

## Statute I\*

Any reference in these Statutes to the feminine gender shall be taken to include the masculine and any reference to the masculine gender shall be taken to include the feminine.

### **I. THE GOVERNING BODY**

1. The Governing Body shall consist of the Principal and all the Official Fellows, Professorial Fellows, Senior Research Fellows and Additional Fellows of the College.
2. There shall be at least one stated Meeting of the Governing Body in every term.
3. The Governing Body shall have such powers as are conferred on it by the Charter and shall subject thereto and to these Statutes have the entire direction and management of the affairs of the College.
4. The Principal shall be ex-officio Chairman of the Governing Body.
5. The Governing Body shall appoint the Principal, Fellows, Tutors, Lecturers, Librarian and such administrative and other Officers as the Governing Body may from time to time think necessary.
6. The Governing Body may appoint Committees and delegate to them such powers as it may think fit.
7. Every Member of the Governing Body shall have one vote only, but in the case of an equality of votes the Chairman shall have a second or casting vote. Votes must in all cases be given personally and not by proxy.
8. The Governing Body shall provide for the safe custody of the Common Seal and muniments of the College.
9. The Common Seal shall not be affixed to any instrument except in the presence of two Members of the Governing Body and in pursuance of an express resolution of the Governing Body or of a direction under Article X of the Scheme for administering certain funds of the College under Section 2 of the Universities and Colleges (Trusts) Act, 1943, adopted on 30 October 1948.
10. All acts done by the Governing Body shall notwithstanding that it be afterwards discovered that there was some defect in the appointment of any Member thereof, or that any Member was disqualified, be as valid as if every such person had been duly appointed and was qualified to be a Member of the Governing Body.
11. The Governing Body shall appoint a Secretary to the Governing Body who shall keep a record of its proceedings, issue notices of its meetings, and conduct such

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\* As amended by Orders in Council dated 25 July 1974, 19 January 1976, 21 December 1977, 31 July 1985, 5 November 1986.

correspondence as the performance of these duties shall require, and perform such other duties as may be assigned to the office by the Governing Body.

12. Contracts on behalf of the College may be made as follows:

- (a) a contract which if made between private persons would be by law required to be in writing, and if made according to English law to be under seal, may be made on behalf of the College in writing under the Common Seal of the College;
- (b) a contract which if made between private persons would be by law required to be in writing, signed by the parties to be charged therewith, may be made on behalf of the College in writing signed by any person acting under its authority;
- (c) a contract which if made between private persons would by law be valid although made by parol only, and not reduced into writing, may be made by parol on behalf of the College by any person acting under its authority;
- (d) a contract made according to this Statute may be varied or discharged in the same manner in which it is authorised by this Statute to be made.

## II. THE PRINCIPAL

1. The Principal shall be a University graduate.
2. The Governing Body shall appoint to the office of Principal the person, qualified for the office as aforesaid, who in its judgement is most fit to be Principal of the College, as a place of religion, learning, and education.
3. The salary and other emoluments of the Principal shall be determined by the Governing Body at the time of her appointment. She shall be entitled to residence on College premises free of rent throughout the year.
4. Subject to the provisions of Statute VII the Principal shall not continue to hold office after the 31 July immediately preceding her 66<sup>th</sup> birthday, provided that the Governing Body may at a stated meeting by the votes of not less than two-thirds of those present and voting prolong her tenure for a further period not exceeding three years.
5. The Principal shall perform such duties as are or may be from time to time required of her by the Statutes of the University and the Statutes and Bylaws of the College. She shall exercise a general superintendence over the College in all its departments, and see that the Statutes and Bylaws of the College are observed. She shall have power, subject to the Bylaws of the College, (a) to admit students; (b) to make regulations for members of the College *in statu pupillari*, and to enforce the observance of such regulations by penalties.
6. The Principal shall reside in College for not less than seven calendar months in each academical year, of which not less than eighteen weeks shall be in full Term, unless special leave of absence for illness or other reasonable cause shall be granted by the Governing Body.
7. As soon as may be after the appointment a Member of the Governing Body deputed for that purpose shall present the Principal to the Visitor, and shall deliver to the Visitor, a letter under the College Seal announcing the appointment. The Principal shall in the presence of the Visitor and of the Member of the Governing Body so deputed make a declaration that she will faithfully perform the duties of her office and observe the Statutes and Bylaws of the College in force for the time being. The Visitor shall deliver to the Principal a written notification that this declaration has been made and the Principal shall at the earliest opportunity read this notification to the Governing Body.

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\* As amended by Orders in Council dated 4 February 1970, 25 July 1974, 21 December 1977, 17 February 1988, 5 February 1991.

### III. THE VICE-PRINCIPAL

1. The Governing Body shall appoint a Vice-Principal from among the Official Fellows for such period as the Governing Body may determine, provided that if at any time she ceases to be an Official Fellow, she shall cease to be Vice-Principal.
2. Unless the Governing Body shall determine otherwise, the Vice-Principal shall during the Principal's absence or incapacity through illness, or during a vacancy in the office of Principal, perform the duties of the Principal.
3. The further duties and the emoluments of the Vice-Principal shall be determined by the Governing Body at the time of her appointment.
4. The Vice-Principal shall be required, unless the Governing Body otherwise determine, to reside within the College during full Term.

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\* As amended by Order in Council dated 3 August 1965.

#### IV. THE FELLOWS

1. There shall be the following classes of Fellows, namely those holding:

(i) *Official Fellowships* tenable by:

(a) All those appointed to the office of Tutor for as long as they hold their appointment.

(b) The principal Administrative Officer of the College for so long as she holds her appointment.

(c) Lecturers and Administrative Officers who have held office for not less than one year and who are elected to a Fellowship by the Governing Body by a vote of not less than two-thirds of those present and voting.

Every official Fellow shall be a graduate of some University.

An Official Fellow, who at the time of her election is a Bachelor of Arts in the University shall be required, as a condition of retaining her Fellowship, to proceed to the Degree of Master of Arts within a reasonable time to be fixed by the Governing Body.

Every Official Fellow shall be a Probationary Fellow during the first year of her Fellowship, and this probationary period may be renewed for a second year.

(ii) *Professorial Fellowships* which shall be held by any person who is the holder of a Professorship allocated to the College by the Hebdomadal Council. Such a Professorial Fellow may be offered accommodation in the College upon such conditions as may be laid down by the Governing Body. The Governing Body may also elect by a vote of not less than two-thirds of those present and voting any person who holds the office of Professor or Reader in the University, or any other office which by University Statute or Decree qualifies the holder thereof for election to a Professorial Fellowship.

A Professorial Fellow shall vacate her Fellowship if she ceases to hold the office in respect of which she was elected, and may be deprived of her Fellowship for the same cause and in the same manner as an Official Fellow.

A Professorial Fellow shall not be entitled to any stipend from the College in respect of her Fellowship, but she shall be entitled to meals free of charge when the College is open.

(iii) *Senior Research Fellowships* to which the Governing Body may elect any person who in its opinion is qualified to undertake some definite piece of research or pursue some branch of higher study.

If at any time a Senior Research Fellow shall be judged by the Governing Body to have ceased to carry out her obligations, she shall thereupon vacate her Fellowship.

