



CHURCHILL COLLEGE

## **ORDINANCES**

13 February 2024

## ORDINANCES OF CHURCHILL COLLEGE, CAMBRIDGE

### 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) A.III, 2(a)'.

### GLOSSARY

These provisions contain some phrases which might mislead because they have acquired a technical sense. The definitions are intended to be determinative and are, therefore, included within the formal Statutes and Ordinances. Of these the most common and important are as follows:

#### 1. **Terms Relating to Membership**

**Fellows** in these Statutes and Ordinances do not, unless otherwise stated, include Honorary, Winston Churchill, Benefactor (see Ordinance XIV) and By Fellows (see Ordinance XV).

##### **Honorific Fellows**

Honorary, Winston Churchill and Benefactor Fellowships. There are differing procedures around the appointment and removal of such Fellows (see Ordinance C.X)

##### **By-Fellows**

A form of Membership of the College which confers fewer rights than a full Fellowship. By-Fellows are not entitled to be involved in the governance of the College and do not attend Governing Body. By-Fellows may be appointed for various purposes, including teaching, or as postdoctoral researchers.

The **Members of the Governing Body** are the Master, all past Masters and all Fellows other than Fellows elected into Titles D and F, who may attend and speak at meetings of the Governing Body but shall not have votes. Honorary, Winston Churchill, Benefactor and By-Fellows are not Members of the Governing Body. Former Masters automatically become Title D Fellows without election. There are also four student Members of the Governing Body from among the Junior Members of the College (see below) and two non-academic staff Members. These are the Council representatives.

##### **Members of the College.**

There are Senior and Junior Members. A **Senior Member of the College** refers to a person holding a Fellowship or By-Fellowship, or a College Office, or to any person employed to carry out teaching or research as defined in the Statutes and Ordinances. A **Junior Member** of the College is an Undergraduate or Postgraduate Student. Members of the non-academic staff are members of the College community but are not Members of the College. The College's alumni also remain Members of the College and are commonly known as 'Members not in residence'.

**College Offices.** A holder of a College Office is a person employed to perform work normally undertaken by a Fellow of the College for which they are entitled to a payment or honorarium. A College Office-holder need not be a Fellow of the College.

The **Teaching Officers** of the College are the College Senior Lecturers and College Lecturers. They are therefore not necessarily Fellows.

**Members of the Academic Staff** are Fellows and By-Fellows who undertake paid teaching for the College as employees or workers. Fellows under Title G and Staff By-Fellows who are workers or employees of the College are non-academic staff.

## **2. General Terminology**

### **The College**

The Master, Fellows, and Scholars of Churchill College in Cambridge, also known as Churchill College.

### **Reside in the University**

Fellows under Titles A, B, C, F and G are normally required to reside in the University during Full Term save where permission has been given by Council under these Ordinances. Fellows under Title D 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.

**Science and Technology** subjects are determined by Ordinance.

**Present** shall include via video and teleconference.

### **Member of the Non-Academic Staff**

The term non-academic member of staff refers to employees and workers carrying out paid work of a non-academic nature (i.e., excluding teaching and research) for the College under a contract of employment or worker's agreement. Policies, practices and procedures relating to non-academic staff are published in the Staff Handbook.

**Papers** shall include reports and other documents in electronic format.

### **Combination Room**

Both a physical space (e.g., the SCR) and a reference to subsections within the College's Members. The Junior Combination Room is the undergraduate community, the Middle Combination Room the postgraduate community and the Senior Combination Room the Fellowship and invited associates.

### **Cy-près**

As near as possible (from the old French, literally "near to"). Legal doctrine which may apply where there has been a failure of a charitable gift. In such circumstances, the Charity Commission can direct that the funds are applied to other, closely related, charitable purposes.

## **3. Terms Relating to Members of the Academic Staff**

### **Capability**

This means capability assessed by reference to the skill, aptitude, health or any other physical or mental quality of the member.

### **Good Cause**

This refers to the holder of a position in College and means a reason that is related to the conduct of the member or to the capability or qualifications of that member in relation to the duties of that position.

### **Position in the College**

This refers to a Fellowship or any College Office held by a member of the academic staff and also to any contract of employment between the member and the College concurrent with a position in the College.

#### **Qualifications**

This term relates to a position in the College and means any degree, diploma or other academic, technical, or professional qualification held by the member relevant to that position.

#### **Qualifying Office**

A qualifying office is the employment or engagement with the College (or the University), due to which an individual may be offered or maintain a Fellowship. For example, a Title A Fellowship is a teaching category of Fellow and the qualifying office for this could be a Lectureship within the University or a College Lectureship. Where a qualifying office expires or is removed, a Fellow shall relinquish their Fellowship or in some cases may move to another category of Fellow.

#### **Senior College Lecturer**

A teaching position within the College (see above definition of Teaching Officers).

#### **College Lecturer**

A teaching position within the College (see above definition of Teaching Officers).

### **4. Terms Relating to Junior Members**

#### **Bursary**

A grant to an undergraduate student to fund their studies, which may have been awarded by the College or the University, or a combination of the two, such as the Cambridge Bursary Scheme funds for Churchill students. Bursaries are most often based on financial need, rather than academic achievement.

#### **Postgraduate Student**

A student undertaking a course of study in the University that normally requires graduation from a qualifying honours degree or higher as a minimum entry requirement, and some other students as the College determines from time-to-time.

#### **Scholarship**

A College financial award usually related to academic achievement.

#### **Studentship**

A studentship provides funding for postgraduate research students. A full studentship must meet UKRI stipend levels. These are usually designated funds which may come from research councils, institutions, faculties, departments, trusts, the College or a combination.

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## **A - Constitution and Governance**

### **I - The Visitor**

1. The Visitor shall be elected by the Governing Body. When a vacancy arises the Master shall seek nominations, which must be supported by at least ten members of the Governing Body, and must be presented to the Governing Body at least fourteen days in advance of a meeting. Statute IV stipulates that candidates must 'hold or have held high judicial office'. Fellows who are not members of the Governing Body may add their names in support of a nomination. A two-thirds majority of those present and voting shall be required for the election of the Visitor.
2. The Visitor shall serve for a maximum of ten years. A Visitor who wishes to resign before the end of their tenure shall give the Master six months' notice of their intention. The Visitor shall forfeit their position if found guilty of misconduct in public office or of an offence leading to a criminal conviction.
3. The Visitor shall provide a final determination in the following cases:
  - (a) A dispute that arises concerning the interpretation or application of the College Statutes, subject to Statute XX.
  - (b) A representation regarding validity of executive action under Ordinance VII.6.
4. The Visitor may consider and, according to their best judgement, advise groups or representatives of Members of the College, senior or junior, in residence or not, in response to representations made concerning College matters of deep concern.
5. Subject to relevant legislation, the Visitor has no jurisdiction to consider complaints or grievances made by members of Academic Staff in relation to an employment dispute or complaints or grievances made by Students (or concerning an application for admission as a Student).
6. The Visitor may be invited also to act in a ceremonial capacity on significant College occasions.
7. Remuneration of, and reimbursement of expenses incurred by, the Visitor shall be determined by the Council.
8. The Visitor's duties are further outlined in Ordinance [A.VII.6 \(executive action\)](#) and [C.IX.2 \(removal of Honorific Fellows\)](#).

### **II - Procedure of the Governing Body**

#### *Secretaryship*

1. The Governing Body shall appoint a Fellow as Secretary. The appointment of a Secretary by the Governing Body may be made for a definite or an indefinite period.
2. The Secretary of the Governing Body shall normally attend meetings of the Governing Body and shall keep Minutes of its meetings. A Minuting Secretary may be in attendance. In the absence of the Secretary from a meeting, the Governing Body shall appoint a deputy to act for that meeting.

#### *Meetings*

3. Presence at meetings shall include both in person and via videoconference. Where members are not present in person, they shall only be considered to be present throughout the meeting if they remain visible on camera. They should not be in a public place and should use headphones if discussion might be overheard.
4. Fellows who are not members of Governing Body may add their names in support to papers and nominations presented to Governing Body, provided that the names of a sufficient number of members of Governing Body precede them on the paper or nomination.
5. The Governing Body shall exercise its power of scrutiny over College governance by electing two Fellows annually who shall report to the Governing Body the results of their review of the conduct of the Governing Body, the College Council, and the Fellowship Electors, or other College committees, in light of the powers and duties laid upon those bodies by the Statutes, Ordinances, and Regulations, current legislation and regulatory compliance.
6. The Governing Body shall have general oversight of policy concerning the buildings and fabric of the College and shall approve decisions in relation to proposals for new buildings and for substantial alterations to the College's built heritage (those affecting 1% of fixed assets or with a budget of £1m or more).
7. Approval by Governing Body shall be sought for the naming or renaming of buildings and rooms.
8. Reports to Governing Body shall be made in writing.
9. A summary report of decisions made by Council, actions taken and upcoming items of business for Council shall be made to each meeting of the Governing Body. In exercising their fiduciary duty as Trustees, Council should have due regard to the views of Governing Body.
9. Members of Governing Body shall have regard to fiduciary principles when exercising their powers in relation to decisions made by Governing Body.

### **III - Method of Election to the Council**

#### *Eligibility*

1. The College shall take reasonable steps to ensure that any person who stands for membership of the Council is eligible to act as a Charity Trustee of the College. Such steps shall include relevant checks against official registers of disqualified persons, such as the Individuals Insolvency Register, the register of disqualified company directors, and the Charity Commission register of persons who have been removed as charity trustees. The College shall also undertake relevant Disclosure and Barring Service checks where a need to do so is indicated under the terms of the Safeguarding Policy.
2. No person shall be elected as a member of the Council, or be appointed a member *ex officio*, unless that person confirms, by a signed declaration made prior to such election or appointment, that:
  - (a) they are willing to act as a trustee and are fully aware of the charitable objects of the College, as set out in the Charter and Statutes and in the Charity Commission Registration Form;

- (b) they are not disqualified for any reason from acting as a Trustee, such as:
  - (i) having a conviction for an offence listed under charity legislation;
  - (ii) being disqualified from working with children;
  - (iii) being barred by the Protection of Vulnerable Adults list;
- (c) they are aware of, and accept, the responsibilities and liabilities, including personal liabilities, of acting as a Trustee of the College in accordance with charity law.

3. Any member of the Council who:

- (a) becomes aware that they are ineligible to act as a Trustee, shall notify the Master;
- (b) is found to be ineligible following some relevant check, shall be notified by the Master.

In either case, the Trustee shall be deemed to have immediately vacated membership of the Council. A by-election to replace the unexpired portion of that member's tenure shall normally be held as soon as practicable, in accordance with procedures laid down under clauses 9 and 10 below.

*Election*

- 4. An election of Fellows to the Council shall take place annually at a meeting of the Governing Body in the Michaelmas Term. The tenure of membership shall begin on 1 January following election.
- 5. A request for nominations for the annual election to the Council shall be advertised at the beginning of the Michaelmas Term and nominations shall be submitted to the Secretary of the Governing Body no later than 25 October.
- 6. If a Fellow elected to the Council should resign, die, become an *ex officio* member of the Council, become ineligible to serve, or be removed in accordance with Statute XIII, the Governing Body shall elect a replacement. Nominations to fill such vacancies shall normally be made within three weeks of term of the vacancy occurring.
- 7. All nominations shall be proposed and seconded in writing (including e-mail) by Members of the Governing Body and shall be accompanied by the written consent of the nominee.
- 8. If the number of nominations received by the appointed date is less than the number of vacancies, the Council shall make further nominations. If the number of valid nominations equals the number of vacancies, the persons nominated shall be declared elected. If the number of valid nominations exceeds the number of vacancies, a poll shall be taken at the next meeting of Governing Body in accordance with clause 10 below.
- 9. At the election of Fellows to the College Council the Master shall draw the attention of Governing Body to the role of the Council as the College's Charity Trustees, and to the desirability of electing a diverse body including persons with a broad range of skills, knowledge, and experience.
- 10. Each Member of the Governing Body who is a Fellow may vote for as many persons as there are vacancies. Each vote shall be given in writing or via equivalent electronic means. No person shall be declared elected unless the number of votes received is not less than half the number of

those voting. If no person receives a majority, a second poll shall be taken at which the person receiving the least number of votes at the previous poll shall be excluded. If the least number of votes is received by more than one person, the Governing Body before proceeding to the next poll shall choose between them by means of a vote. This process shall, if necessary, be repeated until one person receives a majority of the votes given.

11. The methods of election used for the elected Student Members of the Council shall be specified by the constitutions of the appropriate common rooms, approved by Council and recorded in the appendices to Regulations. Any changes in those methods of election shall likewise require the approval of the Council.
12. A Staff Consultative Committee shall be established and maintained in accordance with procedures to be specified by Regulations. The two Staff Members at the Council shall be elected by the aforesaid Committee from its membership and their names shall be notified to the Governing Body at its next meeting. The term of office shall be two years and a Staff Member may be re-elected once, after which time they shall not be eligible for re-election for two years.

#### *Training and Support*

13. So far as reasonably practicable, the College shall provide annual practical training in charity law and best practice for members of the Council. All members of the Council shall normally attend any such courses as are provided.
14. The College shall, as far as reasonably practicable, indemnify any Trustee against any reasonable legal costs they incur in the course of defending an action which concerns their performance of the duties of a Trustee, provided that in the circumstances the indemnity is consistent with the requirements that:
  - (a) any private benefit to the Trustee shall be incidental to the charitable activities of the College; and
  - (b) the Trustee complied with their duties as a Trustee, and did not act improperly or negligently or did not act where they had any material conflict of interest.

The Trustee should consult with the Bursar in advance of incurring any costs which may fall to be claimed under this clause 14.

#### *Removal of Trustees*

15. If the Master, or any two or more Fellows, considers that a Trustee has or may have failed in or breached any of their trustee duties, then the Master - or, in the case of the Master, the Vice-Master - shall refer the matter to the Council, under reserved business, either at its next ordinary meeting, or at an extraordinary meeting summoned for the purpose. In either case, at least six calendar days' notice shall be given. The Trustee concerned shall have the opportunity of being heard by the Council on the matter.
16. Where a majority of members of the Council consider that the acts or omissions of the Trustee amount to a failure to carry out or comply with the duties of the position, in such manner or to such a degree as warrants their removal, then the Council shall make such a recommendation to the next meeting of the Governing Body. The Governing Body may confirm, reverse, or modify the recommendation of the Council.

17. Where the Council recommends to the Governing Body that a Trustee should be removed, that Trustee shall not attend any meetings of the Council, nor be party to any transaction of Council business, until the Governing Body shall have made a decision on the matter.

#### **IV - Procedure of the Council**

##### *Secretaryship*

1. The Secretary of the Council shall be the Bursar unless the Council decides otherwise by a vote. The appointment of a Secretary by the Council may be made for a definite or an indefinite period.
2. The Secretary of the Council shall normally attend meetings of the Council and shall keep Minutes of its meetings. A Minuting Secretary may be in attendance. In the absence of the Secretary from a meeting, the Council shall appoint a deputy to act for that meeting.

##### *Attendance at Meetings*

3. An elected member of the Council shall forfeit their membership if they fail to attend three consecutive meetings, unless the Chair deems the circumstances to be exceptional.
4. Meetings shall ordinarily be held in person. Where Council agrees it is necessary to meet via videoconference, members not present in person shall only be considered to be present throughout the meeting if they remain visible on camera. They should not be in a public place and should use headphones if discussion might be overheard.

#### **V - Method of Election to the Fellowship Electors**

1. The procedure for the election of Fellowship Electors by the Governing Body shall be the same as that laid down for the election to the Council.

#### **VI - Procedure of the Fellowship Electors**

##### *Secretaryship*

1. There shall be a Secretary of the Fellowship Electors who shall be the Fellowship Administrator.
2. The Secretary of the Fellowship Electors shall normally attend meetings of the Fellowship Electors and shall keep Minutes of its meetings. In the absence of the Secretary from a meeting, the Fellowship Electors shall appoint a deputy to act for that meeting.

##### *Attendance at Meetings*

3. An elected member of the Fellowship Electors shall forfeit their membership if they fail to attend three consecutive meetings, unless the Chair deems the circumstances to be exceptional.

4. Meetings shall ordinarily be held in person. Where the Fellowship Electors agree it is necessary to meet via videoconference, members not present in person shall only be considered to be present throughout the meeting if they remain visible on camera. They should not be in a public place and should use headphones if discussion might be overheard.

## **VII - Validity of Executive Action**

1. Any Member of the Governing Body who is a Fellow may make a representation in writing to the Master or Vice-Master that an act done, or decision taken by any person or body acting, or purporting to act, with the authority of the College contravenes or otherwise fails to conform to the Statutes, Ordinances or Regulations.
2. Any representation made under clause 1 shall be made within one year of the date on which the relevant act was done or decision taken, except when timely discovery of the act or decision in question has been prevented by dissimulation.
3. Upon receiving a representation under clause 1 the Master shall enquire into the matter and shall determine whether there has been a contravention or failure to conform and, if so, shall further determine either that the said act or decision is null and void (subject always to the College's power to so declare the act or decision void and provided always that the act or decision cannot be relied upon by a third party) or that it shall be held valid notwithstanding the contravention or failure to conform.
4. The Master shall report any determination made under clause 3, giving reasons thereof, at a meeting of the Council to be called, if one is not already scheduled, not more than one month after the Master receives the representation under clause 1.
5. If any five Members of the Governing Body who are Fellows are dissatisfied either with the Master's determination or that no report to the Council under clause 4 has been made, they may, no later than six months from the date on which the relevant act was done or decision taken, appeal in writing to the Governing Body which shall appoint a committee of three to five Fellows who are members of the Governing Body to investigate and report.
6. If after the Governing Body has ruled, any ten members who continue to be dissatisfied with the determination may appeal to the Visitor, who shall have the final determination.

## **VIII - Fixing of the Seal**

1. 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.
2. Records 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.

3. The College Seal shall be kept by the Bursar in some secure place.

### **IX - Natural or Medical Science, Engineering and Mathematics**

1. For the purposes of Statutes XI and XII, the subjects included within Science and Technology shall be those subjects studied within the University Schools of the Biological Sciences, Clinical Medicine, Physical Sciences and Technology.

