



CHURCHILL COLLEGE

STATUTES

1 January 2013

## STATUTES OF CHURCHILL COLLEGE, CAMBRIDGE CONTENTS

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## REFERENCES

For the purpose of standardising internal cross-reference and citation the provisions of a Statute have been termed "sections" (and sub-sections), the provisions of an Ordinance have been termed "clauses" (sub-clauses) and the provisions of a Regulation have been termed "paragraphs" (sub-paragraphs). A written citation should be framed as "Statute (Ordinance, Regulation) X,10(10)".

## GLOSSARY

These provisions contain some phrases which might mislead because they have acquired a technical sense. Of these the most common and important are as follows:

### "Members of the Governing Body"

Statute XI,1 provides that these are 'the Master and all Fellows other than Honorary Fellows and Fellows elected into Titles D and F after 30th September 1988'. Fellows elected into Titles D and F after 30th September 1988 may attend and speak at meetings of the Governing Body, but shall not have votes.

### "Reside in the University"

Ordinances X,3; X,5; X,12; X,15, X,21. A Fellow under Titles A, B, F and G is required to reside in the University during Full Term. A Fellow under Title E may be so required, if Council decides. The phrase is defined in detail in the University's *General Regulations* (Chapter 6, "Residence of University Officers"). It is hoped that doubtful points arising under the College's provisions might be clarified by reference to the University's law and practice.

**"Dine in Hall":** Ordinance V provides that Fellows under every Title have the right to dine in Hall free of charge. This refers to the right to take the evening meal at High Table.

### "Fellows"

Statute XVII,3, provides: 'Unless the contrary be stated Fellows in these Statutes shall be taken not to include Honorary Fellows'.

### "Holders of College posts"

A holder of a College post is a person employed to perform work normally undertaken by a Fellow of the College and who is in receipt of a stipend for that employment. The holder of a College post need not be a Fellow of the College. This category includes College Officers (as defined under Statute VII), Tutors, Directors of Studies, College Senior Lecturers, College Lecturers, College Assistant Lecturers, Lectors, the Dean, the Praelector, the Keeper of the Archives, President and the Fellows' Steward.

### "College Officers"

Statute VII,1 provides: 'The College Officers shall be the Vice-Master, the Bursar, the Senior Tutor, the Tutor for Advanced Students, and the holders of such other College posts as the Council shall determine'. The posts so determined by the Council are listed in an Appendix to Regulations. It should be noted, therefore, that the term "College Officer" does **not** refer to everyone holding a College post.

### "Teaching Officers"

Ordinance III,2 provides: 'The Teaching Officers of the College shall be the Directors of Studies, College Senior Lecturers, College Lecturers, College Assistant Lecturers and Lectors'.

### "Academic Staff"

In accordance with Statute XXXV the term "Academic Staff" refers only to those persons designated under Ordinance XIX as those to whom Statute XXXV applies, namely the Master and, when these posts are held full-time, College Lecturers, College Assistant Lecturers and Lectors.

*At the Court at Buckingham Palace*

*THE 3<sup>RD</sup> DAY OF AUGUST 1960*

PRESENT,

THE QUEEN'S MOST EXCELLENT MAJESTY  
IN COUNCIL

WHEREAS there was this day read at the Board a Report of a Committee of the Lords of Her Majesty's Most Honourable Privy Council, dated the 1st day of July, 1960, in the words following, viz.:

'YOUR MAJESTY having been pleased, by Your Order of the 16th Day of March, 1960, to refer unto this Committee the humble Petition of the Right Honourable Sir Winston Leonard Spencer Churchill, K.G., O.M., C.H., and others, praying for the grant of a Charter of Incorporation constituting a Body Politic and Corporate by the name and style of "The Master, Fellows and Scholars of Churchill College in Cambridge":

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

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

*W G Agnew*

# **E**LIZABETH THE SECOND

BY THE GRACE OF GOD OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND OF OUR OTHER REALMS AND TERRITORIES QUEEN, HEAD OF THE COMMONWEALTH, DEFENDER OF THE FAITH.

*To all to whom these Presents shall come, Greeting!*

WHEREAS a Petition has been presented unto Us by Our right trusty and well-beloved Counsellor Sir Winston Leonard Spencer Churchill, Knight of Our Most Noble Order of the Garter, Member of the Order of Merit, Member of the Order of the Companions of Honours; Our right trusty and well-beloved Edgar Douglas Baron Adrian, Member of the Order of Merit; Our trusty and well-beloved Noel Gilroy Annan, Officer of Our Most Excellent Order of the British Empire, and William John Carron, Esquires; Our right trusty and well-beloved Counsellor Oliver Viscount Chandos, Companion of Our Distinguished Service Order, upon whom has been conferred the Decoration of the Military Cross; Our trusty and well-beloved Sir John Douglas Cockcroft, Member of the Order of Merit, Knight Commander of Our Most Honourable Order of the Bath, Commander of Our Most Excellent Order of the British Empire; Brian Westerdale Downs, Esquire; Sir Alexander Fleck, Knight Commander of Our Most Excellent Order of the British Empire; Our right trusty and well-beloved Frederick Baron Godber; Marshal of Our Royal Air Force Our right trusty and well-beloved Arthur William Baron Tedder, Knight Grand Cross of Our Most Honourable Order of the Bath; Our trusty and well-beloved Sir Alexander Robertus Todd, Knight and Our right trusty and well-beloved Ronald Morce Baron Weeks, Knight Commander of Our Most Honourable Order of the Bath, Commander of Our Most Excellent Order of the British Empire, Companion of Our Distinguished Service Order, upon whom have been conferred the Decoration of the Military Cross and the Territorial Decoration, which sheweth:

That funds have been raised by public subscription to establish and carry on at Cambridge a College to be called Churchill College as a memorial to the said Sir Winston Leonard Spencer Churchill:

That the petitioners are the trustees of those funds and hold the same upon the trusts of a trust deed dated the sixth day of May in the year of our Lord One thousand nine hundred and fifty-eight (the trustees for the time being of which trust deed are hereinafter called 'the Churchill Trustees');

And that the Petitioners as such trustees have begun the building of the College and have appointed a Master-elect thereof, namely the said Sir John Douglas Cockcroft and have appointed certain Fellows-designate thereof and that the said College will shortly open for the reception of students:

AND WHEREAS by the said Petition the Petitioners have most humbly prayed that We would be graciously pleased to grant a Charter in such terms as might seem to Us proper for the purpose of constituting the Master, Fellows and Scholars of the said College a body corporate:

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

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

1. The first Master and first Fellows of the College and all such persons as may hereafter become members of the body corporate hereby constituted shall for ever hereafter be one body politic and corporate by the name and style of 'The Master, Fellows and Scholars of Churchill College in Cambridge' (hereinafter referred to as 'the College') and by the same name shall have perpetual succession and a Common Seal with power to break, alter and make anew the said Seal from time to time at their will and pleasure and by the same name shall and may sue and be sued in all Courts and before all Justices of Us, Our Heirs and Successors.
2. By the same name they shall have full power and capacity to accept, acquire and hold any personal property whatsoever and shall also without any further authority by virtue of this Our Charter have full power and capacity (without licence in mortmain) to accept, acquire and hold any lands and hereditaments situate in Our United Kingdom of Great Britain and Northern Ireland and they shall have full power to dispose of either by way of sale or lease and to exchange, mortgage, charge, improve, manage, develop, turn to account or otherwise deal with all or any part of such property real or personal belonging to the College upon such terms and such manner as they shall see fit and also to do all other matters incidental or appertaining to a body corporate. Provided always that nothing in this Article shall be deemed to empower the College to dispose of or deal with its property in the manner above mentioned without first obtaining such consent (if any) as would otherwise be required by law.
3. The College is incorporated and shall be conducted with the following objects:
  - (a) To advance education, learning and research especially in the field of science and technology.
  - (b) To provide a College wherein members of Our University of Cambridge may work for degrees in that University, or may carry out post-graduate studies or other special studies at Cambridge, provided that no member of the College, or any candidate for membership, shall be subject to any test of a religious, political or social character.<sup>1</sup>
  - (c) To acquire and take over such property and liabilities of the Churchill Trustees as they may transfer to it.
  - (d) To apply the money of the College including any money acquired and taken over as aforesaid to the purposes of the College with power to invest as prescribed in the Statutes of the College.

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<sup>1</sup> This proposal was approved by Her Majesty the Queen in Council, on the 20<sup>th</sup> day of September 1966. In order to allow the admission of women, a proposal to change Article 3b of the Charter was approved by a Special Statute passed unanimously by the Governing Body at their 26<sup>th</sup> Meeting held on the 23<sup>rd</sup> April, 1966 in accordance with procedure laid down in Article 9 of the Charter. Article 3b of the Charter formerly read:

*“To provide for men (who are members of Our University of Cambridge) a College wherein they may work for degrees in that University or may carry out post-graduate studies or other special studies at Cambridge, provided that no member of the College or any candidate for membership shall be subject to any test of a religious, political or social character.”*

- (e) To administer any trusts or schemes for purposes connected with the objects of the College.
  - (f) To do all such other things as are incidental or conducive to the carrying out of the above objects.
4. The College shall have power subject to the Statutes of Our University of Cambridge to present candidates for matriculation by that University.
  5. The first Visitor of the College shall be our most dearly beloved Husband and most faithful Counsellor Philip Duke of Edinburgh, Knight of Our Most Noble Order of the Garter, Knight of Our Most Ancient and Most Noble Order of the Thistle, Grand Master of Our Most Excellent Order of the British Empire. Subsequent to him the Visitor of the College shall be appointed in manner prescribed by the Statutes of the College.
  6. The first Master of the College shall be the said Sir John Douglas Cockcroft. Such persons as at the date of this Our Charter have with their consent been appointed by the Churchill Trustees Fellows-designate of the College shall be the first Fellows of the College. The Statutes of the College shall apply to the first Master and first Fellows as if they had been appointed pursuant to the Statutes. Any subsequent Master of the College or further Fellows of the College shall be appointed in manner prescribed by the Statutes of the College.<sup>2</sup>
  7. The government of the College shall be conducted in accordance with the Statutes of the College.
  8. The first Statutes of the College shall be the Statutes annexed to this Our Charter. The Governing Body of the College shall however have power to repeal, amend and add to the Statutes of the College provided that:
    - (a) Any proposal to alter the Statutes is approved by not less than two-thirds of the members of the Governing Body present and voting at the meeting when the alteration is considered. Not less than fourteen days' notice shall be given of such meeting;

