

*At the Court at Buckingham Palace*

THE 5<sup>TH</sup> DAY OF JUNE 1986

PRESENT,

THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL

WHEREAS there was this day read at the Board a Report of a Committee of the Lords of Her Majesty's Most Honourable Privy Council, dated the 2<sup>nd</sup> day of June 1986, in the words following, viz.:--

“YOUR MAJESTY having been pleased, by Your Order of the 11<sup>th</sup> day of April 1984, to refer unto this Committee the humble Petition of the Chancellor, Masters and Scholars of the University of Oxford and John Bernard Bamborough, Esquire, M.A., praying for the grant of a Charter of Incorporation constituting a Body Corporate by the name and style of “The Principal and Fellows of Linacre College in the University of Oxford”:

“THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition into consideration and do this day agree humbly to report, as their opinion, to Your Majesty, that a Charter may be granted by Your Majesty in terms of the Draft hereunto annexed.”

HER MAJESTY, having taken into consideration the said Report and the Draft Charter accompanying it, was pleased, by and with the advice of Her Privy Council, to approve thereof and to order, and it is hereby ordered, that the Right Honourable Douglas Hurd, one of Her Majesty's Principal Secretaries of State, do cause a Warrant to be prepared for Her Majesty's Royal Signature for passing under the Great Seal a Charter in conformity with the said Draft which is hereunto annexed.

G.I. de Deney

ELIZABETH THE SECOND

By the Grace of God of the United Kingdom of Great Britain and Northern Ireland  
and of our other Realms and Territories Queen, Head of the Commonwealth,  
Defender of the Faith:

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING!

WHEREAS a Petition has been presented unto Us by the Chancellor, Masters and Scholars of Our University of Oxford (hereinafter referred to as “the University”) and by Our trusty and well beloved John Bernard Bamborough, Esquire, praying that We would be graciously pleased to grant a Charter of Incorporation for the purpose of constituting the Principal and Fellows of Linacre College in the University, and all such persons who are or may hereafter become members of the College, a Body Corporate with the objects among others of acquiring and taking over any property and liabilities now vested in the University in trust for or on behalf of the unincorporated collegiate society hitherto known as Linacre College, Oxford, and any property and liabilities of the said collegiate society and of carrying on and developing its work under such regulations and with such powers as to Us may appear meet and expedient:

AND WHEREAS We have taken the said Petition into Our Royal Consideration and are minded to accede thereto:

NOW THEREFORE KNOW YE that We by virtue of Our Prerogative Royal in that behalf and of all other powers enabling Us so to do of Our especial grace, certain knowledge and mere motion have granted and declared and by these Presents do for Us, Our Heirs and Successors grant and declare as follows:

1. The First Principal and Fellows of Linacre College and all such persons who are or may hereafter become members of Linacre College under these Our Charter and the Statutes of the College shall for ever hereafter be one Body Politic and Corporate by the name and style of “The Principal and Fellows of Linacre College in the University of Oxford” (hereinafter referred to as “The College”), and by the same name shall have perpetual succession and a Common Seal, with power to break, alter and make anew the said Seal from time to time at their will and pleasure, and by the same name shall and may sue and be sued in all Courts and in all manner of actions and proceedings and before all Justices of Us, Our Heirs and Successors.
2. The College shall have full power and capacity to accept, acquire and hold any personal property whatsoever, and shall also, without any further authority, by virtue of this Our Charter, have full power and authority to accept, acquire and hold any lands and hereditaments situate in Our United Kingdom of Great Britain and Northern Ireland or elsewhere and to dispose of, either by way of sale or lease, and to exchange, mortgage, charge, improve, manage, develop, turn to account or otherwise deal with all or any part of such property, real or personal, belonging to the College, upon such terms and in such manner as it shall see fit, and likewise to borrow, lend, give and accept guarantees and to accept mortgages, and also to do all other matters incidental or appertaining to a Body Corporate: provided always that nothing in this Article shall be deemed to empower the College to dispose of, or deal with, its property in the

manner mentioned without first obtaining such consent as would otherwise be required by law.

3. The College is incorporated for the furtherance of learning and education and to be a College wherein men and women may carry out advanced study or research, to which ends it shall have power
  - a) to acquire and take over such property and liabilities as are vested in the University in trust for or on behalf of the unincorporated collegiate society known as Linacre College, Oxford;
  - b) to acquire and take over from the University the property known as Cherwell Edge in South Parks Road in the City of Oxford, presently occupied by the said society;
  - c) to acquire and take over any other property and liabilities of the said society;
  - d) to apply and invest the monies of the College as prescribed in the Statutes of the College;
  - e) to do all other things as may be incidental or conducive to the carrying out of the above objects.

Provided always that the College shall not be deemed to be a body formed for the purpose of carrying on a business which has for its object the acquisition of gain either by itself or by its individual members.

4. The government of the College and the exercise of the powers granted by Article 2 of this Our Charter shall be vested entirely in the Governing Body of the College, which shall have power to order the affixing of the Common Seal to any document which requires to be under seal.
5. The first Statutes of the College shall be those set out in the Schedule to this Our Charter.
6. The composition of the Governing Body shall be as determined by the Statutes, provided that for the exercise of the powers conferred by Articles 7 and 8 hereof the Governing Body shall consist of The Principal and all actual Fellows of the College as therein defined, being graduates. The persons who at the date specified in Article 14 of this Our Charter were the members of the Governing Body of the unincorporated collegiate society known as Linacre College, Oxford, shall upon the grant thereof become the first members of the Governing Body of the College and shall forthwith perform any acts necessary to complete the membership thereof.
7. The Governing Body of the College shall, subject to the provisions of this Our Charter and in accordance with the procedure laid down in the Universities of Oxford and Cambridge Act 1923, and subject to the approval of Us, Our Heirs or Successors in Council as required by that Act, have full power to make, and when made to alter the Statutes of the College; provided that no alteration of the Statutes shall have any force or effect if it be repugnant to the provisions of this Our Charter or to the provisions of such Statutes or Decrees of the University as may from time to time be made to govern the relationship of the colleges with the University.
8. The Governing Body of the college may from time to time revoke, amend, or add to the provisions of this Our Charter and of any Supplemental Charter by a Special Statute in that behalf, and such revocation, amendment or addition shall, when allowed by Us, Our Heirs or Successors in Council, become effectual so that this Our Charter and any Supplemental Charter shall thenceforward continue and operate as though they had been originally

granted and made as so revoked, amended or added to. This Article shall apply to this Our Charter and any Supplemental Charter as revoked, amended, or added to in the manner aforesaid. A Special Statute is one made at a Statutory Governing Body Meeting held pursuant to the Statutes for the time being of the College. Every proposal for the amendment of this Our Charter shall be communicated to the Hebdomadal Council of the University before it is submitted for allowance as aforesaid.

9. The constitution of the Common Room of the unincorporated collegiate society known as Linacre College, Oxford, as it stands at the date of this Our Charter, shall be the constitution of the Common Room of the College and may from time to time be amended as provided by that constitution and subject to the provisions of the Statutes of the College.
10. There shall be a Visitor of the College who shall be the High Steward of the University for the time being.
11. The first Principal of the College shall be Our said trusty and well-beloved John Bernard Bamborough, Esquire, who shall enter upon the duties, rights and privileges attached to his office from the date specified in Article 14 of this Our Charter.
12. The first Fellows of the College shall be the persons who at the date specified in Article 14 of this Our Charter held Fellowships of the unincorporated collegiate society known as Linacre College, Oxford, and their seniority as Fellows shall be reckoned from the date of their first appointment to the class of Fellowship of the said society which they held on that date.
13. Save in so far as the same may be affected by the Statutes in the Schedule to this Our Charter, the College shall take over any contracts entered into by the University for the employment of any person as Principal, officer or servant of the unincorporated collegiate society known as Linacre College, Oxford, and current at the date specified in Article 14 of this Our Charter, on the terms that any persons with whom such contracts were made shall thereafter in respect of such employment (but not otherwise) be deemed to have been employees of the College from the date on which such contracts were entered into; and the College shall take such action as may be necessary to ensure that the pension arrangements of any such persons are continued on the same or an equivalent basis.
14. This Our Charter shall come into effect on the 1<sup>st</sup> day of August One thousand nine hundred and eighty-six.

AND LASTLY WE do by these Presents for Us, Our Heirs and Successors grant and declare that these Our Letters shall be in all things valid and effectual in law according to the true intent and meaning thereof and shall be taken, construed and adjudged in the most favourable and beneficial sense for the best advantage of the College as well in Our Courts of Record as elsewhere by all Judges, Justices, Officers, Ministers and other subjects whatsoever of Us, Our Heirs and Successors, any non-recital, mis-recital, or other omission, effect or thing to the contrary notwithstanding.

IN WITNESS whereof We have caused these Our Letters to be made Patent.

WITNESS Ourselves at Westminster the        day    of        in the        year of Our Reign.