### **X – Committees and Working Parties**

1. Governing Body, Council, and Fellowship Electors shall have power to create committees and *ad hoc* working parties to whom they may delegate business. Committees and working parties report to the bodies that create them. A working party is a committee that has a defined limit of life and for which a specific task has been identified. Other committees with a defined limit of life and a specific task are search or appointment committees for the filling of College Offices or posts, including teaching posts.
2. A list of all committees and working parties in being in the current academic year shall be accessible to Members of the College and recorded in the Appendices to Regulations, specifying to which body they are accountable. All such committees and working parties shall be conducted as follows:
3. The creating body shall set Terms of Reference to define:
  - a. remit;
  - b. minimum frequency of meetings;
  - c. categories and numbers of membership (whether *ex officio*; or elected, and, if elected, from which constituencies; or external);
  - d. a process for choosing a Chair (normally by election of the members);
  - e. a process for ensuring rotation of elected members, tenures normally running for two years, commencing in January;
  - f. a quorum for the conduct of business;
  - g. a reporting procedure.

In the case of working parties and appointments committees 3 (e) does not apply; and 3 (c) and 3 (d) may be substituted by the immediate appointment of named members and a Chair, provided that it is stated whether members sit *ex officio*.

4. The Vice-Master shall annually bring to the attention of Fellows and other constituencies opportunities to stand for election to committees, or more often in the event of a vacancy occurring outside the annual cycle of elections. In the event that candidates are not forthcoming for election, the creating body shall nominate to fill vacancies.
5. The current list of members, and names of the Chairs, of committees and working parties shall be accessible to Members of the College, and recorded in Appendices to Regulations.
6. Terms of Reference shall be reviewed every four years, (or more often if required for whatever reason) and the current versions shall be recorded in Appendices to Regulations.



7. In proposing working parties for particular tasks, the Council shall consider whether the task is of such a nature that the Governing Body should be the creating body.
8. Members of committees and working parties are expected to attend meetings and provide apologies in advance for non-attendance. A member shall be stood down if absent from three successive meetings, unless the Chair judges that the circumstances are exceptional. A member who is a Fellow who is on leave may not attend, unless invited exceptionally for a particular item, and then without a vote. A Fellow who is on leave for more than one term shall be stood down. Committees and working parties may co-opt temporary members where a Fellow is on leave.
9. Committees and working parties may invite non-members to attend for particular meetings or particular items of business.
10. A timetable of meetings shall be created for committees and working parties mindful of effective co-ordination with the meetings of the body to whom they are accountable.
11. The Chair shall ensure a disciplined timeframe for agenda items and papers. Notification of agenda items shall be received ten working days prior to meetings. Papers shall be received seven working days prior. Agendas and papers shall be issued five working days prior. Only in exceptional circumstances shall late items be considered, at the discretion of the Chair. Cover sheets shall make clear whether items of business are for noting, for discussion, or for decision.
12. Members shall be mindful that all members, and not only the Chair or those holding College Offices, are entitled to propose items for agendas and actively to shape business.
13. There shall be minutes of every meeting. A person shall be designated to take minutes. Minutes shall be forwarded to the body to whom a committee or working party is accountable, usually on a termly cycle of reporting, along with any further reports as the committee deems necessary or desirable, or as required by the reporting body. In order to expedite timely reporting, unconfirmed minutes may be forwarded. Minutes shall be sufficiently explanatory that they can be understood by an independent reader who does not have access to the agenda papers. Allowing for confidentiality and compliance with data regulations, any Fellow may request to see the minutes of a committee or working party.
14. No committee or working party shall have power to make decisions on behalf of the College unless its remit specifically empowers it by delegation. Unless so empowered, resolutions form recommendations to the body to whom accountable, which is not bound to approve them. A Scheme of Delegation shall be recorded in Appendices to Regulations, specifying any delegated authority and approval levels for executive committees or individuals.
15. In making recommendations or other resolutions committees and working parties shall proceed by majority vote. In the event of a tied vote, a proposal fails. The minutes shall record votes.
16. Meetings must be quorate. Meetings shall ordinarily be held in person, but exceptionally may include the option for members to be present via videoconference, for example to accommodate external members. Where members of any group are not present in person they shall only be considered to be present throughout the meeting if they remain visible on camera. They should not be in a public place and should use headphones if discussion might be overheard.

17. In cases of exceptional urgency, at the discretion of the Chair, business may be conducted electronically between meetings, provided that resolutions are ratified and recorded in the minutes of the following meeting.
18. Members shall declare conflicts of interest if they arise, at the appropriate point or agenda item of a meeting. For the item concerned, members with a conflict of interest shall not vote and may be required to leave the meeting.
19. The Chair shall ensure that people affected by decisions or resolutions are informed as soon as reasonably practicable. The body to whom the committee or working group is accountable shall ensure that it communicates its acceptance, rejection, or modification of recommendations to its committees and working parties.
20. Members of committees and working parties shall follow the College's guidance regarding the use of public and social media in relation to College business. Members of committees and working parties may discuss within and beyond the College broad issues of governance or educational policy but shall always be mindful of matters that may be sensitive to the College and especially to named individuals.

## **B – Members of the College**

### **I - The Master**

#### *Election (Statute IX.1)*

1. The Governing Body is empowered to delegate the election of the Master to the Fellowship. Accordingly, in the event of delegation:
  - (a) Fellows in Titles D and F, and Fellows on sabbatical or other leave, may take full part, and student and staff representatives on Governing Body may not take part;
  - (b) meetings to consider the Mastership are Fellowship Meetings and not Governing Body Meetings, and shall be separately timetabled from, but may be contiguous with, Governing Body meetings.
2. There shall be a Search Committee, comprising the Vice-Master, Senior Tutor, and Bursar *ex officio* and six Fellows elected by a Fellowship Meeting.
3. Fellowship Meetings and the Search Committee shall be chaired by the Vice-Master, or in the absence of the Vice-Master, by the Senior Fellow present who is a member of the Governing Body and not a former Master (who may demit to the next most senior).
4. There shall be an early opportunity to discuss the nature of, and criteria for, the Mastership. Present and past Masters shall be invited to offer their views. The present Master shall take no further part.
5. A Fellowship Meeting shall decide whether it wishes the College to employ a search agent. In the interests of transparency, the Mastership shall be publicly advertised.
6. Fellows shall have an early opportunity to suggest candidates. No seconder is needed. Fellows should not approach suggested candidates to ascertain their consent: the Search Committee shall handle consents.
7. Fellows shall keep absolutely confidential the names of candidates and discussions and resolutions of Fellowship Meetings and of the Search Committee. Fellows may seek from external colleagues suggestions for candidates and may discuss their personal opinions about the nature of the Mastership.
8. The Search Committee shall conduct further consultation with the Fellowship, as a whole, or in groups, or with individual Fellows, as it judges best.
9. The Search Committee shall make its best endeavours to present a Fellowship Meeting with three to five shortlisted candidates. The shortlisted candidates must not be disqualified from acting as a charity trustee. The shortlisted candidates shall make presentations to the Fellowship.
10. In electing the Master, the Fellowship shall produce a rank-ordered list of candidates each of whom is acceptable to it. The electoral procedure shall be as set out in Regulations. This system is designed to ensure that each elected candidate commands the support of at least two-thirds of those voting and one half of the Fellowship.

11. Voting shall take place by secret ballot, after the final Fellowship Meeting. Fellows unable to attend the meeting shall have the opportunity to vote for up to one week after the meeting either in person or electronically.
12. Within any parameters agreed by a Fellowship Meeting, the Council shall negotiate terms and conditions and remuneration with the rank-ordered list of successful candidates in order of the College's preference, as far as needed. The final outcome may be that the next Master is not the first ranked candidate.

#### *Tenure*

13. Except as hereinafter provided the Master shall serve for a maximum of eight years.

#### *Remuneration*

14. 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.

#### *Retirement and Resignation*

15. At any time before the Master leaves office, 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, to permit the Master 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 their successor.
16. The Master may at any time resign the office of Master by notice given 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.
17. The Master on resignation or retirement shall become an Emeritus/Emerita Fellow under Title D and shall take precedence (after the Master and Vice-Master) over all Fellows except any earlier Master of the College.

#### *Rights, Responsibilities and Obligations*

18. The Master shall:
  - (a) 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;
  - (b) not undertake any work outside the scope of the office of Master which may interfere with the discharge of their responsibilities, except with the written permission of the Council.
19. The Master may:
  - (a) take leave of absence, including sabbatical leave, granted by the Council in accordance with such provisions as are laid down in Ordinances;

- (b) subject to sub-clause (18(b)), hold an employment with the College or be appointed to any College post, Academic post or other post or appointment.
20. Without prejudice to the generality of Statute IX.3, the Master shall:
- (a) be accountable to the Governing Body;
  - (b) summon and, when present, preside *ex officio* at meetings of the Governing Body and of the Council and any other bodies as shall be agreed from time to time;
  - (c) ensure that the provisions of the Statutes and Ordinances of the College, and the decisions of the Governing Body and the Council, are duly followed and carried out;
  - (d) foster, and provide leadership and direction to, the whole College community and, in particular, oversee the Bursar, Senior Tutor and Senior Postgraduate Tutor;
  - (e) make provision for the good governance and discipline of the College in any case not provided for by the Statutes, Ordinances or Regulations of the College, or by order of the Council, and report any action taken to the next meeting of the Council.

*Discipline, Suspension or Removal*

- 21. The Governing Body shall appoint a panel of ten members for a Master's Disciplinary and Capability Panel annually at a meeting in the Michaelmas Term. The members of the panel shall be Fellows of the College.
- 22. Where it is determined that a matter should be referred to the Master's Disciplinary and Capability Committee, the Vice-Master shall recommend to Governing Body five members from that panel to constitute the committee.
- 23. A member of the administrative staff shall be appointed to act as Secretary to the Master's Disciplinary and Capability Committee, who shall have no voting rights. The Secretary shall normally be present at any formal meeting and shall keep a proper written record of all proceedings. The Chair and the Master shall review and agree such record, which shall include any points of disagreement by either party.
- 24. If any person selected is unwilling or unable to serve on the Master's Disciplinary and Capability Committee, the person shall immediately inform the Secretary, and the Vice-Master shall select a further member of the panel.
- 25. If, after the Master's Disciplinary and Capability Committee has been appointed, a member of the Committee becomes unable or unwilling to act, or some conflict of interest is subsequently discovered, the Vice-Master shall appoint another member from the panel as a replacement. If fewer than three members become willing or able to act, the Governing Body shall appoint a new committee to act *de novo* in the matter.
- 26. The Governing Body shall appoint a suitable person to act as Presenting Officer on behalf of the College. The Presenting Officer shall formulate the College's case and present it, or arrange for its presentation, to the Master's Disciplinary and Capability Committee.
- 27. With the consent of the Vice-Master, the Chair may appoint a legal adviser to assist the Committee in such manner as the Committee may decide, provided that the Committee shall alone make any findings, determinations and recommendations. The Secretary and the

Committee's legal adviser, if any, shall be entitled to be present throughout the hearing and at any meeting of the Committee.

28. Any complaint regarding the conduct of the Master or the performance of their responsibilities shall be made to the Vice-Master.
29. The Vice-Master may treat any complaint under clause 28 above as an individual grievance, provided that the Vice-Master is satisfied that so doing is appropriate to the subject matter; in such case, the Vice-Master shall adopt such informal processes for resolving the grievance as they think suitable in the circumstances.
30. The Vice-Master shall refer to the Master's Disciplinary and Capability Committee any complaint which:
  - i. the Vice-Master considers should not be treated as an individual grievance;
  - ii. the Vice-Master has attempted to resolve informally as an individual grievance, and an informal resolution has not been achieved;
  - iii. the Vice Master has received in writing signed by any ten Fellows, stating the grounds for the complaint.
31. Where a complaint is referred to the Master's Disciplinary and Capability Committee the Vice-Master shall notify the Master of the complaint and invite comment in writing. The Vice-Master shall also without delay notify the Governing Body that a complaint has been referred to the Master's Disciplinary and Capability Committee.
32. If the Vice-Master considers that the College might otherwise suffer significant harm, they shall inform the Governing Body. A meeting of the Council, called by the Vice-Master, may suspend the Master from the performance of their duties without loss of emolument until the proceedings of the Panel are concluded.
33. The Master's Disciplinary and Capability Committee shall investigate the complaint. They may appoint an independent investigator to assist them. The Committee shall then hold a meeting to consider the case. The Master must be given at least fourteen calendar days' notice of such a meeting. They must be advised in writing of the nature of the complaint against them, of the possible outcomes if the panel upholds the complaint, and that they will be given the opportunity to state their case before any decision is made.
34. The Master will be provided with written copies of evidence and relevant witness statements in advance of the Meeting. Where the College or the Master intends to call relevant witnesses they should give advance notice that they intend to do so.
35. Where the concerns raised are linked partly or wholly to issues of ill-health the Committee shall seek independent professional medical advice and may make a request to contact a medical professional caring for the Master, or another medical professional. Where the Master declines such a request, the Committee will take decisions based on information in its possession or which it is able to obtain.
36. The Master is entitled to be accompanied at the meeting by an individual of their choosing, who may, if they so choose, be their legal adviser.
37. The Chair may appoint a legal adviser to assist the Committee in such manner as the Committee may decide, provided that the Committee shall alone make any findings, determinations, and recommendations.
38. Decisions of the Committee shall be taken by a majority vote.

39. The Committee may:
- (a) recommend that no action is taken; or
  - (b) recommend a written censure. Such written censure to set out clearly the improvement in conduct or performance required and a timescale for the achievement of this improvement;
  - (c) recommend removal of the Master from office.
40. The Committee shall send its recommendations, together with its findings of fact and the reasons for its recommendations, to the Master and the Vice-Master.
41. If the Committee recommends that a written censure be given, or that the Master be removed from office, the Vice-Master shall then inform Council of the recommendations. Provided that Council agrees that written censure or removal from office should be considered, the Vice-Master will then inform Governing Body of the recommendations and hold a vote of Governing Body in order to ratify the recommendations. No sanction shall be imposed without the assent of at least three-quarters of those present at the relevant Governing Body meeting voting in favour of the sanction. Once the recommendations are ratified the Vice-Master shall carry out the Committee's recommendation.
42. The Master may, within fourteen days of being notified of the decision to give a written censure or to remove them from office, give to the Vice-Master notice of appeal. The notice of appeal shall state the grounds of appeal. The Vice-Master shall then without delay summon a meeting of the Governing Body, exclusive of the Master, and shall without delay appoint an Appeal Committee of three persons who are not Fellows and are not employed by the College, one of whom holds, or has held, judicial office, or is a barrister or solicitor of at least ten years' standing, that person to be chair of the panel.
43. The Appeal Committee shall hold an appeal meeting. At such meeting the grounds for appeal that the Master has put forward will be considered and the conclusion reached in the original committee meeting will be reviewed. Depending on the circumstances, and at the chair's discretion, the meeting may either solely consider the points that the Master has raised, or it may reconsider the whole case and reach its own conclusion on the correct outcome.
44. The determination of the Appeal Committee is final.
45. For the purposes of this Ordinance, references to the Vice-Master shall, if the Vice-Master is incapacitated by illness or otherwise, be construed as referring to the next most senior Fellow who is a member of Governing Body and not a former Master.
46. In the event that the appeal panel reverses the decision to remove the Master, then the Master shall be reinstated into the emoluments of their office, including any stipend that they would have received but for the decision to remove them from office.

## **II – The Vice-Master**

### *Election and Tenure*

1. The Vice-Master shall be elected from among the Fellows who are not disqualified from acting as a charity trustee, by a vote of the Governing Body.

2. The Vice-Master shall be elected for a period not exceeding five years from the date of assuming office. No person shall be eligible for election as Vice-Master unless proposed and seconded in writing to the Secretary of the Governing Body at least fourteen days before the meeting of the Governing Body at which elections are to be held.
3. The Vice-Master may be re-elected for further periods provided that the overall tenure of the Vice-Mastership does not exceed ten years. The re-election of the Vice-Master shall require the assent of two-thirds of the members present and voting at a meeting of the Governing Body held in accordance with Statute V.5-12.
4. If only one person is proposed and seconded, that person shall be declared elected. If more than one person is proposed and seconded, a poll shall be taken in accordance with the procedure for election by the Governing Body laid down in [Ordinance A.II.10](#) above. Each vote shall be given in writing signed by the voter.
5. The Vice-Master shall vacate the office upon ceasing to be a Fellow of the College.

#### *Resignation*

6. The Vice-Master may resign by giving not less than one Term's written notice to the Governing Body.

#### *Rights, Responsibilities and Obligations*

7. The Vice-Master shall be accountable to the Governing Body.
8. 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.
9. The Vice-Master shall Chair the Fellowship Electors and perform such other duties as may be assigned to the office by Council.
10. The Vice-Master shall take precedence immediately after the Master.
11. A job description shall be set out in appendices to the Regulations.

#### *Discipline, Suspension or Removal*

12. Where a concern arises over the conduct of the Vice-Master this shall be dealt with under [Ordinance C.II](#) (Discipline and Dismissal of Fellows and By-Fellows: Misconduct), save that:
  - i. References to the Vice-Master shall be read as references to the Master.
  - ii. Disciplinary Meetings under all formal stages of the Procedure shall be conducted by a Disciplinary Committee.
  - iii. An appeal against any disciplinary sanction imposed shall be heard by the Appeals Committee.



### *Ill-Health Capability*

13. Where ill-health may be preventing the Vice-Master in achieving acceptable levels of attendance or performance of their duties, this shall be dealt with under [Ordinance C.III](#) (Capability Procedure (Ill-Health) for Academic Staff), save that:
  - i. References to the Senior Tutor shall be read as references to the Master.
  - ii. An appeal against any sanction imposed shall be heard by the Appeals Committee.

