

# THE QUEEN'S COLLEGE, OXFORD

## BYLAWS

### I. THE FELLOWS

#### 1. Number [*Statutes III.1, IV.1 and .2*]

The total number of Fellows of the College of all categories other than Honorary Fellows, Emeritus Fellows and Laming Junior Fellows shall be not more than sixty. The total number of Professorial and Official Fellows of the College shall be forty or thereabouts.

#### 2. Election [*Statute IV.3*]

No proposal for election to a Stipendiary Fellowship shall be made until the Estates and Finance Committee has considered and reported upon the financial obligations involved. No Fellow shall be elected except at a Stated General Meeting, or at a Meeting specially summoned for the purpose. No election shall be made unless notice of the proposal to elect to a Fellowship and the name of the candidate it is proposed to elect shall have been circulated at least fourteen days before the meeting.

#### 3. Membership of the Governing Body [*Statute III.1*]

No Fellow who is not a member of the Governing Body shall be elected thereto unless notice of the proposal for election has been given to members of the Governing Body at least fourteen days before the Stated General Meeting at which the proposal is to be considered.

#### 4. Precedence

The Seniority of a Fellow shall be determined by the length of time during which he or she has been a Fellow of the College, unless the Governing Body shall determine otherwise at the time of his or her election.

#### 5. Rooms

The assignment of rooms is vested in the Governing Body. (The rights of Fellows to rooms in College are defined in Stat. III. sec. 4. (2).) If a Fellow wishes to vacate his or her rooms, he or she shall inform the Governing Body. In the assignment of rooms, the Governing Body shall take into account the disciplinary and other requirements of the College, but *ceteris paribus* shall offer vacant rooms to Fellows in order of seniority. If it seems desirable to the Governing Body that a particular set of rooms be occupied by a Fellow, the Governing Body may call upon a Fellow to occupy the rooms. The rooms of a Fellow shall not be occupied in his or her absence without his or her permission.

#### 6. Official Fellows

The annual stipend of an Official Fellow shall be such as the Governing Body may from time to time determine on the recommendation of the Remuneration Committee.

## **7. The Tutors**

All Praelectors shall be eligible for election to Tutorships at any time after their election as Praelectors that the Governing Body shall deem fit.

- i.* Each Tutor shall have approximately the same number of pupils; subject to the principle that pupils taught in College shall be assigned, if possible, to a Tutor who is responsible for their instruction.
- ii.* Each Tutor shall receive a stipend whose amount shall be determined by the Governing Body on the recommendation of the Remuneration Committee.

## **8. The Praelectors** [*Statute X.1 to .4*]

- i.* Each Praelevator shall provide tuition on behalf of the College, and shall give university or faculty lectures or classes in each academic year. The College shall have first claim on the teaching hours of each Praelevator.
- ii.* Number of College teaching hours

The Governing Body shall determine each Praelevator's maximum and minimum number of teaching hours for the College ('College teaching hours'). In normal circumstances, the maximum and minimum shall be equated, and shall be as follows:

- (a) twelve hours per week in the case of a Praelevator whose appointment is held jointly with a University C.U.F. Lecturership;
  - (b) six hours per week in the case of a Praelevator whose appointment is held jointly with a University Lecturership (U.L.);
  - (c) ten hours per week in the case of a Praelevator whose appointment is held jointly with a University Faculty Lecturership.
- iii.* Calculation of College teaching hours

A Praelevator's total number of College teaching hours shall not include time spent on university or faculty lectures or classes. College teaching hours shall be calculated on an average over 24 weeks of the academic year. The calculation shall be made in one of the following ways, the choice to be made by the Praelevator concerned:

- (a) To actual teaching hours shall be added time spent in the correction of papers (excluding Collections at the beginning of term and College Entrance and Fellowship examinations), every two hours thus spent being reckoned as one teaching hour;
- (b) No account shall be taken of time spent in the correction of papers, but hours shall be calculated according to the number of pupils in tutorials and classes, as the sum of one hour for a single pupil and one-quarter of an hour for each additional pupil up to a maximum of five (i.e. according to the formula  $1 + 0.25(n-1)$ , where  $n$  is the number of pupils in the tutorial or class up to a maximum of five).

iv. Maximum and minimum College teaching hours

If the College teaching hours of a Praelector fall below the minimum number stated in this Bylaw, it shall be open to the Governing Body to ask him or her to undertake such other additional work as the Governing Body may reasonably assign. If a Praelector shall estimate that his or her College teaching hours in any academic year will exceed the maximum number stated in this Bylaw, he or she shall have the right to request the Academic Committee to relieve him or her of such portion as will reduce the number of his or her teaching hours to that maximum.

v. Stipends [*Statute XVIII.1 and .2*]

- (a) The combined College stipend paid to Praeceptors shall be such as the Governing Body shall from time to time determine on the recommendation of the Remuneration Committee, provided that notice of intention to amend the salary scale shall have been given at a previous meeting of the Governing Body held in Full Term.
- (b) The Governing Body shall from time to time decide on the recommendation of the Remuneration Committee what part of the combined stipend of a Praeceptor who holds an Official Fellowship shall be regarded as the stipend of his or her Fellowship.

vi. Retirement [*Statute IV.7*]

A Praeceptor whose appointment is held jointly with a University Readership or Lecturership (including a Faculty or C.U.F. Lecturership) shall retire from or vacate the Praeceptorship on the day that he or she retires from or vacates the University appointment. A Praeceptor who holds no such University appointment shall retire from the Praeceptorship not later than the 30th September following his or her attainment of such retirement age as is stipulated in national law or under University rules.

vii. Praeceptors and External Instruction

No Praeceptor shall undertake tuition outside the College (other than

university or faculty lectures or classes) above four hours a week unless he or she has the permission of the Academic Committee.

*viii.* Leave of Absence to Praelectors

(a) Leave of Absence for purposes of study

1. Each Praelector may, if he or she so desires, apply for a year or less free from teaching duties, on condition that he or she either (a) undertakes a piece of study with a view to publication or (b) submits a specific programme of work. The proposed subject or course of study shall be submitted to, and approved by, the Governing Body.
2. Such leave shall be granted only (a) provided that the teaching requirements of the College permit it without inconvenience to dispense with the services of the Praelector for the period in question, and (b) provided that sufficient money is available to support the extra charge.
3. When applying for such leave a Praelector shall also submit to the Governing Body:
  - (a) details of any salary or emoluments (other than casual earnings) he or she will receive during the period of leave, and
  - (b) details of any duties he or she will be required to perform during the period of leave.

If the Governing Body considers that the performance of such duties is incompatible with the carrying out of the piece of study or programme of work referred to in Clause 1 above it may decide to grant the Praelector special leave under Bylaw I.8.viii.(b).

4. Praelectors shall be eligible for such leave in order of seniority, provided that (a) a Praelector shall not lose the priority of his or her claim by refusing to take advantage of any opportunity open to him or her, but that (b) in considering the urgency of any application the Governing Body may take into account former leaves of absence which have been granted to the applicant either under this Bylaw or under any other power of the College
5. Praelectors shall ordinarily be eligible for leave as determined under (6) below. Alternatively, subject to approval by the Governing Body, Praelectors may elect to have their eligibility for leave determined under the University Regulations for the Granting

of Sabbatical Leave and Dispensation from Prescribed Duties.

6. No Praelector shall ordinarily be eligible for such leave until he or she has completed four years of teaching in the College. A Praelector may take such leave more than once during each period of seven years calculated from the date of his or her first appointment as Praelector, provided that in any one such period of seven years the aggregate of leave taken for purposes of study does not exceed three terms.
7. During the period of leave the Praelector shall receive in full his or her Fellowship and Praelectorship stipends, his or her Tutorship stipend and his or her housing allowance. He or she shall not receive the emoluments of any other College office.
8. At the end of the period of leave the Praelector shall submit for the consideration of the Governing Body a detailed report on the work he or she has done during his or her leave. Such reports shall be received and considered by the Governing Body.

(b) Special Leave

The general principles which shall govern the granting of special leave are:

In case of illness the Praelector shall receive in full his or her Fellowship, Praelectorship and Tutorship stipends and his or her housing allowance. He or she shall not normally receive the emoluments of any College Office.

In other cases, special leave shall not be granted except on the following conditions: namely that the granting of such leave shall be in the general interests of the College. This phrase shall be interpreted to cover such contingencies as war service, parental leave (e.g., maternity or paternity leave), an important conference relative to the Praelector's field of study, temporary or part-time secondment to public service or other meritorious work.

During such special leave the Fellow shall normally receive his or her full College Stipend as Praelector, Fellow and Tutor but not the stipend of any College Office, except that the cost incurred by the College in replacing his or her teaching shall be deducted from these emoluments, if, during his or her leave he or she shall receive any additional salary or emoluments other than casual earnings.

(c) Special leave for research

Notwithstanding the provisions of Bylaw I.8.viii.(a), special leave for research may be granted to a Praelector who has received an award (such as a Fellowship) from a prestigious external body after significant competition. Such leave shall not entail the consumption of leave of absence under Bylaw I.8.v.(a).6 and shall not count, unless the awarding body insists otherwise, as qualifying service towards the calculation of eligibility for subsequent leave. Applications for leave of absence in order to visit or teach at another university shall be covered by Bylaw I.8.viii.(a).

**9. Senior Research Fellows**

Every Senior Research Fellow shall reside in Oxford during Full Term unless he or she has leave from the Governing Body to reside elsewhere for the purposes of his or her research or for other sufficient reason. He or she shall present annually on 29 September for the approval of the Governing Body, a report on his or her work during the previous year. He or she shall not, without the consent of the Governing Body, undertake any other work which would in the opinion of the Governing Body interfere with the full performance of his or her duties as a Research Fellow.

**10. Junior and Browne Research Fellows and Students**

*i.* Classes of Junior Research Fellowships

There shall be two classes of Junior Research Fellowships: ordinary and extraordinary. Browne Research Fellowships shall fall under the category of ordinary Junior Research Fellowships, except when the Governing Body shall exercise the option of appointing Extraordinary Browne Junior Research Fellowships, which, with the exception noted below, shall fall under the category of Extraordinary Research Fellowships.