BY WARRANT UNDER THE QUEEN'S SIGN MANUAL

## LINACRE COLLEGE STATUTES

STATUTE I	--	The College
STATUTE II	--	The Visitor
STATUTE III	--	The Governing Body
STATUTE IV	--	The Principal
STATUTE V	--	The Fellows
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STATUTE IX	--	Discipline
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STATUTE XII	--	Pensions and Related Matters

### STATUTE I: THE COLLEGE

1. The College shall be called Linacre College, Oxford.
2. The members shall comprise the Principal, Fellows and students.
3. The College shall be open equally to men and women, and, unless the contrary intention appears, any words in these Statutes importing the masculine gender shall include the feminine and vice versa.

### STATUTE II: THE VISITOR

1. The Visitor of the College shall be the High Steward of the University for the time being.
2. The Visitor may visit the College and may require an answer of any member of the College to any enquiry which he deems it expedient to make for ensuring the due observance of the Charter of the College and of these Statutes.
3. If the Principal, or any Fellow or officer of the College, or any student of the College, considers himself injured by any act, omission or decision of the Governing Body, he may appeal from such act, omission or decision to the Visitor. The Visitor may at his discretion entertain and adjudicate on any such Appeal, provided that he shall always entertain and adjudicate on an Appeal made by a Fellow against deprivation of his Fellowship under paragraph 10 of Statute V or by a student against sentence of rustication or expulsion or of deprivation of financial assistance which would prevent him from completing his studies made under Statute IX. The Visitor may confirm, annul or vary the act or decision of the Governing Body, provided that he shall not adjudicate on an Appeal without giving the parties an opportunity of being heard, whether in person or through a representative, of calling witnesses, and of cross-examining witnesses called against them.
4. The Visitor shall, at the request of the Principal or of any five or more members of the Governing Body, determine the true construction of these Statutes whenever any question arises depending wholly or in part upon such construction of these Statutes. Either of his own motion, or on the complaint of the Principal or any five or more members of the Governing Body, the

Visitor may annul any bye-law or regulation made by the Governing Body which is in his judgement repugnant to these Statutes.

5. If it appears to the Hebdomadal Council of the University that any provision of these Statutes is not being observed and that thereby the University is liable to be prejudicially affected, the Hebdomadal Council, having first communicated the matter of the proposed representation to the Principal, may submit a representation to the Visitor, who shall enquire into the matter and, after considering any representation made by the College, make such order as he shall think just for enforcing observance of the said provision.
6. The decision of the Visitor given under these Statutes shall be binding on all members of the College.
7. The Visitor shall be entitled to exercise the powers given in these Statutes in such a way and with the assistance of such person or persons as he shall determine to be necessary, and the College shall defray his expenses connected with such exercise provided always that the Visitor shall have power, if he shall think fit, to allocate the expenses arising out of any Appeal between the College and the appellant. In particular the Visitor may, in respect of the duties laid upon him in paragraph 3 of this Statute and paragraph 13 of Statute IX, appoint a Deputy to act for him.
8. In accordance with the provisions of the Education Reform Act 1988, nothing in these Statutes shall enable or require the Visitor:--
  - a) To hear any appeal or determine any dispute relating to a member of the academic staff to whom Statute VII applies which concerns the member's appointment or employment or the termination of that appointment or employment; or
  - b) To disallow or annul any bye-law made under or having effect for the purposes of Statute VII.

### STATUTE III: THE GOVERNING BODY

1. The government of the College shall be vested in the Governing Body, which shall have all the powers necessary for the maintenance of the College as a place of advanced study, learning, education, and research, and to that end shall have power to make, vary, or rescind such bye-laws or regulations as it shall think fit.
2. The Governing Body shall consist of:
  - a) The Principal, the Fellows by Election, the Professorial Fellows and the Senior Research Fellows ( the "official members"), who shall comprise the actual Fellows of the College for the purposes of the Universities or Oxford and Cambridge Acts 1877 and 1923, or of any Act of Parliament re-enacting or amending the same.
  - b) The President of the Common Room for the time being.
  - c) Four Members of the Common Room of whom at least three shall be student members of the College.
3. The four members specified in paragraph 2(c) above shall be elected by the members of the Common Room, excluding those who are already members of the Governing Body, from among the Junior Research Fellows and the student members of the College. They shall hold office for one year and shall be eligible for re-election, but shall not be members of the Governing Body for more than three consecutive years. The procedure for the election of these

members shall be laid down in the constitution of the Common Room subject to approval by the Governing Body.

4. If at any time there should be fewer than the full number of persons included in paragraph 2(c) above, the proceedings of the Governing Body shall not thereby be invalidated, but all reasonable steps shall be taken to make up the deficiency as soon as practicable.
5. (i) Stated Meetings of the Governing Body shall be held on dates previously determined by bye-law, and at least two such meetings shall be held in each term to conduct the business of the College.  
(ii) Extraordinary meetings of the Governing Body may be held at any time provided that not less than one week's notice has been given. In exceptional circumstances the Principal and three official members of the Governing Body may summon an emergency meeting without this notice having been given.  
(iii) If requested to do so in writing by not less than eight official members of the Governing Body, the Principal shall summon a meeting of the Governing Body for the purpose of transacting the business specified in the request. One week's notice of such a meeting shall be given to all members of the Governing Body. If the Principal refuses, or fails, to summon such a meeting within ten days of receiving the request, the members signing the request may themselves summon the meeting, giving not less than one week's notice to all members of the Governing Body.  
(iv) The election of a Principal or any other College Officer, elections or re-elections to Fellowships, the deprivation of the Principal or a Fellow or any College Officer of his office, and the passing of resolutions for any revocation of or any alteration or addition to these Statutes, or for the making of a Special Statute revoking, amending or adding to the provisions of the Charter shall take place only at a meeting of the official members of the Governing Body specially summoned for that purpose. Such a meeting may be held at any time provided that not less than fourteen days' notice in writing is given thereof and provided also that for the election of a Principal the notice required in paragraph 9(i) of Statute IV shall be given. At such meetings only that business may be transacted of which notice was given when the meeting was summoned. Any alteration of or addition to the Statutes, or the revocation of any Statute or any part thereof, or the making of a Special Statute shall require a majority of two thirds of those present and voting.  
(v) Except as provided for in sub-paragraphs (ii) and (iii) above and in paragraphs 9 of Statute IV and Part VII of Statute VII it shall be the responsibility of the Principal to summon meetings of the Governing Body. If the Principal cannot summon a meeting owing to absence or incapacity, that meeting shall be summoned by the Vice-Principal, or by the Acting Principal if appointed under the provisions of paragraph 8 of Statute IV.
6. The members of the Governing Body specified in paragraph 2(b) and (c) above shall not be entitled to attend or take part in the proceedings of Specially Summoned Meetings of the official members of the Governing Body. They may also not take part at Stated Meetings of the Governing Body in the discussion of, nor may they vote upon, any reserved business, and shall withdraw from the meeting if requested to do so by the Chairman when such business is being discussed. "Reserved business" shall include any business concerning individual members of, or candidates for membership of, the College or its staff (other than a question of membership of Common Room of the College determined under paragraph 1(d) of Statute X), and any business confidential to any individual or body outside the College, unless the consent

of such individual or body shall have been given for such business to be discussed by all members of the Governing Body. The Chairman of the meeting may decide in any case of doubt whether the matter is “reserved business” under this Statute and his decision shall be final.

7. Subject to the provisions of paragraph 6 above, the procedure for the conduct of meetings of the Governing Body shall be laid down in Standing Orders approved by that body.

#### STATUTE IV: THE PRINCIPAL

1. The Principal shall be the Head of the College, and shall seek to promote the best interests of the College as a place of advanced study, learning, education and research, and shall exercise a general supervision over the affairs and management of the College, and over the academic progress, well-being, and discipline of its students.
2. The Principal shall be elected, and his conditions of service determined, by the official members only of the Governing Body, and references to the Governing Body in this Statute shall be construed as references to the official members only.
3. The Principal may not hold any other office or engage in any occupation which in the view of the Governing Body is incompatible with the performance of his duties as Principal.
4. The Principal shall be entitled to partake without charge of the Common Table at such times and with such frequency as the Governing Body may determine, and shall receive such stipend and allowances as the Governing Body shall determine.
5. Save as hereunder provided, the Principal shall reside in the College or in such other place as the Governing Body shall determine as necessary for the proper discharge of his duties: accommodation shall be provided for the Principal by the College on terms agreed by the Governing Body. The Principal shall reside in the accommodation provided by the College for not less than six weeks in each Full Term and for a total of not less than nine calendar months in each year unless he shall have been granted dispensation by the Governing Body from this requirements in the event of his illness or for any other sufficient cause. The Principal shall also be entitled to be granted dispensation from this requirement and from his College duties and responsibilities for one term for every six completed terms of service, provided that:
  - a) Qualifying service shall normally accumulate up to a maximum of eighteen terms, from which six terms are deducted whenever dispensation for one term is granted;
  - b) Dispensation shall not be granted for more than three terms in any one period of three years.