### *Capability (Performance)*

14. Where there is a concern about the ability of the Vice-Master to perform the duties of the post to an acceptable standard this shall be dealt with under [Ordinance C.IV](#) (Capability Procedure (Performance) for Academic Staff), save that:
  - i. References to the Senior Tutor shall be read as references to the Master.
  - ii. An appeal against any sanction imposed shall be heard by the Appeals Committee.

### *Absence*

15. 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 (as defined by the University statutes) who is a member of the Council.

## **III - The Bursar**

### *Appointment*

1. The Bursar shall be appointed by the Council. The method and terms of appointment shall be determined by Council and set out in the appendices to Regulations.
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 is a member of non-academic staff and is subject to the provisions of the Staff Handbook, with the exception that for disciplinary and grievance purposes they shall be subject to provisions set out in Ordinance C I-VII, and in accordance with section 7 below.

### *Duties*

4. 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 Office holder, 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 the 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 the Statutes invest College moneys;
  - (h) exercise oversight of all non-academic staff.
5. The Bursar shall undertake such further responsibilities, consistent with the Title of Fellowship that is held, as are laid down in Ordinances or as the Council shall from time to time reasonably determine, by Regulation or otherwise.
6. A full job-description should be set out in appendices to Regulations.

*Discipline, Suspension or Removal*

7. Where a concern arises over the conduct of the Bursar this shall be dealt with under [Ordinance C.II](#) (Discipline and Dismissal of Fellows and By-Fellows: Misconduct), save that
- i. References to the Vice-Master shall be read as references to the Master.
  - ii. Disciplinary Meetings under all formal stages of the Procedure shall be conducted by a Disciplinary Committee.
  - iii. An appeal against any disciplinary sanction imposed shall be heard by the Appeals Committee.

*Ill-Health Capability*

8. Where ill-health may be preventing the Bursar in achieving acceptable levels of attendance or performance of their duties, this shall be dealt with under [Ordinance C.III](#) (Capability Procedure (Ill-Health) for Academic Staff), save that
- i. References to the Senior Tutor shall be read as references to the Master.
  - ii. An appeal against any sanction imposed shall be heard by the Appeals Committee.

*Capability (Performance)*

9. The Bursar shall participate in an annual performance review undertaken by the Master and Vice-Master, or other Fellow where the parties agree this is appropriate.
10. Where there is a concern about the ability of the Bursar to perform the duties of the post to an acceptable standard this shall be dealt with under [Ordinance C.IV](#) (Capability Procedure (Performance) for Academic Staff), save that
- i. References to the Senior Tutor shall be read as references to the Master.
  - ii. An appeal against any sanction imposed shall be heard by the Appeals Committee.

## **IV - The Senior Tutor**

### *Appointment*

1. The Senior Tutor shall be appointed by the Council. The method and terms of appointment shall be determined by the Council and set out in an appendices to Regulations.
2. The Senior 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, provided always that, insofar as the terms of their appointment to the Office so permit, they may hold immediately thereafter such other Fellowship as the Council shall determine.

### *Duties*

3. The Senior Tutor shall assume overall responsibility for:
  - (a) The College's academic, educational and student welfare strategy, policy and provision; and
  - (b) compliance by the College with relevant University and other legislative requirements relating to students.
4. Except insofar as any of the following duties may be assigned to any other College Office holder, the Senior Tutor shall:
  - a) take overall responsibility for undergraduate admissions policy and strategy and maintain oversight of admissions activities;
  - b) ensure that the quality of teaching is maintained to a high standard;
  - c) ensure appropriate and sufficient teaching and study skills provision, working with Directors of Studies and the Deputy Senior Tutor to make appropriate academic appointments;
  - d) ensure appropriate pastoral support is provided to students;
  - e) monitor the academic progress and attainment of students, ensuring steps are taken to effect improvement where necessary;
  - f) make recommendations to the Council for the provision of academic resources for undergraduates and propose and manage the budgets to achieve the same;
  - g) represent the teaching, learning and tutorial interests of College members on relevant College committees and chair committees as required by the Council;
  - h) represent the views of the College on academic, welfare and admissions matters on the relevant inter-Collegiate and University bodies in co-ordination with the Senior Postgraduate Tutor;
  - i) report to the Council and Governing Body on all significant matters pertaining to the College's Undergraduate Students.
5. The Senior Tutor shall undertake such further responsibilities, consistent with the Title of Fellowship that is held, as are laid down in Ordinances or as the Council shall from time to time reasonably determine, by Regulation or otherwise.

6. A full job-description should be set out in appendices to the Regulations.

#### *Discipline, Suspension or Removal*

7. Where a concern arises over the conduct of the Senior Tutor this shall be dealt with under [Ordinance C.II](#) (Discipline and Dismissal of Fellows and By-Fellows: Misconduct), save that:
  - i. References to the Vice-Master shall be read as references to the Master.
  - ii. Disciplinary Meetings under all formal stages of the Procedure shall be conducted by a Disciplinary Committee.
  - iii. An appeal against any disciplinary sanction imposed shall be heard by the Appeals Committee.

#### *Ill-Health Capability*

8. Where ill-health may be preventing the Senior Tutor in achieving acceptable levels of attendance or performance of their duties, this shall be dealt with under [Ordinance C.III](#) (Capability Procedure (Ill-Health) for Academic Staff), save that:
  - i. References to the Senior Tutor shall be read as references to the Master.
  - ii. An appeal against any sanction imposed shall be heard by the Appeals Committee.

#### *Capability (Performance)*

9. The Senior Tutor shall participate in an annual performance review undertaken by the Master and Vice-Master, or other Fellow where the parties agree this is appropriate.
10. Where there is a concern about the ability of the Senior Tutor to perform the duties of the post to an acceptable standard this shall be dealt with under [Ordinance C.IV](#) (Capability Procedure (Performance) for Academic Staff), save that:
  - i. References to the Senior Tutor shall be read as references to the Master.
  - ii. An appeal against any sanction imposed shall be heard by the Appeals Committee.

## **V - The Senior Postgraduate Tutor**

#### *Appointment*

1. The Senior Postgraduate Tutor shall be appointed by the Council. The method and terms of appointment shall be determined by the Council and set out in an appendices to Regulations.
2. The Senior Postgraduate 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, provided always that, insofar as the terms of their appointment to the Office so permit, they may hold immediately thereafter such other Fellowship as the Council shall determine.

#### *Duties*

3. The Senior Postgraduate Tutor shall assume overall responsibility for:

- (a) strategy, policy and oversight of recruitment, admission, welfare and pastoral support, mentoring and wider support of Postgraduate students;
  - (b) compliance by the College with relevant University and other legislative requirements relating to postgraduate students, in co-ordination with the Senior Tutor.
- 4. Except insofar as any of the following duties may be assigned to any other College Office holder, the Senior Postgraduate Tutor shall:
  - a) have responsibility for keeping under review the operational effectiveness of all aspects of College provision for Postgraduate Students;
  - b) be responsible for setting and reviewing postgraduate admissions policy and shall preside over admissions decisions;
  - c) make recommendations to the Council for the provision of resources for Postgraduate Students and propose and manage budgets to achieve the same;
  - d) represent the academic and tutorial interests of Postgraduate Students of the College on relevant College committees;
  - e) represent the views of the College on academic, welfare and admissions matters relating to Postgraduate Students on relevant inter-Collegiate and University bodies, in co-ordination with the Senior Tutor;
  - f) report to the Council and Governing Body on all significant matters pertaining to the College's Postgraduate Students.
- 5. The Senior Postgraduate Tutor shall undertake such further responsibilities, consistent with the Title of Fellowship that is held, as are laid down in Ordinances or as the Council shall from time to time reasonably determine, by Regulation or otherwise.
- 6. A job description shall be set out in appendices to the Regulations.

#### *Discipline, Suspension or Removal*

- 7. Where a concern arises over the conduct of the Senior Postgraduate Tutor this shall be dealt with under [Ordinance C.II](#) (Discipline and Dismissal of Fellows and By-Fellows: Misconduct), save that
  - i. References to the Vice-Master shall be read as references to the Master.
  - ii. Disciplinary Meetings under all formal stages of the Procedure shall be conducted by a Disciplinary Committee.
  - iii. An appeal against any disciplinary sanction imposed shall be heard by the Appeals Committee.

#### *Ill-Health Capability*

- 8. Where ill-health may be preventing the Senior Postgraduate Tutor in achieving acceptable levels of attendance or performance of their duties, this shall be dealt with under [Ordinance C.III](#) (Capability Procedure (Ill-Health) for Academic Staff), save that
  - i. References to the Senior Tutor shall be read as references to the Master.
  - ii. An appeal against any sanction imposed shall be heard by the Appeals Committee.

### *Capability (Performance)*

9. The Senior Postgraduate Tutor shall participate in an annual performance review undertaken by the Master and Vice-Master, or other Fellow where the parties agree this is appropriate.
10. Where there is a concern about the ability of the Senior Postgraduate Tutor to perform the duties of the post to an acceptable standard this shall be dealt with under [Ordinance C.IV](#) (Capability Procedure (Performance) for Academic Staff), save that
  - i. References to the Senior Tutor shall be read as references to the Master.
  - ii. An appeal against any sanction imposed shall be heard by the Appeals Committee.

## **VI - The Tutors and Teaching Officers**

1. In addition to the Senior Tutor and the Senior Postgraduate Tutor there shall be such number of other Tutors as the Council may from time to time determine.
2. A Tutor shall be appointed for a period not exceeding four years and the appointment may be renewed for further periods, each of up to four years at a time, provided any maximum tenure specified in Regulations is not exceeded.
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 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.
5. There shall be teaching offices of the College who shall be designated as Directors of Studies, College Senior Lecturers, College Lecturers, and Teaching By-Fellows.
6. The maximum initial tenure of a College Lecturer shall be four years. The probationary period shall be determined by the Council at the time of appointment.
7. After four years in post, the appointment of a College Lecturer may be made by the Council until retirement, subject to satisfactory performance.
8. The stipend and allowances of the Tutors, teaching officers, and By-Fellows shall be determined by the Council and reviewed annually.
9. Stipendiary College Lecturers shall be expected to be research active or, alternatively, to undertake significant additional College responsibilities in lieu of research.
10. Stipendiary College Lecturers shall have the opportunity for career progression. They shall undergo annual appraisals of objectives in teaching, research and scholarship (or in teaching and other contributions, as appropriate); including identifying professional training needs. Annual appraisals shall also be held with others that the Senior Tutor may deem appropriate.
11. A procedure for promotion from College Lecturer to Senior Lecturer shall be set out in Regulations.

## **VII - The President**

1. There shall be a President of the Senior Combination Room.
2. The President shall be elected from among the Fellows by a vote of the Governing Body for a period not exceeding three years and may be re-elected for further periods provided that the tenure does not exceed ten years. The election shall be decided by a majority of those present and voting as laid down in Statute V.9-11.
3. The allowances of the President shall be determined by the Council and reviewed annually-
4. The President shall exercise a general responsibility to the Governing Body for social matters relating to the Fellowship and Senior Members and shall also perform such other duties as the Governing Body may from time to time determine.

## **VIII – The Dean**

1. There shall be a Dean of College who shall be appointed from among the Members of the Governing Body who are Fellows by the Council at a meeting in the Easter Term for the following academical year; re-appointment shall be permitted.
2. The Dean shall be responsible for the discipline of Students of the College and for their proper behaviour within the College, and shall perform such duties as the Council may determine.
3. The Council shall prepare a job description for the Dean and record it in the appendices to the Regulations.

## **IX – The Praelector**

1. The Council shall appoint a Praelector and a Deputy Praelector from among the Members of the College who are members of the University Senate.
2. The Praelector and Deputy Praelector shall be appointed before the division of the Easter Term to serve for the following academic year; re-appointment shall be permitted.
3. The Deputy Praelector shall normally succeed the Praelector in office.
4. The Praelector and Deputy Praelector shall be responsible to the Council for the observation of University regulations governing the taking of degrees.
5. The Council shall prepare a job description for the Praelector and Deputy Praelector and record it in the appendices to the Regulations.

## **X - Fellows**

### *Obligations, Allowances and Privileges*

1. Fellows of the College are expected, besides fulfilling such duties as may be laid down in each particular case, to make a contribution to the life of the College. At a minimum this shall include reasonably regular attendance at meetings of the Governing Body. The absence of a Fellow from Governing Body for more than a year, except that they shall be on leave, may be

taken into account when renewal of the Fellowship is under consideration. Fellows under Title D may declare that they do not intend to attend meetings any further. All Fellows are encouraged to offer their services, as appropriate, on College committees, so that the principle and benefits of a self-governing academic community may be sustained.

2. Fellows under all Titles, with the exception of those in Title E, shall normally be required to reside in the University (as defined by the University Statutes) during Full Term, except by dispensation of the Council.
3. Fellows shall have the right to dine in Hall and to receive allowances in respect of such other meals as may be specified in Regulations. The number of free guest room nights per annum, and the charges for guest room nights beyond the prescribed limit, shall be specified by the Council in Regulations.
4. Any additional privileges of Fellows in particular Titles shall be specified by the Council in Regulations.
5. During any period of intermission of a Fellowship the holder shall cease to be a Fellow and to have the rights and entitlements of a Fellow. The period of intermission shall not count towards any limit of tenure of the Fellowship.

#### *Election of Fellows*

6. No person shall be elected a Fellow at a meeting of the Council or Fellowship Electors without the concurrence of at least three-quarters of the members of the Council or Fellowship Electors (as the case may be) present at the meeting.
7. The Council, 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. Hence, a Fellow may be elected either with immediate effect or pre-elected to take up a Fellowship on a specified future date. The admission of a newly elected Fellow occurs at a meeting of the Governing Body when the Fellow shall make the declaration specified in Statute XI.7. 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.

#### *Seniority of Fellows*

8. The seniority of Fellows is determined by the date of their first election, the earlier elected being the more senior. Fellows with the same date of election shall take their place alphabetically by surname. A Fellow who by re-election has returned to the College, or who has been continuously a Fellow but has changed Title, shall take seniority according to the original election. The Master and Vice-Master take precedence over other Fellows.
9. Notwithstanding the seniority of Fellows, the President of the SCR, and any former Master, shall take precedence after the Master and Vice-Master on formal occasions such as High Table dining.

#### *Title A Teaching Fellowships*

10. Under Title A, the Council may elect any person who holds an academic office, other than a purely research-centred position, in the College or in the University. 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 upon ceasing to hold any one or more of the qualifying offices specified for the Fellowship unless that Fellow is re-elected to the Fellowship under one or more new qualifying offices.

11. Except where otherwise specified under Regulations a Fellow under Title A shall be required to undertake eighty hours of teaching per year, or equivalent duties for the College as the Council may from time to time prescribe. This requirement may be reduced in exceptional circumstances at the discretion of the Council. Teaching should first be offered, if appropriate, to the College.
12. A Fellow under Title A who has a full teaching load or equivalent duties shall be entitled to the use of a room in College for teaching purposes free of rent and other charges. They shall also be entitled to College residential accommodation, if available, either free of rent or with a rent subsidy, according to circumstances, as determined by the Council in each particular case, such that those living singly and those not living singly shall be treated equitably. In the case of rent-free accommodation, the Council may impose a general service charge. Provision of residential accommodation shall pertain for a maximum of five years, after which the benefit shall be halved for a maximum of a further five years, except that this provision shall not be applied retrospectively. No child under the age of eighteen shall be permitted to reside in College staircase accommodation. A Fellow who does not live in College residential accommodation shall be entitled to participate in a shared equity scheme to support the purchase of a residential property.
13. Fellows under Title A shall give at least a Term's notice to the Senior Tutor of their intention to resign or retire.

#### *Title B Research Fellowships*

14. 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) Early Career Research Fellows.

In making elections under this Title in either class, the Fellowship Electors shall have regard to the stage of career, experience and academic promise of the person or persons under consideration and shall elect to the one or the other of these two classes accordingly.

15. Fellows under Title B shall engage in research and submit an annual report to the Fellowship Electors.

#### *Title B Early Career Research Fellowships*

16. In the case of elections to Early Career Research Fellowships under Title B the Fellowship Electors may pre-elect a ranked list of candidates who meet the required threshold of distinction in research. The person elected shall be the first person who accepts the offer of the Fellowship and whose acceptance is current on the date of election.
17. A candidate elected to an Early Career Research Fellowship under Title B may delay taking up the Fellowship for a maximum of one year, in order to take up (for example) a temporary lectureship, in which case the date of election shall be postponed accordingly.

18. The Council shall determine the stipends of Early Career Research Fellowships and review them annually. The Fellowship Electors shall have regard to any other emolument which the Fellow will receive to support research before awarding a full stipend.
19. An Early Career Research Fellow shall be elected for a period or periods which together shall not exceed four years from 1 October following election except *that* the Council shall have discretion to approve an extension of tenure and any associated rights beyond four years where this would either:
  - (i) support periods of maternity, adoption or shared parental leave, or;
  - (ii) facilitate part-time working where the need for such arrangements arises from caring responsibilities or in response to health requirements or a disability and where Council is satisfied that such an extension is appropriate taking into account the interests of the Fellowship scheme as well as the individual Fellow.
20. An Early Career Research Fellow may be granted a period of intermission, for example to take up a temporary lectureship, provided that the tenure of the Early Career Research Fellowship including any period of intermission shall not exceed five years from 1 October following election.
21. An Early Career Research Fellow shall not teach or examine for more than a total of six hours per week for the College or otherwise without the Council's consent. Any such teaching or examining should first be offered to the College. No teaching or examining shall be undertaken that is in excess of the amount permitted by, or that otherwise contravenes, the conditions of tenure of any University office or externally funded position which a Research Fellow may hold.
22. In recruitment and other public-facing statements the College and Early Career Research Fellows may make use of the term 'Junior Research Fellowships'.