The Conditions of a Senior Research Fellowship shall be determined at the time of her appointment by the Governing Body which shall also have power to assign to a Senior Research Fellow rooms in the College free of rent and with or without maintenance.

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\* As amended by Orders in Council dated 3 August 1965, 4 February 1970, 25 July 1974, 19 January 1976, 21 December 1977, 13 February 1985, 5 November 1986, 17 February 1988, 5 February 1991, 10 March 1993.

Every Senior Research Fellow shall be a Probationary Fellow during the first year of her Fellowship, unless the Governing Body otherwise determine at the time of her election.

A Senior Research Fellow shall be appointed for a period of not more than five years which shall be renewable. No Senior Research Fellow elected before 15<sup>th</sup> March 1988 shall continue to hold office after the 30<sup>th</sup> September immediately preceding her 68<sup>th</sup> birthday and no Senior Research Fellow elected thereafter shall continue to hold office after the 30<sup>th</sup> September immediately preceding her 66<sup>th</sup> birthday, provided that a Senior Research Fellow who at 1<sup>st</sup> July 1985 held an appointment (whether or not of the College) with an entitlement to hold office until at least her 67<sup>th</sup> birthday (or who then held an appointment to which she was appointed on the basis that if subsequently reappointed she would be entitled to hold office until at least that age), and who continuously thereafter shall have held an appointment or appointments with such entitlements, shall not continue to hold office after the 30<sup>th</sup> September immediately preceding her 68<sup>th</sup> birthday; and for the purposes of this provision, (a) in determining whether such appointments have been held continuously, any interval between a successful application for, and the taking up of, an appointment shall be disregarded; and (b) appointments accepted by, but not taken up until after, 1<sup>st</sup> July 1985 shall be deemed to be held at that date.

(iv) *Junior Research Fellowships* to which the Governing Body may elect, for a period of three years which may be extended but which shall not exceed six years in all, a graduate who at the time of her being first elected has not exceeded the thirtieth term from her matriculation and who shows aptitude for research.

The duration and emoluments of a Junior Research Fellowship shall be determined by the Governing Body, which shall also have power to assign to a Junior Research Fellow rooms in College free of rent and with or without maintenance.

(v) *Additional Fellowships* to which the Governing Body may elect by a vote of not less than two-thirds of those present and voting any person holding a University Lecturership or a University Demonstratorship but not holding a teaching or administrative post in the College or any person who has attained distinction in public life or in scholarship and that the Fellowships be non-stipendiary. The duration of an Additional Fellowship shall be determined by the Governing Body at the time of appointment. Every Additional Fellow shall be a Probationary Fellow during the first year of her Fellowship, unless the Governing Body otherwise determine at the time of her election. No Additional Fellow elected before 15<sup>th</sup> March 1988 shall continue to hold office after the 30<sup>th</sup> September immediately preceding her 68<sup>th</sup> birthday and no Additional Fellow elected thereafter shall continue to hold office after the 30<sup>th</sup> September immediately preceding her 66<sup>th</sup> birthday, provided that an Additional Fellow who at 1<sup>st</sup> July 1985 held an appointment (whether or not of the College) with entitlement to hold office until at least her 67<sup>th</sup> birthday (or who then held an appointment to which she was appointed on the basis that if subsequently reappointed she would be entitled to hold office until at least that age), and who continuously thereafter shall have held an appointment or appointments with such entitlement, shall not continue to hold office after the 30<sup>th</sup> September immediately preceding her 68<sup>th</sup> birthday; and for the purposes of this provision, (a) in determining whether such appointments have been held continuously, any interval between a successful application for, and the taking up of, an appointment shall be disregarded; and (b)

appointments accepted by, but not taken up until after, 1<sup>st</sup> July 1985 shall be deemed to be held at that date.

(vi) *Emeritus Fellowships* to which the College may elect by a vote of not less than two-thirds of those present and voting any person who has retired after not less than 15 years of service as an Official Fellow of the College.

(vii) *Visiting Fellowships* to which the Governing Body may elect by a vote of not less than two-thirds of those present and voting any person in public or professional life or any scholar who in its opinion is qualified to undertake some definite piece of research or to pursue some branch of higher study, such research or study to be carried out in Oxford.

A Visiting Fellow shall be appointed for a period of up to twelve months, which may be renewable for a further period, the total tenure of the Fellowship not to exceed twenty-four months.

The conditions of a Visiting Fellowship shall be determined by the Governing Body at the time of the appointment.

(viii) *Schoolteacher Fellowships* to which the Governing Body may elect members of the teaching profession. The duration and conditions of a Schoolteacher Fellowship shall be determined at the time of the appointment.

2. There shall not at any one time be more than a total of six Senior Research Fellows and Additional Fellows considered together.

3. Every Fellow shall upon admission make a declaration in the presence of the Principal and the Governing Body to the effect that she will be true and faithful to the College, will observe its Statutes and Bylaws in force for the time being, and will endeavour to promote its interests and studies.

4. Any Fellow other than an Emeritus Fellow or Honorary Fellow who shall accept a Fellowship other than an Honorary Fellowship in another College, or who shall be appointed to the office of Head of a College, shall vacate her Fellowship.

5. Before an election takes place to a Fellowship, the duties of which include teaching, the College shall consult the board or boards of the appropriate faculty or faculties, or the appropriate board or boards of studies of the University.

Statute V\*

## V. HONORARY FELLOWS

The Governing Body may elect to Honorary Fellowships with such privileges as the Governing Body may decide, persons who have attained distinction in Science, Literature or Art, or in a learned profession or in public life, or persons who have rendered signal services to the College. Such election shall be by a vote of not less than two-thirds of those present and voting.

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\* As amended by Order in Council dated 21 December 1977.



## VI. OFFICERS OF THE COLLEGE

### A. TUTORS

1. The appointment or reappointment of Tutors shall be made by the Governing Body on the report of a Committee. The duties, salaries, and other emoluments of a Tutor, except in so far as they may have been defined by the Statutes and Bylaws of the College, shall be determined by the Governing Body at the time of her appointment.

2. A Tutor shall be appointed in the first instance for one year. During this year she shall hold a Probationary Official Fellowship which together with the tutorship may be renewed for a second year. After the expiration of either the first or second probationary year she may be confirmed in her Official Fellowship and be reappointed as a Tutor for a period not exceeding five years from the date of the first appointment. A Tutor may thereafter be reappointed for successive periods of not more than seven years in each instance provided that (a) no Tutor elected before 15<sup>th</sup> March 1988 shall continue to hold office after the 30<sup>th</sup> September immediately preceding her 68<sup>th</sup> birthday and no Tutor elected thereafter, except where subsection (b) below applies, shall continue to hold office after the 30<sup>th</sup> September immediately preceding her 66<sup>th</sup> birthday; and (b) a Tutor who at 1<sup>st</sup> July 1985 held an appointment (whether or not of the College) with entitlement to hold office until at least her 67<sup>th</sup> birthday (or who then held an appointment to which she was appointed on the basis that if subsequently reappointed she would be entitled to hold office until at least that age), and who continuously thereafter shall have held an appointment or appointments with such entitlement, shall not continue to hold office after the 30<sup>th</sup> September immediately preceding her 68<sup>th</sup> birthday; and for the purposes of this provision, (i) in determining whether such appointments have been held continuously, any interval between a successful application for, and the taking up of, an appointment shall be disregarded; and (ii) appointments accepted by, but not taken up until after, 1<sup>st</sup> July 1985 shall be deemed to be held at that date.