*ii.* Conditions of Tenure

1. No person shall be eligible for an ordinary Junior Research Fellowship or Browne Research Fellowship who shall on the day of his or her election have exceeded 30 terms from his or her matriculation for a first degree excluding any period up to a maximum of three years, which has been spent in full-time training in clinical medicine. Extraordinary Junior Research Fellows shall hold a suitable stipendiary research appointment of limited tenure in the University or a department of the University, or shall have been offered and accepted such an appointment in the academic year in which the Fellowship is to be taken up. Extraordinary Junior Research Fellows shall not normally at the date of their first election have accumulated more than ten years full-time postgraduate study or research. Extraordinary Junior Research Fellowships shall be tenable for up to three years, and may be renewed for a further period

not exceeding two years, except in the case of Extraordinary Browne Junior Research Fellowships held by those who have been ordinary Browne Research Fellows, which shall be tenable for two years only. An Extraordinary Junior Research Fellow shall vacate his or her Fellowship immediately on ceasing to hold the research appointment which qualified him or her for election. However, this condition may be waived where the Fellow secures an alternative qualifying appointment. Extraordinary Junior Fellowships shall be non-stipendiary, and shall not normally carry entitlement to rooms.

2. The subjects in which all Junior Research Fellows and Browne Research Fellows and Students propose research shall be approved by the Governing Body.
3. All Junior Research Fellows, all Browne Research Fellows or Students and all Randall Maclver Students shall present annually to the Governing Body, on 29 September or more often if the Governing Body so require, a report concerning the work which they have accomplished during the preceding year and the work with which they propose to proceed in the year following; and, if required by the Governing Body, they shall answer questions *viva voce* in regard to their work before a Committee appointed by the Governing Body.

*iii.* Residence and Leave of Absence

All Junior Research Fellows and Browne Research Fellows and Students shall reside in Oxford during Full Term, unless leave of absence for a period or periods shall have been granted by the Governing Body.

*iv.* Teaching

1. All Junior Research Fellows shall not undertake teaching work outside the College without previously obtaining the consent of the Governing Body.
2. If they shall give instruction within the College, they shall receive, in addition to their Fellowship Stipend, payments from the Tuition Fund.
3. The total amount of teaching which any Junior Research Fellow shall undertake shall not normally exceed six hours a week.

11. **Career Development Fellows** [*Statute IV.3*]

*i.* Conditions of Tenure

1. No person shall be eligible for election to a Career Development Fellowship who shall on the day of his or her election have exceeded 30 terms from his or her matriculation for a first degree excluding any period up to a maximum of three years, which has been spent in full-time training in clinical medicine.
2. The subjects in which it is proposed that Career Development Fellows teach and research shall be approved by the Governing Body.

*ii.* Residence and Leave of Absence

All Career Development Fellows shall reside in Oxford during Full Term, unless leave of absence for a period or periods shall have been granted by the Governing Body.

*iii.* Teaching and sabbatical leave

1. The Governing Body shall determine at the time of election each Career Development Fellow's maximum and minimum number of teaching hours for the College, save that in no case shall that number exceed six hours per week averaged across the academic year.
2. Career Development Fellows shall be entitled to sabbatical leave earned at the rate of one term for every two terms taught after the first two years. On completion of a period of sabbatical leave, the Career Development Fellow shall present to the Governing Body a report concerning the work accomplished during that period.

12. **Interpretation**

In the Bylaws the word 'Fellows' shall be interpreted to mean all Fellows except Honorary Fellows and Laming Junior Fellows unless another interpretation is explicitly indicated.

## II. HONORARY FELLOWS

*[Statute V]*

1. **Election**

No name shall be proposed for election to an Honorary Fellowship unless leave to submit the name has been given at a preceding Stated General Meeting.

2. **Entitlements**

Each Honorary Fellow shall have the following entitlements:

- (a) subject to the provisions of Bylaw X, to lunch and dine free of charge at the Common Table, including on Fridays in the case of dinner, and to bring guests on the same occasions and on the same terms as Official Fellows;
- (b) subject to the provisions of Bylaw XI, to dine free of charge at and to bring one guest free of charge to Gaudies;
- (c) to wear a surplice in Chapel;
- (d) subject to the provisions of Bylaw XII, to be an Honorary Member of Common Room.

## **IIA. THE PROVOST**

*[Statutes II, XX]*

1. For the better performance of his or her duties, the Provost shall occupy his or her office for one term of five years and be subject to the possibility of re-election for up to two further terms of three years, but shall in no case occupy the office for longer than eleven years. Unless Statute II.2.2 or Statute XX is in play, a term of office shall ordinarily cease, and the office of Provost deemed in consequence to have been vacated, upon the first day of August in the calendar year in issue (as defined in Bylaw IIA.2).
2. It having been the case that until 1st August, 2019, the Provost was required to vacate his or her office upon the first day of August next after attaining the age of seventy years (upon which date the Provostship was vacated by Paul Anthony Madden), the first calendar year in issue shall be 2024. The specification of later such years shall depend upon whether the Provost is occupying his or her office for a five-year term or, following re-election, for a three-year term, but shall in all cases be in accordance with Bylaw IIA.1.
3. Within Statute II.3.3.(1), the words ‘a vacancy in the Provostship will occur within thirteen weeks, either by the retirement or by the resignation of the Provost’ shall ordinarily be taken as referring to a vacancy arising where Statute II.2.2 is in play and pre-election under Statute II.3.6 is impossible or manifestly impractical.
4. Within Statute II.3.6.(2), the words ‘not more than two years before the day on which the Provost reaches the age of retirement under sect. 2, clause 1, of this Statute’ shall be taken as referring to the date on which the term of office of the Provost is due to cease in the calendar year in issue.
5. Provided always that the Provost is eligible under Bylaw IIA.1 for re-election for a further term and has indicated a wish to be considered for re-election, Statute II.3.6.(2) shall be interpreted as applying as follows:

- (a). Receipt by the Pro-Provost or senior Official Fellow in residence, not more than two years before the date referred to in Bylaw IIA.4, of notice given by a member of the Electoral Body of an intention to move a resolution to pre-elect a Provost, shall require the Pro-Provost or senior Official Fellow in residence to convene as soon as may be practicable a meeting or meetings of the Electoral Body to determine whether to re-elect the Provost for a further term. The Electoral Body shall have the authority to establish by the votes of not less than two-thirds of members present and voting a committee empowered to make recommendations concerning this matter, and shall consider such recommendations (if any) prior to reaching its determination. The Pro-Provost or senior Official Fellow in residence shall not be empowered, within Statute II.3.6.(2), to give notice to members of the Electoral Body of a meeting to consider the resolution to pre-elect a Provost until all steps stipulated here have been completed.
  - (b). In discharging its obligations under Bylaw IIA.5.(a), the Electoral Body and any committee established thereby shall be bound by the requirements of employment law, including procedural fairness and the obligation to provide sufficient reasons for decision(s) to affected parties. In determining whether to re-elect the Provost for a further term (should this be permitted under Bylaw IIA.1), the Electoral Body and any committee established thereby shall be obliged to consider whether the Provost has properly performed the duties specified in Statute II.1 and upheld the declaration made in accordance with Statute II.3.7.(1), and shall be bound by considerations of proportionality and reasonableness.
  - (c). Should the Electoral Body determine that the Provost be re-elected for a further term, the Pro-Provost or senior Official Fellow in residence shall give not less than seven days' notice, in accordance with Statute II.3.6.(2), of a meeting to move a resolution to pre-elect the Provost for the term concerned.
  - (d). Should the Electoral Body determine that the Provost not be re-elected for a further term, the Pro-Provost or senior Official Fellow in residence shall give not less than seven days' notice of a meeting to move a resolution to pre-elect a Provost in accordance with Bylaw IIA.1. from the date on which the term of office of the Provost is due to cease in the calendar year in issue. Statute II.3.6.(1) and (3) shall then apply.
6. Should the Provost not be eligible under Bylaw IIA.1 for re-election for a further term or should he or she have indicated a wish not to be considered for re-election, Statute II.3.6. shall apply.

7. Statute II and Bylaw IIA shall be understood as making provision for situations and processes distinct from those falling within Statute XX and Bylaw XIX.

### **III. FELLOW COMMONERS**

*[Statute VI]*

1. Fellow Commoners shall be so many in number as the Governing Body shall from time to time determine, and shall be elected for a given period of time. Their emoluments, if any, shall also be determined at the time of their election by the Governing Body. If for any period Fellow Commoners shall be permitted to reside in College, their rooms may be free of rent and taxes. Laming Junior Fellows and Randall-Maclver Students shall enjoy the status of Fellow Commoner.
2. All Fellow Commoners shall have the right to lunch and dine free of charge at the Common Table during their period in the College, and shall when in residence be invited to Gaudies in Full Term.
3. All Fellow Commoners shall be honorary members of Common Room.
4. In the case of Laming Junior Fellows and Randall-Maclver Students, the appropriate Trust Funds shall be charged for the cost of their participation in Common Table and the occupancy of rooms.
5. Each Laming Junior Fellow shall be entitled to wear a surplice in Chapel.

### **IIIA. LECTURERS AND OCCASIONAL INSTRUCTORS**

*[Statute X.5 to .7]*

1. The Lecturers shall be so many in number as the Governing Body shall from time to time determine, and shall be appointed by the Governing Body for a period of not more than five years. The Governing Body may, if it think fit, assign rooms in College free of rent and taxes, to any Lecturer, and may at any time revoke such assignment. The Governing Body may from time to time add to the Tutorial Committee such of the Lecturers as it shall think fit.
2. Each Lecturer shall at the time of election be notified whether his or her appointment is renewable and for what periods (always subject to satisfactory performance of his duties).
3. Each Lecturer shall be assigned by the Governing Body to one of the following categories: Full-time Lecturer and Part-time Lecturer.
4. The duties of a Full-time Lecturer shall be to teach under the direction of the Academic Committee up to twelve hours per week, averaged over the twenty-four weeks of the academic year, to examine, and to undertake such other duties

as the Governing Body may direct.

5. The College shall have first claim on the services of a Full-time Lecturer and he or she shall not undertake any outside teaching or appointment nor be absent from Oxford during Full Term except with the leave of the Governing Body.
6. The stipend of a Full-time Lecturer shall be fixed at the time of his or her appointment and varied when there are general increases in the stipends of teaching officers or at the discretion of the Governing Body. A Full-time Lecturer will be offered accommodation in College, if it is available, and a Housing Allowance in lieu of such accommodation. Neither the stipend nor the housing allowance (if any) shall be less than those normally given to Junior Research Fellows.
7. Full-time Lecturers shall be entitled to lunch and dine free of charge at the Common Table and to bring a single guest (upon payment) upon all occasions when a Fellow may bring guests.
8. A Full-time Lecturer shall be an ordinary Member of Common Room and shall be entitled to book Common Rooms for private use on the same terms as Fellows of the College.
9. A Full-time Lecturer shall normally be elected to membership of the Tutorial Committee.
10. The duties and stipend of a Part-time Lecturer shall be such as the Governing Body may determine but shall be less than those of a Full-time Lecturer.
11. A Part-time Lecturer shall be given such lunching and dining rights as the Governing Body may determine and shall have the right to use Common Room when he or she lunches or dines.
12. The emoluments of Occasional Instructors shall be those agreed by the Conference of Colleges' Committee of Senior Tutors.