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<sup>2</sup> Prior to the revision of the Statutes approved by Her Majesty the Queen in Council on the 15<sup>th</sup> day of May 1996 a former Statute XXXVI specified the following Initial Provisions:

- 1 *“The Governing Body shall as soon as possible after the grant of the Royal Charter, determine by resolution as regards each of the first Fellows who are appointed by the Charter under which Title he is to be deemed to hold his Fellowship, and, where necessary for the purpose of these Statutes, for what period of office he is deemed to have been appointed; and he shall thereafter be deemed to hold office accordingly.*
- 2 *Where under the foregoing Statutes there is specified for the membership of any body or as a quorum or for the making of any request or doing any other act a particular number of Fellows, then, if and so long as the number specified exceeds two-thirds of the total number of Fellows other than the Vice-Master, there shall be deemed to be substituted for the number specified a figure equal to two-thirds of the total number of Fellows other than the Vice-Master. This provision shall however cease to operate as soon as there are at least twenty Fellows other than the Vice-Master.*
- 3 *The first Master and first Fellows shall make the respective declarations required by Statute III and Statute XVIII as soon as convenient after the grant of the Royal Charter, but shall be deemed to have taken up office from the date of such grant.”*



- (b) No alteration of the Statutes shall have any force or effect if it be repugnant to the provisions of this Our Charter or to the laws of Our Realm or to the provisions of such Statutes of the University as may from time to time be made to govern the relation of the Colleges to the University;
  - (c) Notice of any proposed alteration of the Statutes shall be given to the University before the proposed alteration is submitted to the Lords of Our Most Honourable Privy Council;
  - (d) A Statute which affects the University shall not be altered except with the consent of the University;
  - (e) No alteration shall have effect until it shall have been approved by the Lords of Our Most Honourable Privy Council, of which approval a Certificate under the hand of the Clerk of Our said Privy Council shall be conclusive evidence.
9. The Governing Body of the College may from time to time repeal, amend or add to the provisions of this Our Charter by a Special Statute in that behalf and such repeal, amendment or addition shall when allowed by Us, Our Heirs and Successors in Council become effectual so that this Our Charter shall thence-forward continue and operate as though it had been originally granted and made as so repealed, amended or added to. This Article shall apply to this Our Charter as altered, amended or added to in manner aforesaid. A Special Statute is one passed at a Meeting of the Governing Body specially summoned for the purpose at not less than fourteen days' notice.

At least half of the Governing Body must be present at the Meeting and two-thirds of those present must vote in favour of the Special Statute.

10. Reference herein to the Statutes of the College shall be deemed to refer to such Statutes as are for the time being in force.

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

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

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

**BY WARRANT UNDER THE QUEEN'S SIGN MANUAL**

COLDSTREAM

*At the Court at Windsor Castle*

THE 15<sup>TH</sup> DAY OF MAY 1996

PRESENT,

THE QUEEN'S MOST EXCELLENT MAJESTY  
IN COUNCIL

WHEREAS the Governing Body of Churchill College, in the University of Cambridge, did under the provisions of the Universities of Oxford and Cambridge Act 1923 on the 14th day of December 1995 make a Statute, as set out in the Schedule to this Order, amending the College Statutes:

AND WHEREAS the said Statute has been submitted to Her Majesty in Council and notice of its having been so submitted has been published in the London Gazette, and the said Statute has also been laid before both Houses of Parliament in accordance with the directions contained in the said Act and no Petition or Address against the same has been presented:

NOW, THEREFORE, Her Majesty, having taking the said Statute into consideration, is pleased, by and with the advice of Her Privy Council, to declare and doth hereby declare, Her approval of the same.

*N H Nicholls*

--oOo--

STATUTE to alter and amend the Statutes of CHURCHILL COLLEGE IN THE UNIVERSITY OF CAMBRIDGE which amending Statute having been duly made at a General Meeting of the Governing Body of the said College specially summoned for the purpose and held on the seventh day of October One Thousand Nine Hundred and Ninety Four (notice of the proposed amending Statute having been given to the University) and having been passed by the votes of not less than two-thirds of the number of persons present and voting is now submitted for the approval of Her Majesty the Queen in Council

*At the Court at Windsor Castle*

THE 19<sup>TH</sup> DAY OF APRIL 2000

PRESENT,

THE QUEEN'S MOST EXCELLENT MAJESTY  
IN COUNCIL

WHEREAS the Governing Body of Churchill College, in the University of Cambridge, has made a Statute amending the College Statutes XXIX and XXXVI, in accordance with the Universities of Oxford and Cambridge Act 1923, and in the form set out in the Schedule to this Order:

AND WHEREAS the Statute has been submitted to her Majesty in Council, and the provisions of the Act relating to publication in the London Gazette and laying before both Houses of Parliament have been complied with:

AND WHEREAS no petition or address has been presented against the Statute:

NOW, THEREFORE, Her Majesty, having taken the Statute into consideration, is pleased, by and with the advice of Her Privy Council, to approve it.

A K Galloway

--oOo--

STATUTE to alter and amend Statutes XXIX and XXXVI of CHURCHILL COLLEGE IN THE UNIVERSITY OF CAMBRIDGE which amending Statute having been duly made at a General Meeting of the Governing Body of the said College specifically summoned for the purpose and held on the third day of December One Thousand Nine Hundred and Ninety Nine (notice of the proposed amending Statute having been given to the University) and having been passed by the votes of not less than two-thirds of the number of persons present and voting is now submitted for the approval of Her Majesty the Queen in Council.

WE the Master Fellows and Scholars of Churchill College in Cambridge DO HEREBY in pursuance of the power given to us by Section 7 of the Universities of Oxford and Cambridge Act 1923 alter and amend the Statutes in relation to our said College in the following manner:-

THAT the Statutes be amended to read as hereinafter shown

*At the Court at Buckingham Palace*

THE 14<sup>TH</sup> DAY OF MAY 2001

PRESENT,

THE QUEEN'S MOST EXCELLENT MAJESTY  
IN COUNCIL

WHEREAS the Governing Body of Churchill College, in the University of Cambridge, has made a Statute amending the College Statute XIII, in accordance with the Universities of Oxford and Cambridge Act 1923, and in the form set out in the Schedule to this Order:

AND WHEREAS the Statute has been submitted to her Majesty in Council, and the provisions of the Act relating to publication in the London Gazette and laying before both Houses of Parliament have been complied with:

AND WHEREAS no petition or address has been presented against the Statute:

NOW, THEREFORE, Her Majesty, having taken the Statute into consideration, is pleased, by and with the advice of Her Privy Council, to approve it.

A K Galloway

--oOo--

STATUTE to alter and amend Statute XIII of CHURCHILL COLLEGE IN THE UNIVERSITY OF CAMBRIDGE which amending Statute having been duly made at a General Meeting of the Governing Body of the said College specifically summoned for the purpose and held on the first day of December Two Thousand (notice of the proposed amending Statute having been given to the University) and having been passed by the votes of not less than two-thirds of the number of persons present and voting is now submitted for the approval of Her Majesty the Queen in Council.

WE the Master Fellows and Scholars of Churchill College in Cambridge DO HEREBY in pursuance of the power given to us by Section 7 of the Universities of Oxford and Cambridge Act 1923 alter and amend the Statutes in relation to our said College in the following manner:-

THAT the Statute XIII be amended to read as hereinafter shown



*At the Court at Buckingham Palace*

THE 7th DAY OF FEBRUARY 2007

PRESENT,

THE QUEEN'S MOST EXCELLENT MAJESTY  
IN COUNCIL

The Governing Body of Churchill College, in the University of Cambridge, has made a Statute amending College Statutes XI, XII, XIII, XIV, XVII, XVIII, XX, XXII, XXV, XXVI, XXVII, XXXII, XXXIII, XXXIV and XXXV, in accordance with the Universities of Oxford and Cambridge Act 1923, and in the form set out in the Schedule to this Order.

The Statute has been submitted to Her Majesty in Council, and the provisions of the Act relating to publication in the London Gazette and laying before both Houses of Parliament have been complied with.

No petition or address has been presented against the Statute.

Therefore, Her Majesty, having taken the Statute into consideration, is pleased, by and with the advice of Her Privy Council, to approve it.

*Christine Cook*

--oOo--

STATUTE to alter and amend the Statutes of CHURCHILL COLLEGE IN THE UNIVERSITY OF CAMBRIDGE which amending Statute having been duly made at a General Meeting of the Governing Body of the said College specifically summoned for the purpose and held on the seventeenth day of March Two Thousand and Six (notice of the proposed amending Statute having been given to the University) and having been passed by the votes of not less than two-thirds of the number of persons present and voting is now submitted for the approval of Her Majesty the Queen in Council.

WE the Master Fellows and Scholars of Churchill College in Cambridge DO HEREBY in pursuance of the power given to us by Section 7 of the Universities of Oxford and Cambridge Act 1923 alter and amend the Statutes in relation to our said College in the following manner:

THAT Statutes XI, XII, XIII, XIV, XVII, XVIII, XX, XXII, XXV, XXVI, XXVII, XXXII, XXXIII, XXXIV and XXXV be amended to read as hereinafter shown



*At the Court at Buckingham Palace*

THE 9th DAY OF DECEMBER 2009

PRESENT,

THE QUEEN'S MOST EXCELLENT MAJESTY  
IN COUNCIL

The Governing Body of Churchill College, in the University of Cambridge, has made a Statute amending College Statute XVII in accordance with the Universities of Oxford and Cambridge Act 1923, and in the form set out in the Schedule to this Order.

The Statute has been submitted to Her Majesty in Council, and the provisions of the Act relating to publication in the London Gazette and laying before both Houses of Parliament have been complied with.

No petition or address has been presented against the Statute.

Therefore, Her Majesty, having taken the Statute into consideration, is pleased, by and with the advice of Her Privy Council, to approve it.

*Judith Simpson*

--oOo--

STATUTE to alter and amend Statute XVII.I of CHURCHILL COLLEGE IN THE UNIVERSITY OF CAMBRIDGE which amending Statute having been duly made at a General Meeting of the Governing Body of the said College specifically summoned for the purpose and held on the thirteenth day of March Two Thousand and Nine (notice of the proposed amending Statute having been given to the University) and having been passed by the votes of not less than two-thirds of the number of persons present and voting is now submitted for the approval of Her Majesty the Queen in Council.