3. Every Tutor shall reside in College during full Term unless the Governing Body shall give her leave to reside outside the College. A Tutor shall be entitled to rooms free of rent and, except when in the judgement of the Principal domestic arrangements make it impracticable, to maintenance throughout the year, provided that a Tutor who has been given leave to reside outside the College may be assigned such allowances in lieu of rooms and maintenance as the Governing Body shall determine and provided also that the entitlement to rooms may be removed by decision of the Governing Body during periods of leave.

4. If the Governing Body shall resolve not to reappoint a Tutor she shall receive notice thereof not later than six months before the date on which her Tutorship expires, and failing such notice, her appointment shall determine at the end of the term next following that in which her Tutorship would otherwise have expired.

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\* As amended by Orders in Council dated 4 February 1970, 25 July 1974, 19 January 1976, 21 December 1977, 5 November 1986, 17 February 1988, 5 May 1991, 24 April 1996.

5. A Tutor wishing to resign her appointment shall give not less than six calendar months' notice in writing to the Secretary to the Governing Body unless the Governing Body grants a special dispensation from this requirement.

6. A Tutor shall, subject to any Bylaws approved by the Governing Body for the education and discipline of the students, be responsible to the Principal for the direction of the conduct and studies of the pupils assigned to her, and may be required to lecture.

7. There shall be an Education Committee. The Principal and Tutors shall be ex-officio members and other members may be added in accordance with the Bylaws.

#### B. ADMINISTRATIVE OFFICERS

1. The Governing Body shall appoint such Administrative Officers as it may think necessary upon such terms as to duties, tenure and emoluments as it shall from time to time determine.

2. The Governing Body may appoint a Tutor or Lecturer to an Administrative Office.

#### C. LECTURERS

The Governing Body may appoint Lecturers for such period and on such terms as to duties, tenure, and emoluments as it may determine at the time of appointment.

#### D. DEAN

The Governing Body may appoint a Dean for such period and with such emoluments as may be laid down in the Bylaws. She shall be chosen from among the Official Fellows who are also Tutors and shall administer the discipline of members of the College *in statu pupillari* but all matters of serious importance shall be referred to the Principal.

#### E. DEAN OF DEGREES

The Governing Body shall appoint a Dean of Degrees for such period and with such emoluments as may be laid down in the Bylaws. The Dean of Degrees shall be a Fellow of the College and shall present candidates for matriculation and for degrees.

#### F. LIBRARIAN

The Governing Body shall appoint a Librarian, who may be a Tutor or a Lecturer, upon such terms as to duties, tenure and emoluments as it shall from time to time determine.

## VII. LEAVE OF ABSENCE

1. The Governing Body shall grant to every Tutor who may desire it, and shall have made application to the Principal not less than six months beforehand, leave of absence for not more than three terms in every seven years, provided that in the opinion of the Governing Body on each occasion this can be done without detriment to the educational and administrative work of the College; provided further that the first of such vacation terms shall not be granted to any Tutor until the completion of six terms of service from her appointment, the second until completion of twelve terms of service, and the third until completion of eighteen terms of service, and that the salary payable during such periods of absence shall be at the discretion of the Governing Body.

2. The Governing Body may make such regulations as it thinks appropriate for the granting of leave of absence to Administrative Officers who hold Official Fellowships and to other Administrative Officers.

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\* As amended by Orders in Council dated 25 July 1974, 26 July 1995.

### VIII. PENSIONS

1. The College shall co-operate in the Federated Superannuation System for Universities and the terms agreed between the Governing Body of the College and the Central Council of the Federated Superannuation System for Universities shall be embodied in the Bylaws of the College.

2. Notwithstanding Clause 1 above, the Governing Body may adopt the Universities Superannuation Scheme in substitution for the Federated Superannuation System for Universities and make such Bylaws as it may from time to time think fit:

(a) to give effect to such substitution;

(b) to regulate the transition from the said System to the said Scheme; and

(c) for the administration of the said Scheme.

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\* As amended by Order in Council dated 12 February 1975.

## IX. SCHOLARS AND EXHIBITIONERS

1. The Governing Body shall offer in each academical year such number of Scholarships and Exhibitions, and in such subjects, as it may from time to time determine.

Whenever there is no person whom the Governing Body judges to be of sufficient merit for election to a Scholarship or Exhibition, the Governing Body shall be at liberty to make no election.

Emoluments and conditions of tenure shall be determined by the Governing Body from time to time.

2. The Governing Body may by resolution of a stated meeting and in every year determine what sums in addition to any sum provided by trust fund or other special endowments shall be set aside out of the general revenues of the College for the provision of Scholarships and Exhibitions, and shall in each academical year determine the maximum number of Scholarships and Exhibitions to be offered in that year.

3. No Scholar or Exhibitioner shall be entitled to receive the emoluments attached to her Scholarship or Exhibition in any Term in which she shall not have resided for the period required by the University in order to keep that Term in residence: provided that the Governing Body shall have power to pay the whole or any part of her emoluments to a Scholar or Exhibitioner for any Term in which, with the permission of the Governing Body, she is not in residence.

4. If a Scholar or Exhibitioner be in neglect of her studies, the Governing Body may deprive her at any time of her Scholarship or Exhibition, or may suspend the payment of the emoluments thereof.

5. A Scholar or Exhibitioner who voluntarily resigns the emoluments of her Scholarship or Exhibition shall be entitled to retain the status of Scholar or Exhibitioner, and shall still be counted within the total number of Scholars or Exhibitioners determined under Clause 2 of this Statute.

6. The Governing Body may establish Studentships and Senior Scholarships for the encouragement of research or advanced study on such conditions as it shall determine.

7. Nothing in any clause of this Statute shall prevent the award of Scholarships or Exhibitions provided by trust funds or other special endowments from being made subject to the provisions of any relevant trust instrument for the time being in force on such conditions and for such periods as the Governing Body may from time to time determine.

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\* As amended by Orders in Council dated 3 August 1965, 21 December 1977, 5 November 1986.

Statute X

**X. THE CHAPEL**

1. The Services in the Chapel shall be conducted according to the principles of the Church of England.
2. Subject to the licence of the Ordinary when necessary the Principal shall make provision for Services in the Chapel.

## **XI. DISPOSAL OF REVENUES**

1. The application of the revenues of the College under the provisions and to the purposes of these Statutes shall be subject to any Statute or Statutes made for the University under the powers of the Universities of Oxford and Cambridge Act, 1877, and the Universities of Oxford and Cambridge Act, 1923, for enabling or requiring the colleges to make contributions out of their revenues for University purposes, and for the payment of charges imposed thereby.