### **IIIB. COLLEGE BENEFACTORS**

*[Statute VII]*

1. **Qualification** Persons may be elected College Benefactors and placed within a recognised category of Benefactorship in recognition of their financial support for the College. The Governing Body shall review the qualifying levels of support and categories of Benefactorship on a decennial basis.
2. **Categories** Benefactors may be elected to hold a Foundation Medal, as a Member of the Provost's Circle, or as a Caroline Benefactor, Eglesfield Benefactor, Williamson Benefactor or Philippa Benefactor.
3. **Election** No name shall be proposed for election to a College Benefactorship (except to a Philippa Benefactorship) unless leave to

submit the name has been given at a preceding Stated General Meeting.

4. **Gaudy Days**

*Williamson Benefactors* shall be entitled to dine as guests of the College on the following Gaudy Days: All Saints or Fettiplace, in the year in which their qualifying gift is made.

*Eglesfield Benefactors* shall be entitled to dine as guests of the College on the following Gaudy Days: All Saints and Fettiplace.

*Caroline Benefactors* shall be entitled to dine as guests of the College and may bring one guest on the following Gaudy Days: All Saints and Fettiplace.

*Provost's Circle Members* shall be entitled to dine as guests of the College and may bring one guest on the following Gaudy Days: All Saints and Fettiplace.

*Foundation Medallists* shall be entitled to dine as guests of the College and may bring one guest on all Gaudy Days.

5. **Dining rights** Benefactors shall be granted such lunching and dining rights as the Governing Body may from time to time determine.

6. **Other privileges** Benefactors shall be entitled to wear a surplice in Chapel, shall be honorary members of Common Room, and may enjoy such other privileges and benefits as the Governing Body may from time to time determine.

#### IV. PENSIONS

*[Statute XVIII]*

The general principles which shall govern the supplementation of pensions in accordance with the terms of Statute XVIII shall be such as are determined by the Governing Body acting on the recommendation of the Remuneration Committee.

#### V. GOVERNING BODY

*[Statutes III, XIX]*

1. **Meetings of the Governing Body** *[Statute III.5]*

*i.* Meetings of the Governing Body shall normally be held on the second, fifth and eighth Wednesdays of Full Term, and shall normally begin at 2.00 p.m. A meeting shall also normally be held during the second, third or fourth calendar week falling within July, on a date and at a time to be determined during the preceding Hilary Term.

Special meetings may be summoned at any time by the Provost on giving not less than seven days' notice, and not less than thirty-one days' notice if the meeting is held in August or September. In case of special emergency, the Provost may at his or her discretion summon a meeting with such notice as he or she thinks fit, but only such business shall be transacted thereat as shall be stated on the notice of the meeting. All special meetings shall, so far as circumstances permit, be held on Fridays immediately after dinner.

The **First Statutory** Stated General Meeting shall be held on the fifth Wednesday in Trinity Full Term at 2.00 p.m.

The **Second Statutory** Stated General Meeting shall be held on the fifth Wednesday in Michaelmas Term at 2.00 p.m. and if adjournment is necessary it shall be to the sixth Wednesday in Michaelmas Term.

*ii.* The business of the Governing Body shall be divided into reserved and unreserved sections. Business shall ordinarily be unreserved, save where:

- (a) the Governing Body determines that it shall be reserved; or
- (b) it concerns investments, financial strategy (but not budgets), the election, appointment or continuing appointment of specific individuals, individual terms and conditions of employment including salaries, pensions and benefits, the award of prizes to junior members, the election of junior members to scholarships and exhibitions, and other matters of a confidential personal nature, in which case it shall ordinarily be reserved unless the Governing Body determines that it shall be unreserved.

Prior to or at the beginning of any meeting of the Governing Body, the Provost and Secretary of the Governing Body shall determine into which category each item of business shall initially be placed.

*iii.* The **Order of Business** at Stated General Meetings shall be as follows:

A. **Unreserved Business**

- (a) Minutes dealing with unreserved business.
- (b) Matters arising from the unreserved business of previous meetings.
- (c) The Provost's urgent unreserved business.
- (d) Reports of Committees concerning unreserved business, in the following order:

1. Statutory Committees;
  2. Standing Committees;
  3. Any other Committees as the Provost shall determine.
- (e) General Unreserved Business of the Governing Body:
1. Important unreserved business, i.e. unreserved business certified by the Provost as requiring immediate attention.
  2. Unreserved business of the Governing Body postponed from the preceding meeting in accordance with viii below.
  3. Other general unreserved business.
- (f) The Provost's other unreserved business.
- (g) Unreserved business of the Senior Tutor, the Secretary to the Tutorial Committee, the Tutor for Undergraduates, the Tutor for Graduates, the Tutor for Admissions, the Tutor for Outreach, the Deans, the Librarian, the Bursar, the Domestic Bursar, the Director of Development, the Secretary of the Governing Body, the Statutes and Bylaws Officer, the Secretary of the Laming Committee, the Keeper of the Archives, the Equalities Officer, the I.T. Fellow, the Entertainment Secretary, the Hardship Officer and the Website Editor.
- (h) Unreserved business of other members of the Governing Body and anyone in attendance under Bylaw V.2.iii.

## **B Reserved Business**

- (a) Minutes dealing with reserved business.
- (b) Matters arising from the reserved business of previous meetings.
- (c) The Provost's urgent reserved business.
- (d) Reports of Committees concerning reserved business, in the following order:
  - (1) Statutory Committees;
  - (2) Standing Committees;
  - (3) Any other Committees as the Provost shall determine.

- (e) General Reserved Business of the Governing Body:
    - (1) Important reserved business, i.e. reserved business certified by the Provost as requiring immediate attention.
    - (2) Reserved business of the Governing Body postponed from the preceding meeting in accordance with viii. below.
    - (3) Other general reserved business.
  - (f) The Provost's other reserved business.
  - (g) Reserved business of the Senior Tutor, the Secretary to the Tutorial Committee, the Tutor for Undergraduates, the Tutor for Graduates, the Tutor for Admissions, the Tutor for Outreach, the Deans, the Librarian, the Bursar, the Domestic Bursar, Director of Development, the Secretary of the Governing Body, the Statutes and Bylaws Officer, the Secretary of the Laming Committee, the Keeper of the Archives, the Equalities Officer, the I.T. Fellow, the Entertainment Secretary, the Hardship Officer and the Website Editor.
  - (h) Reserved business of other members of the Governing Body and anyone in attendance under Bylaw V.2.iii.
  - (i) Questions and notices of motion.
  - (j) Notices of motion shall be sent in writing to the Secretary of the Governing Body.
- iv.* No opposed business shall be begun after three hours have elapsed from the beginning of the meeting.
- v.* Reports of Committees concerning reserved and unreserved business shall so far as possible be circulated to those entitled to receive them before such reports are considered by the Governing Body.
- vi.* The agendas for reserved and unreserved business at each meeting of the Governing Body shall be sent to those entitled to receive them not later than 10 a.m. on the morning of the day before the meeting.
- vii.* The Provost shall be entitled to postpone any motion not previously discussed to the next meeting of the Governing Body.
- viii.* In any term no motion rejected during that term shall be re-proposed, nor shall any resolution of the Governing Body made during that term be rescinded, except with the consent of at least two thirds of members present and voting.

- ix. When any motion is put to a formal vote, the junior Fellow shall vote first, and then the other Fellows in the order of juniority.
- x. Any of the orders in sub-sections iii. to x. (inclusive) of this Bylaw may be suspended for that meeting only by a two-thirds majority of members present and voting at any Stated General Meeting of the Governing Body.
- xi. No Bylaw shall be made or amended at a Stated General Meeting or at a meeting specially called for the purpose in full term except (i) on seven days' notice in writing of the proposed Bylaw or amendment sent to each member of the Governing Body or (ii) by a two-thirds majority of members present and voting. This sub-section shall not be amended or repealed except by a two-thirds majority of members present and voting at a Stated General Meeting of the Governing Body or at a meeting specially called for the purpose in full term and upon two weeks' notice in writing of the proposed amendment or repeal sent to each member of the Governing Body. [*Statute III.6*]
- xii. No Bylaw shall be suspended at a Stated General Meeting or at a meeting specially called for the purpose in full term except (i) on seven days' notice in writing of proposed suspension of the Bylaw sent to each member of the Governing Body or (ii) by a two-thirds majority of members present and voting. In suspending a Bylaw the Governing Body Order shall state for what period and in respect of what or whom it is to be suspended. This sub-section shall not be amended to repealed except by a two-thirds majority of members present and voting at a Stated General Meeting of the Governing Body or at a meeting specially called for the purpose in full term and upon two weeks' notice in writing of the proposed amendment or repeal sent to each member of the Governing Body. [*Statute III.6*]
- xiii. When reaching any decision, the Governing Body shall have regard to the list of requirements associated with the Public Sector Equality Duty, in accordance with the Equality Act 2010 and any successor and relevant secondary legislation.

## 2. **Attendance at meetings**

The following may attend meetings of the Governing Body to the extent stipulated in this Bylaw, but shall not count, for any purpose, as members of the Governing Body:

- i. The President of the J.C.R. and the President of the M.C.R. (or a designated substitute representative of the J.C.R. or M.C.R., as appropriate, if the relevant President is unavailable), for the discussion of unreserved business. They shall have the right to speak whilst such business is being discussed, but not to vote or to propose motions. They shall receive agendas, papers and minutes concerning unreserved business. The name of the designated substitute representative shall be supplied to the Provost prior to the first meeting of the Governing Body in each academic year.

- ii. The Domestic Bursar and the Director of Development, for the discussion of all business unless the Governing Body shall determine otherwise in relation to any particular item. They shall have the right to speak but not to vote. They shall receive agendas, papers and minutes.
- iii. Up to two Fellows falling within Statute IV.1.3 to 1.6, elected from among their number and who at the time of taking up their place shall have been a Fellow of the College for at least one year, for the discussion of all business unless the Governing Body shall determine otherwise in relation to any particular item. They shall have the right to speak and to bring business to the Governing Body, but not to vote. They shall receive agendas, papers and minutes.