*Title B (Senior) Research Fellowships*

23. In electing Senior Research Fellows, the Fellowship Electors shall consider persons who hold stipendiary positions in, or connected with, the University, where the primary obligation is to undertake research, and who are not University Teaching Officers. The College shall not offer stipends to Senior Research Fellows.
24. At the discretion of the Fellowship Electors, Senior Research Fellowships may be publicly advertised and/or nominations sought from within the Fellowship, subject to any limitation of quota set by the Governing Body under Statute V.3. A *curriculum vitae* and the names of two referees shall be required. A meeting of the Fellowship Electors shall take place in the Lent Term for the election of Senior Research Fellows.
25. A Senior Research Fellow shall be elected for an initial tenure not exceeding five years. The Fellowship Electors shall have power to extend the tenure, which is normally subject to a maximum tenure of ten years in all. The Council shall have discretion to extend the tenure to cater for circumstances indicated in clause 19 above; and to permit a deferment or intermission. Any period of deferment or intermission shall not normally exceed one year.
26. A Senior Research Fellow shall not be required to teach or to examine for the College. No teaching or examining shall be undertaken that is in excess of the amount permitted by, or that otherwise contravenes, the conditions of tenure of any University office, or other research position, which a Research Fellow may hold.

### *Title C Professorial Fellowships*

27. Under 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 it shall not be limited in making elections to this number and may elect into a Fellowship under Title C any person who is qualified to hold a Professorial Fellowship as determined by Special Ordinance of the University. A Fellow under Title C shall hold that Fellowship only whilst qualified in this way.
28. Any person who is already a Fellow and becomes qualified to hold a Professorial Fellowship as determined by Special Ordinance of the University, or who is elected a Fellow and is qualified as determined by Special Ordinance shall be entitled to remain in their Fellowship under another Title, provided that they agree to undertake the duties associated with that Title, as agreed with the College. If they do not intend to undertake such duties, they shall be eligible for election to Title C.
29. The tenure of a Fellowship in Title C shall be five years, renewable at five-year intervals for so long as the Fellow holds the University office with which that Fellowship is associated. In considering renewal of a Fellow in Title C the Council shall have regard to the general contribution which that Fellow has made to the life and governance of the College.

### *Title D Emeritus/Emerita Fellowships*

30. Under Title D the Council may elect any Fellow who has retired from their primary employment and who has been a Fellow for not less than twenty years. In exceptional circumstances an election may be made of a Fellow who has served for less than twenty years. In considering an election the Council shall have regard to the likely continuing contribution of the candidate to the College community. A Fellow under Title D shall hold the Fellowship for life.

### *Title E Extraordinary Fellowships*

31. Under Title E, the Fellowship Electors may elect any person who is of exceptional distinction in the advancement of learning and research, or in cultural achievement, and whom it will be in the interest of the College to elect. The tenure of a Fellow shall be for such period or periods as the Fellowship Electors shall in each case determine.

### *Title F Overseas Fellowships*

32. 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. The Fellowship Electors shall have regard to the availability of Visiting By-Fellowships for early career candidates.
33. A Fellow under Title F shall be elected for an initial period of not more than two years. The Fellowship Electors shall have power to extend the tenure for further periods.
34. No person shall be elected who intends to spend fewer than two full terms or six calendar months in residence in the University. A candidate who intends to spend fewer than two full terms or six calendar months in residence may be elected to a Visiting By-Fellowship.
35. During the tenure of the Fellowship a Fellow under Title F may, exceptionally, receive a stipend and allowances. The stipend and allowances shall be decided by the Council in the light of funds

available for Overseas Fellows, and taking into account any emolument received by that Fellow from other sources.

#### *Title G Official Fellowships*

36. Under Title G, the Council may elect any person from among the College's Non-Academic Staff whom it considers especially fitted to be elected a Fellow and whom it will be in the interest of the College to elect. The Council shall specify the qualifying office or offices in the College, and the tenure of each Fellowship. A Fellow under Title G shall be subject to the College's Staff Regulations for all issues relating to their employment by the College, with the exception of the Bursar, who for those matters defined in [Ordinance B.III](#), shall be dealt with as member of the academic staff.
37. The tenure of a Fellow elected under Title G shall terminate when that person leaves the employment of the College.

#### *Notification to Fellows*

38. Every Fellow shall register with the Bursar an address to which notices are to be sent. Wherever the Statutes and Ordinances require notice to be given to any Fellow it shall be sufficient that the notice be sent to this registered address.

#### *Leave of Absence and Part-time Working*

39. The Council may grant a Fellow under any Title except those in Titles D and E a period of leave of absence under such conditions as are laid down by Ordinance.
40. The Council may grant any Fellow leave of absence for a period not exceeding six months on account of illness without loss of stipend. The Council may extend this period of absence, and when doing so shall determine the amount of stipend to be paid.
41. If a Title A Fellow is given leave of absence on account of illness for a part or for the whole of a Full Term, or if, having been given leave for another reason, that Fellow is on leave for less than half of a Full Term, the Council shall determine whether the term may be counted as a term of service under clause 46.
42. The Council may grant a Fellow under any Title except Title D a period of leave of absence, or an appropriate adjustment of hours of work or duties, either:
- (a) to support periods of maternity, adoption or shared parental leave; or
  - (b) to facilitate part-time working where the need for such arrangements arises from caring responsibilities or in response to health requirements.
43. A Fellow required to reside in the University (as defined by the University statutes) during Full Term shall in advance inform the Senior Tutor in the case of Title A, or the Vice-Master in the case of other Titles, of any period of absence exceeding one week during Full Term.

#### *Sabbatical Leave*

44. A Fellow who holds a Title A Fellowship shall be entitled to sabbatical leave for academic purposes at the rate of one term for every six terms of service under Title A provided that:

- (a) application is made to the Council as early as possible and, in any case, not later than the first week of the Full Term next but one preceding the period of the proposed leave;
- (b) the Council has been able to approve adequate arrangements proposed by the Fellow for the performance of College duties during the period of leave;
- (c) the applicant is deemed to be research-active.

Subject to these conditions the Council shall not unreasonably withhold its consent to an application. When calculating the amount of sabbatical leave due, no account shall be taken of any service done more than six years before an application nor of any term during which the applicant has been on leave for part or the whole of the term, unless the Council has determined under clause 44 that that term shall be counted as a term of service.

45. During the period of sabbatical leave the Fellow shall be paid the College pensionable stipend in full, provided that they observe the following conditions (unless waived by the Council under exceptional circumstances):

- (a) a considerable portion of the period of leave shall be spent in study;
- (b) the Fellow shall give up all teaching, administrative and examining duties for the University and the College, or Colleges, other than duties in connection with their supervision or examining of Research Students, or with acting as an academic referee;
- (c) the Fellow shall not attend any meeting of the Governing Body, the Council, the Fellowship Electors, or any College committee during any period of sabbatical leave;
- (d) if an elected member of the Council, Fellowship Electors, or a College committee, then the Fellow shall resign all such memberships if granted sabbatical leave of more than one term, and shall offer to resign if granted leave for one term;
- (e) if, after taking account of any loss of normal sources of income and of income from any new sources, less any additional expenses associated with the new activities, the Fellow would benefit financially because sabbatical leave has been taken, the Fellow shall agree with the Bursar to forego such part of their normal pensionable stipend as will leave that Fellow approximately in the same financial state as if sabbatical leave had not been taken. If the Fellow and the Bursar cannot reach agreement, the matter shall be referred to the Vice-Master, whose decision shall be final.

46. If a full College stipend is paid, any College contribution to a pension fund shall be maintained. If part stipend is paid, or if the stipend is withheld, the College contribution to the pension shall normally be maintained, provided that the Fellow's contribution is continued.

#### *Grants to Fellows*

47. The Council may make a grant to a Fellow in respect of specific expenses incurred in connection with study or research. In making such a grant the Council shall be satisfied that other sources of assistance have been fully exploited. Such grants shall not be pensionable.
48. The Council may delegate the responsibility for making such grants to the Vice-Master. The grants awarded shall be reported annually to the Council.

#### *Resignation of a Fellow*

49. A Fellow who wishes to resign their Fellowship shall do so in writing to the Master specifying the effective date. Any such resignation shall be put to Council and recorded in its Minutes.
50. A Fellowship shall be vacated if the holder becomes Head of House or Fellow, but not Honorary Fellow or By-Fellow, of another College in Cambridge.

#### *Retirement from Fellowship*

51. Unless elected to another Title, every Fellow, except in Title D, shall vacate the Fellowship on their retirement from their qualifying office.

#### *Standing in the University*

52. Every Fellow who is qualified to matriculate in accordance with the Statutes and Ordinances of the University shall become a member of the University by matriculation and endeavour to be granted the status of Master of Arts at the first opportunity. Fellows who satisfy the requirements of the Statutes and Ordinances of the University to be admitted to the substantive degree of Master of Arts are encouraged to do so.

### **XI - Honorific Fellowships**

1. Besides Honorary Fellows, the categories of holders of honorific titles of Fellow shall be:
  - (a) Winston Churchill Benefactor Fellow;
  - (b) Benefactor Fellow.
2. Elections to these honorific titles of Fellow shall be made by the Governing Body, on the recommendation of the Council. An election shall require a majority of not less than two-thirds of the members of the Governing Body present and voting.
3. The holders of such titles shall be Members of the College. In accordance with Statute XI.2, the holders of honorific titles are not Fellows and accordingly not members of the Governing Body. They shall not receive any emoluments. They shall enjoy such privileges and amenities as the Governing Body shall determine and shall have dining rights.

#### *Election of Honorary Fellows*

4. The Governing Body may at any meeting elect a person of distinction in academic or public life, or who has made an extraordinary contribution to intellectual or cultural life or the arts, or to the life of the College, and who normally has or has had a connection with the College.

#### *Procedure for Nomination of Honorary Fellows*

5. The number of Honorary Fellows shall not exceed thirty at any one time.
6. A nomination for election to an Honorary Fellowship shall require the support of not fewer than ten members of the Governing Body who are Fellows. Such nominations shall be made in writing to the Secretary of the Governing Body at least twenty-one days before the meeting of the Governing Body at which they are to be considered, and the Secretary shall give notice of them to all members of the Governing Body who are Fellows at least fourteen days before the meeting. Fellows who are not members of the Governing Body may add their names in support of nominations made by the required number of members of the Governing Body.

*Procedure for the Election of Winston Churchill and Benefactor Fellowships*

7. A benefactor who donates more than £5 million shall be eligible for election as a Winston Churchill Benefactor Fellow.
8. A benefactor who donates more than £1 million shall be eligible for election as a Benefactor Fellow.
9. The College's Development Office, the Council, and the Ethics Committee shall exercise due diligence before recommending an election to the Governing Body.

**XII - By-Fellows**

1. The categories of By-Fellow shall be:
  - (a) Teaching, who shall provide supervision for the Tripos;
  - (b) Post-doctoral, who shall be early career researchers resident in the University;
  - (c) Staff, who shall be senior members of the non-academic staff;
  - (d) Professional / Møller Institute, who shall be holders of positions in professional bodies or institutions normally resident in the local community or otherwise connected to the College;
  - (e) Visiting, who shall be visiting researchers who hold university posts outside Cambridge;
  - (f) Archives, who shall be visiting researchers using the Churchill Archives Centre;
  - (g) Artist, who shall be creative individuals working in any material or literary art form;
  - (h) Corporate, who shall be benefactors of the College.

*Procedure for the Election of By-Fellows*

2. The Council shall elect By-Fellows in categories (a), (c), (d), and (h). The Fellowship Electors shall elect By-Fellows in categories (b), (e), (f) and (g).
3. By-Fellows shall become Members of the College on election. In accordance with Statute XI. By-Fellows are not Fellows, and accordingly are not members of the Governing Body.
4. By-Fellows shall be elected for a period not exceeding two years at a time and may be renewed.
5. The Governing Body shall determine annually the maximum number of By-Fellows to be elected for the following academic year.
6. On the election of a By-Fellow the Council or Fellowship Electors, as appropriate, may prescribe duties and conditions associated with the By-Fellowship. A By-Fellow shall not receive a stipend from the College except under special circumstances to be decided at the time of election. A By-Fellow shall not be entitled to rooms in College, but the Council may allow the use of rooms or other accommodation either free of rent or on payment of such rent and charges as the Council may decide. A By-Fellow shall have the right to dine in Hall and to receive allowances in respect of such other meals as may be specified in Regulations.

## **C - Conduct, Discipline, Removal**

The application of these Ordinances in relation to a position held by a member of the academic staff shall conform to the terms and conditions applying to that position, as determined by or under the Statutes of the College, by contract, or in any other way. The Statutes shall take precedence over any other contractual term in the case of inconsistency.

### **I- Committees**

#### *Definition of Terms*

1. "Member Concerned" means the Fellow or By-Fellow who is the subject of the disciplinary or appeal proceedings.

#### *Formation of Committees*

2. The Governing Body shall appoint a panel of at least ten members who would be willing to serve on a Disciplinary, Capability, Redundancy or Grievance Committee, annually at a meeting in the Michaelmas Term. The members of the panel shall be Fellows of the College. The Governing Body shall appoint a separate panel of ten members who would be willing to serve on an Appeals Committee. The members of the latter panel shall be Fellows of the College or other persons, being members of the Regent House of the University.

#### *Disciplinary Committee*

3. Where it is determined that the Disciplinary Committee should hear a case, a nomination of three members to form a committee from among the panel appointed by the Governing Body shall be made to the Council by the Vice-Master. The recommendation shall include a nomination for one member to act as Chair. In selecting members of the panel for appointment to a Disciplinary Committee, the Council shall exclude the person charged and any person who has any other declared conflict of interest.
4. If any person selected is unwilling or unable to serve on the Disciplinary Committee, that person shall immediately inform the Secretary, and the Vice-Master shall select a further member of the panel.
5. If, after the Disciplinary Committee has been appointed, a member of the Committee becomes unable or unwilling to act the Council shall appoint another member from the panel as a replacement. If more than one member becomes unwilling or unable to act, the Council shall appoint a new committee to act de novo in the matter.
6. The Council shall appoint a suitable person to act as Presenting Officer on behalf of the College. The Presenting Officer shall formulate the College's case and present it, or arrange for its presentation, at a Disciplinary Meeting.
7. A member of the administrative staff shall be appointed to act as Secretary to the Disciplinary Committee, who shall have no voting rights. The Secretary shall normally be present at any formal meeting and shall keep a proper written record of all proceedings. The Chair and the Member Concerned shall review and agree such record, which shall include any points of disagreement by either party.



8. With the consent of the Vice-Master, the Chair may appoint a legal adviser to assist the Committee in such manner as the Committee may decide, provided that the Committee shall alone make any findings, determinations, and recommendations.
9. Decisions of the Disciplinary Committee shall be taken by a majority vote.
10. Where the case under consideration by the Disciplinary Committee concerns an employee, the Committee shall operate in accordance with current employment legislation.

An annual report shall be made to College Council of the number of cases considered by the Disciplinary Committee, the sanction imposed, the number of appeals and their outcomes. Where the outcome of a case is dismissal a report shall be made to College Council in the next meeting following the decision to dismiss taking effect, summarising the process followed, why the decision to dismiss was taken, and what advice was taken before the decision was reached. No details of the Member Concerned's identity or details of the misconduct shall be disclosed.

#### *Capability Committee*

11. The Capability Committee shall be appointed and will operate under the same rules that are set out in Ordinance C.I.3-10, save that:
  - i. references to the Disciplinary Committee will be read as references to the Capability Committee.
  - ii. When hearing a case under the Capability (Ill-health) Procedure then the Capability Committee may seek appropriate advice from a qualified medical and/or Occupational Health practitioner.

#### *Redundancy Committee*

11. At such time as potential redundancies are proposed, the Council shall appoint a Redundancy Committee of three Fellows, one of whom will be a non-stipendiary Fellow member of the Remuneration Committee.
12. The Redundancy Committee shall operate under the same rules that are set out in Ordinance C.I.3-10, save that references to the Disciplinary Committee shall be read as references to the Redundancy Committee.

#### *Grievance Committee*

13. The Grievance Committee shall be appointed and will operate under the same rules that are set out in Ordinance C.I.3-10, save that:
  - i. references to the Disciplinary Committee will be read as references to the Grievance Committee.

#### *Appeals Committee*

14. An Appeals Committee of three members shall be appointed by the Council, on the recommendation of the Vice Master, from members of the Fellowship Appeals panel.
15. If any person selected is unwilling or unable to serve on the Appeals Committee, that person shall immediately inform the Secretary, and the Council shall select a further member of the Panel. If, after the Appeals Committee has been appointed, a member of the Committee becomes unable or unwilling to act, the Council shall appoint another member from the Fellowship Appeals panel.

as a replacement. If fewer than two members, one of whom is the Chair, are willing or able to act, the Council shall appoint a new Committee to act de novo in the matter.

16. Decisions of the Committee shall be taken by a majority vote.
17. The Council shall appoint a suitable person to act as respondent in the appeal on behalf of the College.
18. There shall be a Secretary of the Appeals Committee who will have no voting rights. The Secretary shall normally be present at any formal meeting and shall keep a proper written record of all proceedings. The Chair and the Member Concerned shall review and agree such record, which shall include any points of disagreement by either party.
19. The chair may appoint a legal adviser to assist the Appeals Committee in such manner as the Panel may decide, provided that the Appeals Committee shall alone make any findings, determinations and recommendations.
20. The Secretary and the Appeals Committee's legal adviser, if any, shall be entitled to be present throughout the hearing and at any meeting of the Committee.
21. Where the appeal under consideration by the Appeals Committee is made by an Academic Employee the Committee shall operate in accordance with current employment legislation.

## **II - Discipline and Dismissal of Fellows and By-Fellows: Misconduct**

### *Construction, Application and Interpretation*

1. This Ordinance shall be construed in every case to give effect to the following guiding principles, that is to say:
  - a) to ensure that Fellows and By-Fellows 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. No disciplinary action will be taken where the Member Concerned has been exercising their rights to academic freedom and/ or freedom of speech as defined by law;
  - 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. This Ordinance shall apply to:
  - a) All Fellows, other than Fellows in Title G (unless otherwise specified for holders of designated College offices);
  - b) All By-Fellows, other than Staff By-Fellows;

irrespective of the employment status of the Fellow or By-Fellow; that is the Ordinance shall apply to a Fellow or a By-Fellow if they are an employee, or a worker, or if they are neither an employee nor a worker.