WE the Master Fellows and Scholars of Churchill College in Cambridge DO HEREBY in pursuance of the power given to us by Section 7 of the Universities of Oxford and Cambridge Act 1923 alter and amend the Statutes in relation to our said College in the following manner:-

THAT the Statute XVII.I be amended to read as hereinafter shown:



*At the Court at Buckingham Palace*

THE 12th DAY OF DECEMBER 2012

PRESENT,

THE QUEEN'S MOST EXCELLENT MAJESTY  
IN COUNCIL

The Governing Body of Churchill College, in the University of Cambridge, has made a Statute amending College Statutes IV, XVIII, XIX and XXIV in accordance with the Universities of Oxford and Cambridge Act 1923, and in the form set out in the Schedule to this Order.

The Statute has been submitted to Her Majesty in Council, and the provisions of the Act relating to publication in the London Gazette and laying before both Houses of Parliament have been complied with.

No petition or address has been presented against the Statute.

Therefore, Her Majesty, having taken the Statute into consideration, is pleased, by and with the advice of Her Privy Council, to approve it.

*Richard Tilbrook*

--oOo--

STATUTE to alter and amend the Statutes of CHURCHILL COLLEGE IN THE UNIVERSITY OF CAMBRIDGE which amending Statutes having been duly made at a General Meeting of the Governing Body of the said College specifically summoned for the purpose and held on the sixteenth day of March Two Thousand and Twelve (notice of the proposed amending Statute having been given to the University) and having been passed by the votes of not less than two-thirds of the number of persons present and voting is now submitted for the approval of Her Majesty the Queen in Council.

WE the Master Fellows and Scholars of Churchill College in Cambridge DO HEREBY in pursuance of the power given to us by Section 7 of the Universities of Oxford and Cambridge Act 1923 alter and amend the Statutes in relation to our said College in the following manner:-

THAT the Statutes II, IV, XVIII, XIX, XXIV be amended to read as hereinafter shown:

## **STATUTE I**

### **The Title of the College**

1. The College is called Churchill College as a memorial to the illustrious statesman, the Right Honourable Sir Winston Leonard Spencer Churchill, K.G., O.M., C.H., and its corporate title is *The Master, Fellows and Scholars of Churchill College in Cambridge*.

## **STATUTE II**

### **The Visitor**

1. There shall be a Visitor of the College who shall be appointed by the Governing Body from those who hold or who have held high judicial office.

## **STATUTE III**

### **Appointment and Duties of the Master**

1. The Master of the College shall be appointed by the Sovereign on the recommendation of the Prime Minister.
2. Before entering office the Master shall be admitted by the Vice-Master and the Fellows after having read aloud in their presence the following declaration:

"I, M.N., appointed Master of Churchill College, do solemnly declare that I will endeavour to the utmost of my power without fear or favour, to promote the interests of the College as a place of education, learning, and research."

3. The Master shall exercise a general superintendence over the affairs of the College and shall preside when present at all meetings of the Governing Body and of the Council and at all meetings of other bodies or committees of which he or she is a member, and shall, except as otherwise provided in these Statutes, be entitled, in the case of an equality of votes, to give a second or casting vote. The Master shall have the power, in all cases not provided for by these Statutes or by order of the Governing Body or the Council, to make such provision for the good government of the College as he or she shall think fit.
4. The Master shall receive from the general resources of the College a fixed annual stipend and allowances to be determined by the Council, and shall be provided with furnished accommodation in the Master's Lodge. The College shall pay all local taxes on the Lodge and be responsible for repairs and decorations to the Lodge at the discretion of the Council.

## **STATUTE IV**

### **Retirement and Resignation of the Master**

1. Except as hereinafter provided the Master shall serve for a maximum of ten years.
2. At any time before the Master leaves office in accordance with section 1 of this Statute, the Governing Body shall have power, subject to the Master's consent, and with the concurrence of the votes of not less than one-half of the total membership nor less than two-thirds of the numbers of members present and voting, to permit him or her to remain in office for up to one year after the intended date of retirement in order to avoid an



interval of more than three months between the retirement of the Master and the assumption of office of his or her successor.

3. The Master may at any time resign the office of Master by notice given under his or her hand to the Governing Body through the Vice-Master. Except by consent of the Governing Body, notice thus given shall not be less than six months.
4. The Master on resignation or retirement shall become a Pensioner Fellow under Title D and shall take precedence (after the Master and Vice-Master) over all Fellows except a former Master of the College.

## **STATUTE V**

### **Residence of the Master**

1. The Master shall reside in College, or in some house sanctioned by the Governing Body, during at least two-thirds of each Full Term, unless absent on College or University business or by sanction of the Council, or prevented by illness or other grave cause, which shall be signified to the Vice-Master.

## **STATUTE VI**

### **Absence of the Master**

1. During any absence or illness of the Master or when the Mastership is vacant, the functions of the Mastership shall be performed by the Vice-Master or, in the absence or illness of the Vice-Master or when the Vice-Mastership is vacant, by the most senior Fellow in residence who is a member of the Council.

## **STATUTE VII**

### **College Officers**

1. The College Officers shall be the Vice-Master, the Bursar, the Senior Tutor, the Tutor for Advanced Students, and the holders of such other College posts as the Council shall determine.

## **STATUTE VIII**

### **The Vice-Master**

1. The Vice-Master shall be elected from among the Fellows by a vote of the Governing Body. The method of election of the Vice-Master, the tenure of the office, and eligibility for re-election shall be determined by Ordinance.
2. The Vice-Master shall vacate the office upon ceasing to be a Fellow of the College.
3. The Vice-Master shall perform the functions of the office of the Mastership during any absence or illness of the Master or when the Mastership is vacant. If required to act for the Master during any period exceeding one month the Vice-Master shall receive such additional emolument as the Council may determine.

4. The Vice-Master shall perform such other duties as may be assigned to the office by these Statutes or by Ordinance.
5. The Vice-Master shall take precedence immediately after the Master, except for such occasions as the Governing Body shall determine by Ordinance.
6. During any absence or illness of the Vice-Master or when the Vice-Mastership is vacant, the functions of the Vice-Mastership shall be performed by the most senior Fellow in residence who is a member of the Council.

## **STATUTE IX**

### **The Bursar**

1. The Bursar shall be appointed by the Council. The method of election, the tenure of office, and eligibility for re-election shall be determined by Ordinance.
2. The Bursar, if not already a Fellow, shall be elected to a Fellowship by the Council and shall hold the Fellowship during the tenure of that office.
3. The Bursar shall have the care of the property of the College under the direction of the Council. Except insofar as any of the following duties may be assigned by the Council to any other College Officer, the Bursar shall:
  - (a) receive all rents and moneys due to the College;
  - (b) make such payments as may be due from the College;
  - (c) keep such moneys as are received in a bank or banks approved by the Council;
  - (d) negotiate any loans, by overdraft or otherwise;
  - (e) have charge of the external, legal, and financial affairs of the College in relation to any of its property;
  - (f) exercise supervision over College finances as a whole in accordance with these Statutes, or any Ordinance or resolution of the Governing Body or the Council;
  - (g) in accordance with the directions of the Council and subject to the provisions of these Statutes invest College moneys;
  - (h) exercise supervision over all non-academic staff.

## **STATUTE X**

### **The Tutors**

1. There shall be a Senior Tutor, a Tutor for Advanced Students, and such number of other Tutors as the Council may from time to time determine.
2. All Tutors shall be appointed by the Council. The method of their appointment, their tenure of office, and their eligibility for re-appointment shall be determined by Ordinance.

3. Every Tutor, if not already a Fellow, shall be elected to a Fellowship by the Council, and shall hold the Fellowship during the tenure of that office.
4. The Senior Tutor, the Tutor for Advanced Students, and other Tutors, shall perform such duties relating to the education, discipline, health, and welfare of Student members of the College as the Council may from time to time determine.

## **STATUTE XI**

### **The Governing Body**

1. The members of the Governing Body of the College are (a) the Master and all Fellows other than Honorary Fellows and Fellows elected into Titles D and F after 30 September 1988; (b) those members of the College Council who are Advanced Students or Undergraduate Students. Fellows elected into Titles D and F after 30 September 1988 may attend and speak at meetings of the Governing Body, but shall not have votes.
2. The Governing Body shall have the power of amending the Charter and of amending the Statutes which is conferred upon them by the Charter, and shall have such other powers as may be conferred upon them by the Charter and these Statutes.
3. The Governing Body shall have power to make standing orders which shall be called Ordinances, provided that such Ordinances shall not be inconsistent with the Statutes of the College or of the University.
4. Ordinances made by the Governing Body shall be amended or rescinded only by the Governing Body.
5. There shall be reserved business of the Governing Body. Reserved Business shall include:
  - (a) the election, appointment, promotion, removal, or any matters affecting the personal position, of any Member of the College other than a Student, or of any person employed by the College;
  - (b) the admission of any person to membership of the College;
  - (c) such further business as the majority of the Governing Body who are Fellows shall from time to time declare to be reserved.

In any case of doubt, the Master or the presiding Fellow shall decide whether an item of business is reserved and that decision shall be final.

6. Members of the Governing Body who are Fellows shall be entitled to receive papers in connection with, be present during the discussion and record their vote in relation to any item of reserved business.
7. Fellows elected into Titles D and F after 30 September 1988 shall be entitled to receive papers in connection with any item of reserved business and may attend and speak at meetings held to discuss any such business but may not record any vote.
8. Advanced Student and Undergraduate members of the Governing Body shall not be entitled to receive any papers in connection with, or be present during the discussion of, or record any vote in relation to any item of reserved business.

## STATUTE XII

### Meetings of the Governing Body

1. The Governing Body shall hold two or more meetings every year on such days as the Council shall appoint. These will be called Statutory Meetings. At least fourteen days notice of a Statutory Meeting shall be given to members and to Fellows under Titles D and F. Every year at Statutory Meetings the Governing Body shall:
  - (a) elect members of the Council and the Fellowship Electors as prescribed in these Statutes;
  - (b) consider the accounts and reports submitted to them under Statute XXXIII;
  - (c) consider the Bursar's estimates of income and expenditure during the succeeding financial year and determine the allocation of funds to the various College activities;
  - (d) receive a report from the Council on the stipends of all holders of College posts.
2. The Governing Body may from time to time make any Ordinance not inconsistent with the Statutes with regard to the summoning of other meetings of the Governing Body, the preparation and circulation of notices of the business to be transacted at these meetings, and the procedure at them.
3. The Master may at any time summon a meeting of the Governing Body, and shall do so with all convenient speed if requested by the Council or on a written request signed by at least six members of the Governing Body. A request for a meeting shall set forth the resolution or the resolutions to be brought before the meeting. Seven days' notice shall be given of any meeting summoned under this section.
4. The Vice-Master may, and if requested by the Council or in writing by at least six members of the Governing Body, shall summon a meeting for the purpose of Statute IV. The Vice-Master shall if requested in writing summon a meeting of the Governing Body pursuant to Statute XXXV(Part VII),39,40. Seven days' notice shall be given of any meeting summoned under this section.
5. At every meeting of the Governing Body in the absence of the Master, the Vice-Master, or failing that the most senior Fellow present who is a member of the Council, shall preside.
6. All elections and other matters put to the vote at a meeting of the Governing Body shall, except as otherwise provided in the Charter or these Statutes, be decided by a majority of those present and voting. In the case of equality of votes the Master or the presiding Fellow shall be entitled to give a second or casting vote.
7. No business shall be transacted at a meeting of the Governing Body unless at least one quarter of its members are present.
8. Minutes shall be kept of the proceedings of the Governing Body and the Minute Book shall be accessible to members and Fellows under Titles D and F at all reasonable times.