During the period of such dispensation the Principal shall receive the whole of his ordinary College stipend and allowances, or such part of it as the Governing Body may determine. The timing of such a period of dispensation shall be subject to the approval of the Governing Body.

6. The Principal shall hold office from the day of, or from a day determined at, his election or appointment, provided that he shall assume his duties not later than twelve months after his election or appointment (or later with the Visitor’s consent). Subject to the provisions of paragraph 7 of this Statute he shall continue in office until the 30<sup>th</sup> September next following his sixty-

seventh birthday or if his birthday is on the 30<sup>th</sup> September then until his sixty-seventh birthday.

7. The Principal may vacate his office at the end of any academic year after giving the Governing Body at least nine months' notice in writing of his intention to do so, provided that the Governing Body may allow the Principal to vacate his office at such date and at such notice as it may approve.
8. If the Principal has been granted leave of absence or dispensation from his duties by the Governing Body, or is incapacitated, the duties of the office of Principal shall be discharged by the Vice-Principal, provided that if the Principal has been granted leave of absence or dispensation from his duties, or is otherwise absent, for a period exceeding three months, the Governing Body may appoint one of its members as Acting Principal for such period and on such terms as it shall determine. The Acting Principal shall during this period of office discharge the duties of the office of Principal. In his absence or incapacity the duties shall be discharged by the Vice-Principal.
9. (i) As soon as may be after the occurrence of a vacancy in the office of Principal, or upon its being known that such a vacancy will occur within twenty-four months, the Vice-Principal shall inform the Visitor of such a vacancy or impending vacancy and shall specially summon a meeting of the Governing Body, giving not less than one month's notice thereof. The purpose of this meeting, which shall be presided over by the Vice-Principal and at which the Principal shall not be present, shall be to determine the procedure and timetable for an election to the office of Principal, provided always that such election must take place only at a Specially Summoned Meeting of the Governing Body of which not less than one month's notice has been given, and provided also that such a meeting specially summoned for the election of a Principal shall be held not later than twelve months after the notification of the vacancy or impending vacancy to the Visitor.  
(ii) At the meeting specially summoned for the election of a Principal, the Vice-Principal shall preside, but shall not have a casting vote. The Principal shall not be present. At this meeting the names of those persons proposed for election to the office of Principal shall be considered and voted upon. No person shall be deemed to have been elected to the office of Principal unless:
  - a) At least two-thirds of the members of the Governing Body (excluding those to whom leave of absence has been granted) shall have been present at the meeting specially summoned for the election; and
  - b) The said person shall have received more than one half of the votes of those present.  
(iii) If no person receives the required number of votes, the Specially Summoned Meeting may be adjourned by the majority of those present and voting for any period not exceeding three months from the date of the meeting. When the adjourned meeting is resumed, the names of the same or other candidates for the office of Principal may be considered and voted upon. If at this resumed meeting no person obtains the required number of votes, the Principal shall so inform the Visitor, who shall direct that the office of Principal shall remain vacant for a period not exceeding one year, during which time the duties and responsibilities of the office of Principal shall be discharged by the Vice-Principal, or by an Acting Principal in accordance with the provisions of paragraph 8 of this Statute.  
(iv) Not later than three months before the end of such period of vacancy the Vice-Principal shall again specially summon a meeting for the purpose of making an election to the office of Principal. At this meeting the names of

candidates for election as Principal shall be considered and voted upon. If no candidate obtains the required number of votes, this meeting shall be adjourned for a period not exceeding three months. If at the resumed meeting no candidate obtains the required number of votes, the Vice-Principal shall so inform the Visitor, who shall then appoint a Principal to take office at a time determined by him.

(v) More than one ballot may be held at any of the meetings at which voting takes place under the provisions of this paragraph.

(vi) Any person who has received the required number of votes at a meeting of the Governing Body specially summoned for the purpose of electing a Principal shall be deemed to have been elected to that office subject to his signifying within a period specified by the Governing Body his willingness to accept the office and to make the declaration set out in sub-paragraph (vii) below. If the person conditionally elected fails to signify his willingness to accept the appointment and to make such declaration within the period specified by the Governing Body, his election shall be deemed to have lapsed and the Vice-Principal shall specially summon a meeting of the Governing Body at which the names of further candidates for the office may be considered and a vote taken, and such meeting shall be deemed to be a resumed meeting under the provisions of sub-paragraph (iii) above.

(vii) The name of the person duly elected as Principal shall be communicated by the Vice-Principal to the Visitor. As soon as may be after such election (or after the appointment of a Principal by the Visitor as provided above), the new Principal shall in the presence of the Visitor and of one or more members of the Governing Body deputed for this purpose, solemnly declare that he will observe and uphold all the provisions of the Charter, these Statutes, and the bye-laws and regulations of the college for the time being in force.

(viii) If the Vice-Principal is unable or unwilling to discharge any of the duties laid upon him by this Statute, a senior Fellow shall act for him under the provisions of paragraph 4 of Statute VI.

## STATUTE V: THE FELLOWS

1. Fellows shall be elected, and the terms and conditions of their office shall be determined, by the official members only of the Governing Body, and references to the Governing Body in this Statute shall be construed as references to the official members only; provided that the categories of fellowships carrying membership of the Governing Body shall be as determined in Statute III.
2. Elections and re-elections to Fellowships shall be made only at a Specially Summoned Meeting of the Governing Body as provided in paragraph 5(iv) of Statute III. Names of candidates for election or re-election shall be circulated with the notice of the meeting. At the meeting each candidate for election or re-election must be proposed and seconded by a member of the Governing Body and each proposal shall be voted on separately. No candidate shall be deemed to be elected or re-elected until such a proposal shall have been approved by a simple majority of those present and voting. In the event of a tied vote the Principal, or in his absence, the Chairman of the meeting, shall have a further and casting vote.
3. There shall be the following classes of Fellowships:--
  - a) *Fellowships by Election*  
Election to such Fellowship shall be confined to:--

- (i) the officers of the College;
- (ii) professors, readers, senior research officers, research officers and lecturers appointed under the provisions of any statute or decree of the University
- (iii) holders of other academic posts to which appointment is made by faculty boards, departments, and institutes or committees of the University
- (iv) other persons at the discretion of the Governing Body, provided always that such persons are eligible for membership of Congregation under the provisions of the Statutes of the University.

Fellows by Election shall be elected in the first instance for a period of seven years, or for the period of their appointment to the University post by tenure of which they are eligible to hold their Fellowship, whichever period is the shorter; and may be re-elected for one or more terms, which shall be for a period of seven years, or for the period or periods for which they shall have been re-appointed to the qualifying University post, whichever period or periods is or are the shorter. Notice of proposals for election may be given in accordance with the provisions of paragraph 5(iv) of Statute III at any time, and notice of a proposal for re-election in accordance with the provisions of that paragraph may be given at any time within two years before the expiry of the period of tenure of a Fellow. If a Fellow shall vacate his Fellowship on ceasing to hold the qualification which entitled him to election, the Governing Body may approve a new qualification in place of the old, in which case the Fellow shall be deemed not to have vacated his Fellowship.

b) *Professorial Fellowships*

The holder of every professorship allocated to the College by Hebdomadal Council under the terms of any decree of the University shall by virtue of his office be a Professorial Fellow of the College. The Governing Body may elect to a Professorial Fellowship the holder of any office which qualifies him under the terms of any decree of the University to hold a Professorial Fellowship. A Professorial Fellow shall cease to hold his Fellowship on ceasing to hold the qualifying post by virtue of which he was elected to it.

c) *Senior Research Fellowships*

The Governing Body may elect to a Senior Research Fellowship any person who has attained distinction in some branch of knowledge, and who shall undertake to engage in research or advanced study in Oxford, or (with the permission of the Governing Body) elsewhere. A Senior Research Fellow shall be elected for such period not exceeding seven years as the Governing Body may determine, and shall be eligible for re-election for such further period or periods as the Governing Body shall determine.

d) *Junior Research Fellowships*

The Governing Body may elect to a Junior Research Fellowship any person whom it considers qualified to undertake a course of research in the College or University or (with the consent of the Governing Body) elsewhere. A Junior Research Fellow shall be elected for such period or periods not exceeding three years in all as the Governing Body may determine.

e) *Visiting Fellowships*

The Governing Body may elect to a Visiting Fellowship any person of distinction who shall undertake to carry out a course of study or research within the College or University. A Visiting Fellow shall be elected for such period not exceeding one year as the Governing Body may determine.

f) *Honorary Fellowships*

Any distinguished person who has at any time been a member of the College, or who has rendered signal service to it, may be elected to an Honorary Fellowship. An Honorary Fellow shall be elected for life.

g) *Emeritus Fellowships*

Any person who has vacated the office of Principal or a Professorial Fellowship, or a Fellowship by Election, or a Senior Research Fellowship, by retirement shall be eligible for election to an Emeritus Fellowship for such period as the Governing Body shall determine, and at the expiry of this period may be re-elected for such further period or periods as Governing Body shall determine.

h) *Supernumerary Fellowships*

The Governing Body may elect to a Supernumerary Fellowship any person who has vacated the office of Principal, or a Professorial Fellowship, or a Fellowship by Election, otherwise than by retirement. Supernumerary Fellows shall be elected for such period as the Governing Body shall determine, and at the expiry of this period may be re-elected for such further period or periods as the Governing Body shall determine.

i) *Adjunct Fellowships*

The Governing Body may elect to an Adjunct Fellowship any person whose election would in its opinion be of benefit to the College. An Adjunct Fellow shall be elected for such period as the Governing Body shall determine, and at the expiry of this period may be re-elected for such period or periods as the Governing Body shall determine.

j) *Other categories of Fellowship*

The Governing Body shall have discretion to create additional categories of Fellowship if this should be deemed to be beneficial to the academic or other interests of the College.