### *Definition of Terms*

### Misconduct

3. The following list provides examples of conduct which may lead to disciplinary action under this Ordinance. This is not an exhaustive list.

- any act of gross misconduct;
- abusive behaviour and/or language (including intimidating, threatening or personally insulting language);
- any serious or repeated breach or non-observance of any of the terms of appointment (or the College's Statutes or Ordinances or Regulations) or refusal or neglect to comply with any reasonable and lawful directions of the College;
- serious or repeated breach of the College's policies or procedures;
- negligence and/or incompetence.

### Gross Misconduct

4. The most serious matters are termed "gross misconduct". In the context of employment gross misconduct is that which may warrant summary dismissal (i.e., dismissal without notice). Acts which constitute gross misconduct may include the following:

- Theft;
- fraud or deliberate falsification of records;
- negligence which causes or was likely to cause unacceptable loss, damage or injury;
- breach of confidence for improper purposes (subject to the Public Interest (Disclosure) Act 1998);
- physical violence;
- bullying;
- serious or repeated harassment;
- sexual misconduct and/or sexual harassment;
- unlawful discrimination;
- deliberate damage to or serious misuse of College property;
- misuse of the internet or electronic communications, including accessing, downloading or transmitting material which is defamatory, offensive or obscene, malicious, discriminatory, or protected copyright material (except where such material is accessed for legitimate purposes of academic research);
- incapacity through the use of drink or drugs or other substance misuse;
- breach of health and safety rules;
- conviction on a criminal charge (not including convictions for motoring offences in respect of which a custodial sentence is not imposed);
- bringing the College into disrepute;
- unauthorised absence;
- repetition of serious offences;
- conduct leading to an irremediable breakdown of trust between the Member Concerned and the College.

This list is not exhaustive.

### *Dismissal*

5. For the purpose of this Ordinance, 'dismissal' and related expressions shall include:
- i. termination of employment with the College;
  - ii. removal from a post;
  - iii. removal from a Fellowship during its current period of tenure.

Where a Fellow or By-Fellow holds more than one post, dismissal for gross misconduct shall be dismissal from all posts which they hold and from their Fellowship or By-Fellowship.

#### *Informal Disciplinary Procedure*

6. Where the College has concerns about the conduct of a Fellow or a By-Fellow ("the Member Concerned") the Senior Tutor or the Vice-Master shall, whenever possible and appropriate, attempt to resolve the issue informally in the first instance. Where this is not possible or is inappropriate, the matter shall be dealt with under the formal disciplinary procedure.

#### *Investigations*

7. Any allegations of misconduct shall be investigated before a decision is taken whether to proceed to a formal disciplinary meeting.
8. The Member Concerned shall normally be advised at the outset if they are being investigated for alleged misconduct. The amount of investigation required shall vary in each situation, depending on the nature of the allegations and the progress of the investigation itself. The Member Concerned shall be expected to cooperate fully in any investigation by attending investigation meetings and disclosing any relevant documents. Failure of the Member Concerned to cooperate in the investigation process will not prevent the investigation from reaching a conclusion. The Member Concerned shall normally be interviewed by an Investigating Officer appointed by the Vice Master to carry out a formal investigation. An investigation is not part of the disciplinary process and may not by itself result in any disciplinary action.
9. The Investigating Officer shall make a recommendation as to whether there is a disciplinary case to answer in relation to the alleged misconduct, and whether the alleged misconduct may potentially constitute gross misconduct such that it is necessary for the disciplinary meeting to be conducted by a Disciplinary Committee.

#### *Suspension*

10. Where misconduct is suspected the Master may suspend the Member Concerned from the performance of their duties, in the first instance, particularly while an investigation is being carried out. Such suspension shall require ratification by the Council. The period of suspension shall be as brief as possible, but sufficient time shall need to be allowed to ensure that the investigation is not compromised in any way. The suspension period shall be kept under review and the Member Concerned shall be kept updated on progress. Suspension from duties is not considered a disciplinary action.
11. If a Member Concerned is suspended they shall not carry out the duties of any employment or post they hold, and may be excluded from College premises or be excluded from designated areas of College premises. If the Member Concerned is a Trustee of the College they shall not be prevented from acting as a Trustee. Where the Member Concerned is an Academic Employee then they shall be suspended on full pay.

#### *Formal Procedure*

12. Where the College has been unable to, or deems it inappropriate to, resolve an issue informally and, following investigation, takes the view that there is a case to answer, the formal procedure shall be followed and a Disciplinary Meeting shall be held.

#### *Disciplinary Meetings*

13. The Member Concerned must be given at least seven calendar days' notice of a Disciplinary Meeting. They must be advised in writing of the nature of the complaint against them, and the potential consequences if the College finds the allegations are true (i.e., what type of disciplinary action is being considered), and that they shall be given the opportunity to state their case before any decision is made at a disciplinary meeting. The College's case may be presented at the meeting by a Presenting Officer.
14. The Member Concerned shall be provided with written copies of evidence and relevant witness statements in advance of the Disciplinary Meeting. Where the College or the Member Concerned intends to call relevant witnesses they should give advance notice that they intend to do so.
15. At all stages of the procedure the Member Concerned shall have the right to be accompanied by a colleague or trade union representative. It is a requirement that the College is notified in advance in writing if the Member Concerned wishes to bring a companion. If the Member Concerned or the proposed companion is unable to attend a Disciplinary Meeting, the Member Concerned should notify the College as soon as possible so that the Meeting can be rescheduled. However, if the Member Concerned fails to attend the rescheduled Meeting without good reason or if they are persistently unable to do so (e.g., health reasons), the College may have to proceed in their absence and take decisions based on the evidence available at that time.
16. The companion shall be allowed to address the Disciplinary Meeting to put and sum up the Member Concerned's case, respond on behalf of the Member Concerned to any views expressed at the meeting, and confer with the Member Concerned during the meeting. However, the companion does not have the right to answer questions on the employee's behalf or address the meeting if the Member Concerned does not wish it, nor does the companion have the right to prevent the College from explaining its case.

#### *Responsibility for Decision Making*

17. In relation to penalties, the issue of a First Warning for Misconduct shall be called Stage One below, the issue of a Final Written Warning shall be called Stage Two and dismissal or some other action short of dismissal shall be called Stage Three.
18. Disciplinary meetings under Stage One or Stage Two of the Disciplinary Procedure shall normally be held by the Vice-Master. The Vice-Master shall then decide the outcome and determine the disciplinary action to be taken, if any. Alternatively, the Vice-Master may appoint another Fellow to act in their stead.
19. The Vice-Master may determine that a disciplinary meeting at Stage Two of the Disciplinary Procedure should be conducted by a Disciplinary Committee. The Disciplinary Committee shall send its decision (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 Vice-Master, who shall then determine the disciplinary action to be taken, if any.

20. Where the outcome of the disciplinary meeting may be dismissal (Stage Three) the disciplinary meeting shall be conducted by a Disciplinary Committee. The Disciplinary Committee shall send its decision (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 Council, and a vote of Council will be held to ratify those recommendations. No sanction shall be imposed without the assent of at least three-quarters of those members of Council present at the relevant meeting voting in favour of sanction.

#### *Disciplinary Penalties*

21. Following a disciplinary meeting the College shall usually issue one of three disciplinary penalties where it upholds an allegation of misconduct:
- First Warning for Misconduct
  - Final Written Warning
  - Dismissal or some other action short of dismissal
22. There are no automatic penalties and the College reserves the right, at its sole discretion, to issue any penalty at any stage of the disciplinary process depending on the circumstances of the case.

#### *Stage One: First Warning for Misconduct*

23. Where conduct does not meet acceptable standards there shall normally be a First Warning for Misconduct. This shall be in writing and shall set out the nature of the misconduct and the change in behaviour required, together with the right of appeal. The warning shall also advise that a Final Written Warning may be considered if there is no sustained satisfactory improvement or change, or a further instance of misconduct. Written notice of this action shall be kept on file but shall be disregarded for disciplinary purposes after six months, subject to the achievement and sustainment of satisfactory conduct in that period.

#### *Stage Two: Final Written Warning*

24. If the offence is sufficiently serious, or if there is any further misconduct during the currency of a prior First Written Warning, a Final Written Warning may be given. This shall give details of the misconduct, the improvement required, and the timescale. It shall also warn that failure to improve or a further instance of misconduct may lead to dismissal (or some other action short of dismissal) and shall refer to the right of appeal. Written notice of this action shall be kept on file but shall be disregarded for disciplinary purposes after twelve months, subject to the achievement and sustainment of satisfactory conduct in that period.

#### *Stage Three: Dismissal or other Action Short of Dismissal*

25. If there is any further misconduct during the currency of a prior Final Written Warning, or where gross misconduct has been committed, the Member Concerned may be dismissed. If applicable, contractual notice under a contract of employment shall be given. Where the Member Concerned is dismissed for gross misconduct, they may be dismissed without notice or pay in lieu of notice.
26. Alternatively, some other action short of dismissal may be taken, such as demotion, reduction in pay, disciplinary suspension, or transfer. Where relevant, such sanctions may only be applied if allowed for in the Member Concerned's contract of employment or with their agreement.

#### *Appeals*

27. At all stages of the formal procedure, the Member Concerned shall have the right to appeal against a disciplinary sanction imposed on them, including dismissal.

#### *Notice of Appeal*

28. Notice of appeal by the Member Concerned must be received by the Human Resources and Governance Director within fourteen calendar days of the written notice of the imposition of the action. The Member Concerned must state the ground or grounds for the appeal.

#### *Appeal Meetings*

29. Following receipt of an appeal, an Appeal Meeting shall normally be held within four weeks. However, if this is not possible, the Member Concerned shall be informed of the reason for any delay.
30. Where the disciplinary action taken is a first or final written warning, then the appeal shall be heard by the Master. Where the disciplinary action taken is dismissal, or some other action short of dismissal, then the appeal shall be heard by the Appeals Committee.
31. The Member Concerned must be given at least seven calendar days' notice of an Appeal Meeting.
32. At the Appeal Meeting the grounds for appeal that the Member Concerned has put forward shall be considered and the conclusion reached in the original disciplinary meeting shall be reviewed. Depending on the circumstances, and at the College's discretion, the meeting may either solely consider the points that the Member Concerned has raised and review the decision, or it may reconsider the whole case and reach its own conclusion on the correct outcome.
33. At an Appeal Meeting the Member Concerned shall have the right to be accompanied by a colleague or trade union representative, or legal adviser. It is a requirement that the Secretary to the Appeals Committee is notified in advance if the Member Concerned wishes to bring a companion. If the Member Concerned or the proposed companion is unable to attend a meeting, the Member Concerned should notify the Secretary to the Appeals Committee as soon as possible so that the meeting can be rescheduled. However, if the Member Concerned fails to attend the rescheduled meeting without good reason or if they are persistently unable to do so (e.g., health reasons), the College may have to proceed in their absence and take decisions based on the evidence available at that time.
34. The companion shall be allowed to address the meeting to put and sum up the Member Concerned's case, respond on behalf of the Member Concerned to any views expressed at the meeting, and confer with the Member Concerned during the meeting. However, the companion does not have the right to answer questions on the employee's behalf or address the meeting if the Member Concerned does not wish it, nor does the companion have the right to prevent the College from explaining its case.

#### *Outcome of the Appeal*

35. Where an appeal has been heard by the Master, the Master shall inform the Member Concerned of their determination, as soon as possible and usually within two weeks of the Appeal Meeting being held.

36. Where an appeal has been heard by the Appeals Committee, the Committee shall inform the Council of its determination, as soon as possible and usually within two weeks of the Appeal Meeting being held. The College shall inform the employee in writing of its final decision as soon as possible after the Council has been notified of the Appeals Committee's determination.
37. The determination reached is final and there is no further right of appeal.

### **III - Capability Procedure (Ill-Health) for Academic Staff**

1. This Ordinance shall apply to
  - a) Academic Employees, that is any Fellow or By-Fellow who has been issued with a contract of employment, excluding Fellows under Title G (unless otherwise specified for holders of designated College Offices) and Staff By-Fellows.
  - b) Academic Workers, that is any Fellow or By-Fellow, excluding Fellows under Title G and Staff By-Fellows, who holds a post which attracts a stipend or other remuneration (excluding allowances and honoraria) for that work.

For the purpose of this Ordinance 'dismissal' and related expressions shall include:

- i. termination of employment with the College
  - ii. removal from a post.
2. In this Ordinance, Council may appoint another senior Fellow to act in place of the Senior Tutor where there is good reason to do so.
3. The Capability Procedure for dealing with Ill-Health aims to:
  - (a) Support a member of the academic staff in achieving acceptable levels of attendance and performance of their duties;
  - (b) Ensure that appropriate levels of support are offered including as appropriate, further medical advice, occupational health support, temporary adjustments or further action taken if the cause of the absence is work-related;
  - (c) Provide a clear procedure for the termination of employment or removal from a post in cases where it does not prove possible to secure acceptable levels of attendance or performance.
4. In cases where capability is affected by ill health, the member of the academic staff should advise the Senior Tutor of the health problem. The Senior Tutor should consider whether it is possible temporarily to adjust the workload or working conditions of the member of the academic staff in light of any ill health.
5. If a member of the academic staff is unable by reason of ill health to perform their duties satisfactorily, allowing for any adjustments that may have been agreed with the Senior Tutor, they may be required to take sick leave.
6. The College may wish to seek independent professional medical advice and might make a request to contact the GP or other medical professional caring for the member of the academic staff, or another medical professional. Where the member of the academic staff



declines such a request, the College shall take decisions based on information in its possession or which it is able to obtain.

7. Where poor performance or attendance is linked partly or wholly to a disability under the Equality Act 2010, the requirements of that Act shall be taken into account.
8. Where poor performance or attendance is linked to a failure to maintain adequate standards of behaviour or a lack of skills or application, it shall be addressed through the Disciplinary or Performance Management Procedures in these Ordinances.
9. The Senior Tutor shall attempt, whenever possible, to resolve the issue informally in the first instance. In cases where the Senior Tutor is confident that the performance or attendance of a member of the academic staff will reach the required level within a reasonable time period, no further action need be taken. Where this is not possible, the first two stages of the formal Capability Procedure shall be followed.
10. At all stages of the formal procedure, the member of the academic staff shall have the right to appeal to the Appeals Committee.

#### *Informal Resolution*

11. Where sickness absence levels are giving cause for concern, the Senior Tutor shall hold an Informal Ill-Health Capability Review with the member of the academic staff. The aim of the meeting is to reach agreement on a satisfactory way forward. This might include the need for further medical advice; occupational health support; temporary adjustments to be made or further action if the cause of the absence is work-related. A monitoring period normally follows. This period will normally be 6 months, but the Senior Tutor may decide on a longer or shorter period is appropriate.
12. Where a member of the academic staff is on long-term sickness an Informal Attendance Review automatically takes place after they have been absent for eight weeks. If a further four weeks pass and the member of the academic staff is still off sick, the process moves to the Formal Capability (Ill-Health) Review stage.
13. In any situation, where the Senior Tutor considers it necessary, the member of academic staff may be invited to attend a Formal Capability (Ill-Health) Review meeting. This may include, for example, where the member of academic staff is on long-term sickness absence, or where the level of frequency of their short-term absences is unsatisfactory or where the Senior Tutor otherwise considers that the member of academic staff's health or level of attendance is a cause for concern.
14. There shall normally be a minimum of three Formal Ill-Health Capability Reviews. The measures that may be taken are as follows:
  - First Stage: Notice of Unsatisfactory Attendance
  - Second Stage: Final Written Warning
  - Third Stage: Dismissal or other measure
15. The format for each Formal Capability (Ill-Health) Review meeting is as follows:
  - (a) The member of academic staff must be given at least seven calendar days' notice of the meeting. If appropriate, the meeting may take place at the home of the member of the academic staff or at some other agreed location. They must be advised in

writing that there is a continuing cause for concern due to absence or poor performance, that the Senior Tutor has taken the view that this needs to be addressed through the Procedure for dealing with Ill-Health, and that failure to improve attendance or performance could result in further measures being taken through the Capability (Ill-Health) Procedure.

- (b) At all stages of the procedure the member of the academic staff shall have the right to be accompanied by a colleague or a trade union representative of their choosing. The companion shall be allowed to address the meeting to put and sum up the member of academic staff's case, respond on behalf of the member of academic staff to any views expressed at the meeting, and confer with the member of academic staff during the meeting. However, the companion does not have the right to answer questions on the employee's behalf or address the meeting if the member of academic staff does not wish it, nor does the companion have the right to prevent the College from explaining its case.
- (c) At the meeting the Senior Tutor should review with the member of the academic staff the sickness absence or ill-health related poor performance and the efforts already taken to support the member of the academic staff during this period. Outcomes might include the need for further medical advice; occupational health support; temporary adjustments to be made or further action if the cause of the absence is work-related.
- (d) The Senior Tutor shall then decide whether or not any further action should be taken.

*First Stage: Capability (ill-health) first written warning*

- 16. Where there is a failure to achieve, or maintain satisfactory attendance or performance, a Capability (Ill-health) First Written Warning shall be given. This notice shall set out the issue, the improvement required, the timescale, any help that may be given and the right of appeal. Written notice of this action shall be kept on file but shall normally be disregarded for ill-health capability purposes after six months, subject to the achievement and sustainment of satisfactory attendance and/or performance in that period.
- 17. The Senior Tutor may take the view that there is a performance issue that is not ill-health related, in which case the process may transfer to the Capability (Performance) Procedure.

*Second Stage: Final Written Warning*

- 18. Where there is a continued failure to achieve, or maintain satisfactory attendance or performance as detailed in, and during the currency of Capability (Ill-health) first written warning (or after the time period specified in the case of long-term absence), the Senior Tutor shall hold a second Formal Ill-Health Capability Review.
- 19. If issued, the Capability (Ill-health) Final Written Warning shall set out the issue, the improvement that is still required, the timescale and any support that may be given. It shall also state that failure to improve attendance and/or performance may lead to dismissal (or some other action short of dismissal) and shall refer to the right of appeal. Written notice of this action shall be kept on file but shall be disregarded for ill-health capability purposes after twelve months, subject to the achievement and sustainment of satisfactory attendance and performance in that period.

