responsibility of that party within thirty (30) calendar days from the day of judgement.

Rule VII

Quorum:

The Quorum for any hearing of the Tribunal shall be five (5) members, inclusive of the Secretariat and one other member who is schooled in the field of law.

Rule VIII

Recusal (Disqualification):

- 1) Members of the Tribunal shall, with the concurrence of the Chairperson, recuse themselves:-
 - a) in cases involving persons with whom the Member has a personal, familial or professional relationship;
 - b) if there exists other circumstances such as to make the Member's participation seem inappropriate.
- 2) In the event of a challenge by either of the parties on the ground of conflict of interest, and acceptance of such challenge by the Chairperson, a Member shall be excluded from the panel hearing that case.

Rule IX

Miscellaneous Provisions:

- 1) The Secretariat shall, in consultation with the Chairperson and other Members of the Tribunal, set the dates of the Tribunal's sessions.
- 2) The Tribunal or, when the Tribunal is not in session, the Chairperson in consultation with the Human Resource Manager, may deal with any matter not expressly provided for in the present rules.
- 3) Every person appearing before the Tribunal shall make the following declaration before being heard:-

"I solemnly declare upon my honour and conscience that I will speak the truth, the whole truth and nothing but the truth".
- 4) Every expert shall make the following declaration before being heard:-

"I solemnly declare that I will discharge my duty as an expert honourably and conscientiously".
- 5) Every Tribunal Member shall orally and in writing make the following oath of office administered by the Vice Chancellor before assuming his/her duties;

"I solemnly declare that I will faithfully discharge my duty as a Tribunal Member honourably and conscientiously and I shall diligently uphold the rules of confidentiality and non-disclosure throughout and after my term of service".
- 6) The Chairperson may extend the time-limits applicable to the parties in the proceedings provided for in these rules.

- 7) All matters not provided for in the present Rules shall be dealt with by decision of the Tribunal or, when it is not in session, by the decision of the Chairperson in consultation with the Human Resource Manager, which shall be binding only in respect of the particular case.

Rule X

Amendments:

These Rules may be amended by the Tribunal in session.

Adopted by the Tribunal Members this 1st day of December, 2011

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