4. Fellowships by Election, Professorial Fellowships, Senior Research Fellowships and Junior Research Fellowships shall not be tenable beyond the 30<sup>th</sup> September immediately preceding the Fellows 66<sup>th</sup> birthday, save that
- (i) if the University has extended the period of office of a University employee who is a Fellow of the College beyond the age of sixty-five years, the Governing Body may extend the period of his tenure of his Fellowship *pari passu*;
  - (ii) Fellowships shall be tenable until the 30<sup>th</sup> September immediately preceding the Fellow's 68<sup>th</sup> birthday by any persons who at 1<sup>st</sup> July 1985 held an appointment (whether or not of the College) with entitlement to hold office at least until their sixty-seventh birthday (or persons then holding an appointment to which they were appointed on the basis that if subsequently re-appointed, on one or more occasions, they would be entitled to hold office at least until that age), and who continuously thereafter shall have held an appointment or appointments

with such entitlement; and for the purposes of this provision (a) in determining whether such appointments have been held continuously, any interval between successful application for, and the taking up of, an appointment shall be disregarded; and (b) appointments accepted by, but not taken up until after, 1<sup>st</sup> July 1985 shall be deemed to be held at that date.

5. Any Fellow who is granted sabbatical or sick leave from his University post shall be granted leave by the Governing Body for such time as he has been relieved from discharging the duties of that post. A Fellow shall be entitled to dispensation from his duties as a Fellow for one term for every six completed terms of service, irrespective of whether he has been granted leave from his University post, provided that:
  - a) qualifying service shall normally accumulate up to a maximum of eighteen terms, from which six terms are deducted whenever dispensation for one term is granted;
  - b) dispensation shall not be granted for more than three terms in any one period of three years.

Any other application by a Fellow for leave of absence involving more than four weeks of any period of Full Term shall require the approval of the Governing Body.

6. A Fellowship (other than an Honorary or Emeritus Fellowship) may not be held in conjunction with the Headship or a Fellowship (other than an Honorary or Emeritus Fellowship) of any other College, Hall or Society of the University.
7. Before an election takes place to a Fellowship the duties of which include teaching, the Governing Body shall consult the board or boards of the appropriate faculty or faculties of the University.
8. The Fellows shall co-operate in all administrative and academic matters relating to the College, and shall in all ways further its existence as a place of advanced study, learning, education and research.
9. The Fellows shall be entitled to partake without charge of the Common Table at such times and with such frequency as the Governing Body may from time to time determine and shall receive such stipend and allowances as the Governing Body shall determine.
10. In any case where it is alleged that a Fellow is unwilling or unable to carry out the duties of a Fellow, or has been guilty of conduct unbecoming a Fellow, the Principal shall, on his own initiative or at the request of three official members of the Governing Body, investigate the matter and, if the fault or failing appears to be minor, deal with it informally. If the matter appears to the Principal to be more serious, the Principal shall appoint an Academic Disciplinary Committee or, if more appropriate to the circumstances, a Medical Board, which shall comprise one member selected at the discretion of the Principal who shall act as Chairman, one member chosen by the Principal from amongst Honorary or Emeritus Fellows of the College, and one member chosen by the Principal from amongst the official members of the Governing Body, provided always that the Committee shall not include the Fellow against whom the allegation has been made, nor any person associated with the making of the allegation or who has been involved in any preliminary hearing or investigation; and provided also that if a Medical Board is appointed at least one of its members shall be medically qualified. The Academic Disciplinary Committee or Medical Board shall investigate the allegation, taking evidence

both from the person or persons who have made it and from the Fellow against whom it has been made: provided always that the Fellow concerned shall be given at least fourteen days notice of the meeting of the Academic Disciplinary Committee or Medical Board called for this purpose and that he shall be given the opportunity at that meeting of being heard, of being accompanied by a person of his own choosing who may be a solicitor or a medical practitioner, of calling witnesses and of cross-examining witnesses called against him. The Academic Disciplinary Committee or Medical Board shall within one month of completing its investigation send to the Principal and to each party to the proceedings its decision on the allegation referred to it, together with its findings of fact and the reasons for its decision regarding that allegation and its recommendations, if any, as to the appropriate action to be taken. If an allegation has been upheld the Principal shall, at a meeting of the official members of the Governing Body specially summoned for the purpose, consult the Governing Body on the action to be taken in the light of the recommendations of the Academic Disciplinary Committee or the Medical Board. The Governing Body may by motion resolve to ask the Principal to warn the Fellow against whom the allegation has been upheld; or resolve to deprive the Fellow concerned of the privileges of his Fellowship for a stated period; or direct that the tenure of his Fellowship shall be terminated, with effect from a date to be stated in the motion: always provided that any action to be taken shall not be more severe than that recommended by the Academic Disciplinary Committee or the Medical Board, that at least two-thirds of the members of the Governing Body present and voting at the meeting shall have voted in favour of such a motion and that neither the Fellow whose conduct is in question nor any Fellow associated with the making of the allegation shall be present at the meeting. Appeal from the decision of the Governing Body may be made to the Visitor as provided in Paragraph 3 or Statute II.

11. Subject to the provisions of paragraph 7 (a) of Statute VII, nothing in paragraph 10 shall apply to any member of the academic staff to whom Statute VII applies.

#### STATUTE VI: THE OFFICERS

1. The officers of the College shall be appointed by the official members of the Governing Body on such terms as it shall determine, and shall be responsible to the Governing Body for the proper discharge of their duties. For the purposes of the remainder of this Statute, references to the Governing Body shall be construed as references to the official members only.
2. A Vice-Principal shall be appointed from among the Fellows by Election, the Professorial Fellows, and the Senior Research Fellows. The appointment shall normally be for a period of two years and on the expiry of his term of office the outgoing Vice-Principal shall not be eligible for re-appointment for a period of six years. Appointment of the Vice-Principal shall be made at a Specially Summoned Meeting of the Governing Body.
3. The Vice-Principal shall perform the duties and exercise the powers assigned to him in these Statutes and such other duties and powers as the Governing Body, in accordance with these Statutes, shall determine. In particular, the Vice-Principal shall, when the Principal is absent or incapacitated, exercise the functions and powers and discharge the responsibilities and duties of the Principal, except when an Acting Principal has been appointed as provided in paragraph 8 of Statute IV.

4. When the office of Vice-Principal is vacant, or when the Vice-Principal is absent or incapacitated, the Senior among the Fellows by Election and the Professorial Fellows willing to do so shall exercise the functions and powers and discharge the responsibilities of the Vice-Principal. For the purpose of this paragraph seniority shall be determined by date of first election or appointment as Fellow of the College; if two or more Fellows shall have been appointed or elected at the same time seniority between them shall be determined by the dates at which they respectively became Master of Arts of the University; in the event of two or more Fellows having been appointed or elected at the same time and having become Masters of Arts at the same time the elder shall be deemed to be the senior.
5. The Governing Body may appoint such other officers as it may from time to time deem desirable, and may make alternative arrangements in cases of vacancy, absence, or incapacity. More than one office may be held by the same person. With the agreement of the Governing Body an officer of the College may concurrently hold any other office which in his view and that of the Governing Body is not incompatible with his functions and duties as an officer of the College.
6. Provided that, subject to the provisions of paragraph 7(a) of Statute VII, nothing in this Statute shall apply to the removal of any member of the academic staff to whom Statute VII applies.

## STATUTE VII: ACADEMIC STAFF

### PART I: CONSTRUCTION, APPLICATION AND INTERPRETATION

1. This Statute and any bye-law made under this Statute shall be construed in every case to give effect to the following guiding principles, that is to say:
  - i) To ensure that members of the academic staff of the College 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;
  - ii) To enable the College to provide education, to promote learning, and to engage in research efficiently and economically; and
  - iii) To apply the principles of justice and fairness.
2. No provision in Part II, Part III, Part IV or Part VII shall enable any member of the academic staff to be dismissed unless the reason for the dismissal may in the circumstances (including the size and administrative resources of the College) reasonably be treated as sufficient reason for dismissal.
3.
  - a) This Statute shall apply:
    - (i) to any person holding a College Office designated by the Governing Body as one to which this Statute applies;
    - (ii) to any person employed by the College in teaching or research save for those holding appointments which have been excluded by the Governing Body from the scope of this Statute on the ground that the duties in that regard are only of a limited nature; and
    - (iii) to the Principal, to the extent and in the manner set out in Part VII of this Statute.