## STATUTE XIII

### The Council

- I. The Council shall consist of:
  - (a) *Ex officio* members consisting of the Master, the Vice-Master, the Senior Tutor, the Tutor for Advanced Students, the Bursar, the holders of such other College posts as the Governing Body may from time to time decide, one Undergraduate Student and one Advanced Student as specified by Ordinance;
  - (b) eight members elected from among the members of the Governing Body who are Fellows;
  - (c) one member elected from among the Undergraduate Students;
  - (d) one member elected from among the Advanced Students;
  - (e) two members elected from those Non-Academic Staff who have been appointed by the Bursar.

Of the eight elected members who are members of the Governing Body, four shall be elected at a Statutory Meeting of the Governing Body each year, to serve for two years. A Member of the Governing Body may be re-elected on two successive occasions, after which he or she shall not be eligible for re-election for two years. An elected Student Member may not be re-elected more than once in the same category. The methods of election to the Council and the filling of casual vacancies, and the tenure of members other than members of the Governing Body, shall be prescribed by Ordinance.

2. If an elected member of the Council ceases to have the qualifying status under which he or she was elected, that member shall thereupon cease to be a member of the Council. If an elected member has attended fewer than half the meetings of the Council in any one term he or she shall cease to be a member of the Council from the end of that term unless the cause of absence shall have been declared sufficient by the Council.
3. There shall be reserved business of the Council. Only members of the Council who are Fellows shall be entitled to receive any papers in connection with, or be present during the discussion of, or record any vote in relation to, any such business. Reserved business shall include:
  - (a) the election, appointment, promotion, removal, or any matters affecting the personal position, of any Member of the College other than a Student, or of any person employed by the College;
  - (b) the admission of any person to membership of the College;
  - (c) such further business as the majority of the members of the Council who are Fellows shall from time to time declare to be reserved, except that no such declaration shall continue to have effect beyond the next Statutory meeting of the Governing Body unless confirmed by the making of an Ordinance at that meeting.

In any case of doubt, the Master or the presiding Fellow shall decide whether an item of business is reserved and that decision shall be final.

4. The Council shall, subject to the provision of these Statutes, have the care and management of the property of the College and shall have the power to make Regulations for the good government of the College, and to amend and rescind such Regulations.
5. The Council shall exercise a general superintendence over the educational work of the College. It shall appoint examiners, and award scholarships, studentships and prizes.
6. The Council shall appoint, and may dismiss in accordance with Statute XXXV, and Ordinances made thereunder, all holders of College posts except the Vice-Master. It may also appoint other persons to perform such duties in the College as it may consider appropriate, and may likewise dismiss them.
7. The Council shall determine the stipends of all holders of College posts and report the amounts of such stipends to the Governing Body at a Statutory Meeting in the Michaelmas Term. It shall be solely responsible for recommending to the Governing Body any change of Ordinance relating to the stipends paid to Fellows in respect of their Fellowships.
8. The Council shall have such further authority in relation to the general administration and management of the affairs of the College as the Governing Body shall entrust to them by Ordinance.

#### **STATUTE XIV**

##### **Meetings of the Council**

1. The Council shall hold regular meetings at such times and subject to such regulations concerning notice of business and mode of procedure as may from time to time be determined by the Council. Extraordinary meetings of the Council shall be held whenever the Master, or, in the Master's absence, the Vice-Master, or in the absence of them both, the most senior Fellow who is a member of the Council, shall deem it necessary for any purpose.
2. At every meeting of the Council in the absence of the Master, the Vice-Master, or failing that, the most senior Fellow present, shall preside.
3. All questions put to the vote at a meeting of the Council shall be decided by a majority of those present and voting except as otherwise provided in these Statutes. In case of equality of votes the Master or the presiding Fellow shall be entitled to give a second or casting vote.
4. No business shall be transacted at any meeting of the Council unless eight members who are Fellows are present, except that decisions may be taken with a smaller number of such members present for the purpose of meeting a grave emergency.
5. Minutes shall be kept of the proceedings of the Council and the Minute Book and Council Papers shall be accessible to the Master and Fellows at all reasonable times.

#### **STATUTE XV**

##### **The Fellowship Electors**

1. The Fellowship Electors shall consist of:

- (a) the Master, the Vice-Master, the Bursar, the Senior Tutor, and the Tutor for Advanced Students, who shall be Electors *ex officio*;
- (b) ten Electors elected from among the Fellowship of whom half shall be elected annually at a Statutory Meeting of the Governing Body to serve for two years.

A Fellow may be re-elected on two successive occasions, after which he or she shall not be eligible for re-election for two years. The method of election of Fellowship Electors and the filling of casual vacancies shall be prescribed by Ordinance.

2. If a Fellowship Elector ceases to have the qualifying status as a Fellow, that Fellow shall thereupon cease to be a Fellowship Elector. If an elected Fellowship Elector is absent from three successive meetings, he or she shall cease to be a Fellowship Elector unless the cause of absence shall have been declared sufficient by the Fellowship Electors.
3. The Fellowship Electors shall elect Fellows under those Titles prescribed in Statutes XVIII and XIX.

## **STATUTE XVI**

### **Meetings of the Fellowship Electors**

1. The Fellowship Electors shall hold regular meetings at such times and subject to such regulations concerning notice of business and mode of procedure as may from time to time be determined by the Fellowship Electors. At least seven days' notice of a meeting shall be given by the Master, or in the Master's absence, the Vice-Master, or in the absence of them both, the most senior Fellow present who is a Fellowship Elector.
2. At every meeting of the Fellowship Electors in the absence of the Master, the Vice-Master or, failing that, the most senior Fellow present, shall preside.
3. All questions put to the vote at a meeting of the Fellowship Electors shall be decided by a majority of those present and voting except as otherwise provided in these Statutes. In case of equality of votes the Master or the presiding Fellow shall be entitled to give a second or casting vote.
4. No business shall be transacted at any meeting of the Fellowship Electors unless eight members are present.
5. Minutes shall be kept of the proceedings of the Fellowship Electors and the Minute Book and Papers shall be accessible to the Master and Fellows at all reasonable times.

## **STATUTE XVII**

### **Honorary Fellowship**

1. The Governing Body may at any meeting elect any person to an Honorary Fellowship and terminate the tenure of an Honorary Fellowship, provided that the number voting in favour of such election or of such termination shall be both not less than two-thirds of those present at the meeting and not less than one-third of the total number of members of the Governing Body.

2. An Honorary Fellow shall not be a Member of the Governing Body and shall not receive any emoluments. Honorary Fellows shall enjoy such privileges and amenities as the Governing Body shall from time to time determine.
3. Unless the contrary be stated, Fellows in these Statutes shall be taken not to include Honorary Fellows.

## **STATUTE XVIII**

### **The Fellows**

1. A Fellow of the College shall hold a Fellowship under one of the following Titles:  
  
Official Fellowships under Title A  
Research Fellowships under Title B  
Professorial Fellowships under Title C  
Pensioner Fellowships under Title D  
Extraordinary Fellowships under Title E  
Overseas Fellowships under Title F  
Supernumerary Fellowships under Title G
2. The Governing Body shall have the power to determine by Ordinance the maximum number of Fellowships to be held in respect of each of these Titles or any group or groups of them.
3. Approximately seventy *per centum* of the total number of Fellows of all Titles except Title D and Title E shall be persons who are engaged in the teaching of or research into science or technology. The subjects included within science and technology shall be determined by Ordinance.
4. The responsibilities, stipends, allowances, and privileges of Fellows under each Title shall be determined by Ordinance on the recommendation of the Council provided that no stipend in respect of the Fellowship shall be paid to a Fellow under Titles A, C, D, E or G.

## **STATUTE XIX**

### **Election of Fellows**

1. The Council shall elect all Fellows under Titles A, C and D. The Governing Body shall elect all Fellows under Title G. All other Fellows shall be elected by the Fellowship Electors.
2. No-one shall be elected a Fellow at a meeting of the Council, Governing Body or Fellowship Electors without the concurrence of at least two-thirds of the members of the Council, Governing Body or Fellowship Electors (as the case may be) present at the meeting.
3. The Council, Governing Body or Fellowship Electors, as appropriate, shall specify the starting date for the tenure of the Fellowship. This date is deemed to be the date of election for the purposes of these Statutes. If, on the date of election, the person concerned does not satisfy the requirements for the Title of Fellowship concerned then the election is void.
4. Under Title A, the Council may elect any person who holds office in the College or in the University, and when each election under Title A is made, the Council shall specify the qualifying office or offices in the University or College, or both, and in the case of a College



office the tenure of each College office. A Fellow under Title A shall relinquish the Fellowship on retiring from their prime employment, or at a time six months after ceasing to hold one or more of the qualifying offices specified, whichever is the earlier, unless that Fellow is re-elected to the Fellowship under one or more new qualifying offices.

5. Under Title B, the Fellowship Electors may elect any persons whom they consider worthy to conduct research in any subject. There shall be two classes of Fellows under Title B:
  - (a) Senior Research Fellows;
  - (b) Junior Research Fellows.

In making elections under this Title in either class, the Fellowship Electors shall have regard to the age, experience, and promise of the person or persons under consideration and shall elect to the one or the other of these two classes accordingly. A Senior Research Fellow shall be elected for an initial tenure not exceeding five years and the Fellowship Electors shall have power to extend the tenure subject to a maximum tenure of ten years in all. A Junior Research Fellow shall be elected and may be re-elected for a period or periods which together shall not exceed four years.