2. The Governing Body may out of Corporate Revenues not required for the purpose of these Statutes set apart from time to time such a sum as it may think fit to form a reserve fund for new or additional College buildings or repairs to College buildings, or for acquiring or providing houses or buildings to be occupied and used in connection with the College and for College purposes, or for other desirable or necessary expenditure for College purposes provided that the sum so set apart in any year shall not be allowed as a deduction from the sum upon which the contributions of the College for University purposes in that year are assessed.

## **XII. POWERS OF INVESTMENT**

1. This Statute shall apply to all funds and endowments of the College which are not held to any specific trust.

2. The Governing Body may from time to time appoint a Financial Adviser to the College who shall be a person experienced in investment matters carrying on business in the City of London or other appropriate financial centre in the United Kingdom.

3. The Funds to which this Statute applies may (subject as hereinafter provided) be invested by the Governing Body upon or in such securities shares stocks funds or other investments in any part of the world and whether involving liability or not as the Governing Body shall in their absolute discretion think fit so that the Governing Body shall be empowered to invest and transpose the investments of such funds in the same unrestricted manner as if they were the beneficial owners thereof, and this shall be done with the advice of an investment committee consisting of the Principal, the principal Administrative Officer, one member appointed by the Governing Body from among its members and the Financial Adviser to the College.

4. Provided that:-

(a) Any investment made under the foregoing power of capital moneys paid to the Minister of Agriculture, Fisheries and Food under the Universities and College Estates Act, 1925, or of funds representing such capital moneys shall require the same consent of the said Minister as is required for an investment made in exercise of the powers confirmed by that Act.

(b) Nothing in this Statute shall authorise any sale or exchange to which the consent of the said Minister is required by Subsection (2) of Section 2 of the Universities and College Estates Act, 1925.

5. In order to give effect to the provisions of the foregoing Clauses

(i) The Governing Body may from time to time appoint one or more suitably qualified Investment Managers to carry out on behalf of the College the duties prescribed by this Statute on such terms as (subject to and in accordance with this Statute) the Governing Body shall think fit.

(ii) A person (which expression in this Statute includes a person, persons, firm, or company) shall be suitably qualified to be Investment Manager if it is shown to the satisfaction of the Governing Body that:

(a) such a person (or, in the case of a subsidiary company whose obligations under the relevant terms of appointment will be guaranteed by the parent company, that parent company) has at least 10 years' experience in the City of London (or other appropriate financial centre in the United Kingdom) of investment business; and

(b) is entitled to carry on investment business in accordance with the Financial Services Act 1986 (or other relevant legislation replacing the Act);

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\* As amended by Orders in Council dated 19 January 1976, 10 February 1999.



(c) except that if all other conditions of (a) and (b) are satisfied the Governing Body may appoint as an Investment Manager a company with less than ten years' experience provided that the College has done business with one or more of its principals for at least five years and that they shall each have at least ten years' qualifying experience.

(iii) The College may pay reasonable and proper remuneration to an Investment Manager appointed and acting in accordance with this Statute.

(iv) The Governing Body may delegate to an Investment Manager appointed and acting in accordance with this Statute power at his or her discretion (but always in accordance with this Statute and the terms of his or her appointment) to buy and sell investments held on behalf of the College; and such delegation may permit those investments to be held by a nominee.

(v) The terms of appointment of any Investment Manager shall be in writing and shall:-

(a) specify the relevant investment policy for the College and the scope of the Investment Manager's discretion; and

(b) require the Investment Manager to comply with the terms of his or her appointment and with these Statutes, the relevant University Statutes and the general law (including any provision relating to the keeping and supply of records and accounts); and

(c) prohibit the Investment Manager from sub-delegating or assigning his appointment; and

(d) specify the amount or method of calculation of the Investment Manager's remuneration or both; and

(e) entitle the Governing Body to terminate the appointment at any time on reasonable notice; and

(f) specify other circumstances in which the appointment may be terminated by either party and (subject to earlier termination) its maximum duration which shall not exceed twenty-four months on any one occasion (but subject if so specified to renewal from time to time by mutual agreement); and

(g) specify the relevant advisory, reporting and accounting procedures; and

(h) state whether or not the investments may be held on behalf of the College in the name of a nominee and (if so) on what basis and by whom.

(vi) The Governing Body shall take reasonable steps (and if necessary shall take appropriate advice) to satisfy itself when making any such appointment that its terms are in accordance with best practice at the relevant time. In order to ensure that the Governing Body always has adequate information as to and appropriate control over the investment, funds or other assets of whatever nature to which the appointment relates the Investment Manager shall be required:-

(a) to review and report in writing to the Investment Committee at least once each calendar year on the College's investment policy and the performance of and the future prospects for the College's investments, and to give any relevant advice; and

(b) to report to the Investment Committee at once on any significant changes since the last such review and report which may in his or her view require early attention by the College; and

(c) to report to the Senior Bursar on every transaction within 7 days of its execution; and

(d) to account to the College quarterly.

(viii) The College Seal shall not be affixed to any document by the Investment Manager.

### **XIII. ACCOUNTS**

1. The Governing Body shall cause the accounts of the College to be kept in proper books of account in such a form as to enable them to be duly checked and balanced. Separate accounts shall be kept of all special trust funds held for the general benefit of the College or for particular purposes in connection therewith.
2. The accounts of the College shall be audited annually by an Auditor who is a member of one of the bodies of accountants for the time being recognized for the purposes of paragraph (0) of Subsection (1) of Section 161 of the Companies Act, 1948.
3. The Governing Body shall in every year cause to be prepared and delivered to the Registrar of the University for publication such information relative to the accounts of the College as may be prescribed from time to time by any Statute of the University in force for the time being.

**XIV. PROVISIONS RELATIVE TO THE UNIVERSITY**

1. If at any time it appears to the Hebdomadal Council of the University that any provisions of these Statutes or of any other Statutes of the College in force for the time being respecting the accounts of the College, or any other provision of such Statutes by the non-observance of which any interest of the University is liable to be prejudicially affected, is not duly observed, the Hebdomadal Council may submit a representation to the Visitor; and the Visitor shall, upon receiving such representation, inquire into the College, make such order therein as he shall deem just for enforcing the due observance of the said Statute in the matter to which the representation shall relate.
2. The Hebdomadal Council may in like manner make a representation to the Visitor if it shall appear that regard is not had by the College in electing Research Fellows to the requirements of the different branches of study pursued in the University, or that any of the provisions of Statute IV of these Statutes are not duly observed by the College.
3. Before any representation is made under the foregoing provisions, the Vice-Chancellor shall communicate the matter of the proposed representation to the Principal for the information of the Governing Body, and when representation is made shall forthwith send her a copy of it.
4. Every proposal for a change in the Statutes of the College in force for the time being or in the Charter of the College shall be communicated to the Hebdomadal Council before it is submitted to Her Majesty in Council, and the Governing Body, in forwarding the draft Statute as amended for the approval of Her Majesty shall state expressly that it has been so communicated.
5. No Statute made by the Governing Body and affecting the University shall be altered except with the consent of the University.