- b) In this Statute any reference to a “member of the academic staff” is a reference to a person to whom this Statute applies.
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 55 of the Employment Protection (Consolidation) Act 1978.
5. (a) 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:
- i) conviction for an offence which may be deemed by an Academic Disciplinary Committee appointed under Part III to be such as to render the person convicted unfit for the performance of the duties of the office or employment as a member of the academic staff; or
  - ii) conduct of an immoral, scandalous or disgraceful nature incompatible with the duties of the office or employment; or
  - iii) conduct constituting failure or persistent refusal or neglect or inability to perform the duties or comply with the conditions of office or employment; or
  - iv) wilful disruption of the activities of the College; or
  - v) wilful disobedience of any of the Statutes or bye-laws of the College in force for the time being; or
  - vi) physical or mental incapacity established under Part IV.
- (b) In this paragraph:
- i) “capability”, in relation to such a member, means capability assessed by reference to skill, aptitude, health or any other physical or mental quality; and
  - ii) “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.
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 College has ceased, or intends to cease, to carry on the activity for the purpose of which the person concerned was appointed or employed or has ceased, or intends to cease, to carry on that activity in the place in which the person 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 in that place have ceased or diminished or are expected to cease or diminish.
- 7.
- a) In case of conflict, the provisions of this Statute shall prevail over those of any other Statute of the College in force on the date on which the instrument making the modifications was approved under subsection (9) of section 204 of the Education Reform Act 1988, and over those of any bye-law, and the provisions of any bye-law made

under this Statute shall prevail over those of any bye-law made under such other Statutes:

Provided that Part III, Part IV, and Part VII of 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.

Provided also that disciplinary proceedings in relation to anything done or omitted to be done before that date may continue or be instituted after that date under the relevant College Statutes in force before that date.

- b) Nothing in any appointment made, or contract entered into, shall be construed as overriding or excluding any provision made by this Statute concerning the dismissal of a member of the academic staff of the College by reason of redundancy or for good cause:

Provided that this shall not invalidate any waiver made under section 142 of the Employment Protection (Consolidation) Act 1978.

- c) In any case where an officer of the College or any person is designated to perform any duties or exercise any powers under this Statute, and that officer or person is himself involved in the matter in question, the Governing Body may appoint an alternate to act in his place under procedures prescribed by bye-laws made under this Statute.
- d) For the avoidance of doubt it is hereby declared that nothing in Part III of this Statute shall be construed as affecting the Statutes and bye-laws of the College concerning re-election on the expiry of a fixed term of a Fellowship.
- e) Nothing in any other Statute shall enable the Governing Body to delegate its power to reach a decision under paragraph 10(b) of this Statute.
- f) No one shall sit as a member of any of the bodies established under this Statute, and no one shall be present at a meeting of such body when the body is considering its decision or discussing a point of procedure, except as provided by this Statute or by bye-laws made under this Statute.
- g) In this Statute references to numbered Parts, paragraphs, and sub-paragraphs are references to Parts, paragraphs, and sub-paragraphs so numbered in this Statute.

## PART II: REDUNDANCY

- 8. This Part enables the Governing Body, as the appropriate body, to dismiss any member of the academic staff by reason of redundancy.
- 9.
  - a) Nothing in this Part shall prejudice, alter or affect any rights, powers or duties of the College or apply in relation to a person unless:
    - i) his appointment is made, or his contract of employment is entered into, on or after 20<sup>th</sup> November 1987; or
    - ii) he is promoted on or after that date.

- b) 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 20<sup>th</sup> 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.
- 10.
- a) The Governing Body shall be the appropriate body for the purposes of this Part.
  - b) This part applies only where the Governing Body has decided that there should be a reduction in the academic staff:
    - i) of the College as a whole; or
    - ii) of any area of academic work within the College by way of redundancy.
- 11.
- a) Where the Governing Body has reached a decision under paragraph 10(b) of this Statute it may itself decide to select the requisite number of the academic staff for dismissal by reason of redundancy if such a course satisfies the guiding principles set out in paragraph 1; or it shall appoint a Redundancy Committee to be constituted in accordance with sub-paragraph (c) of this paragraph to give effect to its decision by such date as it may specify and for that purpose.
    - i) to select and recommend the requisite members of the academic staff for dismissal by reason of redundancy; and
    - ii) to report its recommendations to the Governing Body.
  - b) The Governing Body shall either approve any selection recommendation made under sub-paragraph (a)(i) of this paragraph, or shall remit it to the Redundancy Committee for further consideration in accordance with its further directions.
  - c) A Redundancy Committee appointed by the Governing Body shall comprise:
    - i) a Chairman; and
    - ii) two members chosen from amongst Honorary or Emeritus Fellows of the College; and
    - iii) two members chosen from amongst the members of the Governing Body.
  - d) A member of the academic staff shall not be selected for dismissal under this paragraph unless he has been afforded a reasonable opportunity to make representations to the Governing Body.
- 12.
- a) Where the Governing Body has made a selection it may authorise an officer of the College as its delegate to dismiss any member of the academic staff so selected.
  - b) Each member of the academic staff selected shall be given separate notice of the selection approved by the Governing Body.
  - c) Each separate notice shall sufficiently indentify the circumstances which have satisfied the Governing Body that the intended dismissal is reasonable and in particular shall include:
    - i) a summary of the action taken by the Governing Body under this Part;
    - ii) an account of the selection processes it has used;

- iii) 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 of this Statute; and
- iv) a statement as to when the intended dismissal is to take effect.

### PART III: DISCIPLINE, DISMISSAL AND REMOVAL FROM OFFICE

13.

- a) Minor faults shall be dealt with informally.
- b) 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, but does not constitute sufficient cause for dismissal, the member of the academic staff will normally be given a formal oral warning by the Principal. 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 Principal. This will give details of the complaint, the improvement required and the timescale. It will warn that charges may be instituted to be heard by an Academic Disciplinary Committee appointed under paragraph 15 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 Principal but it will be disregarded for disciplinary purposes after 2 years subject to satisfactory conduct and performance.

#### State 3 --- Appeals

A member of the academic staff who wishes to appeal against a disciplinary warning shall inform the Vice-Principal within two weeks. A Grievance Committee appointed under Part VI of this Statute shall hear the appeal and the Committee's decision shall be final.

14.

- a) If there has been no satisfactory improvement following a written warning given under Stage 2 of the procedure in paragraph 13(b), or in any 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 an Academic Disciplinary Committee appointed under paragraph 15 may be made to the Principal.
- b) To enable the Principal to deal fairly with any complaint brought to his attention under sub-paragraph (a) of this paragraph he shall institute such enquiries (if any) as appear to him to be necessary.

- c) If it appears to the Principal (whether on receipt of a complaint or otherwise) that there are grounds for believing that the conduct or performance of a member of the academic staff could constitute good cause for dismissal, he shall write to the person concerned inviting comment in writing, and if he considers that the College might otherwise suffer significant harm, may, at this stage or at any stage prior to the conclusion of any hearing by an Academic Disciplinary Committee appointed under paragraph 15 of this Statute, suspend the person concerned from the performance of his duties without loss of emoluments.
  - d) As soon as may be following the comments (if any) or in any event not later than 28 days after they were invited the Principal shall consider the matter in the light of all the available material and may dismiss the matter summarily, or issue a formal warning to the person concerned, or determine that the matter be considered by an Academic Disciplinary Committee appointed under paragraph 15 of this Statute.
15. If the Principal has determined that the matter is to be considered by an Academic Disciplinary Committee, he shall request the Governing Body to appoint such a committee to hear the charge or charges and to determine whether the conduct or performance of the person charged constitutes good cause for dismissal or otherwise constitutes a serious complaint relating to his appointment or employment, and, if so, to recommend what action should be taken. Pending the hearing, the Principal, after consulting the Governing Body, may suspend the person charged from the performance of his duties without loss of emolument.
- 16.
- a) An Academic Disciplinary Committee appointed by the Governing Body shall comprise:
    - i) a Chairman; and
    - ii) one member chosen from amongst Honorary or Emeritus Fellows; and
    - iii) one member chosen from amongst the members of the Governing Body.
  - b) In selecting members of the panel for appointment as members of an Academic Disciplinary Committee, the Governing Body shall exclude the person charged, and any person who has been involved in or associated with the making of the complaint or any part of it, or who has been involved in any preliminary hearing or investigation.
- 17.
- a) When an Academic Disciplinary Committee has been appointed, the Governing Body shall instruct a solicitor or other suitable person to formulate the charge or charges and to present, or arrange for the presentation of, the charges before the Academic Disciplinary Committee.
  - b) It shall be the duty of the person formulating the charge or charges:
    - i) to forward the charge or charges to the Committee and to the member of the academic staff concerned, together with the other documents therein specified; and
    - ii) 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 Committee.