6. In respect of Title C, the Council shall have regard to such number of Professorial Fellowships as shall from time to time be assigned to the College under the Statutes of the University (though they shall not be limited in making elections by this number), and may, subject to the University Statutes, elect into a Fellowship under Title C any person holding a Professorship in the University, or any of the Readerships or administrative offices specified for the time being in Schedule B of the University Statutes. Any person who is already a Fellow and is appointed to one of the University offices specified in this section shall without re-election become a Fellow under Title C notwithstanding any Ordinance the Governing Body may have made in restricting the total number of Fellows under this Title. A Fellow under Title C shall hold the Fellowship only whilst holding the University office with which that Fellowship is associated.
7. Under Title D, the Council may elect any Fellow who has attained the age of sixty years, or who has been a Fellow for not less than twenty-five years, or who has vacated a Fellowship under Title A, B or C either for reasons of ill health or for any other cause which the Council shall deem to be sufficient. A Fellow under Title D shall hold the Fellowship for life.
8. Under Title E, the Fellowship Electors may elect any person who is of exceptional distinction in the advancement of learning and research and whom it will be in the interest of the College to elect. The tenure of a Fellow so elected shall be for such period and subject to such conditions as the Fellowship Electors shall in each case determine.
9. Under Title F, the Fellowship Electors may elect any person normally resident outside the United Kingdom who is of distinction in the advancement of learning and research and whom it will be in the interest of the College to elect. A Fellow under Title F shall be elected for an initial period not exceeding two years and the Fellowship Electors shall have power to extend the tenure subject to a maximum of ten years in all.
10. Under Title G, the Governing Body may elect any person they consider especially fitted to be elected a Fellow and whom it will be in the interest of the College to elect. The tenure of a Fellow so elected shall be for such period and subject to such conditions as the Governing Body shall in each case determine.

11. Except as specified in section 13, as soon as may be convenient after the date of election, the Master, or in the Master's absence the Vice-Master, shall convene a meeting of the Fellows and shall call upon the Fellow to make the following declaration:

"I, M.N., elected a Fellow of Churchill College, do solemnly declare that I will, so far as in me lies, loyally observe the Statutes, Ordinances, and customs of the College and in all things endeavour to promote learning and advance knowledge."
12. Every Fellow (other than a Fellow under Title E or F) who is not already a member of the Senate of the University shall proceed to the degree of Master of Arts or other degree qualifying for such membership as soon as that Fellow is of standing to take such a degree.
13. After the Master, the Vice-Master, and any former Master, all Fellows, including the holders of Professorial Fellowships, shall preserve their seniority in the order of Fellows on solemn occasions according to the date of election of Fellows and not according to their degrees. Fellows with the same date of election shall take their place in the order of Fellows according to the seniority of their degrees. A Fellow who by re-election under one or more Titles or by change of Title has been continuously a Fellow shall take seniority according to the original election and shall only be required to make the declaration under section 11 on original election. Any case of doubt shall be decided by the Master.

## **STATUTE XX**

### **Intermission and Leave of Absence of Fellows**

1. The Council may allow a Fellow under Title B or Title E whose study or research is interrupted by a cause of which they approve to intermit the Fellowship for a single period to be determined by the Council. The period of intermission shall not exceed two years and shall not be counted as part of the tenure of the Fellowship.
2. If the Council has reason to think a Fellow is prevented for any reason from fulfilling any condition associated with the Fellowship, the Council shall carry out a full investigation during which the Fellow shall have the right to state his or her case to the Council. The Council shall have the power by vote, in which three-fourths of the number of its members who are Fellows (exclusive of any member whose case is being investigated under this section) concur, to intermit the Fellowship for a period to be determined by the Council. The Council may later shorten the period. Any Fellow required to intermit a Fellowship shall have the right of appeal to the Governing Body.
3. A Fellow who has been allowed or required to intermit a Fellowship shall cease to be a Member of the Governing Body. He or she shall not be entitled during the period of intermission to a stipend or emolument or allowances, or qualify for any privileges that may be specified under Statute XVIII or in any Ordinance or Regulation.
4. The Council shall have the power to continue during a period of intermission the payment of superannuation or like payments.
5. The Council may grant a Fellow under any Title save Title D a period of Leave of Absence under such conditions as are laid down by Ordinance.

## **STATUTE XXI**

### **Resignation of a Fellow**

1. A Fellow who has communicated the resignation of his or her Fellowship in writing to the Master and has not withdrawn such resignation shall vacate that Fellowship on the acceptance of the resignation by the Council.
2. A Fellowship shall be vacated if the holder becomes Head of House or Fellow, other than Honorary Fellow, of another College in Cambridge.

## **STATUTE XXII**

### **Removal of a Fellow**

1. If the Council has reason to believe that a Fellow has been guilty of disgraceful conduct or persistent neglect of the duties of the Fellowship, it shall carry out a full investigation during which the Fellow shall have a right to state his or her case. Notwithstanding any provision of these Statutes or of any Ordinance as to the tenure of a Fellowship, the Council shall have the power by vote, in which three-fourths of the number of its members who are Fellows (exclusive of any member charged under this section) concur, to deprive him or her of the Fellowship. Any Fellow so deprived shall have the right of appeal to the Visitor. The Visitor, or deputy appointed by the Visitor, shall thereupon investigate the case, and may reverse the sentence of deprivation at his or her discretion.
2. Subject to the provisions of section 6(1) of Statute XXXV, nothing in this Statute shall apply to members of the academic staff as defined in section 3 thereof.

## **STATUTE XXIII**

### **Notification to Fellows**

1. Every Fellow shall register with the Bursar a place of address to which notices are to be sent. Wherever these Statutes require notice to be given to any Fellow it shall be sufficient that the notice be sent by post or otherwise to this registered address.

## **STATUTE XXIV**

### **Retirement from Fellowship**

1. Every Fellow, other than a Fellow under Title D, shall vacate the Fellowship on their retirement from their prime employment.

## **STATUTE XXV**

### **Membership of the College**

1. Subject to the provisions of these Statutes, the Governing Body shall have power to make Ordinances under which persons may be admitted as members of the College.
2. The members of the College shall be the Master, Fellows, Honorary Fellows, Students, any person who has held any of these categories of membership, until resignation from such

membership or until deprived of such membership in accordance with these Statutes, and such other persons as may be admitted under Ordinances.

3. Students of the College shall be those who have been admitted by the Tutors, who have come into residence and who are carrying out research or following a course of study approved by the Council.
4. The Students of the College shall comprise Undergraduate and Advanced Students, of whom approximately one-third shall be Advanced Students.
5. Subject to the provisions of these Statutes, the Governing Body shall make Ordinances under which the Tutors may admit persons as Students of the College.
6. Any person admitted to membership of the College and who is *in statu pupillari* shall be matriculated in accordance with the University Statutes.

## **STATUTE XXVI**

### **Advanced Students**

1. Subject to the provisions of these Statutes, the Council shall make regulations concerning the admission of Advanced Students to the College.
2. Approximately *seventy per centum* of the Advanced Students shall be persons who were admitted to study in the fields of science or technology. The subjects included within science and technology shall be determined by Ordinance.
3. Every Advanced Student shall be assigned to a Tutor by the Senior Tutor.

## **STATUTE XXVII**

### **Undergraduate Students**

1. Subject to the provisions of these Statutes, the Council shall make regulations concerning the admission of Undergraduate Students to the College.
2. Approximately *seventy per centum* of the Undergraduate Students shall be persons who were admitted to study in the fields of science or technology. The subjects included within science and technology shall be determined by Ordinance.
3. Every Undergraduate Student shall be assigned to a Tutor by the Senior Tutor.

## **STATUTE XXVIII**

### **Scholarships, Studentships and other Awards**

#### **Scholarships**

1. Scholars may be elected in accordance with regulations made by the Council from among candidates either resident or non-resident. The conditions and tenure of Scholarships shall be determined from time to time by the Council.

2. Scholars shall be elected by the Council, but the Council may delegate its power of election to such body of persons as it shall appoint for that purpose.
3. The value of a Scholarship shall be determined from time to time by the Council and shall be paid without regard to the financial circumstances of the Scholar.
4. Payments of Scholarships shall not be made until their holders come into residence and begin their studies.
5. The Council shall from time to time make such regulations as it shall think proper in respect to the residence and studies of Scholars. Any Scholar who fails to conform to such regulations or who does not make reasonable progress in his or her studies, may be deprived by the Council of the title of Scholar and of the benefits of the Scholarship.

### **Studentships**

6. The Council shall have power to establish Studentships for the encouragement of study or research in any branch of learning by Undergraduate or Advanced Students and shall set aside funds for this purpose.
7. The number, the conditions, and the emoluments of Studentships shall be determined from time to time by the Council.

### **Other Awards**

8. The Council shall have power to establish other awards for Students of the College for such purposes as it may determine.
9. The following awards shall be paid to Students of the College without regard to their financial circumstances:
  - (a) prizes awarded for success in any examination or competition of the University or the College;
  - (b) any sums payable out of any Trust Fund for which there is a legal requirement that they be paid without regard to financial circumstances.
10. The Council may make grants or loans from general revenue or from special funds at its disposal to assist Students of the College who are in need.

## **STATUTE XXIX**

### **Conduct and Academic Progress of Students**

1. Students of the College shall conform to the Statutes, Ordinances and Regulations of the College. They shall also conform to such orders and regulations for the good government of the College and the academic progress of students as shall be made from time to time with the authority of the Council.
2. If any student:
  - (a) shall not observe the Statutes, Ordinances or Regulations; or

(b) shall be guilty of any offence subversive to discipline and good order, or tending to bring discredit on the College; or

(c) shall make insufficient academic progress, as defined by Ordinance;

then penalties may be imposed in accordance with Ordinances.

### **STATUTE XXX**

#### **Superannuation Scheme and Pensions**

1. The College shall participate in such superannuation schemes as are laid down by Ordinance.
2. The Council may make regulations for the administration of its superannuation arrangements, provided that in so far as such regulations relate to the superannuation schemes they shall be compatible with the constitution and rules of those schemes.
3. The Council shall have the power to make regulations concerning the provisions of supplementary pensions.

### **STATUTE XXXI**

#### **Benefactions**

1. The College shall have power to accept endowments for any purposes in furtherance of the interests of the College, and the Council may make regulations giving effect to wishes or suggestions of donors recorded in writing (whether so expressed as to create a Trust or not) regarding the application of such endowments and regarding any place or emolument to be supported thereby, even though the regulations may be inconsistent with the provisions of these Statutes (with the exception of Statutes XVIII.3; XXV; XXVI.2 and XXVII.2 regarding membership of the College) and provided always that no such regulations shall derogate from any obligation imposed on the College by the Statutes of the University.