### 3. **Committees of the Governing Body**

#### i. **Statutory Committees of the Governing Body**

- (a) **The Estates and Finance Committee** [*Statute VIII.2*] consisting of the Provost, the Bursar, and four members elected by the Governing Body. The Bursar shall act as Secretary.
- (b) **The Tutorial Committee** [*Statute X.6*] consisting of the Provost, the Praelectors and such lecturers as the Governing Body may add (for the purposes of this Bylaw, all Career Development Fellows shall count as Lecturers and shall be members of the Committee from the start of their term). A Fellow falling within Statute IV.1.3 to 1.6 who is not otherwise a member of the Committee shall also attend meetings. One designated representative from each of the J.C.R. and M.C.R. (and a designated substitute representative of the J.C.R. or M.C.R., as appropriate, if the representative is unavailable) shall be in attendance for unreserved items. The Senior Tutor shall act as Secretary.
- (c) **The Library Committee** [*Statute VIII.5*] consisting of the Provost, the Fellow Librarian and three members elected by the Governing Body. This Committee shall be responsible for considering the acceptance or refusal of any gifts or bequests to the Library and any proposals for the disposal or loan of books. The Fellow Librarian shall act as Secretary. The Librarian, the Reader Services Librarian, the Technical Services Librarian, a Fellow falling within Statute IV.1.3 to 1.6, and the Keeper of the Archives shall attend meetings of the Committee. One designated representative from each of the J.C.R. and M.C.R.

(and a designated substitute representative of the J.C.R. or M.C.R., as appropriate, if the representative is unavailable) shall be in attendance for unreserved items.

All these Statutory Committees shall report to the Governing Body. Fellows falling within Statute IV.1.3 to 1.6 who are in attendance at meetings of Statutory Committees must at the time of taking up their place have been Fellows of the College for at least one year. The names of designated representatives and designated substitute representatives of the J.C.R. and M.C.R. shall be supplied to the Provost prior to the first meeting of the committee concerned in each academic year.

*ii.*     **Standing Committees of the Governing Body**

- (a)     **The Domus Committee** consisting of the Provost, the Bursar, the Dean, the Tutor for Undergraduates, the I.T. Fellow, the Steward of Common Room, and two other Fellows elected by the Governing Body. Its duties shall be to consider all matters relating to the College's organisation and activities provided that such matters are not of an exclusively or predominantly academic nature. It shall in particular consider requests for permission for the use of facilities, the routine maintenance and refurbishment of the College buildings and gardens, accommodation and catering matters including charges and the allocation of rooms, I.T. provision, and management of the College's conference and trading activities. The Chaplain, Domestic Bursar, and a Fellow falling within Statute IV.1.3 to 1.6, shall be in attendance for all items, the I.T. Officer and Conference and Functions Officer shall be in attendance for items of relevance to them, and one designated representative from each of the J.C.R. and M.C.R. (and a designated substitute representative of the J.C.R. or M.C.R., as appropriate, if the representative is unavailable) shall be in attendance for unreserved items. The Bursar shall act as Secretary.
- (b)     **The Personnel Committee**, consisting of the Provost, the Bursar, the Senior Tutor, the Equalities Officer, and two other members elected by the Governing Body. The Domestic Bursar shall attend meetings of the Committee. Its duty shall be to review the salaries of College staff and the grades of existing staff posts, to recommend salaries for new members of College staff and new staff posts (obtaining guidance from external sources where appropriate), and to ensure that all other matters relating to

personnel are disposed of fairly, appropriately, and lawfully. The Committee shall have no jurisdiction over matters (including remuneration and other conditions of employment) concerning or relating to Fellows, College Officers, Lecturers, and Instructors. The Bursar shall act as Secretary.

- (c) **The Benefices Committee**, consisting of the Provost, the Bursar, and two or more members elected by the Governing Body, one of whom shall, if possible, be a Fellow in Holy Orders. The Chaplain and a Fellow falling within Statute IV.1.3 to 1.6 shall attend meetings of the Committee. Its duty shall be to report to the Governing Body upon vacant benefices, and after consultation with the Bishop of the Diocese and the Parochial Church Council concerned, to recommend Clerks to fill them. Furthermore no Clerk shall be nominated by the Governing Body, or invited to accept such nomination, until his or her name has been submitted to the Bishop of the Diocese for their consent. The Committee shall also consider, and report to the Governing Body upon, any proposed exchange or union of benefices. A member of the Committee shall be appointed by the Governing Body to act as Secretary.
- (d) **The Chapel Committee**, consisting of the Provost, the Organist, and at least two Fellows, and of such officers of the College as the Governing Body may from time to time appoint. The Chaplain, Domestic Bursar and a Fellow falling within Statute IV.1.3 to 1.6 shall attend meetings of the Committee. Its duty shall be to consider questions relating to the Chapel and to Divine Worship, and to report to the Governing Body. The Committee shall select one of its members to act as Secretary.
- (e) **The Wine Committee**, consisting of the Secretary of the Wine Committee, the Steward of Common Room, and three members elected by the Governing Body. A Fellow falling within Statute IV.1.3 to 1.6 shall also be invited to attend. No purchases or sales or issues of wine shall be made unless sanctioned by this Committee. It shall in each Michaelmas Term present to the Governing Body a report upon the purchases, sales, and stocks of wine, and shall report at such other times as the Governing Body may from time to time determine.
- (f) **The Laming Committee**, consisting of the Provost, the Senior Tutor, the Praelectors in Modern Languages, and one other member elected by the Governing Body. A Fellow falling within Statute IV.1.3 to 1.6 shall also be invited to attend. One of the Praelectors in Modern Languages shall be elected by the Governing Body to act as Secretary at an annual stipend

determined by the Governing Body and chargeable to the Laming Trust for Fellowships. The duties of the Committee shall be to make recommendations to the Governing Body on matters relating to Junior Fellowships, to exercise general supervision over the Junior Fellows at home and abroad, and to recommend grants to Laming Scholars.

- (g) **The Academic Committee**, consisting of the Provost, the Senior Tutor, the Tutor for Admissions, the Tutor for Outreach, the Tutor for Undergraduates, the Tutor for Graduates, and up to four members elected by the Governing Body. At least two members of the Committee shall hold posts in subjects within the remit of the Humanities Division or the Social Sciences Division, and at least two shall hold posts in subjects within the remit of the Medical Sciences Division or the Mathematical, Physical and Life Sciences Division. The Academic Administrator and up to two Fellows falling within Statute IV.1.3 to 1.6, of whom ordinarily one shall be a Career Development Fellow and one a Junior Research Fellow, shall attend meetings of the Committee. One designated representative from each of the J.C.R. and M.C.R. (and a designated substitute representative of the J.C.R. or M.C.R., as appropriate, if the representative is unavailable) shall be in attendance for unreserved items. Its duties should be to consider all questions referred to it by the Governing Body concerning the direction and organisation of education in the College, and to make arrangements for the duties and emoluments of Lecturers and Instructors (other than those paid according to the general scale for outside tuition), and to report to the Governing Body. The Senior Tutor shall act as Secretary.
- (h) **The Admissions Committee** consisting of representatives of the various subjects, as elected by the Governing Body. Its duties shall be to consider any matters pertaining to the admission of undergraduate students to the College, including recommending the numbers to be admitted, globally and in each subject, and organising the interviewing, testing and selection of candidates. It shall report to the Governing Body. The Tutor for Admissions shall act as Secretary, and the Tutor for Outreach, shall be a member of the Committee.
- (i) **The Student Finance Committee** consisting of the Provost, the Tutor for Undergraduates, the Dean, the Tutor for Graduates, the Hardship Officer, and the Bursar. One of two designated representatives from the J.C.R., one of two designated representatives from the M.C.R., the Academic Administrator and a Fellow falling within

Statute IV.1.3 to 1.6 shall attend meetings of the Committee. Its duties shall be: to consider applications for Financial Assistance in cases of student hardship; to consider applications for Academic Support Grants for travel, conference attendance, and other academic-related expenditure; and to consider such other matters as shall be referred to it by the Governing Body. The Hardship Officer shall act as Secretary.

- (j) **The Equality Committee** consisting of the Provost, Equalities Officer, Senior Tutor, and Dean. The Domestic Bursar, a Fellow falling within Statute IV.1.3 to 1.6, and one of two designated representatives from the J.C.R. and one of two designated representatives from the M.C.R. shall attend meetings of the Committee. Its duties shall include responsibility for the development, implementation, monitoring, prioritisation and review of policies, procedures and practice to support the College's Equal Opportunities Policy in relation to Fellows, staff, students, visitors and others closely associated with the College. The Equalities Officer shall act as Secretary.
- (k) **A Development Committee** consisting of the Provost, the Bursar, two Fellows elected by the Governing Body, and up to seven Old Members. The Director of Development, Old Members' Relations Officer and a Fellow falling within Statute IV.1.3 to 1.6 shall attend meetings of the Committee. Its duties shall be to oversee the College's development and other fund-raising activities and to maintain the College's good relations with its Old Members. The Director of Development shall act as secretary.
- (l) **A College Buildings Committee** consisting of the Provost, the Bursar, and four members elected by the Governing Body. Its duty shall be to supervise such building (including redevelopment) projects on the College site, including the annexes, as the Governing Body shall specify, and to consider options concerning future such projects. The Clerk of Works and a Fellow falling within Statute IV.1.3 to 1.6 shall attend meetings of the Committee, which shall have power to invite further persons to attend its meetings as necessary and to reserve business only for discussion by members of the Governing Body. The Bursar shall act as secretary.

All these Standing Committees shall report to the Governing Body. However, when awarding grants from Government Access to Learning Funds and the Queen's Hardship Fund, the Student Finance Committee shall be deemed to act as an independent grant-making body and shall report neither the names of applicants nor the amounts

claimed by or granted to them. Fellows falling within Statute IV.1.3 to 1.6 who are in attendance at meetings of Standing Committees must at the time of taking up their place have been Fellows of the College for at least one year. The names of designated representatives and designated substitute representatives of the J.C.R. and M.C.R. shall be supplied to the Provost prior to the first meeting of the committee concerned in each academic year.

*iii.*     **Reports of Committees**

At the Second Statutory Stated General Meeting the Chapel, Library and Wine Committees shall submit general reports on their work during the preceding financial year. The Chapel Committee may be exempted from such requirement at the last Stated General Meeting of Trinity Term.

*iv.*     **Business of Committees**

The Secretary of each statutory, standing and other Committee shall inform the Provost and the Secretary of the Governing Body, prior to any meeting of the Governing Body at which that Committee's business is to be discussed, which items are to count, subject to the provisions of Bylaw V.1.ii, as reserved and as unreserved.