18. The procedure to be followed in respect of the preparation, hearing, and determination of charges by an Academic Disciplinary Committee shall be prescribed by bye-laws made under this Statute. Such bye-laws shall ensure:
  - a) that the person charged is entitled to be represented by another person, whether such person is legally qualified or not, in connection with and at any hearing of charges by an Academic Disciplinary Committee;
  - b) that a charge shall not be determined without an oral hearing at which the person charged and any person appointed to represent him are entitled to be present;
  - c) that witnesses may be called, both on behalf of the person charged and by the person presenting the charge, and may be questioned concerning any relevant evidence;
  - d) that no new witness or documentary evidence may be introduced by the person presenting the charge without the Committee's consent, which shall not be given save for good reason, and that if late introduction is allowed, the member of the academic staff shall be allowed an adjournment sufficient to allow him to consider or respond to the new evidence; and
  - e) that any charge is heard and determined as expeditiously as is reasonably practicable.
19.
  - a) The Academic Disciplinary Committee shall send its decision on any charge referred to it (together with its finding of fact and the reasons for its decision regarding that charge and its recommendations, if any, as to the appropriate penalty) to the Principal, the person charged, the person presenting the charge and any person who shall have been added as a party by the Academic Disciplinary Committee.
  - b) The Academic Disciplinary Committee shall draw attention to the period of time within which any appeal should be made by ensuring that a copy of Part V of this Statute accompanies each copy of its decision sent to a party to the proceedings under this paragraph.
20.
  - a) Where any charge is upheld and the Academic Disciplinary Committee finds good cause and recommends dismissal or removal from office, but in no other case, the Principal shall consult the Governing Body and shall decide whether or not to dismiss the person concerned.
  - b) Where any charge is upheld, other than where the Principal has decided under sub-paragraph (a) to dismiss the person concerned, the action available to the Principal, after consulting the Governing Body, (not comprising a greater penalty than that recommended by the Academic Disciplinary Committee) shall be:
    - i) to discuss the issues raised with the person concerned; or
    - ii) to advise the person concerned about his future conduct; or
    - iii) to warn the person concerned; or
    - iv) to suspend the person concerned for such period as the Principal shall think fair and reasonable, not to exceed 3 months after the date on which the Governing Body shall have considered the Academic Disciplinary Committee's decision, provided that no suspension without pay may be ordered unless the terms of the contract of employment of the person concerned contains provisions expressly entitling the Principal to impose such a penalty; or

- v) such further or other action under the person's contract of employment or terms of appointment as appears fair and reasonable in all the circumstances of the case; or
- vi) any combination of the above.

21.

- a) The Principal shall be the appropriate officer to exercise the powers conferred by paragraph 20 of this Statute but he may appoint a delegate to exercise those powers.
- b) Any action taken by the Principal or his delegate shall be confirmed in writing and notified to the Governing Body.

#### PART IV: REMOVAL FOR INCAPACITY ON MEDICAL GROUNDS

22.

- a) This Part makes separate provision for the assessment of incapacity on medical grounds as a good cause for dismissal or removal from office.
- b) In this Part references to medical grounds are references to capability assessed by reference to health or any other physical or mental quality.
- c) In this Part the Principal shall be the appropriate officer to perform any duties or exercise any powers, but he may appoint a delegate to act on his behalf.
- d) In this Part references to the member of the academic staff for the purposes of notification, giving consent, agreement, nomination or providing evidence include, in cases where the nature of the alleged disability so requires, a responsible relative or friend or other person with authority to act on behalf of that member in addition to (or instead of) that member.

23.

- a) Where it appears to the Principal that the removal of a member of the academic staff on medical grounds should be considered, the Principal:
  - i) shall inform the member accordingly;
  - ii) may suspend the member from duty without loss of pay; and
  - iii) shall notify the member in writing that it is proposed to make an application to the member's medical practitioner 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.
- b) If the member elects to apply for early retirement on medical grounds he shall be allowed to do so and the College shall meet the reasonable costs of any medical opinion required.
- c) If the member does not elect to retire voluntarily on medical grounds the Principal may refer the case in confidence in accordance with procedures prescribed by bye-laws made under sub-paragraph (e) of this paragraph, with any medical and other evidence (including any such evidence submitted by the member), to a Medical Board comprising one person nominated by the Governing Body; one person nominated by the member concerned or, in default of the latter nomination, by the Principal; and a medically qualified chairman jointly agreed by the Governing Body and the member or, in default of agreement, to be nominated by the President of the Royal College of Physicians.

- d) The Board may require the member concerned to undergo medical examination at the College's expense.
- e) The procedure to be followed in respect of the preparation, hearing, and determination of a case by a Medical Board under this Part shall be prescribed by bye-laws made under this sub-paragraph. Such bye-laws shall ensure:
  - i) that the member concerned is entitled to be represented by another person, whether such person is legally qualified or not, in connection with and at any hearing by the Board;
  - ii) that a case shall not be determined without an oral hearing at which the member concerned and any person appointed to represent him are entitled to be present;
  - iii) that witnesses may be called and may be questioned concerning any relevant evidence; and
  - iv) that the case is heard and determined as expeditiously as is reasonably practicable.

24.

- a) If the Board determines that the member should be required to retire on medical grounds, the Principal shall consult the Governing Body and may terminate the employment of the member concerned on those medical grounds.
- b) Any action taken by the Principal shall be confirmed in writing and notified to the Governing Body.

#### PART V: APPEALS

25. 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.

26.

- a) This Part applies:
  - i) to appeals against any decision of the Governing Body to dismiss in the exercise of its powers under Part II of this Statute;
  - ii) to appeals against matters arising in any proceedings, or out of any decision reached, under Part III of this Statute other than appeals under paragraph 13 of this Statute;
  - iii) to appeals against any dismissal otherwise than in pursuance of Part II, Part III, Part IV or Part VII of this Statute;
  - iv) to appeals against any disciplinary decision otherwise than in pursuance of Part III of this Statute;
  - v) to appeals against any decisions reached under Part IV of this Statute; and
  - vi) to appeals against any decision reached under Part VII of this Statute
 and "appeal" and "appellant" shall be construed accordingly.
- b) No appeal shall however lie against:
  - i) a decision of the Governing Body under paragraph 10(b) of this Statute;
  - ii) any finding of fact of an Academic Disciplinary Committee under paragraph 19(a) save on legal grounds or save where, with the consent of the person or persons hearing the appeal, fresh evidence is called on behalf of the appellant at the hearing;

- iii) any medical finding by a Board set up under paragraph 23(c) of this Statute save on legal grounds or save where, with the consent of the person or persons appointed, fresh evidence is called by the appellant at that hearing.
  - c) In this Part references to “the person appointed” are references to the person appointed by the Governing Body under paragraph 29 to hear and determine the relevant appeal.
  - d) The parties to an appeal shall be the appellant and the Principal and any other person added as a party at the direction of the person appointed.
- 27. A member of the academic staff shall institute an appeal by serving on the Principal, within the time allowed under paragraph 28, notice in writing setting out the grounds of the appeal.
- 28.
  - a) 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 (c) of this paragraph.
  - b) The Principal shall bring any notice of appeal received (and the date when it was served) to the attention of the Governing Body and shall inform the appellant that he has done so.
  - c) Where the notice of appeal is served on the Principal outside the 28 day period the person appointed under paragraph 29 shall not permit the appeal to proceed unless he considers that justice and fairness so require in the circumstances of the case.
- 29.
  - a) Where an appeal is instituted under this Part the Governing Body shall appoint a person described in sub-paragraph (b) of this paragraph to hear and determine that appeal subject to sub-paragraph (c) of this paragraph.
  - b) The persons described in this sub-paragraph are:
    - i) the person who is the Visitor; or
    - ii) persons not employed by the College holding, or having held, judicial office or being barristers or solicitors of at least ten years’ standing.
  - c) The person appointed shall sit alone unless he considers that justice and fairness will best be served by sitting as an Appeal Tribunal with two other persons.
  - d) The other persons who may sit with the person appointed, and who shall be appointed by the Governing Body, shall be:
    - i) one member chosen from amongst Honorary or Emeritus Fellows of the College; and
    - ii) one member chosen from amongst members of the Governing Body.
- 30.
  - a) The procedure to be followed in respect of the preparation, consolidation, hearing and determination of appeals shall be that set out in bye-laws made under this paragraph.
  - b) Without prejudice to the generality of the foregoing such bye-laws shall ensure;
    - i) that an appellant is entitled to be represented by another person, whether such person is legally qualified or not, in connection with and at any hearing of his appeal;

- ii) that an appeal shall not be determined without an oral hearing at which the appellant and any person appointed by him to represent him are entitled to be present and, with the consent of the person or persons hearing the appeal, to call witnesses;
  - iii) 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
  - iv) 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 is reasonably practicable.
- c) 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:
- i) remit an appeal from a decision under Part II of this Statute (or any issue arising in the course of such an appeal) to the Governing Body for further consideration as the person or persons hearing the appeal may direct; or
  - ii) remit an appeal arising under Part III for re-hearing or reconsideration by the same or by a differently constituted Academic Disciplinary Committee to be appointed under that Part; or
  - iii) remit an appeal from a decision under Part IV of this Statute for further consideration as the person or persons hearing the appeal may direct; or
  - iv) remit an appeal by the Principal arising under Part VII of this Statute for re-hearing or reconsideration by the same or by a differently constituted Tribunal to be appointed under that Part; or
  - v) substitute any lesser alternative penalty that would have been open to the Principal following the finding by the Academic Disciplinary Committee which heard and determined the original charge or charges.
31. The person appointed shall send a reasoned decision, including any decision reached in exercise of his powers under paragraph 30 (c) (i), (ii), (iii), or (iv) of this Statute, on any appeal and a statement of any findings of fact different from those of the Governing Body under Part II of this Statute or of the Academic Disciplinary Committee under Part III of this Statute of the Board under Part IV of this Statute or of the Tribunal appointed under Part VII of this Statute, as the case may be, to the Principal and to the parties to the appeal.