## XV. BYLAWS

The Governing Body may from time to time at any stated Meeting make such Bylaws, not being inconsistent with any Statute of the College in force for the time being, and may rescind and alter such Bylaws, as it may think fit, respecting:

- (1) The manner of appointment and the duties, remuneration, and pensions of the Principal, Vice-Principal, Tutors, Lecturers, Dean, Dean of Degrees, Librarian and any other Administrative Officers.
- (2) The undertaking, if any, required to be given by the Principal, or any Fellow or Scholar, or candidate for the office of Principal or for any Fellowship or Scholarship.
- (3) The declaration required to be made by any person on election or appointment to any office or place in the College, and by the persons electing or appointing to any such office or place.
- (4) The attendance of Members of the Governing Body at Stated and other Meetings, the proceedings at such Meetings, the business to be transacted thereat, the notice to be given before holding any Meeting or bringing forward any question and the mode of giving such notice.
- (5) The appointment and functions of Committees of the Governing Body.
- (6) Matters concerned with the Association of Senior Members of St Hugh's College.
- (7) The management and supervision of the property of the College, the repairs of the College Buildings, the keeping and auditing of the accounts of the revenue and expenditure of the College, the distribution of rooms in the College, use of the Hall and other Common Rooms or Buildings of the College, and the domestic management of the College.
- (8) The admission, residence, discipline, and duties of Members of the College *in statu pupillari*.
- (9) The penalties to be inflicted for disobedience to the Bylaws or any of them.
- (10) Any other matter which the Governing Body may think proper to be regulated by Bylaws.

The existing Rules and Regulations respecting any matter specified in this section shall have the force of, and may be rescinded or altered in the same manner as, Bylaws made under these Statutes.

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\* As amended by Orders in Council dated 25 July 1974, 19 January 1976.

## **XVI. THE VISITOR**

1. The Governing Body may elect as Visitor of the College any person who holds or has held high judicial or ecclesiastical office or is a Member of Her Majesty's Privy Council.
2. The Visitor may whenever he shall think fit visit the College and exercise at any such visitation all powers lawfully belonging to his office and may at any time make inquiries and require an answer in writing on any matter relative to the due observance of the Statutes. All expenses incurred by the Visitor in visiting the College shall be defrayed by the College.
3. If any question arises on which the Governing Body is unable to agree, depending wholly or in part on the construction of any of the Statutes of the College, the Chairman of the Governing Body, or Members of the Governing Body not less than four in number, may submit the same to the Visitor, and the Visitor may thereupon declare the true construction of the Statutes with reference to the case submitted to him.
4. The Visitor may, either on his own motion or on the complaint of the Chairman of the Governing Body, or of Members of the Governing Body not less than four in number, disallow and annul any Bylaw or resolution of the Governing Body which is, in his judgement, repugnant to the Statutes of the College.
5. The Principal or any Fellow of the College, if aggrieved by any act of the Governing Body, and any Scholar or Exhibitioner of the College, if deprived of her Scholarship or Exhibition by a decision of the Governing Body, may appeal to the Visitor, and the Visitor shall adjudicate on the appeal and may confirm, reverse, or vary the act or decision as he deems just.
6. In the event of the Governing Body failing to supply a vacancy in the office of Principal within the period for the time being limited by the Bylaws, the appointment of a Principal shall lapse to the Visitor.
7. If at any time the Visitor shall in the opinion of a majority of the Governing Body be incapable of discharging the duties imposed upon him by these Statutes, the Governing Body may report its opinion in this regard to the Chancellor of the University, and he may, if he thinks fit, declare the Office of Visitor to be vacant. On the receipt of such declaration from the Chancellor of the University the Governing Body shall proceed to the election of a new Visitor.
8. In accordance with the provisions of the Education Reform Act 1988, nothing in these Statutes shall enable or require the Visitor:

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\* As amended by Order in Council dated 26 July 1995.

(a) to determine any dispute relating to a member of the academic staff to whom Statute XVII applies which concerns the member's appointment or employment or the termination of that appointment or employment; or

(b) to disallow or annul any Bylaw made under or having effect for the purposes of Statute XVII.

## **XVII. ACADEMIC STAFF**

### **PART 1 CONSTRUCTION APPLICATION AND INTERPRETATION**

1. This Statute and any Bylaw made under this Statute shall be construed in every case to give effect to the following guiding principles, that is to say:

(a) to ensure that members of the academic staff of the College have freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their jobs or privileges;

(b) to enable the College to provide education, to promote learning, and to engage in research efficiently and economically; and

(c) to apply the principles of justice and fairness.

2. No provision in Part II, Part III, Part IV or Part VII shall enable any member of the academic staff to be dismissed unless the reason for the dismissal may in the circumstances (including the size and administrative resources of the College) reasonably be treated as a sufficient reason for dismissal.

3. (1) This Statute shall apply:

(a) to any person (other than an administrative officer) holding a College office designated by the Governing Body as one to which this Statute applies;

(b) to any person employed by the College to carry out teaching or research save for those holding appointments which have been excluded by the Governing Body from the scope of this Statute on the ground that the duties in that regard are only of a limited nature; and

(c) to the Principal, to the extent and in the manner set out in Part VII.

(2) In this Statute any reference to a “member of the academic staff” is a reference to a person to whom this Statute applies.

4. In this Statute “dismiss” and “dismissal” mean dismissal of a member of the academic staff and:

(a) include remove or, as the case may be, removal from office; and

(b) in relation to employment under a contract, shall be construed in accordance with Section 55 of the Employment Protection (Consolidation) Act 1978.

5. (1) For the purposes of this Statute “good cause” in relation to the dismissal or removal from office of a member of the academic staff, being in any case a reason which is related to conduct or to capability or qualifications for performing work of the kind which the member of the academic staff concerned was appointed or employed to do, means:

(a) conviction for an offence which may be deemed by an Academic Disciplinary Committee appointed under Part III to be such as to render the person convicted unfit for the performance of the duties of the office or employment as a member of the academic staff; or

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\* Introduced by Order in Council dated 26 July 1995 under the provisions of the Education Reform Act 1988.

(b) conduct of an immoral, scandalous or disgraceful nature incompatible with the duties of the office or employment; or

(c) conduct constituting failure or persistent refusal or neglect or inability to perform the duties or comply with the conditions of office or employment; or

(d) wilful disruption of the activities of the College; or

(e) wilful disobedience of any of the Statutes or Bylaws of the College in force for the time being; or

(f) physical or mental incapacity established under Part IV.

(2) In this Clause:

(a) “capability”, in relation to such a member, means capability assessed by reference to skill, aptitude, health or any other physical or mental quality; and

(b) “qualifications”, in relation to such a member, means any degree, diploma or other academic, technical or professional qualification relevant to the office or position held by that member.

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

(a) the fact that the College has ceased, or intends to cease, to carry on the activity for the purposes of which the person concerned was appointed or employed or has ceased, or intends to cease, to carry on that activity in the place in which the person concerned worked; or

(b) the fact that the requirements of that activity for members of the academic staff of the College to carry out work of a particular kind in that place have ceased or diminished or are expected to cease or diminish.

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

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

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

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

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

(3) In any case where an officer of the College or any person is designated to perform any duties or exercise any powers under this Statute, and that officer or person is herself involved in the matter in question, the Governing Body may appoint an alternate to act in her place under procedures prescribed by Bylaws made under this Statute.