*v.*     **Chairmanship of, and election to, Committees of the Governing Body**

- (a)     The Provost shall normally be a member of Committees of the College, and shall be ex-officio Chairman of every Committee which he or she shall choose to attend.
- (b)     Elections of members (other than ex-officio members) of the Statutory and Standing Committees shall normally be held at the Statutory Stated General Meeting in each Trinity Term, but vacancies on these Committees may be filled by election at any Governing Body meeting. Unless the Governing Body determines otherwise each member shall be elected for a period not exceeding three years, and shall hold office from the first day of October following their election. No person who has been an elected member of a Committee (other than the Benefices Committee) for three consecutive years shall be eligible for re-election to that Committee until after the expiry of a further year.
- (c)     Any member of the Governing Body may attend and vote at any College Committee, whether or not a member of that Committee, and may be provided in advance with relevant papers for the meeting on request. However, this provision shall not apply to the Remuneration Committee, the Student Finance Committee (when acting as an

independent grant-making body) and the Tutorial Review Committee.

- vi. Each statutory, standing and other committee shall have regard to the list of requirements associated with the Public Sector Equality Duty, in accordance with the Equality Act 2010 and any successor and relevant secondary legislation, when making recommendations to the Governing Body or (where relevant) reaching decisions.

4. **Tutorial Review Committee** [*Statutes XIV.2 and XV.2*]

The Tutorial Review Committee shall consist of the Tutor for Undergraduates (who shall act as Chairman), the Dean, and two members elected by the Governing Body. A Fellow falling within Statute IV.1.3 to 1.6 shall also be invited to attend. It shall in addition have two reserve members, and the power to co-opt. The Provost shall not be a member.

Its duties shall be to hear and make decisions concerning cases of unsatisfactory academic work. The Committee will inform the Governing Body of its decisions and proposals. However, it shall not count as a Committee of the Governing Body, and the Governing Body shall have no powers to intervene in its deliberations.

A right of appeal shall lie to the Governing Body against any decision by the Committee to impose a severe restriction on a Junior Member's liberty, or to rusticate or expel a Junior Member, whether for failing to comply with its decisions or for failing Special or Penal Collections. Any such decision shall be taken subject to the provisions of Statutes XIV.2 and XV.2.

5. **Student Disciplinary Panel**

The Student Disciplinary Panel shall consist of the Dean (who shall act as Chair), and four members elected by the Governing Body. It shall have in addition two reserve members, and the power to co-opt. The Provost shall not be a member.

Its duties shall be to hear and make decisions in such cases concerning non-academic discipline as are specified as falling within its remit in the College's Non-Academic Disciplinary Procedures. The Panel shall exercise authority on behalf of the Governing Body in those cases but shall not count as a committee of the Governing Body, nor shall the Governing Body have power to intervene in its deliberations.

A right of appeal shall lie to the Governing Body against any decision by the Panel to expel a Junior Member or in any case in which it is claimed that there were errors in the Panel's findings or that a penalty awarded or affirmed by the Panel was disproportionate to the gravity of the offence. In such situations the Governing Body will review those aspects of the case that form the

basis of the appeal, although the Junior Member shall not normally be permitted to introduce new evidence where such evidence could reasonably have been presented to the Panel.

All decisions of the Panel shall be taken with due regard to the requirements of procedural fairness and subject to the provisions of Statutes XIV and XV.

6. **Conflicts of interest** [*Statute III.4*]

(a) **Definition** A 'conflict of interest' is deemed to arise where the commitments and obligations owed by a member of:

- (i) the Governing Body, whether as a member of the Governing Body or as an officer of the College as defined in Bylaw VI;
- (ii) any committee of the Governing Body;
- (iii) the Tutorial Review Committee;
- (iv) any other College committee

are or are likely to be compromised or may reasonably be perceived by others to be or to be likely to be compromised, by:

- (i) a financial or other gain or advantage to the member or to their immediate family, to a person with whom they have a close personal or business or other professional or political relationship, or to a body with which they have a business or other professional or political relationship; or
- (ii) the commitments and obligations the member owes to another person or body.

(b) **Obligation to avoid or remedy conflicts of interest** The Governing Body, any committee of the Governing Body, the Tutorial Review Committee, any other committee, and the members of all the aforementioned bodies or committees, shall be obliged to avoid conflicts of interest or, where conflicts occur, to take appropriate and proportionate steps to remedy them.

(c) **Annual declaration of outside interests** Members of the Governing Body, of committees of the Governing Body, of the Tutorial Review Committee, and of any other College committee shall be required to supply to the Secretary of the Governing Body, on an annual basis, details of such shareholdings, other external financial interests, obligations and contractual arrangements, holdings in real or personal property, directorships and other positions of responsibility, whether remunerated or non-remunerated, as they hold. The Secretary of the Governing Body shall maintain a

confidential register of all such matters, such register to be updated annually.

- (d) **Conflicts of interest on a case-by-case basis** Members of the Governing Body, of committees of the Governing Body, of the Tutorial Review Committee, and of any other College committee shall be required to disclose to the relevant body or committee on a case-by-case basis anything which might give rise to a conflict of interest (whether actual or perceived), and shall take such steps to avoid or remedy the relevant conflict as the body or committee deems appropriate and proportionate. This shall in all cases involve the member absenting themselves from the relevant decision-making process. The Governing Body, committee of the Governing Body, Tutorial Review Committee or other College committee shall be obliged to include within its minutes or other note of its decisions or recommendations a statement concerning the details of the relevant conflict of interest and the steps taken to avoid or remedy it.
- (e) **Agendas** Prior to the first meeting in each academic year of the Governing Body, each committee of the Governing Body, the Tutorial Review Committee, and any other College committee, the agenda for the meeting concerned shall contain a reminder to members of the Governing Body or relevant committee (as appropriate) of the need to declare and, where necessary, to seek to remedy any conflict of interest.
- (f) **Remuneration Committee** Nothing in this Bylaw shall prevent the Governing Body or any committee from considering matters referred to it by the Remuneration Committee using the powers granted to the latter body under the Statutes.

## VI. OFFICERS OF THE COLLEGE

1. The Statutory Officers
  - (a) The Bursar or Bursars [*Statute VIII.2 and .3*];
  - (b) The Dean or Deans [*Statute VIII.3*];
  - (c) The Senior Tutor [*Statute VIII.4*];
  - (d) The Fellow Librarian [*Statute VIII.5*];
  - (e) The Chaplain or Chaplains [*Statute VIII.6*].

The Statutory Officers are elected or appointed in the manner prescribed in the Statutes. Their duties shall be those imposed by the Statutes and such other duties as the Governing Body may determine, and the stipends of the Officers shall be fixed from time to time by the Governing Body.

2. There shall also be the following Officers of the College, who shall be

elected at the Statutory Stated General Meeting in Trinity Term to hold office for one year from the following first day of October, and shall receive from Corporate Revenue such stipends as the Governing Body shall determine Vacancies occurring at other times may be filled at any Governing Body meeting:

- (a) The Tutor for Undergraduates, who shall be responsible for matters concerning the academic performance, and academic, financial and pastoral well-being of undergraduate students.
- (b) The Tutor for Admissions, who shall be responsible for all matters concerning undergraduate admissions (save for those solely concerning outreach to would-be candidates) and who shall perform such duties as the Tutorial Committee shall determine.
- (c) The Tutor for Outreach, who shall be responsible for access- and outreach-related matters concerning would-be candidates for undergraduate places and who shall perform such duties as the Tutorial Committee shall determine.
- (d) The Dean of Degrees, who shall be responsible for all matters concerning matriculations and the conferring of degrees, and shall have such other duties as the Governing Body may determine.
- (e) The Secretary of the Governing Body, whose duties shall be to prepare and circulate the Agenda paper of all meetings of the Governing Body (in accordance with Bylaw V.1.vi. and .vii.), to keep minutes of such meetings, and to perform such other duties as the Governing Body may determine.
- (f) The Statutes and Bylaws Officer, who shall be responsible for overseeing the revision and maintenance of the Statutes and Bylaws and shall perform such other duties as the Governing Body may determine.
- (g) The Organist, whose duties shall be determined by the Governing Body.
- (h) The Garden Master (see Bylaw XVIII.).
- (i) The Internal Auditor, whose duty shall be to report on the College Accounts at the Second Statutory Stated General Meeting of each year.
- (j) The Tutor for Graduates, who shall be responsible for matters concerning the academic performance, and academic, financial and pastoral well-being of graduate students in the College and to represent the College at meetings concerned with graduates.
- (k) The Keeper of the Archives, whose duties shall be determined by the Governing Body.

- (l) The Entertainment Secretary, whose duties shall be determined by the Governing Body.
- (m) The Secretary of the Benefices Committee.
- (n) The Secretary of the Wine Committee.
- (o) An Equalities Officer, whose duties shall include the preparation of reports for the Governing Body concerning the implementation of the College's Equality Policy, and collating the results obtained using the College's arrangements for monitoring, by reference to different racial groups, the selection and recruitment of Fellows and members of staff and the admission of students.
- (p) The I.T. Fellow.
- (q) The Hardship Officer, who shall be responsible for the provision of financial assistance to junior members from College, University and government hardship funds.
- (r) The Website Editor, who shall have overall control of the College Website and whose duties shall include (after consultation with relevant College Officers) the authorisation of all material placed on the Website, its prioritisation, and the aesthetic appearance of the Website.
- (s) The Director of Development, whose duties shall be to advise the Governing Body on the development and implementation of the College's fund-raising strategy, and to work closely with the Provost and other College officers on the day-to-day business of development and relationships with Old Members.

## **VII. TABERDARSHIPS, SCHOLARSHIPS AND EXHIBITIONS**

*[Statutes XII, XIII and XVII.2 and .3]*

### **1. Number**

In each year the Governing Body shall consider the number and value of the Scholarships and Exhibitions which are to be awarded in the following academic year. The number of Open Scholarships held in the College shall be kept under review by the Governing Body.

### **2. Annual Review and Renewal of Tenure**

The Governing Body shall at a time which it shall determine in each academic year consider the recommendations of the Tutorial Committee concerning the renewal of Taberdarships, Scholarships, Bible Clerkships, and Exhibitions.

Organ Scholarships, Instrumental Scholarships, Choral Scholarships and College Bursaries shall be governed by Statute V. Organ Exhibitions and Instrumental Exhibitions shall be governed by Statute VI.

## VIII. REGULATION OF JUNIOR MEMBERS' EXPENDITURE

*[Statutes III.6.3 and XIV]*

1. The Senior Tutor shall circulate to all persons about to come into residence a statement approved by the Governing Body of the authorised charges for the normal objects of expenditure in the College.
2. The Bursar shall report to their Tutors the names of all junior members whose Batells exceed or fall below reasonable figures.

## IX. ADMISSION OF COMMONERS

*[Statute XIV]*

The Tutorial Committee shall have the right to admit Commoners to the College.