### **STATUTE XXXII**

#### **The Investment and Application of Assets**

1. The powers conferred by this Statute shall apply to the following funds, namely:
  - (a) all funds and endowments of the College which are not held on trust; and
  - (b) any endowment, benefaction or trust for purposes connected with the College of which the College or an Officer of the College in his or her capacity as such is Trustee and in relation to which the College has consented to the application of this section.
2. The College Council shall have power to authorise the purchase, sale, transfer, management, investment, including the variation of investment, or application of property, real or personal, and securities (which term includes stocks, funds and shares) of any description on behalf of the College, and also the application of monies to any purpose to

which capital monies arising under the Universities and College Estates Act, 1924 and 1964 and subsequent legislation, may be applied.

3. The College Council may appropriate for expenditure for the purposes of such a fund as is mentioned in section 1 of this Statute so much of the fair value of the particular fund as is prudent in all the circumstances, having regard to the total return achieved and reasonably to be expected in the long term of that fund.
4. Any surplus income of a trust fund of which the College or an Officer of the College in his or her capacity as such is trustee may at the discretion of the College Council be applied as income for the purposes of the trust in any subsequent year or be applied for the general educational purposes of the College.
5. In section 3 of this Statute:
  - (a) “fair value” means the amount at which an asset could be exchanged in an arm’s length transaction between informed and willing parties, other than in a forced or liquidation sale; and
  - (b) “total return” means return in terms of both income, whether received or accrued, and capital appreciation, whether realised or unrealised.
  - (c) “surplus income” means income unexpended in any year after the purposes of a trust have been provided for in that year, whether wholly by income from the trust or partly by income from the trust and partly by other means.
6. Any reference in these Statutes to the income of the College shall include the total sums appropriated in accordance with section 3 of this Statute.
7. The Governing Body shall determine the investment policy and shall appoint an Investment Advisory Committee to formulate the strategy regarding investments and to implement that strategy on its behalf. The Committee shall consist of at least three members of the Governing Body and at least two other persons, with professional knowledge of investment matters.
8. The Investment Advisory Committee shall report annually to the Governing Body on the assets held by the College, the financial performance of those assets and any changes.

### **STATUTE XXXIII**

#### **Annual Statements of Accounts and Audit**

1. Subject to the University Statutes, the Accounts shall be kept in such form as the Governing Body may from time to time determine.
2. The Accounts shall be closed each year not earlier than 30 June and not later than 30 September at such date as the Council may determine, and shall be audited forthwith.
3. The Council shall in each year appoint one or more duly qualified auditors to audit the College Accounts. The auditors shall give such certificates as are required by the University Statutes in respect of the accounts and sign the same, or shall state to the Council their reasons for withholding the certificates. No person shall be considered to be a duly qualified auditor unless that person is a member of a body of accountants established in the

United Kingdom and recognised for the purposes of section 161 of the Companies Act 1948 and subsequent legislation.

4. The Governing Body shall appoint two or more members of the Governing Body who are Fellows as College Inspectors of Accounts to examine the College Accounts and to report their findings to the Governing Body.
5. At least one week before the appointed Statutory Meeting of the Governing Body in the Michaelmas Term, the Bursar shall send to members of the Governing Body and to Fellows under Titles D and F:
  - (a) a copy of the audited College Accounts;
  - (b) any reports by the Auditors;
  - (c) any other reports submitted by the Council;
  - (d) a report by the College Inspectors of Accounts on the general state of the College accounts.

The Governing Body shall approve the audited College Accounts.

6. Copies of the accounts shall be accessible to the members of the Governing Body and to Fellows under Titles D and F at all reasonable times, and such persons shall be entitled to inspect the full accounts of the receipts and payments in any College account.
7. On or before the date determined by the University, a statement of the Accounts, in the general form prescribed by University Statutes, shall be sent, together with the auditors' certificates, to the appropriate authority in the University.

#### **STATUTE XXXIV**

##### **The College Seal**

1. The College Seal shall be kept by the Bursar in some secure place.
2. The Seal shall be affixed in the presence of the Master or the Vice-Master, the Bursar or a deputy appointed for the purpose by the Bursar from among the members of the Council, and one other Fellow, in pursuance of a resolution of the Governing Body or of the Council passed with the concurrence of the votes of a majority of the members present. Such resolution may be either an order relating to a particular deed, instrument, or document, or a standing order relating to specified classes of documents.
3. Minutes shall be kept of all sealings and shall be accessible to the members of the Governing Body and to Fellows under Titles D and F at all reasonable times.

#### **STATUTE XXXV**

##### **ACADEMIC STAFF**

*This Statute gives effect to the "University Commissioners (Statute Modifications) (Churchill College, Cambridge) Order 1995 (Statutory Instrument No. 1843/1995)" being modifications to the Statutes of Churchill College made by the University Commissioners in exercise of the powers conferred on them by*



*Section 204 of the Education Reform Act 1988. In this Statute the term academic staff refers to those persons designated under Ordinances as persons to whom the Statute applies. The Statute and the Ordinances made thereunder determine the principles and procedures governing the dismissal of academic staff.*

## **PART I**

### **Construction, Application and Interpretation**

1. This Statute and any Ordinance made under this Statute shall be construed in every case to give effect to the following guiding principles, that is to say:
  - (a) to ensure that members of the academic staff of the College have freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their jobs or privileges;
  - (b) to enable the College to provide education, to promote learning, and to engage in research efficiently and economically; and
  - (c) to apply the principles of justice and fairness.
2. No provision in Part II, Part III, Part IV or Part VII shall enable any member of the academic staff to be dismissed unless the reason for the dismissal may in the circumstances (including the size and administrative resources of the College) reasonably be treated as a sufficient reason for dismissal.
3. (1) This Statute shall apply -
  - (a) to any person holding a College Office designated by the Governing Body as one to which this Statute applies;
  - (b) to any person employed by the College to carry out teaching or research save for those holding appointments which have been excluded by the Governing Body from the scope of this Statute on the ground that the duties in that regard are only of a limited nature; and
  - (c) to the Master, to the extent and in the manner set out in Part VII of this Statute.(2) In this Statute any reference to "academic staff" is a reference to persons to whom this Statute applies.
4. (1) For the purposes of this Statute the following terms have the meanings specified:

"dismiss" and "dismissal" mean dismissal of a member of the academic staff and

  - (a) include remove or, as the case may be, removal from office; and
  - (b) in relation to employment under a contract, shall be construed in accordance with section 55 of the Employment Protection (Consolidation) Act 1978

- (2) "good cause" in relation to the dismissal or removal from office of a member of the academic staff of the College, being in any case a reason which is related to conduct or capability or qualifications for performing work of the kind which the member was appointed or employed to do, means:
- (a) conviction for an offence which may be deemed by a Disciplinary Committee appointed under Part III to be such as to render the person convicted unfit for the execution of the duties of his office or for employment as a member of the academic staff of the College; or
  - (b) conduct of an immoral, scandalous, or disgraceful nature incompatible with the duties of the office or employment; or
  - (c) conduct constituting failure or persistent refusal or neglect or inability to perform the duties or comply with the conditions of the office or employment; or
  - (d) physical or mental incapacity established under Part IV.
- (3) In this section -
- (a) "capability" means capability assessed by reference to skill, aptitude, health, or any other physical or mental quality; and
  - (b) "qualifications" means any degree, diploma, or other academic, technical, or professional qualification relevant to an office or position held.

5. For the purposes of this Statute dismissal shall be taken to be a dismissal by reason of redundancy if it is attributable wholly or mainly to:

- (a) the fact that the College has ceased, or intends to cease, to carry on the activity for the purposes of which the person concerned was appointed or employed or has ceased, or intends to cease, to carry on that activity in the place in which the person concerned worked; or
- (b) the fact that the requirements of that activity for members of the academic staff of the College to carry out work of a particular kind in that place have ceased or diminished or are expected to cease or diminish.

6. (1) In any case of conflict, the provisions of this Statute shall prevail over those of any other Statute of the College in force on the date on which the instrument making these modifications was approved under subsection (9) of section 204 of the Education Reform Act 1988, and over those of any Ordinance, and the provisions of any Ordinance made under this Statute shall prevail over those of any Ordinance made under such other Statutes:

Provided that Part III, Part IV, and Part VII shall not apply in relation to anything done or omitted to be done before the date on which the instrument making these modifications was approved under subsection (9) of section 204 of the Education Reform Act 1988.

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

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

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

- (3) Nothing in any other Statute shall enable the Governing Body to delegate its power to reach a decision under section 10 (2).
- (4) For the avoidance of doubt it is hereby declared that nothing in Part III shall be construed as affecting the Statutes and Ordinances of the College concerning re-election on the expiry of a fixed term of a Fellowship.
- (5) In this Statute reference to numbered parts, sections and sub-sections are references to parts, sections and sub-sections so numbered in this Statute.
7. (1) No one shall sit as a member of any of the bodies established under this Statute, and no one shall be present at a meeting of such a body when the body is considering its decision or discussing a point of procedure, except as provided by this Statute or by any Ordinance made under this Statute.
- (2) In any case where an officer of the College or any person is designated to perform any duties or exercise any powers under this Statute, and that officer or person is himself involved in the matter in question, the Governing Body may appoint an alternate to act in his place under procedures prescribed by an Ordinance made under this Statute.