## PART VI: GRIEVANCE PROCEDURES

32. The aim of this Part is to settle or redress individual grievances promptly, fairly and, so far as may be, within the relevant area by methods acceptable to all parties.
33. The grievances to which this Part applies are ones by members of the academic staff concerning their appointment 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 College,
- not being matters for which express provision is made elsewhere in this Statute.

- 34.
- a) If other remedies within the relevant area have been exhausted the member of the academic staff may raise the matter with the Principal
  - b) If it appears to the Principal that the matter has been finally determined under Part III, IV or V of this Statute or that the grievance is trivial or invalid, he may dismiss it summarily, or take no action upon it. If it so appears to the Principal he shall inform the member and the Governing Body accordingly.
  - c) If the Principal is satisfied that the subject matter of the grievance could properly be considered with (or form the whole or any part of):
    - i) a complaint under Part III of this Statute; or
    - ii) a determination under Part IV of this Statute; or
    - iii) an appeal under Part V of this Statute
 he 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 shall notify the member accordingly.
  - d) If the Principal does not reject the complaint under sub-paragraph (b) of this paragraph or if he does not defer action upon it under sub-paragraph (c) of this paragraph he shall decide whether it would be appropriate, having regard to the interests of justice and fairness, for him to seek to dispose of it informally. If he so decides he shall notify the member and proceed accordingly.
35. If the grievance has not been disposed of informally under paragraph 34(d) of this Statute, the Principal shall refer the matter to a Grievance Committee for consideration.
36. A Grievance Committee shall comprise three Fellows of the College appointed by the Governing Body.
37. The procedure in connection with the consideration and determination of grievances shall be determined in bye-laws 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.
38. The Committee shall inform the Governing Body whether the grievance is or is not well-founded and if it is well-founded the Committee shall make such proposals for the redress of the grievance as it sees fit.

#### PART VII: REMOVAL OF THE PRINCIPAL FROM OFFICE

39. Any five members of the Governing Body may make complaint to the Vice-Principal seeking the removal of the Principal from office for good cause.
40. The Vice-Principal shall refer such a complaint to the Governing Body, exclusive of the Principal and the members making the complaint. If it appears to the Governing Body that the complaint is not supported by sufficient evidence of good cause for the removal of the Principal from office, it may determine that no further action shall be taken upon it.
41. If it appears to the Governing Body, on the available material, that the complaint raises a *prima facie* case and that this could, if proved, constitute good cause for the removal of the Principal from office it shall appoint a Tribunal to hear and determine the matter.
42. A Tribunal appointed by the Governing Body shall comprise:
  - a) an independent Chairman; and
  - b) one member chosen from amongst the Honorary or Emeritus Fellows; and

- c) one member chosen from amongst members of the Governing Body.
43. A charge referred to the Tribunal shall be dealt with in accordance with the procedure prescribed in paragraphs 17 to 19 of this Statute, provided:
    - a) that the Vice-Principal shall perform any duty and exercise any power there assigned to the Principal; and
    - b) that the only recommendation the Tribunal may make is whether or not the Principal should be removed from his office.
  44. Where a charge or charges have been upheld and the Tribunal finds good cause and recommends dismissal, but in no other case, the Vice-Principal shall consult the Governing Body and may then dismiss the Principal.
  45. Where a complaint is to be referred to a Tribunal under paragraph 41, the Vice-Principal may suspend the Principal from his duties in all matters relating to the government and discipline of the College without loss of salary.
  46. For the purpose of the removal of the Principal from his office for incapacity on medical grounds, the provisions of Part IV of this Statute shall have effect, provided that the Vice-Principal shall perform any duty or exercise any power there assigned to the Principal.
  47. For the purpose of appeals by the Principal against removal from office, the Provisions of Part V of this Statute shall have effect, provided that the Vice-Principal shall perform any duty or exercise any power there assigned to the Principal.

#### STATUTE VIII: THE STUDENTS

1. The official members of the Governing Body may admit to student membership of the College persons who wish, and who in their opinion are qualified, to undertake advanced study or research.
2. The official members of the Governing Body may offer scholarships to students and prospective students and provide students of the College with such financial assistance as they may think fit.

#### STATUTE IX: DISCIPLINE

1. Any student of the College may, subject to the provisions of this Statute:
  - a) on the grounds of his misconduct, be:
    - i) expelled;
    - ii) rusticated;
    - iii) deprived of any scholarship or other financial assistance of which he may be in receipt from the College or of any part thereof;
    - iv) suspended from such scholarship or assistance or from any part thereof;
    - v) made the subject of any other penalty being less than those specified in the preceding sub-paragraphs and prescribed by the Governing Body in regulations;
  - b) on the grounds of his neglect of studies, be deprived of or suspended from any scholarship or other financial assistance of which he may be in receipt from the College or of any part thereof.
- 2.

- a) There shall be a Disciplinary Committee to consider charges of misconduct which may be brought against students by officers of the College. The Committee shall consist of:
- i) two members of the Governing Body, not being officers of the College, appointed by the Governing Body;
  - ii) two student members of the Common Room chosen by lot from a panel of five members who shall be appointed by the Common Room; and
  - iii) a non-voting chairman, who shall be either a Fellow of the College who is not a member of the Governing Body, or a member or former member of the College, being a member of the Congregation of the University but not a member of the Governing Body, appointed by the Governing Body after considering recommendations from the Executive Committee of the Common Room.

Members of the Disciplinary Committee shall hold office for one academic year and shall be eligible for re-appointment.

- b) If a member of the Disciplinary Committee appointed under sub-paragraph 2(a) (i) or (iii) above is unable or unwilling to attend a hearing, the Governing Body shall appoint another member to serve in his place, provided that if there is no convenient meeting at which such an appointment can be made, the appointment of a member with the specified qualifications shall be made by the Principal.
  - c) If a member of the Committee selected under sub-paragraph 2(a) (ii) above is unable or unwilling to attend a hearing, another member of the panel shall be chosen by lot to fill his place.
  - d) In the event of the procedures prescribed in this paragraph failing to produce a sufficient number of members able and willing to serve within reasonable time, the Committee may proceed, provided that not less than three members are present at the hearing.
3. If, after a hearing has begun, a member of the Disciplinary Committee cannot attend or continue to attend, the remaining members, provided that there are not less than three, shall complete the hearing, If less than three members remain, the hearing shall be abandoned, and a fresh one convened.
  4. A student against whom a charge of misconduct is to be brought shall be informed in writing of the nature of the charge not later than fourteen days before the date set for the hearing by the Disciplinary Committee.
  5. If a student refuses, or fails without good reason, to appear before the Disciplinary Committee to answer a charge, the Committee may proceed in his absence.
  6. A student attending the hearing shall have the right to be heard and to bring a member of the College with him to help him with his defence. The officer bringing the charge and the defence shall have the right to call, to examine, and to cross-examine witnesses.
  7. If the Disciplinary Committee, by the vote of a majority of the voting members present, finds the charge proved, it may impose such penalty, being one of those specified in sub-paragraphs (iii) (unless such deprivation would prevent the student from completing his studies), (iv) or (v) of paragraph 1 (a) of this Statute. If the Disciplinary Committee imposes a penalty, the student charged shall be given a reasoned decision in writing.
  8. If the Disciplinary Committee is of the opinion that none of the penalties specified in paragraph 7 would be adequate, having regard to the

circumstances of the offence and of the offender, it may make a recommendation in writing to the Governing Body, giving its reasons, that a penalty, being one of those specified in sub-paragraphs 1(a) (i) to (iii) of this Statute, should be imposed. A copy of the recommendations shall be given to the student charged.