*Third Stage: Dismissal or other Action Short of Dismissal*

20. If there is further failure to achieve or maintain satisfactory attendance or performance as detailed in, and during the currency of, a Capability (Ill-health) Final Written Warning (or after the time period specified in the case of long-term absence), a Formal Ill-Health Review shall be undertaken by the Capability Committee. This is the final stage in the procedure and the member of the academic staff shall be notified that it may result in dismissal (or some other action short of dismissal) such as a transfer to alternative duties, if applicable.
21. At the Third Stage, if a decision to dismiss is recommended the Capability Committee shall inform Council of the recommendation. A vote of Council shall be held ratifying the recommendation. No sanction shall be imposed without the assent of at least three-quarters of those members of Council present at the relevant meeting voting in favour of dismissal. The member of the academic staff shall be provided in writing with reasons for dismissal, the date on which the dismissal shall be effective, and notice of the right of appeal.
22. If the Council decides on some action short of termination of employment or appointment, such as a transfer to alternative duties, the member of the academic staff shall receive details of the sanction and of the right of appeal. They shall also be informed that dismissal could result if the attendance or performance issue is still not resolved. Written notice of this action shall be kept on file but shall be disregarded for capability purposes after twelve months, subject to the achievement and sustainment of satisfactory attendance and performance in that period.

#### *Appeals*

23. At all stages of the formal procedure, the member of academic staff shall have the right to appeal against a sanction imposed on them, including dismissal.

#### *Notice of Appeal*

24. Notice of appeal by the Member Concerned must be received by the Human Resources and Governance Director within fourteen calendar days of the written notice of the imposition of the action. The member of academic staff must state the ground or grounds for the appeal.

#### *Appeal Meetings*

25. Following receipt of an appeal, an Appeal Meeting shall normally be held within four weeks. However, if this is not possible, the member of academic staff shall be informed of the reason for any delay.
26. Where the action taken is a first or final written warning, then the appeal shall be heard by the Vice-Master. Where the action taken is dismissal, or some other action short of dismissal, then the appeal shall be heard by the Appeals Committee.
27. The member of academic staff must be given at least seven calendar days' notice of an Appeal Meeting.
28. At the appeal meeting the grounds for appeal that the member of academic staff has put forward shall be considered and the conclusion reached in the original Capability (Ill-Health) Review meeting shall be reviewed. Depending on the circumstances, and at the College's discretion, the meeting may either solely consider the points that the member of academic staff has raised and review the decision, or it may reconsider the whole case and reach its own conclusion on the correct outcome.

29. At an Appeal Meeting the member of academic staff shall have the right to be accompanied by a colleague or trade union representative, or legal adviser. It is a requirement that the Secretary to the Appeals Committee is notified in advance in writing if the member of academic staff wishes to bring a companion. If the member of academic staff or the proposed companion is unable to attend a meeting, the member of academic staff should notify the Secretary to the Appeals Committee as soon as possible so that the meeting can be rescheduled. However, if the member of academic staff fails to attend the rescheduled meeting without good reason or if they are persistently unable to do so (e.g., for health reasons), the College may have to proceed in their absence and take decisions based on the evidence available at that time.
30. The companion shall be allowed to address the meeting to put and sum up the member of academic staff's case, respond on behalf of the member of academic staff to any views expressed at the meeting, and confer with the member of academic staff during the meeting. However, the companion does not have the right to answer questions on the employee's behalf or address the meeting if the member of academic staff does not wish it, nor does the companion have the right to prevent the College from explaining its case.

#### *Outcome of the Appeal*

31. Where an appeal has been heard by the Vice-Master, the Vice-Master shall inform the member of academic staff of their determination, as soon as possible and usually within two weeks of the Appeal Meeting being held.
32. Where an appeal has been heard by the Appeals Committee, the Committee shall inform the Council of its determination, as soon as possible and usually within two weeks of the Appeal Meeting being held. The College shall inform the member of academic staff in writing of its final decision as soon as possible after the Council have been notified of the Appeals Committee's determination.
33. The determination reached is final and there is no further right of appeal.

### **IV- Capability Procedure (Performance) for Academic Employees**

1. This Ordinance shall apply to:
  - a) Academic Employees, that is any Fellow or By-Fellow who has been issued with a contract of employment, excluding Fellows under Title G (unless otherwise specified for holders of designated College Offices) and Staff by-Fellows.
2. For the purpose of this Ordinance 'dismissal' and related expressions shall include termination of employment with the College.
3. In this Ordinance, Council may appoint a deputy to act in place of the Senior Tutor where there is good reason to do so.
4. The Capability Procedure (Performance) shall be followed where there has been a failure to achieve or maintain acceptable standards of work and where the shortcomings in performance are not due to ill health.
5. The Capability Procedure (Performance) aims to:

- (a) Ensure that any concerns about the ability of an academic employee to achieve acceptable standards of work are communicated clearly to that member and addressed effectively through a clear and supportive procedure;
  - (b) Ensure that appropriate supervision, training, and support measures are deployed to help the academic employee to achieve acceptable standards of work, and
  - (c) Provide a clear procedure for the termination of employment in cases where it does not prove possible to secure a satisfactory and acceptable level of performance.
- 6. Where poor performance is linked partly or wholly to a disability under the Equality Act 2010 the requirements of that Act shall be taken into account.
- 7. Where poor performance is linked partly or wholly to medical problems, the Capability Procedure (Ill-Health) shall be used as appropriate ([Ordinance C.III](#)).
- 8. Where poor performance is due to a failure to maintain adequate standards of behaviour rather than a lack of skills or application, it shall be addressed through the Disciplinary Procedure ([Ordinance C.II](#)).
- 9. The Senior Tutor shall attempt to resolve the issue informally in the first instance. Where this is not possible, the Senior Tutor shall follow the first two stages of the formal Capability Procedure (Performance). In cases where dismissal could be the outcome, the Capability Committee for Academic Staff shall be convened.
- 10. At all stages of the formal procedure, the member of the academic staff shall have the right to appeal against a sanction imposed on them, including dismissal.

#### *Satisfactory Performance*

- 11. The College defines “satisfactory performance” as being when the member of the academic staff:
  - fulfils the requirements of the role;
  - works flexibly and effectively;
  - meets realistic and achievable objectives;
  - complies with the College’s rules and regulations;
  - works collaboratively with other staff members to achieve academic goals;
  - has not been issued with a capability or other warning within the past twelve months, unless there is evidence that satisfactory progress has been made to resolve the issues raised.

#### *Informal Resolution*

- 12. Unsatisfactory performance may be addressed at any time during the year. In such cases the member of the academic staff shall be given a full explanation, in writing, of the perceived weaknesses or deficiencies in performance, and a plan shall be set in place to address the issues raised. A monitoring period shall be set during which additional support, training and guidance shall be supplied if appropriate. This shall be followed by an informal review to determine whether performance has now achieved a satisfactory level. There may be two outcomes:

- (a) If performance has achieved the level required, no further action shall be taken unless the improved performance is not sustained. The member of the academic staff shall be informed that if there are further performance concerns it is likely that they shall be dealt with formally through the Capability Procedure.
- (b) If performance has not achieved the level required, the member of the academic staff shall be notified that the first stage of the Capability Procedure (Performance) will now be pursued and that this could result in action being taken against them through this procedure.

#### *Formal Performance Reviews*

13. There shall normally be three Formal Capability (Performance) Reviews. The actions that may be taken are as follows:
  - First Stage: Capability (Performance) Improvement Notice/First Written Warning
  - Second Stage: Capability (Performance) Final Written Warning
  - Third Stage: Dismissal or other action
14. The format for each Formal Capability (Performance) Review meeting is as follows:
  - (a) The member of the academic staff must be given at least seven calendar days' notice of the meeting. They must be advised in writing that there is continued cause for concern, that the Senior Tutor wishes to address this through the Capability (Performance) Procedure and that failure to improve could result in action being taken against the member of the academic staff through the Capability Procedure (Performance).
  - (b) At all stages of the procedure the member of the academic staff shall have the right to be accompanied by a colleague or a trade union representative of their choosing. The companion shall be allowed to address the meeting to put and sum up the member of academic staff's case, respond on behalf of the member of academic staff to any views expressed at the meeting, and confer with the member of academic staff during the meeting. However, the companion does not have the right to answer questions on the employee's behalf or address the meeting if the member of academic staff does not wish it, nor does the companion have the right to prevent the College from explaining its case.
  - (c) At the meeting the Senior Tutor should review with the member of the academic staff the efforts already taken to provide support in achieving the required level of performance. This shall include the guidance given, training or other support.
  - (d) The standards of performance required and/or any targets still to be reached shall be discussed and reaffirmed.
  - (e) After an adjournment, the Senior Tutor should decide whether or not any further action should be taken.

#### *First Stage: Improvement Notice for Unsatisfactory Performance*

15. A Capability (Performance) First Written Warning shall set out the performance problem, the improvement that is required, the timescale, any help that may be given and the right of appeal. Written notice of this action shall be kept on file but shall be disregarded for capability purposes after six months, subject to the achievement and sustainment of satisfactory performance in that period. This is the first stage of the Capability Procedure (Performance).

16. The Senior Tutor may take the view that the reason for the poor performance may be medical, in which case the process may transfer to the Capability Procedure (Ill-Health) for further investigation.

#### *Second Stage: Final Written Warning*

17. Where there is a continued failure to achieve, or maintain satisfactory performance as detailed in, and during the currency of, a Capability (Performance) First Written Warning, the Senior Tutor shall hold a further Formal (Performance) Review.
18. If issued, the Capability (Performance) Final Written Warning shall set out the performance problem, the improvement that is still required, the timescale and any support that may be given. It shall also indicate that failure to improve may lead to dismissal (or some other action short of termination) and shall refer to the right of appeal. Written notice of this action shall be kept on file but shall be disregarded for capability purposes after twelve months, subject to the achievement and sustainment of satisfactory performance in that period.

#### *Third Stage: Termination of Employment or Other Action*

19. Where there is further failure to achieve, or maintain, satisfactory performance, as detailed in, and during the currency of, a Capability (Performance) Final Written Warning, a Formal Performance Review shall be undertaken by the Capability Committee. This is the final stage in the procedure and the member of the academic staff shall be informed that it may result in dismissal (or some other action short of dismissal), such as a transfer to alternative duties, if applicable.
20. At the Third Stage, if a decision to dismiss is recommended the Capability Committee shall inform Council of the recommendation. A vote of Council shall be held ratifying the recommendation. No sanction shall be imposed without the assent of at least three-quarters of those members of Council present at the relevant meeting voting in favour of dismissal. The member of the academic staff shall be provided in writing with reasons for dismissal, the date on which the dismissal shall be effective, and notice of the right of appeal.
21. If the Council decides on some action short of dismissal, such as a transfer to alternative duties, the member of the academic staff shall receive details of the action and of the right of appeal. They shall also be warned that dismissal could result if the performance issue is still not resolved. Written notice of this action shall be kept on file but shall be disregarded for capability purposes after twelve months, subject to the achievement and sustainment of satisfactory performance in that period.

#### *Appeals*

22. At all stages of the formal procedure, the member of academic staff shall have the right to appeal against a sanction imposed on them, including dismissal.

#### *Notice of Appeal*

23. Notice of appeal by the member of academic staff must be received by the Human Resources and Governance Director within fourteen calendar days of the written notice of the imposition of the action. The member of academic staff must state the ground or grounds for the appeal.

### *Appeal Meetings*

24. Following receipt of an appeal, an Appeal Meeting shall normally be held within four weeks. However, if this is not possible, the member of academic staff shall be informed of the reason for any delay.
25. Where the action taken is a first or final written warning, then the appeal shall be heard by the Vice-Master. Where the action taken is dismissal, or some other action short of dismissal, then the appeal shall be heard by the Appeals Committee.
26. The member of academic staff must be given at least seven calendar days' notice of an Appeal Meeting.
27. At the Appeal Meeting the grounds for appeal that the member of academic staff has put forward shall be considered and the conclusion reached in the original capability meeting shall be reviewed. Depending on the circumstances, and at the College's discretion, the meeting may either solely consider the points that the member of academic staff has raised and review the decision, or it may reconsider the whole case and reach its own conclusion on the correct outcome.
28. At an Appeal Meeting the member of academic staff shall have the right to be accompanied by a colleague or trade union representative, or legal adviser. It is a requirement that the Secretary to the Appeals Committee is notified in advance if the member of academic staff wishes to bring a companion. If the member of academic staff or the proposed companion is unable to attend a meeting, the member of academic staff should notify the Secretary to the Appeals Committee as soon as possible so that the meeting can be rescheduled. However, if the member of academic staff fails to attend the rescheduled meeting without good reason or if they are persistently unable to do so (e.g., health reasons), the College may have to proceed in their absence and take decisions based on the evidence available at that time.
29. The companion shall be allowed to address the meeting to put and sum up the member of academic staff's case, respond on behalf of the member of academic staff to any views expressed at the meeting, and confer with the member of academic staff during the meeting. However, the companion does not have the right to answer questions on the employee's behalf or address the meeting if the member of academic staff does not wish it, nor does the companion have the right to prevent the College from explaining its case.

### *Outcome of the Appeal*

30. Where an appeal has been heard by the Vice-Master, the Vice-Master shall inform the member of academic staff of their determination, as soon as possible and usually within two weeks of the Appeal Meeting being held.
31. Where an appeal has been heard by the Appeals Committee, the Committee shall inform the Council of its determination, as soon as possible and usually within two weeks of the Appeal Meeting being held. The College shall inform the member of academic staff in writing of its final decision as soon as possible after the Council have been notified of the Appeals Committee's determination.
32. The determination reached is final and there is no further right of appeal.



## **V - Redundancy Procedure for Academic Employees**

1. This procedure shall apply where the Council has decided to propose a reduction in the academic employees of the College as a whole, or of any area of academic work within the College, by way of redundancy, in accordance with Statute XIII.
2. The Redundancy Committee shall
  - i. identify the relevant pool of academic employees who are at risk of redundancy;
  - ii. ensure that appropriate consultation takes place with such members of the academic employees and such other persons holding office in, or employed by, the College as it considers likely to be affected by a reduction of the sort contemplated, as may be required by law and as it may also consider appropriate;
  - iii. formulate the selection criteria to be used to select academic employees for redundancy;
  - iv. provisionally select the members of the academic staff for dismissal by reason of redundancy and consult further with the selected individuals with the object of seeking to avoid their dismissal.

Having concluded the consultation process, the Redundancy Committee shall make recommendations to the Council as to the outcomes of the consultation, which may be:

- i. to offer alternative employment to those provisionally selected for redundancy; or
  - ii. where redundancy cannot reasonably be avoided, that the affected individual(s) are dismissed from employment by reason of redundancy.
3. The procedure to be adopted by the Redundancy Committee shall be determined by the Committee as it shall see fit, subject to the adoption of a suitable process which complies with the College's Redundancy Policy.
4. At formal individual consultation meetings the affected employee may be accompanied by a colleague or trade union representative.
5. Council shall consider the recommendations of the Redundancy Committee and may resolve either to take no action or to implement the recommendations of the Redundancy Committee. No dismissal for redundancy shall be imposed without three-quarters of those members of Council present at the relevant meeting voting in favour of dismissal.
6. The College shall give notice of dismissal to each member of the academic staff selected for dismissal, and shall inform them of their entitlement to redundancy pay, and of their right of appeal under this Ordinance.
7. Entitlement to redundancy pay shall be calculated in accordance with the College's Redundancy Policy.

### *Appeals*

8. An academic employee who is given notice of dismissal by reason of redundancy may, within fourteen calendar days from the date of that notice, give to the Human Resources and Governance Director notice of appeal to an Appeals Committee.
9. The lodging of an appeal shall not affect the operation of the notice of dismissal.

10. Following receipt of an appeal, an Appeal Meeting shall normally be held within four weeks. However, if this is not possible, the academic employee shall be informed of the reason for any delay.
11. The academic employee must be given at least seven calendar days' notice of an Appeal Meeting.
12. At the Appeal Meeting the grounds for appeal that the academic employee has put forward shall be considered and the decision to terminate employment by reason of redundancy shall be reviewed.
13. At an Appeal Meeting the academic employee shall have the right to be accompanied by a colleague or trade union representative, or legal adviser. It is a requirement that the Secretary to the Appeals Committee is notified in advance if the member of academic staff wishes to bring a companion. If the member of academic staff or the proposed companion is unable to attend a meeting, the member of academic staff should notify the Secretary to the Appeals Committee as soon as possible so that the meeting can be rescheduled. However, if the member of academic staff fails to attend the rescheduled meeting without good reason or if they are persistently unable to do so (e.g., for health reasons), the College may have to proceed in their absence and take decisions based on the evidence available at that time.
14. The companion shall be allowed to address the meeting to put and sum up the member of academic staff's case, respond on behalf of the member of academic staff to any views expressed at the meeting, and confer with the member of academic staff during the meeting. However, the companion does not have the right to answer questions on the employee's behalf or address the meeting if the member of academic staff does not wish it, nor does the companion have the right to prevent the College from explaining its case.

#### *Outcome of the Appeal*

15. The Appeals Committee shall inform the Council of its determination, as soon as possible and usually within two weeks of the Appeal Meeting being held. The College shall inform the member of academic staff in writing of its final decision as soon as possible after the Council have been notified of the Appeals Committee's determination.
16. The determination reached is final and there is no further right of appeal.

### **VI - Procedure for Non-Renewal of a Fixed Term Contract for Academic Employees**

1. This procedure shall apply where a Fellow or By-Fellow is employed under a contract which specifies a fixed-term period of employment.
2. The Senior Tutor shall, in a timely manner prior to the end of a fixed-term employee's contract determine, after appropriate consultation in the College and where appropriate in the University, whether there is a continuing need for an employee of the College to carry out the duties of their employment.
3. Where the Senior Tutor determines that there is not a continuing need for the employee to carry out the duties of their employment, the Senior Tutor shall hold a meeting with the affected employee to discuss the reasons for the non-renewal of the contract.