## **PART II**

### **Redundancy**

8. This Part enables the Governing Body, as the appropriate body, to dismiss any member of the academic staff by reason of redundancy.
9. (1) Nothing in this Part shall prejudice, alter or affect any rights, powers or duties of the College or apply in relation to a person unless -
- (a) his appointment is made, or his contract of employment is entered into, on or after 20 November 1987; or
- (b) he is promoted on or after that date.
- (2) For the purposes of this section in relation to a person, a reference to an appointment made or a contract entered into on or after 20 November 1987 or to promotion on or after that date shall be construed in accordance with sub-sections (3) to (6) of section 204 of the Education Reform Act 1988.
10. (1) The Governing Body shall be the appropriate body for the purposes of this Part.
- (2) This section applies where the Governing Body has decided that there should be a reduction in the academic staff -

- (a) of the College as a whole; or
  - (b) of any area of academic work within the College
- by way of redundancy.
11. (1) Where the Governing Body has reached a decision under section 10(2) -
- (a) it may itself decide to select the requisite members of the academic staff for dismissal by reason of redundancy if such a course satisfies the guiding principles set out in section 1; or
  - (b) it shall appoint a Redundancy Committee to be constituted in accordance with sub-section (3) of this section to give effect to its decision by such date as it may specify and for that purpose
    - (i) to select and recommend the requisite members of the academic staff for dismissal by reason of redundancy; and
    - (ii) to report their recommendations to the Governing Body.
- (2) The Governing Body shall either approve any selection recommendation made under sub-section (1) (b) (i), or shall remit it to the Redundancy Committee for further consideration in accordance with its further directions.
- (3) A Redundancy Committee appointed by the Governing Body shall comprise -
- (a) a Chairman; and
  - (b) two Fellows not being members of the academic staff to whom this Statute applies; and
  - (c) two members of the academic staff.
- (4) A member of the academic staff shall not be selected for dismissal under this section unless he has been afforded a reasonable opportunity to make representations to the Governing Body.
12. (1) Where the Governing Body has itself made a selection or has approved a selection recommendation by the Redundancy Committee it may authorise an officer of the College as its delegate to dismiss any member of the academic staff so selected.
- (2) Each member of the academic staff selected shall be given separate notice of the selection approved by the Governing Body.
- (3) Each separate notice shall sufficiently identify the circumstances which have satisfied the Governing Body that the intended dismissal is reasonable and in particular shall include -
- (a) a summary of the action taken by the Governing Body under this Part;
  - (b) an account of the selection processes it has used;

- (c) a reference to the rights of the person notified to appeal against the notice and to the time within which any such appeal is to be lodged under Part V of the Statute; and
- (d) a statement as to when the intended dismissal is to take effect.

### **PART III**

#### **Discipline, Dismissal and Removal from Office**

13. (1) If it appears to the Master that there are grounds for believing that the conduct or performance of a member of the academic staff is or has been unsatisfactory, he shall enquire into the matter. If the Master concludes after investigation that the member is or has been at fault, he may issue an oral warning to the member. The Master shall specify the reason for the warning, shall indicate that it constitutes the first stage of the College's disciplinary procedure, and shall advise the member that he may appeal against the warning under sub-section (4) of this section.
- (2) If the Master concludes after investigation that the fault is sufficiently serious to justify it, or if a further offence occurs, he may issue a written warning to the member. Such a warning shall specify the complaint made against the member, the improvements required in the member's conduct or performance, and the period of time within which such improvements are to be made. The Master shall advise the member that he may appeal against the warning under sub-section (4), and shall indicate that, if no satisfactory improvement takes place within the stated time, a complaint may be made seeking the institution of charges to be heard by a Disciplinary Committee.
- (3) The Master shall keep a written record of any warning issued under sub-section (1) or sub-section (2). No further account shall be taken of an oral warning when one year has elapsed after the date of issue, and no further account shall be taken of a written warning when two years have elapsed after the date of issue.
- (4) A member of the academic staff who wishes to appeal against a disciplinary warning shall inform the Master within two weeks. An Appeals Committee appointed by the Governing Body shall hear the appeal and the Committee's decision shall be final. If the appeal is allowed, the warning shall be disregarded for the purposes of section 14.
14. (1) If there has been no satisfactory improvement following a written warning given under section 13, or in any case where it is alleged that conduct or performance may constitute good cause for dismissal or removal from office, a complaint seeking the institution of charges to be heard by a Disciplinary Committee appointed under section 15 may be made to the Master.
- (2) To enable the Master to deal fairly with any complaint brought to his attention under sub-section (1) he shall institute such enquiries (if any) as appear to him to be necessary.
- (3) If it appears to the Master (whether on receipt of a complaint or otherwise) that there are grounds for believing that the conduct or performance of a member of the academic staff of the College could constitute good cause for dismissal, he shall write to the person concerned inviting comment in writing and, if he considers that

the College might otherwise suffer significant harm, may suspend the person concerned from the performance of his duties without loss of emolument.

- (4) As soon as may be following the comments (if any) or in any event not later than twenty-eight days after they were invited, the Master shall consider the matter in the light of all the available material and may dismiss the matter summarily, or issue a formal warning to the person concerned, or determine that the matter be considered by a Disciplinary Committee appointed under section 15.
15. If the Master has determined that the matter should be considered by an Academic Disciplinary Committee, the Governing Body shall at his request appoint such a committee to hear the charge or charges, to determine whether the conduct or performance of the person concerned constitutes good cause for dismissal or otherwise constitutes a serious complaint relating to his appointment or employment, and to make recommendations concerning the action (if any) to be taken as a result of the Committee's findings. Pending the consideration of such recommendations, the Master, after consulting the Governing Body, may suspend the person charged from the performance of his duties without loss of emolument.
16. A Disciplinary Committee shall consist of three persons selected by the Governing Body from a panel of seven persons appointed annually by the Governing Body. The members of the panel shall be Fellows of the College or other persons, being members of the Regent House of the University. In selecting members of the panel for appointment as members of a Disciplinary Committee, the Governing Body shall exclude the person charged, any person responsible for originating the charge (whether by making a complaint to the Master or otherwise), and any person who has been involved at an earlier stage in considering the charge or charges.
17.
  - (1) When a Disciplinary Committee has been appointed, the Governing Body shall instruct a solicitor or other suitable person to formulate a charge or charges and to present, or arrange for the presentation of, the charges before the Disciplinary Committee.
  - (2) It shall be the duty of the person formulating the charge or charges -
    - (a) to forward the charge or charges to the Committee and to the member of the academic staff concerned, together with the other documents therein specified and a list of all witnesses the College proposes to call, with statements containing the evidence they are expected to give; and
    - (b) to make any necessary administrative arrangements for the summoning of witnesses, the production of documents and generally for the proper presentation of the case before the Committee.
18. The procedure to be followed in respect of the preparation, hearing, and determination of charges by a Disciplinary Committee shall be prescribed by Ordinances made under this Statute. Such Ordinances shall ensure:
  - (a) that the person charged is entitled to be represented by another person, whether such person is legally qualified or not, in connection with and at any hearing of charges by a Disciplinary Committee;
  - (b) that a charge shall not be determined without an oral hearing at which the person charged and any person appointed to represent him are entitled to be present;

- (c) that witnesses may be called, both on behalf of the person charged and by the person presenting the charge, and may be questioned concerning any relevant evidence;
  - (d) that no new witness or documentary evidence may be introduced by the person presenting the charge without the Committee's consent, which shall not be given save for good reason, and that if late introduction is allowed, the member of the academic staff shall be allowed an adjournment sufficient to allow him to consider and respond to the new evidence; and
  - (e) that any charge is heard and determined as expeditiously as is reasonably practicable.
19. (1) The Disciplinary Committee shall send its decision on any charge referred to it (together with its findings of fact and the reasons for its decision regarding that charge and its recommendations, if any, as to the appropriate penalty) to the Master, the person charged, the person presenting the charge and any person who shall have been added as a party by the Disciplinary Committee.
- (2) The Disciplinary Committee shall draw attention to the period of time within which any appeal should be made by ensuring that a copy of Part V (Appeals) accompanies each copy of its decision sent to a party to the proceedings under this section.
20. (1) Where the charge or charges are upheld and the Disciplinary Committee finds good cause and recommends dismissal or removal from office, but in no other case, the Master, after consulting the Governing Body, shall decide whether or not to dismiss the person concerned.
- (2) In any case where the charge or charges are upheld, other than where the Master has decided under sub-section (1) to dismiss the person concerned, the action available to the Master, after consulting the Governing Body (not comprising a greater penalty than that recommended by the Disciplinary Committee) may be –
- (a) to discuss the issues raised with the person concerned; or
  - (b) to advise the person concerned about his future conduct; or
  - (c) to warn the person concerned; or
  - (d) to suspend the person concerned for such period as the appropriate officer shall think fair and reasonable, provided that the suspension shall not extend beyond three months after the date on which the Governing Body shall have considered the Disciplinary Committee's decision; or
  - (e) to take such further or other action under the contract of employment of the person concerned or terms of appointment as appears fair and reasonable in all the circumstances of the case; or
  - (f) to combine any of the courses of action specified above.
21. (1) Any reference to the Master in section 20 shall include a reference to an officer of the College acting as his delegate.

- (2) Any action taken by the Master or his delegate shall be confirmed in writing.

#### **PART IV**

##### **Removal for Incapacity on Medical Grounds**

22. (1) This Part makes separate provision for the assessment of incapacity on medical grounds as a good cause for dismissal or removal from office.
- (2) In this Part references to medical grounds are references to capability assessed by reference to health or any other physical or mental quality.
- (3) In this Part references to the appropriate officer are references to the Master or an officer acting as his delegate to perform the relevant act.
- (4) References to the member of the academic staff include, in cases where the nature of the alleged disability so requires, a responsible relative or friend or other person with authority to act on behalf of that member in addition to (or instead of) that member.
23. (1) Where it appears that the removal of a member of the academic staff on medical grounds should be considered, the appropriate officer -
- (a) shall inform the member accordingly; and
- (b) shall notify the member in writing that it is proposed to make an application to the member's doctor for a medical report and shall seek the member's consent in writing in accordance with the requirements of the Access to Medical Reports Act 1988; and
- (c) may suspend the member from the performance of his duties without loss of emolument.
- (2) If the member agrees that his removal on those grounds should be considered the College shall meet the reasonable costs of any medical opinion required.
- (3) If the member does not agree the appropriate officer shall refer the case in confidence, with any supporting medical and other evidence (including any such evidence submitted by the member), to a Medical Board comprising one person nominated by the Governing Body; one person nominated by the member concerned or, in default of the latter nomination, by the Master; and a medically qualified chairman jointly agreed by the Governing Body and the member or, in default of agreement, to be nominated by the President of the Royal College of Physicians.
- (4) The procedure to be followed in respect of the preparation, hearing, and determination of a case by a Medical Board shall be prescribed by Ordinances made under this section. Such Ordinances shall ensure:
- (a) that the member concerned is entitled to be represented by another person, whether such person is legally qualified or not, in connection with and at any hearing by the Board;



- (b) that a case shall not be determined without an oral hearing at which the member's representative, but not the member himself, is entitled to be present;
  - (c) that witnesses may be called and questioned concerning any relevant evidence; and
  - (d) that the case is heard and determined as expeditiously as is reasonably practicable.
- (5) The Board may require the member concerned to undergo medical examination at the College's expense.
24. If the Board determines that the member should be required to retire on medical grounds, the appropriate officer, after consulting the Governing Body, may terminate the employment of the member concerned on those medical grounds.