(4) Nothing in any other Statute shall enable the Governing Body to delegate its power to reach a decision under Clause 10(2).

(5) No one shall sit as a member of any of the bodies established under this Statute, and no one shall be present at a meeting of such body when the body is considering its decision or discussing a point of procedure, except as provided by this Statute or by Bylaws made under this Statute.

(6) In this Statute references to numbered Parts, Clauses, and sub-clauses are references to Parts, Clauses, and sub-clauses so numbered in this Statute.

## PART II REDUNDANCY

8. This Part enables the Governing Body, as the appropriate body, to dismiss any member of the academic staff by reason of redundancy.

9. (1) Nothing in this Part shall prejudice, alter or affect any rights, powers or duties of the College or apply in relation to a person unless:

(a) her appointment is made, or her contract of employment is entered into, on or after 20<sup>th</sup> November 1987; or

(b) she is promoted on or after that date.

(2) For the purposes of this Clause in relation to a person, a reference to an appointment made or a contract entered into on or after 20<sup>th</sup> November 1987 or to promotion on or after that date shall be construed in accordance with subsections (3) to (6) of Section 204 of the Education Reform Act 1988.

10. (1) The Governing Body shall be the appropriate body for the purposes of this Part.

(2) This Part applies only where the Governing Body has decided that there should be a reduction in the academic staff:

(a) of the College as a whole; or

(b) of any area of academic work within the College by way of redundancy.

11. (1) Where the Governing Body has reached a decision under Clause 10(2):

(a) it may itself decide to select the requisite members of the academic staff for dismissal by reason of redundancy if such a course satisfies the guiding principles set out in Clause 1; or

(b) it shall appoint a Redundancy Committee to be constituted in accordance with sub-clause (3) of this Clause to give effect to its decision by such date as it may specify and for that purpose:

(i) to select and recommend the requisite members of the academic staff for dismissal by reason of redundancy; and

(ii) to report their recommendations to the Governing Body.

(2) The Governing Body shall either approve any selection recommendation made under sub-clause (1)(b)(i), or shall remit it to the Redundancy Committee for further consideration in accordance with its further directions.

(3) A Redundancy Committee appointed by the Governing Body shall comprise:

(a) a Chairman; and

(b) two members chosen from amongst members of the Governing Body to whom this Statute does not apply, Professorial Fellows, Honorary Fellows or Emeritus Fellows; and

(c) two members chosen from amongst members of Governing Body to whom this Statute applies.

(4) A member of the academic staff shall not be selected for dismissal under this Clause unless she has been afforded a reasonable opportunity to make representations to the Governing Body.

12. (1) Where the Governing Body has either itself made a selection or has approved a selection recommendation made by the Redundancy Committee under Clause 11(1) it may authorise an officer of the College as its delegate to dismiss any member of the academic staff so selected.

(2) Each member of the academic staff selected shall be given separate notice of the selection approved by the Governing Body.

(3) Each separate notice shall sufficiently identify the circumstances which have satisfied the Governing Body that the intended dismissal is reasonable and in particular shall include:

- (a) a summary of the action taken by the Governing Body under this Part;
- (b) an account of the selection process it has used;
- (c) a reference to the right of the person notified to appeal against the notice and to the time within which any such appeal is to be lodged under Part V; and
- (d) a statement as to when the intended dismissal is to take effect.

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

13. (1) Minor faults shall be dealt with informally.

(2) Where the matter is more serious but falls short of constituting possible good cause for dismissal the following procedure shall be used:

#### Stage 1 – Oral Warning

If conduct or performance does not meet acceptable standards the member of the academic staff will normally be given a formal oral warning by the Principal. The member will be advised of the reason for the warning, that it is the first stage of the disciplinary procedure and of the right of appeal under this Clause. A brief note of the oral warning will be kept but it will be spent after 12 months, subject to satisfactory conduct and performance.

#### Stage 2 – Written Warning

If the offence is a serious one, or if a further offence occurs, a written warning will be given to the member of the academic staff by the Principal. This will give details of the complaint, the improvement required and the timescale. It will warn that charges may be instituted to be heard by an Academic Disciplinary Committee appointed under Clause 15 if there is no satisfactory improvement and will advise of the right of appeal under this Clause. A copy of this written warning will be kept by the Principal but it will be disregarded for disciplinary purposes after 2 years subject to satisfactory conduct and performance.

#### Stage 3 – Appeals

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

14. (1) If there has been no satisfactory improvement following a written warning given under Stage 2 of the procedure in Clause 13, or in any case where it is alleged that conduct or performance may constitute good cause for dismissal or removal from office, a complaint seeking the institution of charges to be heard by an Academic Disciplinary Committee appointed under Clause 15 may be made to the Principal.

(2) To enable the Principal to deal fairly with any complaint brought to her attention under sub-clause (1) she shall institute such enquiries (if any) as appear to her to be necessary.

(3) If it appears to the Principal (whether on receipt of a complaint or otherwise) that there are grounds for believing that the conduct or performance of a member of the academic staff could constitute good cause for dismissal, she shall write to the person concerned inviting comment in writing and may, if she considers that the College might otherwise suffer significant harm, at this stage or at any stage prior to the conclusion of any hearing by an Academic Disciplinary Committee appointed under Clause 15 suspend the person concerned from the performance of her duties without loss of emoluments.

(4) As soon as may be following the comments (if any), or in any event not later than twenty-eight days after they were invited, the Principal shall consider the matter in the light of all the available evidence and may dismiss the matter summarily, or issue a formal warning to the person concerned, or determine that the matter be considered by an Academic Disciplinary Committee appointed under Clause 15.

15. If the Principal has determined that the matter is to be considered by an Academic Disciplinary Committee, she shall request the Governing Body to appoint such a Committee to hear the charge or charges and to determine whether the conduct or performance of the person charged constitutes good cause for dismissal or otherwise constitutes a serious complaint relating to her appointment or employment, and to make recommendations concerning the action (if any) to be taken as a result of the Committee's findings. Pending the consideration of such recommendations, the Principal, after consulting the Governing Body, may suspend the person charged from the performance of her duties without loss of emoluments.

16. (1) An Academic Disciplinary Committee appointed by the Governing Body shall comprise:

(a) a Chairman; and

(b) one member chosen from amongst members of the Governing Body to whom this Statute does not apply, Professorial Fellows, Honorary Fellows or Emeritus Fellows; and

(c) one member chosen from amongst members of Governing Body to whom this Statute applies.

(2) In selecting members of the panel for appointment as members of an Academic Disciplinary Committee, the Governing Body shall exclude the person charged, and any person who has been involved in or associated with the making of the complaint or any part of it, or who has been involved in any preliminary hearing or investigation.

17. (1) When an Academic Disciplinary Committee has been appointed, the Governing Body shall instruct a suitable person to formulate a charge or charges and to present, or arrange for the presentation of, the charges before the Academic Disciplinary Committee.