9. A student may appeal to the Governing Body against any penalty imposed by the Disciplinary Committee under paragraph 7 above. The appellant shall be given at least fourteen days' notice in writing of the meeting at which the appeal is to be heard. All the members of the Disciplinary Committee shall have the right to attend the meeting of the Governing Body at which the appeal is heard, but the members of the Committee who are members of the Governing Body shall not vote on the appeal thereat. The appellant shall have the right to be heard by the Governing Body, and to bring with him a member of the College to assist him. The Governing Body shall have power to confirm the penalty imposed by the Disciplinary Committee or to impose some lesser penalty of those specified in paragraph 1 (a) of this Statute, and its decision shall be final. The appellant shall be given a reasoned decision in writing.
10. If the Disciplinary Committee makes a recommendation under paragraph 8 above, the Governing Body shall consider the recommendation at a stated or extraordinary meeting. The student charged shall be given at least fourteen days' notice of the meeting in writing. All the members of the Disciplinary Committee shall have the right to attend the meeting at which the recommendation is discussed, but those members of the Committee who are members of the Governing Body shall not vote on the recommendation at the meeting of that Body. The student charged shall have the right to be heard at the meeting, and to bring with him a member of the College to assist him. The Governing Body shall have power to impose the penalty recommended by the Disciplinary Committee or to impose some lesser penalty of those specified in paragraph 1 (a) of this Statute. If the Governing Body imposes a penalty, the student charged shall be given a reasoned decision in writing.
11. A charge of neglect of studies brought by an officer of the College shall be heard by an *ad hoc* Committee comprising the Principal and four Fellows of the College appointed by the Governing Body for this purpose. The student shall be given at least fourteen days' notice of the charge and of any meeting of an *ad hoc* Committee at which it is to be heard. The *ad hoc* Committee shall hear the student if he wishes to be heard. If the Committee, by a vote of not less than four members in favour, finds the charge proved, it may make a recommendation to the Governing Body that a penalty of those specified in sub-paragraphs 1 (a) (iii) or (iv) of this Statute should be imposed. The student shall be informed of any such recommendation and of the reasons for it. He shall be given at least fourteen days' notice of the meeting of the Governing Body at which the *ad hoc* Committee's recommendation is to be considered. He shall have the right (of which he shall also be informed) to be heard by the Governing Body at that meeting and to bring a member of the College to assist him. The Governing Body shall have the power to impose the penalty recommended by the *ad hoc* Committee or a lesser penalty of those that Committee might have recommended. The student shall be informed in writing of the decision of the Governing Body and of the reasons for it.
12. Meetings of the Governing Body held under the provisions of paragraphs 9 to 11 of this Statute shall be attended by the official members only, save that, and notwithstanding the provisions of paragraph 6 of Statute III concerning reserved business, the members of the Governing Body specified in paragraph

- 2(b), and (c) of Statute III may attend and vote if the student whose case is being considered so wishes.
13. A student may appeal to the Visitor against any penalty of expulsion or rustication, or of deprivation of scholarship or other financial assistance or of any part thereof where such deprivation would prevent him from completing his studies, imposed by the Governing Body under this Statute, provided he does so within fourteen days of receiving notice of the Governing Body's decision, unless that body, in giving such notice, indicates a longer period. He shall be given at least fourteen days' notice in writing of the date fixed by the Visitor for the hearing. He shall have the right to appear before the Visitor and to be represented by anyone he chooses (including, if he so wishes, a solicitor or barrister). The Visitor may confirm or annul the sentence or penalty or reduce the penalty, and his decision shall be final.
  14. The Disciplinary Committee shall report to the Governing Body at the end of each academic year on the number and kinds of charges (if any) considered by it during the year, and the number and kinds of penalty imposed.

#### STATUTE X: THE COMMON ROOM

1. The Common Room shall comprise:
  - a) The Principal and Fellows;
  - b) The Students for the time being of the College;
  - c) Former Fellows and Students of the College on conditions approved by the Governing Body;
  - d) Other persons at the discretion of the Governing Body on conditions approved by it.
2. The purpose of the Common Room shall be to promote the social, cultural, sporting, and recreational life of the College.
3. The constitution of the Common Room shall be determined by the Common Room, subject to the provisions of paragraph 4 below, and shall make provision for:
  - a) A President, who shall be a student member of the College, and such other officers as may be required;
  - b) Committees of the Common Room;
  - c) Meetings of the Common Room, provided that not less than one meeting shall be summoned in each term;
  - d) The delegation of such powers as the Common Room shall think fit to its officers and committees.
4. The procedure for making amendments to the constitution of the Common Room and for the election of the officers shall be subject to the approval of Governing Body and may not be amended without its consent.
5. The Governing Body shall allocate funds to the Common Room, and shall not make any change in any basis of allocation agreed with the Common Room except at a Stated Meeting and with the approval of not less than two-thirds of the members present. All such funds shall be disbursed on the purposes of the Common Room as set out in paragraph 2 above and the Common Room Committee shall not disburse or commit sums in excess of those allocated except with the consent of the Governing Body.

## STATUTE XI: FINANCIAL PROVISIONS

1. Any funds of the College to be invested, other than funds which are held on any specific trust, may be invested by the Governing Body in or upon such securities, shares, stocks, funds or other investments (including land) in any part of the world whether involving liability or not as the Governing Body in its absolute discretion thinks fit, so that the Governing Body shall have power to invest and vary the investments of such funds as if it were the beneficial owner thereof.
2. The Governing Body shall have power to expend the revenues of the College for any purpose within the provisions of the Charter and these Statutes: provided that the application of such revenue shall be subject to any Statute or Statutes made for the University under the powers of the Universities of Oxford and Cambridge Act 1923 for enabling or requiring the Colleges to make contributions out of their revenues for University purposes and for the payment of charges imposed thereby.
3. The Governing Body may from time to time set apart any College revenues not required for the previously declared purposes of these Statutes and may in its discretion invest and accumulate any sums so set apart for the purpose of forming a reserve fund for new or additional College buildings or for repairs to College buildings, or for the acquisition or provision of houses or buildings to be occupied and used in connection with the College, or for expenditure on other objects (whether or not of the same nature as the foregoing) deemed necessary or desirable by the Governing Body for the purposes of the College, and the Governing Body shall have power to expend the reserve fund for the purposes of this paragraph provided that:
  - a) The interest accruing from the investment of any sums so set apart shall be added to and regarded as forming part of the reserve fund; and
  - b) The sum or sums so set apart in any year shall not be treated as a deduction from the sum upon which the contribution of the College for University purposes in that year is assessed.
4. The Governing Body shall determine each year what sum, if any, in addition to any sum provided by trust funds or other special endowments, shall be set aside out of the general revenue of the College for the provision of Research Fellowships and Research Studentships.
5. The Governing Body shall have power at its discretion to make grants and loans either from any of its trust funds (subject to the terms of the trust), or from general revenue, to members of the College in financial need.
6. The Governing Body may make reasonable donations for educational or cultural objects relative to the purposes of the College (provided that such objects are in law charitable) and for any other charitable objects.
7.
  - i) The Governing Body shall cause proper records of account in permanent form to be kept. Separate accounts shall be kept of all special trust funds.
  - ii) The accounts of the College shall be audited annually by an auditor or auditors appointed by the Governing Body who shall be a member or members of any body of accountants established in the United Kingdom and for the time being recognised for the purposes of section 389(1)(a) of the Companies Act 1985, as amended.
  - iii) A duly audited Statement of Accounts shall be presented each year to every member of the Governing Body not less than one week

before the Governing Body Meeting at which the Governing Body shall have determined that the College Accounts shall be considered.

- iv) The Governing Body shall in every year cause to be prepared and delivered to the Registrar of the University for publication such information relating to the accounts of the College as may be prescribed from time to time by any Statute or Decree of the University in force for the time being.

## STATUTE XII: PENSIONS AND RELATED MATTERS

1. The Governing Body shall ensure that the Principal and each Fellow and Officer of the College who is in receipt of a stipend deemed by the Governing Body to be pensionable, and who is eligible for membership of the Universities Superannuation Scheme, shall become a member and subject to the provisions of that Scheme, and shall deduct from that stipend such sums, and in addition provide from corporate revenue such further sums, as are required by and under that Scheme.
2. The preceding paragraphs shall not apply to those who, being already members of the Federated Superannuation System for Universities, do not elect to transfer to the Universities Superannuation Scheme but remain members of the System. In relation to such members the Governing Body shall discharge the duties and exercise the rights of a member Institution under that System.
3. The Governing Body shall have power to make such provision for pensions as are desirable for those Fellows, officers, and employees of the College not otherwise provided for in this Statute.
4. The Governing Body shall make such provisions in its bye-laws as may be necessary to secure the observance and implementation of, and may enter into such agreements and undertakings as may be desirable in relation to, the pension arrangements of the College.
5. If it appears to the Governing Body (a) that the benefits arising by virtue of the preceding paragraphs of this Statute are unsatisfactory in the case of any person to whom they relate or (b) that any officer (including the Principal) or a Fellow of the College or his widow or dependants is or are in grave need, it may make such additional provision for his, her, or their benefit as it shall determine.