## X. THE COMMON TABLE

### 1. **General**

- (i) Any person intending to lunch or dine at the Common Table shall give notice of his or her intention at a time and in a manner which the Governing Body shall from time to time determine
- (ii) Fellows of the College are expected, as far as possible, to dine at the Common Table on Domus Nights. No guests shall be brought to dine on these days, save that, in exceptional circumstances and in the interests of the College, the Provost may give permission for a guest to be invited. Domus Nights shall, except on occasions when the day concerned is a Gaudy Day, include the Friday immediately preceding, the Monday of Fifth week of, and the Friday of Eighth week of, Full Term.
- (iii) Invitations to dine at the Common Table as guests of the College may be issued by the Governing Body, or by the Provost, or by an Officer of the College.
- (iv) The Governing Body shall, from time to time, amplify this Bylaw by further regulations. Regulations for the ensuing academic year shall normally be made at the first meeting of the Governing Body in Michaelmas Term.

### 2. **Dining Rights of Old Members of the College**

Provided that four years have passed since taking a degree or diploma conferred by the University, any Old Member whose name is on the books of the College shall be entitled to dine at the Common Table at their own expense,

provided that they shall not so dine more than 9 times in each year and not on Gaudies or Domus Nights. On such occasions as they dine on a Monday during Term, they shall be entitled at their own expense to bring their spouse, civil partner or partner as a guest, provided that they shall not do so more than 3 times in each year. Such entitlements shall in all cases be exercised in accordance with such further regulations as are stipulated from time to time by the Governing Body.

**3. Dining Rights of Ex-Members of the Governing Body if not Fellows or Honorary Fellows**

Ex-Members of the Governing Body resident in Oxford shall be entitled to dine at the Common Table at their own expense once a week, but not on Gaudies, Neale Nights, or Domus Nights. Ex-Members of the Governing Body on temporary visits to Oxford shall be entitled to lunch and dine at the Common Table at their own expense for periods not exceeding a total of three weeks in each academic year, except that they may not dine on Gaudies, or Neale Nights. Such entitlements shall in all cases be exercised in accordance with such further regulations as are stipulated from time to time by the Governing Body.

**4. Precedence at the Common Table**

When present, the Provost shall preside at the Common Table in Hall or elsewhere. In the absence of the Provost the senior person present shall be head of the Common Table. Seniority shall be accounted in the following order of precedence: - Members of the Governing Body, Official Fellows in their period of probation, Emeritus Fellows, Supernumerary Fellows, Honorary Fellows (save that the Governing Body shall determine the seniority of an Honorary Fellow who is a former Provost or former Fellow), Senior Research Fellows who are not members of the Governing Body, Browne Research Fellows, Junior Research Fellows, the Clifford Norton Student, College Career Development Fellows, the Chaplain (if not a Fellow), Laming Junior Fellows, the Randall-Maclver Student, Lecturers of the College, Fellow Commoners, and Members of Common Room, the last in order of academic standing.

**XI. GAUDY DAYS AND NEALE AND STAHL BENEFACTION DAYS**

**1. The Gaudy Days etc.**

- (i) In each given year, the Gaudy Days shall be such of the following (or, where a definite is specified, such day close to it) as the Governing Body shall determine: the fourth Wednesday in Trinity Full Term, 15 August (Assumption of the Blessed Virgin Mary and Founders' Day), 1 November (All Saints' Day – 2 November when that day falls on Sunday), the eighth Friday of Michaelmas Full Term (Moffatt Gaudy), a day in January preceding Hilary Term (the Needle and Thread/Old Members' Gaudy), a day after Easter preceding Trinity Full Term (the Easter Gaudy), and a day in December selected by the Governing Body from time to time (the Old Members' Gaudy Day).

- (ii) On Gaudy Days only the Provost, Fellows, Honorary Fellows, Guests of the College, and those guests indicated in clause 3. below may dine.
- (iii) The Neale Benefaction Days shall (so far as funds permit) be the Friday before Michaelmas Full Term, the Friday before Hilary Full Term and the eighth Friday of Hilary Full Term. The Stahl Benefaction Days shall be (so far as funds permit) the Friday before Trinity Full Term and the eighth Friday of Trinity Term.

## **2. Charging of Entertainment**

The College shall bear the whole cost of the entertainment on Gaudy Days. The cost of wines and spirits before, during, and after Common Table and Dessert on Neale Benefaction Days and Stahl Benefaction Days shall be charged to the Benefaction.

## **3. Guests**

### **(i) College Guests**

- (a) On the Needle and Thread Gaudy Day such guests as shall be approved by the Governing Body shall be invited as guests of the College.
- (b) On All Saints' Day a selection of Ex-Fellows, of Eglesfield Benefactors and of old members of the College who are members of Congregation shall be invited as guests of the College.
- (c) At one Gaudy in the year designated for the purpose by the Governing Body Eglesfield Benefactors, Lecturers and certain occasional instructors shall be invited as guests of the College. Full-time Lecturers shall be invited to all Gaudies.
- (d) On the Old Members' Gaudy Day a selection of old members constituted primarily by all those who came up in a selected year or group of years shall be invited as guests of the College.

### **(ii) Other Guests**

- (a) The Provost and each of the Fellows and Honorary Fellows may introduce one guest without payment on such Gaudy Days as the Governing Body shall determine.
- (b) On the fourth Wednesday of Trinity Full Term the Provost and each of the Fellows and Honorary Fellows may introduce one guest without payment.

#### 4 **The Grace Cup**

On the Easter Gaudy Day, on the Feast of the Assumption, and on All Saints' Day the words said with the Grace Cup shall be 'Poculum Caritatis'. On all other occasions they shall be 'In memoriam Absentium, in Salutem Praesentium'.

### **XII. COMMON ROOM**

#### 1. **Membership**

- (i) There shall be Honorary, Ordinary and Additional members of Common Room.
- (ii) The Honorary Members shall be the Provost, Honorary Fellows, Emeritus Fellows, Supernumerary Fellows, the Chaplain, Eglesfield Benefactors, Fellow Commoners, and ex-members of the Governing Body. They shall pay no subscription.
- (iii) The Ordinary Members shall be all the Fellows other than those mentioned in Clause 1.ii. of this Bylaw, Laming Junior Fellows, the Randall-MacIver Student and all stipendiary lecturers. They shall pay a termly subscription.
- (iv) Additional Members may be elected at any meeting of the Governing Body in Full Term, provided that notice of the name to be proposed has been given at a previous meeting. The rights granted to an additional member, and the subscription payable by them, shall be determined in each case by the Governing Body at the time of their election. The list of Additional Members shall be reviewed every five years beginning in Trinity Term 1971. No additional member shall normally be elected or re-elected for a period extending beyond the next succeeding time of revision.

#### 2. **Conduct of Business**

- (i) There shall be a Steward of Common Room whose duties shall be defined from time to time by a meeting of Common Room. He or she shall be elected at the Meeting of Ordinary Members in Michaelmas Term, and shall hold office for one year from the date of election and shall be re-eligible.
- (ii) There shall be a Meeting of Ordinary Members of Common Room held during Michaelmas Full Term. The Steward shall give at least seven days' notice of this meeting which shall be open to all Ordinary Members of Common Room.
- (iii) There shall be a Common Room Committee consisting of the Steward and four members elected from among the Ordinary Members, at least one of those elected being a stipendiary lecturer, and at least one of those elected being a

Fellow of five or fewer years' standing. The Committee shall meet termly. The duties of the Committee shall be to consider all matters concerning the Common Room and to make recommendations where necessary to Committees falling under Bylaw V, to the Governing Body, and to the Meeting of Ordinary Members.

3. **Precedence, etc.**

- (i) Except on Gaudy Days, when the Provost shall preside, the Chair in Common Room shall be taken by the senior person present, seniority being accounted in the order of precedence prescribed for the Common Table in Bylaw X 4.
- (ii) Doctors and Masters of Arts and others qualified to dine at the Common Table in accordance with Bylaw X 2. shall not be entitled to attend Common Room unless invited thereto by the person presiding in Common Room.
- (iii) When on any night except Gaudies and Fridays there are no guests, any Fellow may, with the consent of the Senior in the Common Room and of all other Fellows present, invite one or more undergraduates to join them as their guest or guests in Common Room.
- (iv) Any person who has the right to dine free of charge at the Common Table shall be allowed to attend Common Room on the nights on which they dine.

### **XIII. THE COMMON ROOMS**

- 1. The Common Rooms shall be (a) the Common Room; (b) the Prestwich Room; (c) the Magrath Room; (d) the Upper Common Room; (e) the Upper Dining Room; (f) the Ante-Room; and (g) the Small Common Room.
- 2. The Common Room shall be reserved for the common use of the members, except on Gaudy nights, Neale Nights, and such other occasions as the Governing Body may from time to time determine.
- 3. Any of the rooms except the Common Room may be reserved for private use by any Fellow as defined by Statute IV.1, or Full-time Lecturer, who shall give notice in the prescribed manner, except that:
  - (a) The Magrath Room may not be reserved for private use when such use may interfere with its use for Common Table.
  - (b) none of the upper rooms may be reserved for private use on the nights of Wednesday or Friday or on Domus Nights (if on another day of the week) or Gaudy Days or Neale Nights unless permission is given by the Governing Body.

4. The Governing Body may permit other persons to reserve the rooms referred to in Clause 3. of this Bylaw for private use upon such terms and conditions as it shall think fit.
5. When a Fellow engages any of the rooms referred to in clause 3 of this Bylaw, he or she shall be present when it is used.
6. When the rooms referred to in clause 3. of this Bylaw are being used for private parties or meetings, the number of persons shall not be such as will be likely to endanger the structure or cause damage to the furnishings or fittings.

#### **XIV. THE MEMORIAL ROOM**

1. The Memorial Room may be reserved for private use by the Provost or by any Fellow who shall give notice in the prescribed manner, except that booking of the Memorial Room for tutorial purposes (e.g. for seminars or lectures) shall be done by way of the termly lecture list and be reported by the Tutorial Committee for approval by the Governing Body.
2. The Memorial Room may also be reserved for dinners and meetings by College Societies and Clubs, subject to such conditions as the Governing Body may from time to time determine
3. The provisions of clauses 4, 5 and 6 of Bylaw XIII, shall apply to the Memorial Room.

#### **XV. THE CHAPEL**

1. Divine Worship shall be performed according to the Liturgy of the Church of England in accordance with the Statutes of the College, and no change shall be made either in the time or in the accustomed manner of its performance without the consent of the Governing Body, which traditionally exercises the powers of the Ordinary.
2. The Provost shall have general responsibility for the arrangement of sermons and for the selection of music and hymns.
3. The Stall on the Cantoris side of the Chapel shall be assigned to the Senior Official Fellow unless he or she be either Organist or Chaplain, if he or she shall signify to the Governing Body his or her intention of attending Chapel on Sundays. If he or she shall not so signify such intention, the Governing Body shall assign the Stall to the Official Fellow next in order of seniority, excepting always the Organist and the Chaplain, who shall signify his or her intention of attending Chapel on Sundays.
4. The seats immediately to the right of the Provost's stall shall be at the disposal of the Provost.
5. The seats immediately to the left of the Stall on the Cantoris side

shall be at the disposal of the Fellow to whom the Stall shall be assigned.