4. After holding such a meeting, unless the Senior Tutor decides to offer the employee further or alternative employment, the Senior Tutor shall confirm that employment shall terminate at the end of the period of the fixed-term contract, and shall inform the employee of their entitlement to redundancy pay, if any, and of their right of appeal under this Ordinance.

#### *Appeals*

5. An academic employee who is given notice that their employment will terminate at the end of a fixed term period may, within fourteen calendar days from the date of that notice, give to the Master notice of appeal to an Appeals Committee.
6. The lodging of an appeal shall not affect the operation of the notice of dismissal.
7. Following receipt of an appeal, an Appeal Meeting shall normally be held within four weeks. However, if this is not possible, the academic employee shall be informed of the reason for any delay.
8. The academic employee must be given at least seven calendar days' notice of an Appeal Meeting.
9. At the Appeal Meeting the grounds for appeal that the academic employee has put forward shall be considered and the decision to terminate employment by reason of redundancy shall be reviewed.
10. At an Appeal Meeting the academic employee shall have the right to be accompanied by a colleague or trade union representative or legal adviser. It is a requirement that the Secretary to the Appeals Committee is notified in advance if the member of academic staff wishes to bring a companion. If the member of academic staff or the proposed companion is unable to attend a meeting, the member of academic staff should notify the Secretary to the Appeals Committee as soon as possible so that the meeting can be rescheduled. However, if the member of academic staff fails to attend the rescheduled meeting without good reason or if they are persistently unable to do so (e.g., for health reasons), the College may have to proceed in their absence and take decisions based on the evidence available at that time.
11. The companion shall be allowed to address the meeting to put and sum up the member of academic staff's case, respond on behalf of the member of academic staff to any views expressed at the meeting, and confer with the member of academic staff during the meeting. However, the companion does not have the right to answer questions on the employee's behalf or address the meeting if the member of academic staff does not wish it, nor does the companion have the right to prevent the College from explaining its case.

#### *Outcome of the Appeal*

12. The Appeals Committee shall inform the Council of its determination, as soon as possible and usually within two weeks of the Appeal Meeting being held. The College shall inform the member of academic staff in writing of its final decision as soon as possible after the Council have been notified of the Appeals Committee's determination.
13. The determination reached is final and there is no further right of appeal.

## **VII - Grievance Procedure for Fellows and By-Fellows**

### *Application*

1. This Ordinance shall apply to
  - a) All Fellows, other than Fellows in Title G (unless otherwise specified for holders of designated College Offices);
  - b) All By-Fellows, other than Staff By-Fellows.

irrespective of the employment status of the Fellow or By-Fellow; that is the Ordinance shall apply to a Fellow or a By-Fellow if they are an employee, or a worker, or if they are neither an employee nor a worker.

### *Definition of Terms*

2. "Member Concerned" means the Fellow or By-Fellow who is raising a grievance or lodging appeal proceedings.

### *Scope*

3. The Member Concerned may raise a grievance with the Master. Issues which it would be appropriate to raise as grievances include, but are not limited to, matters concerning the terms and conditions of an employment or Fellowship or other Office or position with the College, changes in working practices, the impact of health and safety requirements, dignity at work including conflictual relationships such as bullying or harassment, the working environment, the impact of organisational changes, equal opportunities or discrimination.
4. A person who is not affected personally may not raise a grievance on behalf of another individual; nor may they raise a collective grievance on their own behalf and that of one or more other persons. This shall not prevent a Member Concerned from raising a grievance about harassment where the alleged act has the purpose or effect of creating an intimidating, hostile, degrading, humiliating or offensive environment for the Member Concerned as a result of conduct directed at another employee or third party.
5. Where it appears that a grievance raised under this Ordinance is malicious or vexatious, appropriate disciplinary procedures against the person raising it may be initiated.
6. The Master may choose to delegate informal or formal resolution to a Designated Officer. A designated officer may be the Bursar, Senior Tutor, Senior Postgraduate Tutor or a Fellow who is a member of Council.
7. Where the Member Concerned wishes to raise a grievance against the Master, they should do so in writing to the Vice-Master. The Vice-Master shall then deal with such complaint in accordance with [Ordinance B.I.](#)
8. Where a member of non-academic staff raises a grievance against a (By-) Fellow or (By-) Fellows then the grievance will be dealt with in accordance with the provisions of this Ordinance and "Member concerned" will be read as referring to the member of non-academic staff who raised the grievance.

### *Collective Grievances*

9. If any group of Fellows and/or By-Fellows has a grievance which affects them collectively, they may raise the matter with the Master. The grievance must be submitted in writing in one document, which must clearly identify and be signed by each of the Fellows or By-Fellows who are raising the collective grievance. The written complaint must also identify one of the complainants to act as a nominated representative. The nominated representative shall act on behalf of the group throughout the grievance process and shall attend grievance meetings.
10. If any member or members of the complainant group of Fellows and/or By-Fellows are not satisfied with the outcome of the collective grievance, they may submit a formal appeal. The appeal must be submitted in one document and must clearly identify those withdrawing from the process and be signed by those wishing to appeal. The written notification of appeal must also identify one of the appellants to act as the nominated representative. The nominated representative shall act on behalf of the group throughout the appeal stage and shall attend the appeal meeting.

#### *Informal Resolution*

11. If it appears to the Master that the grievance raised requires action to be taken, the Master, or Designated Officer, shall normally, unless informal resolution processes are inappropriate to the case, seek to resolve it informally. Such informal resolution may involve, but is not limited to:
  - a) consultation with the person raising the grievance and any other affected person;
  - b) mediation and conciliation among all those affected, on any issues identified by the consultation;
  - c) formulation of mutually agreed terms or conditions.
12. The Master, or Designated Officer, may, but need not, undertake such consultation, mediation or conciliation in person; otherwise, they shall nominate a mediator or conciliator, normally within ten working days of the grievance being raised, for acceptance by all persons involved.

#### *Formal Determination*

13. Where informal resolution processes are inappropriate to the case or the grievance cannot be resolved informally within a reasonable period, normally no more than fifteen working days from the appointment of, or failure to agree upon, any mediator or conciliator under clause 11, a Grievance Committee shall hold a formal grievance meeting with the complainant prior to a formal written decision being issued.
14. It may be necessary to carry out an investigation into the Member Concerned's grievance. In some cases, where considered appropriate, this may take place prior to a written decision being issued or a grievance meeting being held. In other cases, a grievance meeting may be adjourned to carry out an investigation. Alternatively, the College may do both.

#### *Grievance Meetings*

15. The Member Concerned must be given at least seven calendar days' notice of a Grievance Meeting. The Member Concerned shall be provided with any relevant written evidence and witness statements in advance of the Grievance Meeting.
16. The Member Concerned shall have the right to be accompanied by a colleague or trade union representative. It is a requirement that the College is notified in advance in writing if the

Member Concerned wishes to bring a companion. If the Member Concerned or the proposed companion is unable to attend a Grievance Meeting they should notify the College as soon as possible so that the Meeting can be rescheduled. However, if the Member Concerned fails to attend the rescheduled Meeting without good reason or if they are persistently unable to do so (e.g., health reasons), the College may have to proceed in their absence and take decisions based on the evidence available at that time.

17. The companion shall be allowed to address the Grievance Meeting, to put and sum up the case of the Member Concerned, respond on behalf of the Member Concerned to any views expressed at the meeting, and confer with the Member Concerned during the meeting. However, the companion does not have the right to answer questions on the employee's behalf or address the meeting if the Member Concerned does not wish it, nor does the companion have the right to prevent the College from explaining its case.

#### *Outcomes*

18. The Grievance Committee shall inform the Council of their conclusions and proposals. The Council shall normally approve such conclusions and proposals and make a decision on the outcome, provided that, where it is reasonable for the Council to do so, it may reach an alternative decision to that recommended in the conclusion and/or adopt alternative proposals.
19. The Member Concerned shall be informed in writing of the determination of the Council. If the grievance is upheld or partially upheld, the Council shall set out clearly in writing what action is to be taken to resolve the grievance. Such action may include a recommendation that disciplinary proceedings are taken against any person or persons.
20. The Member Concerned shall be advised of their right to appeal.

#### *Grievance Appeals*

21. Where the Member Concerned is dissatisfied with the formal determination made, they may appeal to an Appeals Committee.

#### *Grievance Appeal Meetings*

22. The Member Concerned must be given at least 7 calendar days' notice of an Appeal Meeting.
23. At the Appeal Meeting the grounds for appeal that the Member Concerned has put forward shall be considered and the determination reached following the original Grievance Meeting shall be reviewed.
24. At an Appeal Meeting the Member Concerned shall have the right to be accompanied by a colleague or trade union representative, or legal adviser. It is a requirement that the Secretary to the Appeals Committee is notified in advance if the member of academic staff wishes to bring a companion. If the member of academic staff or the proposed companion is unable to attend a meeting, the member of academic staff should notify the Secretary to the Appeals Committee as soon as possible so that the meeting can be rescheduled. However, if the member of academic staff fails to attend the rescheduled meeting without good reason or if they are persistently unable to do so (e.g., health reasons), the College may have to proceed in their absence and take decisions based on the evidence available at that time.

25. The companion shall be allowed to address the meeting to put and sum up the member of academic staff's case, respond on behalf of the member of academic staff to any views expressed at the meeting, and confer with the member of academic staff during the meeting. However, the companion does not have the right to answer questions on the employee's behalf or address the meeting if the member of academic staff does not wish it, nor does the companion have the right to prevent the College from explaining its case.

#### *Outcome of the Appeal*

26. The Appeals Committee shall inform the Council of its determination, as soon as possible and usually within two weeks of the Appeal Meeting being held. The College shall inform the member of academic staff in writing of its final decision as soon as possible after the Council have been notified of the Appeals Committee's determination.
27. The determination reached is final and there is no further right of appeal.

### **VIII - Bullying and Harassment**

1. All members of the College community shall treat all other members with tolerance, courtesy and consideration. All Fellows, By-Fellows and non-academic staff must act in accordance with the College's Staff and Fellows Bullying and Harassment Policy. Bullying, harassment, discrimination, sexual misconduct and victimisation shall be regarded as inappropriate and unacceptable.
2. Where a Fellow or By-Fellow wishes to raise a complaint regarding conduct which may be considered bullying or harassment, they should raise a complaint under Ordinance G – Grievance Procedure.
3. A complaint of bullying or harassment shall, subject to any overriding legal requirements, be dealt with in confidence. In particular, all parties shall maintain appropriate confidentiality throughout, and shall not disclose confidential matters without the consent of the other parties.

### **IX - Removal of an Honorary Fellow**

1. This Ordinance shall apply to:
  - i. Honorary Fellows;
  - ii. Benefactor Fellows
  - iii. Winston Churchill Fellows.
2. If the Council has reason to believe that an honorary Fellow has been guilty of disgraceful conduct, or that continued association with that honorary Fellow would bring the College into disrepute, it shall carry out a full investigation during which the honorary Fellow shall have a right to state their case. Notwithstanding any provision of any Statutes or of any Ordinance as to the tenure of an honorary Fellowship, the Governing Body shall have the power by vote, in which three-quarters of the number of its members who are present and voting concur, to deprive them of the honorary Fellowship.
3. A person deprived of their title shall have a right of appeal to the Visitor.

## **X - Procedure for Removal of a Member of the College**

1. Any member of the College, other than the Master, a Fellow, By-Fellow, honorific Fellows, or Student, may be deprived of their membership in accordance with such procedures as are made in Regulations.

## **XI - Conduct of Students**

1. Students of the College shall conform to the Statutes, Ordinances and Regulations of the University and of the College. They shall also conform to such orders or procedures for the good governance of the College and the academic progress of students as shall be made from time to time with the authority of the Council or any notice issued by an Office holder or other person in authority in the College.
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 below then penalties may be imposed in accordance with Ordinances.
3. Without prejudice to the generality of clause 1, every student at the College shall be responsible for:
  - (a) their satisfactory academic progress by pursuing diligently relevant opportunities for study and learning under the direction and supervision and with the support of staff of the Collegiate University;
  - (b) their compliance with the standards of conduct and discipline made by the College and the University;
  - (c) their general behaviour as it affects the health, safety or security of:
    - (i) the student **themselves**;
    - (ii) other members or staff of or visitors to the College;
    - (iii) the activities and functions of the College;
    - (iv) any member or member of staff of the University;
  - (d) assisting other members or staff of the College when reasonably requested to do so;
  - (e) showing due respect to all persons having authority in the College when exercising such authority.
4. Penalties which may be imposed under clause 2 shall include, but shall not be limited to:
  - (a) suspension or removal from a Scholarship or Studentship;
  - (b) permanent or temporary exclusion from residence in the College, which may extend to exclusion from residence in the precincts of the University, such that a student shall or may not be in standing to complete their examinations and course of study or be admitted to any degree.
5. In accordance with procedures made in Ordinances or Regulations:
  - (a) inquiries may be made into the academic progress, or conduct, discipline and behaviour, of students of the College; and, where appropriate,
  - (b) action may be taken, including the imposition of penalties under sections 1-2.



6. Ordinances or Regulations made under sections 1-3 shall provide for a student whose academic progress or other conduct is the subject of formal University or College proceedings:
  - (a) to be given proper notice of any questions or issues to be decided and a fair opportunity to participate in the proceedings;
  - (b) to attend any hearing in person and to be accompanied by a representative or other person;
  - (c) to appeal against an initial decision, by application to an appropriate body.

## **XII - Academic Progress of Students**

1. Students in residence shall be required to present themselves at University or College examinations each year if there are examinations appropriate to their course. Any student failing to progress shall be withdrawn from their course unless progression is granted through an appropriate University body.
2. For the purposes of Statute XXIX, students shall be deemed to have made insufficient academic progress if:
  - (a) having taken University or College examinations appropriate to their course, they have not been classed, or have not passed unclassified examinations; or
  - (b) when their Director of Studies considers that they are making unsatisfactory use of teaching and learning facilities provided by the University and the College; or
  - (c) in the case of Postgraduate Students in residence who are undertaking a supervised course leading to a PhD or other higher degree, if the course supervisor has notified the College, either directly or through the Board of Graduate Studies, that they are making insufficient academic progress.
3. Students in residence who have been required to be present at University but who are not deemed under clause 2(a) to have made sufficient progress in their studies shall be withdrawn from their course.
4. Students sent out of residence under the provision of clause 3 may appeal against being sent out of residence by giving written notice to the Senior Tutor within seven days of the publication of their examination result. The written notice should include a statement of the grounds for progression. Any case shall be heard by an appropriate University body.
5. In the case of students in residence who are deemed under clause 2(b) or 2(c) to have made insufficient academic progress, the Tutorial Committee shall have power to impose such conditions and penalties as it sees appropriate including, in addition to lesser penalties:
  - (a) suspension or deprivation of membership of the College;
  - (b) temporary or permanent sending out of residence;
  - (c) deprivation of any award or of its emoluments.
6. Students upon whom penalties have been imposed under the provisions of clause 5 may appeal against those penalties by giving written notice to the Senior Tutor within two weeks of the imposition of the penalties by the Tutorial Committee. The written notice should include a

statement of the grounds for the appeal. Their appeal shall be heard by the Student Appeals Committee or by an appropriate University Body.

### **XIII - Discipline of Students**

1. If it appears to the Dean that a student has breached any provision of Statutes, Ordinances or Regulations other than a provision concerning the academic progress of students, or has otherwise committed a breach of discipline, they shall enquire into the matter. If the Dean concludes that the student is or has been at fault the Dean may impose a fine not exceeding the current limit as determined by Council or such other penalty as deemed appropriate. Such other penalty shall not include:
  - (a) suspension or deprivation of membership of the College;
  - (b) temporary or permanent sending out of residence;
  - (c) deprivation of any award or its emoluments.
2. The Dean may refer any apparent breach of discipline to the Board of Student Discipline. Breaches of discipline which might warrant penalties not within the Dean's power to impose shall be referred to the Board of Student Discipline.

#### *Student Disciplinary Investigations and Hearings*

3. Where a breach of discipline has occurred that is serious enough potentially to warrant a sanction more serious than a fine, community service or a curfew, or where the breach of discipline in question might in the judgement of the Senior Tutor constitute a criminal offence, the following investigative and disciplinary procedure should be followed. Where appropriate, the breach shall be reported to an appropriate University body. If a University process is started, the College process shall cease.
4. The Senior Tutor should take advice in respect of the criminal law from a lawyer, a serving or recently retired police officer, or another appropriate person.
5. The alleged offence should be investigated by an Investigator appointed by the Senior Tutor. The role of the Investigator is to ascertain the facts by interviewing the complainant, respondent and any witnesses, or by other reasonable means.
6. Any accused student summoned to meet with the Investigator as part of such an investigation should be informed of the nature of the accusation against them at least forty-eight hours ahead of any meeting and should be accompanied by their Tutor, another Tutor acting as a deputy, or a supporter, with the agreement of the accused student.
7. The role of the Tutor or supporter is to provide welfare support and general guidance to the accused student.
8. The Investigator shall report their findings in writing to the Senior Tutor, usually within ten working days of completing their investigations.
9. The Senior Tutor shall decide, taking into account the view of the victim where a victim can be identified, whether the matter should be reported to the police, subject to a disciplinary hearing conducted by the Dean or the Board of Student Discipline, or, in rare cases where there is little or no ground to support a case, dismissed. Matters shall not ordinarily be

reported to the police without the complainant's consent, unless there are overriding concerns about welfare, safeguarding or public safety or where a report is legally required to be made.