(2) It shall be the duty of the person formulating the charge or charges:

(a) to forward the charge or charges to the Committee and to the member of the academic staff concerned, together with the other documents therein specified and a list of all witnesses the College proposes to call, with statements containing the evidence they are expected to give; and

(b) to make any necessary administrative arrangements for the summoning of witnesses, the production of documents and generally for the proper presentation of the case before the Committee.

18. The procedure to be followed in respect of the preparation, hearing, and determination of charges by an Academic Disciplinary Committee shall be prescribed by Bylaws made under this Statute. Such Bylaws shall ensure:

(a) that the person charged is entitled to be represented by another person, whether such person is legally qualified or not, in connection with and at any hearing of charges by an Academic Disciplinary Committee;

(b) that a charge shall not be determined without an oral hearing at which the person charged and any person appointed to represent her are entitled to be present;

(c) that witnesses may be called, both on behalf of the person charged and by the person presenting the charge, and may be questioned concerning any relevant evidence;

(d) that no new witness or documentary evidence may be introduced by the person presenting the charge without the Committee's consent, which shall not be given save for good reason, and that if late introduction is allowed, the member of the academic staff shall be allowed an adjournment sufficient to allow her to consider and respond to the new evidence; and

(e) that any charge is heard and determined as expeditiously as is reasonably practicable.

19. (1) The Academic Disciplinary Committee shall send its decision on any charge referred to it (together with its findings of fact and the reasons for its decision regarding that charge and its recommendations, if any, as to the appropriate penalty) to the Principal, the person charged, the person presenting the charge and any person who shall have been added as a party by the Academic Disciplinary Committee.

(2) The Academic Disciplinary Committee shall draw attention to the period of time within which any appeal should be made by ensuring that a copy of Part V of this Statute accompanies each copy of its decision sent to a party to the proceedings under this Clause.

20. (1) Where any charge is upheld and the Academic Disciplinary Committee finds good cause and recommends dismissal or removal from office, but in no other case, the Principal shall consult the Governing Body and shall decide whether or not to dismiss the person concerned. If she decides to accept the Academic Disciplinary Committee's recommendation she may forthwith dismiss that person.

(2) Where any charge is upheld, other than where the Principal has decided under sub-clause (1) to dismiss the person concerned, the action available to the

Principal after consulting the Governing Body (not comprising a greater penalty than that recommended by the Academic Disciplinary Committee) shall be:

- (a) to discuss the issues raised with the person concerned; or
- (b) to advise the person concerned about her future conduct; or
- (c) to warn the person concerned; or
- (d) to suspend the person concerned for such period as the Principal shall think fair and reasonable, provided that the suspension shall not extend beyond three months after the date on which the Governing Body shall have considered the Academic Disciplinary Committee's decision, provided that no suspension without pay may be ordered unless the terms of the contract of employment of the person concerned contains provisions expressly entitling the Principal to impose such a penalty; or
- (e) to take such further or other action under the person's contract of employment or terms of appointment as appears fair and reasonable in all the circumstances of the case; or
- (f) any combination of the above.

21. (1) The Principal shall be the appropriate officer to exercise the powers conferred by Clause 20 but she may appoint a delegate to exercise those powers.

(2) Any action taken by the Principal or her delegate shall be confirmed in writing and notified to the Governing Body.

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

22. (1) This Part makes separate provision for the assessment of incapacity on medical grounds as a good cause for dismissal or removal from office.

(2) In this Part references to medical grounds are references to capability assessed by reference to health or any other physical or mental quality.

(3) In this Part the Principal shall be the appropriate officer to perform any duties or exercise any powers, but she may appoint a delegate to act on her behalf.

(4) In this Part references to the member of the academic staff for the purposes of notification, giving consent, agreement, nomination or providing evidence include, in cases where the nature of the alleged disability so requires, a responsible relative or friend or other person with authority to act on behalf of that member in addition to (or instead of) that member.

23. (1) Where it appears to the Principal that the removal of a member of the academic staff on medical grounds should be considered, she:

- (a) shall inform the member accordingly; and
- (b) may, if the member agrees or if the Principal considers that the College might otherwise suffer significant harm, suspend the member from duty without loss of pay; and
- (c) shall notify the member in writing that it is proposed to make an application to the member's medical practitioner for a medical report and shall seek the member's consent in writing in accordance with the requirement of the Access to Medical Reports Act 1988.

(2) If the member elects to apply for early retirement on medical grounds she shall be allowed to do so and the College shall meet the reasonable costs of any medical opinion required.

(3) If the member does not elect to apply for early retirement on medical grounds the Principal shall refer the case in confidence, with any supporting medical and other evidence (including any such evidence submitted by the member), to a Medical Board comprising one person nominated by the Governing Body; one person nominated by the member concerned or, in default of the latter nomination, by the Principal; and a medically qualified chairman jointly agreed by the Governing Body and the member or, in default of agreement, to be nominated by the President of the Royal College of Physicians.

(4) The procedure to be followed in respect of the preparation, hearing, and determination of a case by a Medical Board under this Part shall be prescribed by Bylaws made under this sub-clause. Such Bylaws shall ensure:

(a) that the member concerned is entitled to be represented by another person, whether such person is legally qualified or not, in connection with and at any hearing by the Board;

(b) that a case shall not be determined without an oral hearing at which the person charged and any person appointed to represent her are entitled to be present;

(c) that witnesses may be called and may be questioned concerning any relevant evidence; and

(d) that the case is heard and determined as expeditiously as is reasonably practicable.

(5) The Board may require the member concerned to undergo medical examination at the College's expense.

24. (1) If the Board determines that the member shall be required to retire on medical grounds, the Principal shall consult the Governing Body, and may terminate the employment of the member concerned on those medical grounds.

(2) Any action taken by the Principal shall be confirmed in writing and notified to the Governing Body.

## PART V APPEALS

25. This Part establishes procedures for hearing and determining appeals by members of the academic staff who are dismissed or under notice of dismissal or who are otherwise disciplined.

26. (1) This Part applies:

(a) to appeals against any decision of the Governing Body as the appropriate body (or of a delegate of that body) to dismiss in the exercise of its powers under Part II;

(b) to appeals arising in any proceedings, or out of any decision reached, under Part III other than appeals against disciplinary warnings under Clause 13;

(c) to appeals against any dismissal otherwise than in pursuance of Part II, Part III, Part IV or Part VII;

(d) to appeals against any disciplinary decision otherwise than in pursuance of Part III;

(e) to appeals against any decision reached under Part IV; and

(f) to appeals against any decision reached under Part VII

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

(2) No appeal shall however lie against:

(a) a decision of the Governing Body under Part II Clause 10(2);

(b) any finding of fact of an Academic Disciplinary Committee under Part III, or of a Tribunal under Part VII save where, with the consent of the person or persons hearing the appeal, fresh evidence is called on behalf of the appellant at that hearing; and

(c) any medical finding by a Board set up under Part IV save where, with the consent of the person or persons appointed, fresh evidence is called on behalf of the appellant at that hearing.

(3) In this Part references to “the person appointed” are references to the person appointed by the Governing Body under Clause 29 to hear and determine the relevant appeal.

(4) The parties to an appeal shall be the appellant and the Principal and any other person added as a party at the direction of the person appointed.