## **XVI. THE COLLEGE GUEST ROOMS**

The College Guest Rooms shall be the Old Lodgings Guest Room, Back Quad IV/5 and the Prophet's Chamber. They shall be reserved for College guests on 1 November (or 2 November when All Saints' Day falls on a Sunday) and 1 January. At other times one of these rooms may be engaged by the Provost or by any Fellow, or by the Chaplain or by a resident lecturer or may be occupied by a Laming Junior Fellow, an ex-member of the Governing Body, or a College guest, for a period of three consecutive days. This period may be extended from day to day for a further period not exceeding three days in all, if the room is not required for another person, provided that no one may engage or occupy the Guest Rooms for a total of more than fifteen days in any one full term nor for more than fifteen days in any vacation, except with the consent of the Governing Body.

## **XVII. THE COLLEGE CELLAR**

Fellows and full-time resident Lecturers of the College are permitted to take out Wine for the purpose of current use, but not for that of laying down. A Bin-Book shall be kept, and shall be ruled off at the end of each year.

## **XVIII. THE GARDEN**

The Garden shall be in the charge of a Garden Master who shall be appointed each year at the Statutory Stated General Meeting in Trinity Term to hold office from the first day of October following the meeting. A report shall be laid before the Governing Body of the College at the Stated General Meeting in Michaelmas Term, with an estimate for a grant to cover the cost of the garden for the current financial year.

## **XIX. DISMISSAL, REMOVAL, APPEALS AND GRIEVANCES**

*[Statute XX]*

**This Bylaw may be brought into operation at any time by an order of the Governing Body made at any Stated General Meeting.**

### **1. Dismissal Procedure**

- (i) In any case before the Provost, whether on a complaint under Statute XX.3.2 or otherwise, the Provost shall consider all the circumstances of the case including the outcome of any enquiries instituted by him or her and any comments from the person concerned. If, after such consideration, it appears to the Provost that there are *prima facie* grounds for dismissal for good cause as

defined in XX.1.5 of the Statute, the Provost may call on the Governing Body to appoint an Academic Disciplinary Committee to consider and report on the case in accordance with XX.3. The Provost may suspend the person concerned at this stage.

- (ii) Upon receipt of a request under XX.3.3 from the Provost, the Governing Body shall appoint the Academic Disciplinary Committee (the 'Committee') as soon as reasonably practicable and shall by written notice inform the person to be charged that the Committee has been appointed to consider any charge or charges to be brought. The written notice shall include the names of the three members of the Committee and shall enclose a copy of this Bylaw. At the same time the Governing Body shall appoint a solicitor or other suitable person to formulate the charge or charges and to conduct or arrange for the conduct of the hearing. The Governing Body shall appoint one of the three members to act as Chairman.
- (iii) Subject to the provisions of the Statute and any provision to the contrary in this Bylaw, the Committee shall have power to regulate its own proceedings. The Committee shall be quorate at any time provided at least two members including the Chairman are present, and in the event of any vote of the Committee which is tied, the Chairman shall have a casting vote. The Committee shall be entitled to appoint a secretary to support it in discharging its function at any time and to take notes of evidence at any hearing.
- (iv) The person appointed to formulate the charge or charges ('the prosecutor' – which expression may include a firm of solicitors or any person instructed to act on that person's behalf) – shall notify the person charged of the date and time set for the hearing of the charge or charges.
- (v) The person charged shall notify the prosecutor of any representative he or she has appointed to act for him or her. Any fees or expenses payable to the representative (other than reasonable travel costs and out of pocket disbursements) shall be at the charge of the person accused.
- (vi) The Committee Chairman may make any interlocutory directions he or she considers necessary for the fair conduct of the hearing, including but not limited to any directions as to the hearing date(s), whether at the request of either party or otherwise of his or her own motion. The Chairman may also remit any matters to the Provost for further consideration and has power to join further parties to the case if he or she considers it appropriate to do so upon notice to the parties of such joinder. The Chairman of the Committee shall set the date, time and place for the hearing and may also set appropriate time limits for each stage (including the hearing), to the intent that any matters be heard and determined expeditiously. [If the Chairman considers it appropriate in all the circumstances of the case he or she may request the Provost to consider the suspension of the person charged.]
- (vii) At least 21 days before the date set for the hearing, the prosecutor shall forward the following to the Committee and person charged and any other parties to the hearing:

- (a) the charge or charges;
  - (b) copies of any documents specified or referred to in the charge or charges;
  - (c) a list of witnesses to be called by the prosecutor;
  - (d) copies of statements containing the witnesses' evidence.
- (viii) At least seven days before the date set for the hearing, the person charged shall forward to the prosecutor copies of any documents on which he or she wishes to rely, a list of his or her witnesses and copies of their statements of evidence. The prosecutor shall ensure that copies of all these are prepared and forwarded to the Committee as soon as practicable.
- (ix) The jurisdiction and power of the Committee shall not be restricted by the fact that the person charged has been, or is liable to be, prosecuted in a court of law in respect of any act or conduct which is the subject of proceedings before the Committee. The Committee may postpone or adjourn a hearing, if it considers it appropriate, to enable a prosecution to be undertaken.
- (x) Subject to the consent of the Committee, both the prosecutor and the person charged may introduce new evidence at the hearing save that in the case of the prosecutor such new evidence shall not be admitted except for good reason. In the event that new evidence is admitted, the other party shall have the right to an adjournment to allow him or her time to consider the evidence and its effect on the case and may then submit further evidence in response, provided that the Committee consents, such consent not to be unreasonably withheld.
- (xi) The Committee may proceed with the hearing in the absence of any party, but shall not do so in the absence of the person charged unless it is satisfied that it is reasonable to do so in all the circumstances of the case, or unless the person charged agrees or so requests.
- (xii) Subject to the right of the person charged, his or her representative and the prosecutor to be present throughout the hearing, the Committee may decide whether to admit any persons to, or exclude them from, the hearing or any part of it.
- (xiii) Each party to the proceedings shall be entitled to give evidence at the hearing, to make an opening statement, to call witnesses, and to question any witness. Closing statements may be made by the prosecutor first and then any other parties, with the person accused being given the opportunity to speak last.

- (xiv) Without prejudice to the Committee's general power to regulate its own conduct, it shall specifically have the power to set time and other limits on the evidence to be called for each side, consistent with providing a fair opportunity for each party to present its relevant evidence whilst ensuring that the charge is heard and determined as expeditiously as is reasonably practicable. The Committee shall have power to adjourn the proceedings from time to time as it sees fit.
- (xv) The Committee shall ensure that its secretary or some other appropriate person is present throughout the hearing so that a full and accurate record of the evidence may be taken.
- (xvi) It is for the prosecutor to prove the charge or charges. In deciding whether any charge has been proved the Committee shall apply a civil standard of proof, namely balance of probabilities.
- (xvii) If the Committee decides that a charge has been proved, it shall give each party an opportunity to address it either orally or in writing at the option of the Committee on the question of penalty and/or mitigation prior to determining any recommendations that it may make to the Provost.
- (xviii) The decision of the Committee shall be recorded in a document in which the Committee's findings of fact, its reasons for the decision and any recommendations as to penalty are contained. The document shall be sent directly by the secretary of the Committee to the person charged and to his or her representative in addition to the other parties specified in XX.3.7. The person charged shall be notified of his or her right of appeal against the decision or against any recommendation of the Committee as to penalty.
- (xix) Where any charge has been upheld and the Committee has recommended dismissal, the Provost or the Provost's delegate shall inform and consult the Governing Body prior to making any decision as to penalty. The Provost shall arrange for a special meeting of the Governing Body for this purpose and shall keep the person charged informed as to the process. The person charged shall have the right to make further representations to the Provost at this stage.
- (xx) If the Provost decides to dismiss the person charged he or she may do so forthwith or upon such terms as he or she considers fit. If the Provost decides not to dismiss, the actions he or she may take are as set out in XX.3.8. Any warning given under XX.3.8 shall be recorded in writing and shall remain live for two years. In all cases the Provost's decision shall be communicated to the person charged in writing as well as to the Governing Body.
- (xxi) No decision as to dismissal or otherwise implementing

recommendations of the Committee shall be implemented until after any appeal has been determined under XX.5.

## 2. **Medical Board**

- (i) If after considering all the circumstances of the case the Provost concludes that the removal on medical grounds of the member of staff (hereafter the person concerned) should be considered, he or she shall so inform the person concerned. The notification shall be provided in writing and shall be presumed to have reached the person concerned two days after being sent. The Provost shall notify the person concerned that a Medical Board (the Board) is to be appointed to consider whether he or she shall be removed from office on medical grounds, and shall request the person concerned to nominate someone to sit on the Board. If, within a reasonable period of time, the person concerned fails to nominate a person who is willing and able to sit on the Board reasonably expeditiously, the Provost shall presume a default and shall nominate someone instead.
- (ii) At the same time as notifying the individual, the Provost shall also convene a special meeting of the Governing Body to consider the matter confidentially and shall request the Governing Body to nominate a member to sit on the Board. The Governing Body shall canvass and propose the names of two medically qualified people to the person concerned to act as Chairman of the Board. For this purpose the Governing Body may seek the advice of the College doctor or any other suitable person on a confidential basis. In the event that agreement cannot be reached between the Governing Body and the person concerned as to the appropriate person to chair the Board, the Governing Body shall request the Provost for the time being of the Royal College of Physicians to nominate a Chairman. The Governing Body shall nominate an appropriate person who is unconnected with the case to act as secretary to the Board.

## 3. **Procedures for a Medical Board Hearing**

- (i) Where a Medical Board has been appointed to determine a case referred to it under XX.4, the Chairman shall appoint the time, date and place for the hearing and the secretary shall notify all parties in writing. The Board shall have power to adjourn the hearing from time to time as it sees fit.
- (ii) At least 21 days before the hearing, the Provost shall refer all relevant evidence in confidence to the Board and shall make the evidence available to the person concerned and/or any representative he or she has nominated, except for information for which a medical practitioner has claimed exemption from disclosure under the provisions of section 7 of the Access to Medical Reports Act 1988 (or any successor provision).