10. The Dean shall write to the accused student detailing the alleged offence at least forty-eight hours before any disciplinary hearing to which the student is summoned. The letter shall be copied to the student's Tutor.
11. At the hearing the accused student should be accompanied by their Tutor or another Tutor acting as a deputy with the agreement of the accused student.
12. As in clause 7 above, the role of the Tutor is to provide welfare support and general guidance to the accused student, rather than necessarily to act as advocate.
13. In cases that might at some later stage result in a criminal trial, the Tutor should not assist the student in preparing any statement in their defence. Instead, the Tutor should direct the accused student to appropriate sources of professional guidance and support.
14. If the Dean finds against the accused student, a decision shall be taken on an appropriate punishment, taking advice where necessary from the Senior Tutor and/or other suitable people. Such advice should be obtained under conditions of strict confidentiality.
15. Neither the Senior Tutor nor the Dean should discuss the case with the accused student's Tutor until after the disciplinary process, including any appeal, has been completed, save that they may ask about the student's circumstances before any sanction or punishment is decided upon.
16. In cases where the evidence or circumstances do not allow a disciplinary hearing to proceed, but where, in the judgement of the Senior Tutor, it is in the interests of the claimant and/or the accused student to be separated from one another, such a separation shall be ordained by the College in the interests of the parties on a 'non-fault' basis.
17. Breaches of any such separation may be actionable under the College's disciplinary code.
18. In cases where a criminal investigation begins while a College investigation is in train, the College investigation should ordinarily be suspended.
19. Under such circumstances the protocol outlined in clause 13 above should apply.
20. Cases of sexual harassment or sexual misconduct shall ordinarily be dealt with under the University's harassment and sexual misconduct procedures and shall normally be forwarded to the University's Office of Student Conduct, Complaints and Appeals.

#### *Board of Student Discipline*

21. The Council shall each year appoint four Members of Governing Body who are Fellows to serve as members of the Board of Student Discipline, one of whom the Council shall appoint as Chair. No Member of the Governing Body, other than the Chair, shall serve for more than three years continuously. Where any casual vacancy occurs, the Council shall at its next meeting appoint a Member of the Governing Body to serve for the remainder of the term vacated.
22. Three students shall serve as members on the Board of Student Discipline. These shall consist of two members elected from the Undergraduate Students and one member elected from the Postgraduate Students, according to election procedures agreed by the Council. Where any

casual vacancy occurs, an election shall be held as soon as practicable according to the same procedures.

23. The following shall be ineligible for membership of the Board: *ex officio* members of the Council, the Senior Tutor, Senior Postgraduate Tutor, the Dean, the Tutors and members of the Student Appeals Committee.
24. If a member of the Board ceases to have the qualifying status as a Member of the Governing Body, as an Undergraduate Student, or as a Postgraduate Student, or becomes ineligible in accordance with clause 21 above, that member shall thereupon cease to be a member of the Board.
25. No member of the Board may participate in matters where that member has a personal interest or where they have an actual or perceived conflict of interest. The Vice-Master shall advise the Board on what constitutes such an interest and where the Vice-Master is conflicted, an unconflicted Member of Governing Body who is a Fellow shall be co-opted.
26. Where, for the purposes of a case referred to the Board of Student Discipline, any member of the Board is disqualified under clause 23 above, or is unwilling to attend for other than practical reasons, or there is currently a vacancy on the Committee, the Master shall use their best endeavours to appoint *ad hoc* an appropriate alternate member, and if necessary shall appoint an alternate Chair from those members who are Fellows. An *ad hoc* member shall satisfy the conditions of eligibility for membership of the Board.
27. Except as specified herein at least three Fellows and two student members shall be present at any hearing by the Board, and where the hearing concerns a Postgraduate Student one of the two student members shall be the Postgraduate Student member. Where the Master's best endeavours to appoint one or more alternate members under clause 23 are unsuccessful, and fewer than three Members of the Governing Body and/or fewer than two relevant student members are available to hear an appeal, the Board shall nevertheless be deemed to be properly constituted, provided that no hearing shall take place unless at least three members are present.
28. The fact that a student has been or is liable to be prosecuted in a court of law in respect of the alleged breach under [Ordinance C.XI](#), shall not affect the jurisdiction and powers of the Board.
29. Where a case is referred to the Board of Student Discipline the Chair shall call a meeting as soon as practicable to hear the case.
30. The Board shall have power in appropriate circumstances and under the Guidance on Joint Disciplinary Proceedings to hear cases against two or more students at the same hearing.
31. The Vice-Master or a deputy appointed by the Vice-Master shall attend all meetings of the Board and take a proper note of its proceedings and decisions.
32. The student shall be entitled to be present at the hearing and to be represented before the Board by another person who may but need not be the student's Tutor and, whether or not so represented, the student may be accompanied by another person who is not a witness in the proceedings.
33. The Board shall hear statements from the Dean and from, or on behalf of, the student. It shall have power to call for any person to give evidence and for any written evidence it deems relevant.

34. The Chair of the Board shall formulate the issues to be determined. Decisions of the Board shall be taken by a simple majority of those voting on a paper vote. In the event of equality of votes the Chair shall have a second, or casting, vote.
35. Where the Board finds that the student is or has been at fault it shall have power to impose such penalty as it sees appropriate, including those that are outside the power of the Dean.
36. The Vice-Master, or appointed deputy, shall send a copy of the document recording the decisions of the Board, and written notice of the student's rights of appeal under Ordinance C.XIV, to the student concerned, the student's Tutor, the Senior Tutor, the Dean and the Chair of the Student Appeals Committee.

#### **XIV - Student Appeals**

1. Where a student is found to be at fault, either by the Dean or by the Board of Student Discipline, the student may appeal against the finding, and/or the penalty, if any, to the Student Appeals Committee by giving written notice to the Senior Tutor within seven days of the decision.

2. There shall be a Student Appeals Committee

##### *Constitution*

3. The Governing Body shall, at the Statutory Meeting held in the Michaelmas Term, elect six Members of Governing Body who are Fellows, one of whom it shall appoint as Chair, to serve on the Student Appeals Committee for the following calendar year. No Member of the Governing Body shall serve for more than three years continuously. Nominations shall be made to the Secretary of the Governing Body by the Division of the Michaelmas Term. If there are fewer than six nominations the Council shall make further nominations to bring the number up to six. Where any casual vacancy occurs, the Governing Body shall, at its next meeting, elect a Member of the Governing Body who is a Fellow to serve for the remainder of the term vacated.
4. Three students shall serve as members on the Student Disciplinary Appeals Committee. These shall consist of two members elected from the Undergraduate Students and one member elected from the Postgraduate Students according to procedures agreed by the Council. Where any casual vacancy occurs, an election shall be held as soon as practicable according to the same procedures.
5. No Tutor, nor the Dean, nor any member of the Board of Student Discipline, nor any *ex officio* Member of the Council shall be eligible to serve.
6. If a member of the Student Appeals Committee ceases to have the qualifying status as a Member of the Governing Body, as an Undergraduate Student, or as a Postgraduate Student, or becomes ineligible in accordance with clause 3 above, that member shall thereupon cease to be a member of the Student Appeals Committee.
7. No member of the Student Appeals Committee may participate in matters where that member has a personal interest. The Vice-Master shall advise the Student Disciplinary Appeals Committee on what constitutes such an interest.
8. Where, for the purposes of an appeal commenced by written notice under clause 1, any member of the Student Disciplinary Appeals Committee is disqualified under clause 5 above, or

is unwilling to attend for other than practical reasons, or there is currently a vacancy on the Committee, the Master shall use their best endeavours to appoint *ad hoc* an appropriate alternate member, and if necessary shall appoint an alternate Chair from those members who are Fellows. An *ad hoc* member shall satisfy the conditions of eligibility for membership of the Student Disciplinary Appeals Committee.

9. Except as specified herein at least three Fellows and two student members shall be present at any hearing by the Student Disciplinary Appeals Committee, and where the appeal concerns a Postgraduate Student, one of the two student members shall be the Postgraduate Students member. Where the Master's best endeavours to appoint one or more alternate members under clause 6 are unsuccessful, and fewer than three Members of the Governing Body who are Fellows and/or fewer than two relevant student members are available to hear an appeal, the Student Appeals Committee shall nevertheless be deemed to be properly constituted, provided that no hearing shall take place unless at least three members are present.
10. Where the Senior Tutor receives written notice of appeal in accordance with clause 1, they shall inform the Chair of the Student Appeals Committee who shall call a meeting as soon as practicable to hear the Appeal, unless either
  - (a) in the Chair's opinion, the appellant's Notice discloses no serious grounds of appeal in which case the Chair may summarily dismiss the appeal without hearing; or
  - (b) in the Chair's opinion, after consultation with the Chair of the Board of Student Discipline or the Tutorial Committee as appropriate, there is fresh evidence that would merit the case being heard afresh.
11. The Vice-Master or a deputy appointed by the Vice-Master shall attend all meetings of the Student Disciplinary Appeals Committee and take a proper note of its proceedings and decisions.
12. Decisions of the Student Disciplinary Appeals Committee shall be taken by a simple majority of those voting on a paper vote. In the event of equality of votes the Chair shall have a second, or casting, vote. Any decision of the Student Disciplinary Appeals Committee shall be final.
13. The student shall be entitled to be present at the hearing of the appeal and to be represented by another person who may but need not be the student's Tutor.

#### *Jurisdiction and Procedure*

14. The fact that a student has been or is liable to be prosecuted in a court of law in respect of an alleged breach of discipline under [Ordinance C.XI](#) shall not affect the jurisdiction and powers of the Student Disciplinary Appeals Committee. The Committee shall have power in appropriate circumstances and under the Guidance on Joint Disciplinary Proceedings to hear jointly appeals by two or more students.
15. An appeal against a decision of the Dean or Board of Student Discipline to the Student Appeals Committee may be made only on one or more of the following grounds:
  - (a) that there has been a material breach of the procedures laid down in Ordinance C.XIII;
  - (b) that the finding of fault was not based on reasonable grounds;
  - (c) that the penalty imposed under is unreasonable in the circumstances;

- (d) that there is fresh evidence, material either to the finding of fault and/or to the penalty imposed, which was not reasonably available for presentation to the Dean or Board of Student Discipline at the time when the relevant decision being appealed was reached.
  - 16. The written notice of appeal (clause 1) shall specify the ground(s) of appeal, including as necessary the nature of the alleged breach of procedure; the respects in which it is claimed that the finding of fault was not based on reasonable grounds; the respects in which it is claimed that the penalty imposed is unreasonable in the circumstances; the nature of the fresh evidence, the respects in which it is material and the grounds qualifying it to be heard in the appeal.
  - 17. Where, under clauses 5(d) and 6, the student making the appeal seeks to present fresh evidence to the Committee it shall not admit any such evidence which, in its opinion, fails to satisfy the requirements laid down.
  - 18. The Student Appeals Committee shall hear statements:
    - (a) from the Dean;
    - (b) where the appeal is from a decision of the Board of Student Discipline, from the Chair of the Board; and
    - (c) from, or on behalf of, the student making the appeal.
- The Committee shall hear such fresh evidence, if any, as is not inadmissible under clause 15. The Committee shall have power to call for any person who gave evidence before the Dean or Board of Student Discipline to give evidence in the appeal, and to call for any written evidence which was presented to the Dean or Board of Student Discipline.
- 19. The Chair of the Student Appeals Committee shall formulate the issues to be determined in the appeal and shall not be bound by the formulation of the issues made by the Dean or the Chair of the Board of Student Discipline in reaching the decision(s) being appealed.
  - 20. Where the Student Appeals Committee finds that the student is or has been at fault it shall have power to impose such penalty as it sees fit within the range of penalties available to the Board of Student Discipline. In particular, the Student Appeals Committee may confirm any penalty imposed by the Dean or Board of Student Discipline, to impose a penalty where no penalty has been imposed and to substitute a lower or higher penalty.
  - 21. The Vice-Master or appointed deputy shall send a copy of the document recording the decision(s) of the Student Appeals Committee to the student concerned, the student's Tutor, the Senior Tutor, the Dean and the Chair of the Board of Student Discipline.

## **D - Finance and Remuneration**

### **I –Donations**

1. The College shall have power to accept donations for any purposes in furtherance of the purposes 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.

#### *Status and Purposes of Donations*

2. Procedures relating to the allocation of donations shall be set out in Regulations.
3. Where there is no conclusive formal written evidence of a donor's intention, the Council shall allocate the gift or donation to an appropriate fund, taking into account the following factors:
  - (a) any correspondence, or any record of conversations, between the College and the donor or on their behalf;
  - (b) the terms of any public appeal in response to which the donation was given;
  - (c) the nature of the property that is the subject matter of the gift;
  - (d) the value of the gift in relation to the potential annual expenditure on the relevant purposes, such that the higher the relative value of the gift the more appropriate it would be to treat it as expendable endowment rather than income;
  - (e) the value of the gift in relation to the annual income or assets of the College, such that the higher the relative value of the gift the more appropriate it would be to treat it as expendable endowment rather than income.

Any decision made under this clause shall be final.

4. In the absence of any evidence relevant to the application of clauses [d] or [e], a donation shall be treated as a gift of income for general charitable purposes.

#### *Financial Regulations*

5. The College shall maintain financial regulations governing financial transactions, the establishment of Funds with particular objectives, and procedures for the management of assets.

#### *Cy-près Policy*

6. The College shall at all times seek to ensure the effective use of all trust funds in furtherance of the College's charitable purposes and, accordingly, may at any time take steps to enable the application of any fund *cy-près*. For these purposes, the College shall have regard to any relevant guidance issued from time to time by the Cambridge Office of Intercollegiate Services, or other successor body.



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

1. The Council may appropriate for expenditure for the purposes of such a fund as is mentioned in Statute XIX.7, 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.
2. Any surplus income of a fund of which the College or Office holder of the College is trustee may at the discretion of the 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.
3. In this Ordinance:
  - (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.
4. Any reference in the Statutes to the income of the College shall include the total sums appropriated in accordance with section 3 of this Ordinance.
5. Procedures for the management of amalgamated funds shall be set out in financial Regulations.

### *Investment Policy and Committee*

6. The Council shall determine the investment policy and shall appoint an Investment 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.
7. The Investment Committee shall report annually to the Council and the Governing Body on the assets held by the College, the financial performance of those assets and any changes.
8. The Terms of Reference of the Committee shall be set out in Regulations.

## **III- Financial Management**

### *Accounts*

1. Subject to the University Statutes and the regulations of the Charity Commission, the Accounts shall be kept in such form as the Council 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.

### *Audit*

3. The auditors shall give such certificates as are required by the University Statutes and Charity Commission in respect of the accounts and sign the same or shall state to the Council their reasons for withholding the certificates.
4. The Council shall receive the auditors' reports and approve the Statutory College Accounts.
5. There shall be an Audit and Risk Committee of the College, which shall be a standing committee appointed by the Governing Body. The terms of reference should be set out in Regulations, provided that no person who carries out substantial executive functions for the College shall be a member of the Committee and the Chair shall not be a Fellow or member of staff of the College.

The Audit Committee shall be responsible for providing independent and objective regulation of College governance and activities in regard to:

- (a) accounting policy and practice;
  - (b) internal systems of financial and other control, including procedures for risk management;
  - (c) compliance with relevant external legal and regulatory requirements.
6. The Audit Committee shall also be responsible for ensuring and overseeing:
  - (a) the appointment of the external Auditors and the conduct of the annual audit of the College Accounts;
  - (b) the independent investigation of any internal disclosure which is made in the public interest alleging malpractice by the College in the conduct of its activities ('whistleblowing').
7. At least one week before an appointed 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 statement of the remuneration of College Offices.
8. 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, and to the Charity Commission.

### *Contribution to the University*

9. The College shall make such financial contribution to, and for the purposes of, the University as may be required under the Statutes of the University from time to time. Any trust of the

College which is required to be taken into account in the calculation of any contribution shall bear its own share thereof, paid out of income attributable to such trust.

#### *Planning and Resources*

10. The Council shall establish appropriate committees and processes for:
  - (a) determining financial policies, practices and management;
  - (b) planning and resource allocation within the College; and
  - (c) the management, maintenance and development of the College estate and buildings.

#### *Fees, Charges and Fines*

11. In accordance with Statute VI.15.k, the Council shall have power to levy fees and other charges, and to impose fines, on any member of the College, in connection with any purpose or purposes or activity of the College. A fine may only be imposed in accordance with a relevant Ordinance or Regulation which specifies the maximum amount of the fine.

### **IV - Grants and Awards to Students**

#### *Scholarships*

1. Scholars may be elected in accordance with Regulations 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, except in the case of those elected Scholars for their final year results, who will not return to residence.
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 their studies, may be deprived by the Council of the title of Scholar and of the benefits of the Scholarship.

#### *Bursaries and Studentships*

6. The Council shall have power to establish Bursaries and Studentships for the encouragement of study or research in any branch of learning by Undergraduate or Postgraduate 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.

## **V - Remuneration and Benefits**

### *Remuneration Committee*

1. Pursuant to Chapter I,1, there shall be a Remuneration Committee, which shall be a standing committee appointed by the Council. The Committee shall include an appropriate number of independent members, each of whom is either:
  - (a) an external member, being a person who holds no employment or any Office or Academic Post or other post or appointment with the College, and is not in law a related party to any person who holds such employment or other position; or
  - (b) a person who receives, and any party connected to that person receives, only such remuneration or other benefit from the College, in nature or amount, as is not material to their functions as a member of the Committee.
2. The Remuneration Committee shall, in accordance with procedures made in Regulations:
  - (a) be charged with the scrutiny and management of College policies on remuneration and benefits payable to the Master and Fellows of the College, including the Trustees;
  - (b) make recommendations to Council regarding the remuneration and benefits payable to the Master and Fellows of the College, including the Trustees;
  - (c) have power to set limits binding on the Council concerning the remuneration or benefits payable under such policies and procedures.

### *Superannuation Schemes and Pensions*

3. The College shall participate in the Universities Superannuation Scheme (USS) and such other schemes as the Council shall from time to time determine are appropriate.

4. 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.
5. The Council shall have the power to make Regulations concerning the provisions of supplementary pensions.

## **VI - Student Finance**

1. Further to Ordinance D.III,11 every student of the College shall be liable annually for the payment of their tuition fees, academic fees and non-academic fees, in accordance with this Ordinance and Regulations made hereunder; and in fulfilment of their offer of admission shall submit a financial undertaking to meet such liability.