## **PART V**

### **Appeals**

25. This Part establishes procedures for hearing and determining appeals by members of the academic staff who are dismissed or under notice of dismissal or who are otherwise disciplined.
26. (1) This Part applies -
- (a) to appeals against the decisions of the Governing Body as the appropriate body (or of a delegate of that body) to dismiss in the exercise of its powers under Part II;
  - (b) to appeals arising in any proceedings, or out of any decision reached, under Part III other than appeals against disciplinary warnings under section 13;
  - (c) to appeals against dismissal otherwise than in pursuance of Part II or Part III;
  - (d) to appeals against disciplinary decisions otherwise than in pursuance of Part III;
  - (e) to appeals against decisions reached under Part IV; and
  - (f) to appeals arising in any proceedings, or out of any decision reached, under Part VII, including appeals against decisions reached in pursuance of section 47

and "appeal" and "appellant" shall be construed accordingly.

- (2) No appeal shall however lie against -
- (a) a decision of the Governing Body under section 10(2);
  - (b) the findings of fact of a Disciplinary Committee under Part III, or of a Tribunal under Part VII, save where, with the consent of the person or

persons hearing the appeal, fresh evidence is called on behalf of the appellant at that hearing;

- (c) any medical finding by a Board set up under section 23(3) save where, with the consent of the person or persons appointed, fresh evidence is called on behalf of the appellant at that hearing.
  - (3) In this Part references to "the person appointed" are references to the person appointed by the Governing Body under section 29 to hear and determine the relevant appeal.
  - (4) The parties to an appeal shall be the appellant and the Master and any other person added as a party at the direction of the person appointed.
27. A member of the academic staff shall institute an appeal by serving on the Master, within the time allowed under section 28, notice in writing setting out the grounds of the appeal.
28. (1) A notice of appeal shall be served within 28 days of the date on which the document recording the decision appealed from was sent to the appellant or such longer period, if any, as the person appointed may determine under sub-section (3).
- (2) The Master shall bring any notice of appeal received (and the date when it was served) to the attention of the Governing Body and shall inform the appellant that he has done so.
- (3) Where the notice of appeal was served on the Master outside the 28 day period the person appointed under section 29 shall not permit the appeal to proceed unless he considers that justice and fairness so require in the circumstances of the case.
29. (1) Where an appeal is commenced under this Part the appeal shall, subject to the provisions of section 28(3) and sub-section (3) of this section, be heard and determined by a person appointed by the Governing Body in accordance with Ordinances made under this section.
- (2) A person appointed under sub-section (1) above shall be a person who holds or has held judicial office or who is a barrister or solicitor of at least ten years' standing.
- (3) The person appointed shall sit alone unless he considers that justice and fairness will best be served by sitting as an Appeal Tribunal with two other persons appointed in accordance with Ordinances made under this section.
- (4) The other persons who may sit with the person appointed shall be -
- (a) one member of the Regent House of the University not being a person employed by the College; and
  - (b) one other member of the Regent House.
30. (1) The procedure to be followed in respect of the preparation, consolidation, hearing and determination of appeals shall be that set out in Ordinances made under this section.
- (2) Without prejudice to the generality of the foregoing such Ordinances shall ensure -

- (a) that an appellant is entitled to be represented by another person, whether such person be legally qualified or not, in connection with and at any hearing of his appeal;
  - (b) that an appeal shall not be determined without an oral hearing at which the appellant, and any person appointed by him to represent him are entitled to be present and, with the consent of the person or persons hearing the appeal, to call witnesses;
  - (c) that full and sufficient provision is made for postponements, adjournments, dismissal of the appeal for want of prosecution and for the correction of accidental errors; and
  - (d) that the person appointed may set appropriate time limits for each stage (including the hearing itself) to the intent that any appeal shall be heard and determined as expeditiously as reasonably practicable.
- (3) The person or persons hearing the appeal may allow or dismiss an appeal in whole or in part and, without prejudice to the foregoing, may -
- (a) remit an appeal from a decision under Part II to the Governing Body (or any issue arising in the course of such an appeal) for further consideration as the person or persons hearing the appeal may direct; or
  - (b) remit an appeal arising under Part III for re-hearing by the same or by a differently constituted Disciplinary Committee to be appointed under that Part; or
  - (c) remit an appeal from a decision of the appropriate officer under Part IV for further consideration as the person or persons hearing the appeal may direct; or
  - (d) remit an appeal by the Master arising under Part VII for re-hearing or reconsideration by the same or by a differently constituted Tribunal to be appointed under that Part; or
  - (e) substitute any lesser alternative penalty that would have been open to the Master following the finding by the Disciplinary Committee which heard and pronounced upon the original charge or charges.

31. The person appointed shall send the reasoned decision on any appeal together with any findings of fact different from those come to by the Governing Body as the appropriate body under Part II or by the Disciplinary Committee under Part III, as the case may be, to the Master and to the parties to the appeal.

## **PART VI**

### **Grievance Procedures**

32. The aim of this Part is to provide for the settlement or redress of individual grievances promptly, fairly and so far as may be, within the relevant area by methods acceptable to all parties.

33. The grievances to which this Part applies are ones by members of the academic staff concerning their appointments or employment where those grievances relate -
- (a) to matters affecting themselves as individuals; or
  - (b) to matters affecting their personal dealings or relationships with other staff of the College,
- not being matters for which express provision is made elsewhere in this Statute.
34. (1) If other remedies within the relevant area have been exhausted the member of the academic staff may raise the matter with the Master.
- (2) If it appears to the Master that the matter has been finally determined under Part III, IV or V or that the grievance is trivial or invalid, he may dismiss it summarily, or take no action upon it. If it so appears to the Master he shall inform the member accordingly.
- (3) If the Master is satisfied that the subject matter of the grievance could properly be considered with (or form the whole or any part of) -
- (a) a complaint under Part III;
  - (b) a determination under Part IV; or
  - (c) an appeal under Part V
- he shall defer action upon it under this Part until the relevant complaint, determination or appeal has been heard or the time for instituting it has passed and he shall notify the member accordingly.
- (4) If the Master does not reject the complaint under sub-section (2) or if he does not defer action upon it under sub-section (3) he shall decide whether it would be appropriate, having regard to the interests of justice and fairness, for him to seek to dispose of it informally. If he so decides he shall notify the member and proceed accordingly.
35. If the grievance has not been disposed of informally under section 34(4), the Master shall refer the matter to a Grievance Committee for consideration.
36. A Grievance Committee shall comprise three Fellows of the College appointed by the Governing Body.
37. The procedure in connection with the consideration and determination of grievances shall be determined in Ordinances in such a way as to ensure that the aggrieved person and any person against whom the grievance lies shall have the right to be heard at a hearing and to be accompanied by a friend or representative.
38. The Committee shall inform the Governing Body whether the grievance is or is not well-found and if it is well-found the Committee shall make such proposals for the redress of the grievance as it sees fit.

## PART VII

### Removal of the Master from Office

39. Any three members of the Governing Body who are Fellows may make a complaint to the Vice-Master seeking the removal of the Master from office for good cause.
40. The Vice-Master shall refer such a complaint to the Governing Body, exclusive of the Master and the members making the complaint. If it appears to the Governing Body that the complaint does not raise a *prima facie* case, or that it is trivial or invalid or unjustified, they may determine that no further action shall be taken upon it.
41. If it appears to the Governing Body, on material presented, that the complaint raises a *prima facie* case which could, if proved, constitute good cause for the dismissal or removal of the Master from office, they shall appoint a Tribunal to hear and determine the matter. A Tribunal appointed by the Governing Body shall consist of three persons who are not Fellows of the College and are not employed by the College, as follows:
  - (a) one person who holds, or has held, judicial office, or who is a barrister or solicitor of at least ten years' standing, who shall be Chairman;
  - (b) two other persons.
42. A complaint referred to the Tribunal shall be dealt with in accordance with the procedure prescribed in Part III sections 14 to 19, provided that the Vice-Master shall perform any duty and exercise any power there assigned to the Master, and that for the purposes of this Part references in those sections to a Disciplinary Committee shall be construed as referring to the Tribunal.
43. The Tribunal shall send its decision on the complaint, together with its findings of fact and the reasons for its decision, to the Master and the Vice-Master. The Tribunal shall draw attention to the period of time within which any appeal should be instituted by ensuring that a copy of Part V of this Statute accompanies the notification of its decision sent to the Master.
44. If the Tribunal finds that the complaint constitutes good cause for dismissal, the Vice-Master, after consulting the Governing Body, may dismiss the Master.
45. The Master may institute an appeal against the findings of a Tribunal by serving on the Vice-Master a notice in writing setting out the grounds of the appeal. A notice of appeal shall be served within twenty-eight days of the date on which the document recording the decision appealed from was sent to the Master, provided that the person appointed to hear an appeal shall have power to hear an appeal submitted after that date if he considers that justice and fairness so require in the circumstances of the case.
46. An appeal commenced under section 45 shall be heard in accordance with the provisions of Part V of this Statute, provided that the Vice-Master shall perform any duty and exercise any power there assigned to the Master, and references in sections 30 and 31 to Part III shall be construed as referring to this Part.
47. For the purpose of the removal of the Master for incapacity on medical grounds, the provisions of Part IV and Part V shall have effect, provided that the Vice-Master shall perform any duty or exercise any power there assigned to the Master.

## **STATUTE XXXVI**

### **INTERPRETATION OF THE STATUTES**

1. In these Statutes words importing the masculine shall include the feminine and, unless the context otherwise requires, words in the singular shall include the plural and words in the plural shall include the singular.
2. If any question arises in regard to the interpretation of any of these Statutes, it shall be decided by the Governing Body, and in the case of Statute XXXV in accordance with Part I, section I, subject to any right of appeal to the Visitor to which any person affected by such decision shall be legally entitled.
3. In accordance with the provisions of the Education Reform Act 1988, nothing in these Statutes shall enable or require the Visitor -
  - (a) to hear any appeal or determine any dispute relating to a member of the academic staff to whom Statute XXXV applies which concerns the member's appointment or employment or the termination of that appointment or employment; or
  - (b) to disallow or annul any Ordinance of the Governing Body made under or having effect for the purposes of Statute XXXV.
4. No act done or decision taken or omission by any person or body acting or purporting to act with the authority of the College shall be invalid by reason of the fact that it contravenes or otherwise fails to conform to the Statutes and Ordinances unless and until a final determination is made, in a manner and form prescribed by Ordinance, that the said act or decision is null and void.