- (iii) The Provost shall consider the case and, if he or she thinks it necessary, may appoint someone to present the case for removal as well as the relevant oral and documentary evidence to the Board. Witnesses may be called by the person presenting the case, in which case copies of their statements shall be made available to the Board and the person concerned at least 14 days prior to the date set for hearing.
- (iv) The person concerned shall be entitled to an oral hearing before the matter is determined by the Board. The parties to the hearing shall be the person concerned (including any person appointed to act for or instead of him or her), any one appointed to present the case for removal and any other party which the Board may join at its own discretion. The secretary to the Board, the person concerned and/or his or her representative and the person presenting the case shall be entitled to remain throughout the hearing; otherwise it shall be for the Board to determine who may be present at any time.
- (v) The person concerned shall be entitled to present whatever evidence he or she considers relevant, subject to the overall right of the Board to regulate its own conduct of the hearing. At least 10 days before the hearing, the person concerned shall provide the secretary to the Board with copies of any evidence, including medical evidence, on which he or she wishes to rely. The secretary to the Board shall be responsible for ensuring that copies are made available to Board members and other parties as soon as possible. The person concerned and the person presenting the case for removal may each call one expert witness whose statement shall first be presented in writing to the other parties.
- (vi) Any party may produce additional evidence during the hearing subject to the Board's consent and subject to any adjournment that may be required to give the parties time to consider and respond.
- (vii) Each party to a hearing shall be entitled to give evidence at the hearing, to make opening and closing statements (either personally or through a representative) and to call witnesses and to question any witness concerning any relevant evidence. Subject to the provisions of this Bylaw and of the Statute, the Board may regulate its own procedure and shall ensure that the case is heard and determined as expeditiously as is reasonably practicable.
- (viii) The Board may proceed with the hearing in the absence of any party but shall not do so in the case of the person concerned and/or his or her representative unless it is satisfied that it is reasonable to do so in all the circumstances of the case or the person concerned agrees or so requests. Provided that the Chairman remains on the Board throughout, no proceedings of the Board shall be invalid because a member has been unable to continue.

- (ix) The person presenting the case for removal shall specifically draw the attention of the Board to the provisions of the Equality Act 2010 and any associated secondary measures (or any successor primary or secondary legislation) and provide the Board with information as to what adjustments have been considered to avoid the removal of the person concerned from his or her employment, together with information as to cost and effectiveness of the adjustment(s).
- (x) At any stage before making its decision the Board may call for additional information and may require the person concerned to undergo medical examination by a medical practitioner chosen or agreed by the Board, at the College's expense. In the event that the person concerned fails to undergo any medical examination required by the Board, or if the medical evidence is inconclusive, the Board shall exercise its judgement on the basis of the evidence available to it.
- (xi) The Board's decision shall be recorded in writing and shall contain its findings on the main facts and on the medical evidence available to it, as well as its conclusion as to whether the person concerned should be required to resign on medical grounds. The Board shall specifically record the matters it has taken into consideration in determining whether any reasonable adjustments can be made to enable the person concerned to remain in employment. If the Board concludes that the person concerned should be required to retire on medical grounds it shall clearly so state and, in the case where the person concerned is a member of the USS, confirm that in its opinion he or she is suffering from permanent ill-health or infirmity.
- (xii) It is the responsibility of the Board secretary to ensure that the Provost and all the parties to the hearing receive a copy of the decision. The decision document shall be sent to the person concerned as well as his or her representative, except in the case where it is clear that the representative has authority to act in place of the person concerned, or in any other case with the consent of the person concerned.
- (xiii) Upon receipt of the Board's decision, the Provost shall consult the Governing Body prior to making any decision to terminate the employment of the person concerned but in so doing shall, so far as possible, respect medical confidentiality. The Provost shall arrange for a special meeting of the Governing Body for this purpose and shall keep the person concerned and/or his or her representative informed as to the process. Prior to making any decision to terminate the employment of the person concerned on medical grounds, and depending on the circumstances of the case, including the length of time taken, the Provost may afford him or her an opportunity to retire on such grounds in accordance with the rules of the USS where applicable.

- (xiv) In the event that the Board does not determine that the person concerned should be required to retire on medical grounds – for example because it is not satisfied that he or she is incapacitated on medical grounds – the Provost shall consider the position and may invoke the Disciplinary Procedure at any stage including requesting the Governing Body to appoint an Academic Disciplinary Committee.
- (xv) In the event that such a Committee is appointed, it shall proceed in accordance with the procedures established under XX.4.2, save that any findings of fact made by the Board shall be binding on the Committee.
- (xvi) No decision as to termination or implementation of the conclusion of the Board shall be put into effect until after any appeal has been determined under XX.5.

#### 4. **Appeals Procedure**

- (i) A Notice of Appeal against any decision under XX.2, 3 or 4 must be served on the Provost within 28 days of the decision. The Provost shall bring the fact that an appeal has been made to the attention of the Governing Body and inform the appellant that he or she has done so. The Provost shall consider any appropriate action, including suspension, that may be required in relation to the appellant and/or his or her position in the College pending the outcome of the appeal.
- (ii) The Governing Body shall appoint in accordance with XX.5.5 a person to hear the appeal who shall be called the Chairman, and the two further persons in accordance with XX.5.5 of the Statute who shall sit with the Chairman if the Chairman so decides.
- (iii) In the event that the notice of appeal is not served in time in accordance with XX.5.4, the Chairman shall consider the circumstances of the case including the length and the reason for the delay and the grounds of appeal and shall determine whether justice and fairness require that the appeal shall be permitted to proceed.
- (iv) The Chairman shall consider whether to sit alone or with two other persons. In the event that he or she decides to sit with two other persons, they shall be the persons appointed by the Governing Body in accordance with Clause 2 above and the body so constituted shall be referred to as the Appeal Body, which term shall also refer to the Chairman in the event that the Chairman sits alone.
- (v) The Chairman shall appoint a date, time and place for the hearing and shall make such other directions for the disposal of the case as appear to him or her appropriate including the joinder of other parties, and any directions that may be required to clarify

the grounds of appeal. The Appeal Body shall have power to adjourn the hearing from time to time as it sees fit.

- (vi) Notice of the date, time and place and any directions made by the Chairman shall be served on all parties to the appeal at least 14 days before the date appointed and the appellant shall be notified of his or her right at his or her own expense to be represented by another person who may, but need not, be legally qualified. The appellant and any other party shall also be notified of their right to call witnesses with the consent of the Appeal Body.
- (vii) Any committee, board or other body shall, if joined as a party to the appeal by the Chairman, appoint one or more persons either from among their number or otherwise, who may, but need not, be legally qualified, to prepare and present the response to the appeal, such response to be served on the Appeal Body, the appellant and any other parties at least seven days before the day appointed for the hearing of the appeal.
- (viii) Any hearing of the appeal may be adjourned or postponed at the discretion of the Chairman. The Appeal Body may dismiss the appeal for want of prosecution. However, no decision to dismiss in such circumstances shall be made without first having provided the appellant with an opportunity to make representations whether orally or in writing.
- (ix) Except as provided in Clause 8 of this Bylaw no appeal may be determined without an oral hearing, due notice of which has been served on the appellant and any persons appointed by them to represent them.
- (x) Each party to the hearing shall be entitled to make a statement and to address the Appeal Body. Witnesses may be called with the consent of the Appeal Body. Leave to adduce fresh evidence and/or the calling of witnesses examined at first instance shall only be given if the Appeal Body is satisfied that it is necessary or expedient in the interests of justice.
- (xi) Subject to the provisions of Statute XX and of this Bylaw, the Appeal Body shall determine its own procedure. The Chairman may at his or her discretion set time limits at each stage of the proceedings so that any appeal shall be heard and determined as expeditiously as is reasonably practicable having regard to the principles of justice and equity.
- (xii) In accordance with the provisions of XX.5.6 the Appeal Body may allow or dismiss an appeal in whole or in part or remit the appeal in such manner and for such purpose as it sees fit within the provisions of the Statute. In the event that the Appeal Body remits the appeal in accordance with XX.5.6 the Chairman may set such time limits for further consideration as

he considers appropriate.

- (xiii) The reasoned decision of the Appeal Body, including any decision under XX.5.6, shall be recorded in writing and shall be sent to the Provost and to the parties to the appeal.
- (xiv) The Chairman may, by an appropriate certificate in writing, correct any accidental errors and/or any omissions in documents recording the decisions of the Appeal Body.

## 5. **Grievance Committee Procedure**

- (i) In any case where the complaint has not been disposed of by the Provost, or where an appeal is made under XX.3.1, the Provost shall refer the matter to a Grievance Committee ('the Committee', which, for the purposes of XX.3.1, shall constitute the Appeal Committee) established in accordance with the provisions of XX.6.5. The Governing Body shall appoint one of its members to act as Chairman. The Provost shall notify the Committee of the nature of the complaint or appeal and shall provide the Committee with copies of any statements or other relevant documents which he or she considers will assist in the fair disposal of the matter. Any appeal under XX.3.1 shall be in writing and shall specify with sufficient detail the grounds of appeal and any supporting information.
- (ii) The Provost shall notify the individual concerned that the matter has been referred to the Committee and shall provide the individual concerned with copies of the documents which he or she has provided to the Committee.
- (iii) The Committee shall meet as soon as is reasonably practical to consider the matter on a preliminary basis. At this stage, the Committee may appoint someone to act as secretary or clerk to assist in all aspects of the grievance hearing or appeal and the preparatory steps. The Committee may call for written statements from the individual concerned or any other person and may cause such investigations to be conducted as appear appropriate, if necessary by an independent person specifically appointed for the purpose. The Committee shall appoint a time for the matter to be heard and may make such arrangements as it considers fit for the fair and just hearing of the matter. The Committee may appoint its Chairman to act in its stead in all preliminary matters. The Committee shall have power to adjourn the proceedings from time to time as it sees fit.
- (iv) The matter shall not be disposed of without an oral hearing at which the individual concerned, and any person against whom the grievance or appeal lies, shall be entitled to be heard and to be accompanied by a friend or representative. Save that the hearing may proceed in the absence of the individual concerned or any other party who fails to attend

without reasonable cause.

- (v) Provided that due regard is had to the interests of justice and fairness, the conduct of the hearing and any associated matters may be determined by the Committee. In particular, the Committee may determine whether and to what extent oral examination of witnesses shall be permitted, whether any evidence may be taken in the absence of the individual concerned (or the person against whom any complaint is made) and whether and what time limits shall be set for the proceedings.
- (vi) The reasoned decision of the Committee as to whether the complaint or appeal is well-founded shall be notified in writing to the individual concerned and any person against whom any complaint is made, as well as to the Governing Body. In the event that any part of the grievance or appeal is upheld, the Committee shall also notify the Governing Body of its recommendations as to the proper redress for the individual concerned and any other recommendations as it sees fit.
- (vii) No appeal lies from the decision and/or recommendations of the Committee.