27. A member of the academic staff shall institute an appeal by serving on the Principal, within the time allowed under Clause 28, notice in writing setting out the grounds of the appeal.

28. (1) A notice of appeal shall be served within 28 days of the date on which the document recording the decision appealed from was sent to the appellant or such longer period, if any, as the person appointed may determine under sub-clause (3).

(2) The Principal shall bring any notice of appeal received (and the date when it was served) to the attention of the Governing Body and shall inform the appellant that she has done so.

(3) Where the notice of appeal was served on the Governing Body outside the 28 day period the person appointed under Clause 29 shall not permit the appeal to proceed unless she considers that justice and fairness so require in the circumstances of the case.

29. (1) Where an appeal is instituted under this Part the Governing Body shall appoint a person described in sub-clause (2) to hear and determine that appeal subject to sub-clause (3).

(2) The persons described in this sub-clause are:

(a) the person who is the Visitor; or

(b) a person not employed by the College holding, or having held, judicial office or being a barrister or solicitor of at least ten years’ standing.

(3) The person appointed shall sit alone unless she considers that justice and fairness will best be served by sitting with two other persons.

(4) The other persons who may sit with the person appointed, and who shall be appointed by the Governing Body shall be:

(a) one member chosen from amongst members of Governing Body to whom this Statute does not apply, Professorial Fellows, Honorary Fellows or Emeritus Fellows; and

(b) one member chosen from amongst members of Governing Body to whom this Statute applies.

30. (1) The procedure to be followed in respect of the preparation, consolidation, hearing and determination of appeals shall be that set out in Bylaws made under this Clause.

(2) Without prejudice to the generality of the foregoing such Bylaws shall ensure:

(a) that an appellant is entitled to be represented by another person, whether such person be legally qualified or not, in connection with and at any hearing of her appeal;

(b) that an appeal shall not be determined without an oral hearing at which the appellant, and any person appointed by her to represent her are entitled to be present and, with the consent of the person or persons hearing the appeal, to call witnesses;

(c) that full and sufficient provision is made for postponements, adjournments, dismissal of the appeal for want of prosecution and for the correction of accidental errors; and

(d) that the person appointed may set appropriate time limits for each stage (including the hearing itself) to the intent that any appeal shall be heard and determined as expeditiously as is reasonably practicable.

(3) The person or persons hearing the appeal may allow or dismiss an appeal in whole or in part and, without prejudice to the foregoing, may:

(a) remit an appeal from a decision under Part II to the Governing Body as the appropriate body (or any issue arising in the course of such an appeal) for further consideration as the person or persons hearing the appeal may direct; or

(b) remit an appeal arising under Part III for rehearing or reconsideration by a differently constituted Academic Disciplinary Committee to be appointed under that Part; or

(c) remit an appeal from a decision of the Principal under Part IV for further consideration as the person or persons hearing the appeal may direct; or

(d) remit an appeal by the Principal arising under Part VII for rehearing or reconsideration by the same or by a differently constituted Tribunal to be appointed under that Part; or

(e) substitute any lesser alternative penalty that would have been open to the Principal following the finding by the Academic Disciplinary Committee which heard and determined the original charge or charges.

31. The person appointed shall send a reasoned decision, including any decision reached in exercise of her powers under Clause 30(3)(a), (b), (c), (d) or (e) on any appeal and a statement of any findings of fact different from those of the Governing Body under Part II or of the Academic Disciplinary Committee under Part III or of the Board under Part IV or of the Tribunal appointed under Part VII, as the case may be, to the Principal and to the parties to the appeal.

## PART VI GRIEVANCE PROCEDURES

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

33. The grievances to which this Part applies are ones by members of the academic staff concerning their appointments or employment where those grievances relate:

(a) to matters affecting themselves as individuals; or

(b) to matters affecting their personal dealings or relationships with other staff of the College,

not being matters for which express provision is made elsewhere in this Statute.

34. (1) If other remedies within the relevant area have been exhausted the member of the academic staff may raise the matter with the Principal.



(2) If it appears to the Principal that the matter has been finally determined under Part III, IV or V or that the grievance is trivial or invalid, she may dismiss it summarily, or take no action upon it. If it so appears to the Principal she shall inform the member and may inform the Governing Body accordingly.

(3) If the Principal is satisfied that the subject matter of the grievance could properly be considered with (or form the whole or any part of):

- (a) a complaint under Part III; or
- (b) a determination under Part IV; or
- (c) an appeal under Part V

she shall defer action upon it under this Part until the relevant complaint, determination or appeal has been heard or the time for instituting it has passed and she shall notify the member accordingly.

(4) If the Principal does not reject the complaint under sub-clause (2) or if she does not defer action upon it under sub-clause (3) she shall decide whether it would be appropriate, having regard to the interests of justice and fairness, for her to seek to dispose of it informally. If she so decides she shall notify the member and proceed accordingly.

35. If the grievance has not been disposed of informally under Clause 34(4), the Principal shall refer the matter to the Grievance Committee for consideration.

36. The Grievance Committee to be appointed by the Governing Body shall comprise three Fellows of the College appointed by the Governing Body.

37. The procedure in connection with the consideration and determination of grievances shall be determined in Bylaws in such a way as to ensure that the aggrieved person and any person against whom the grievance lies shall have the right to be heard at a hearing and to be accompanied by a friend or representative.

38. The Committee shall inform the Governing Body whether the grievance is or is not well-found and if it is well-found the Committee shall make such proposals for the redress of the grievance as it sees fit.

## PART VII REMOVAL OF THE PRINCIPAL FROM OFFICE

39. Any five members of the Governing Body may make complaint to the Vice-Principal seeking the removal of the Principal from office for good cause.

40. The Vice-Principal shall refer such a complaint to the Governing Body, exclusive of the Principal and the members making the complaint. If it appears to the Governing Body that the complaint is not supported by sufficient evidence of good cause for the removal of the Principal from office, it may determine that no further action shall be taken upon it.

41. If it appears to the Governing Body that the complaint is supported by sufficient evidence of good cause for the removal of the Principal from office, it shall appoint a Tribunal to hear and determine the matter.

42. The Tribunal appointed by the Governing Body shall comprise:  
(a) an independent Chairman; and

(b) one member chosen from amongst members of the Governing Body to whom this Statute does not apply, Professorial Fellows, Honorary Fellows and Emeritus Fellows; and

(c) one member chosen from amongst members of the Governing Body to whom this Statute applies.

43. A charge referred to the Tribunal shall be dealt with in accordance with the procedure prescribed in Clauses 17 to 19, provided:

(a) that the Vice-Principal shall perform any duty and exercise any power there assigned to the Principal; and

(b) that the only recommendation the Tribunal may make is whether or not the Principal should be removed from her office.

44. Where a charge or charges have been upheld and the Tribunal finds good cause and recommends dismissal, but in no other case, the Vice-Principal shall consult the Governing Body and may then dismiss the Principal.

45. Where a complaint is to be referred to a Tribunal under Clause 41, the Vice-Principal may, if she considers that the College might otherwise suffer significant harm, suspend the Principal from her duties in all matters relating to the government and discipline of the College without loss of salary.

46. For the purpose of the removal of the Principal from her office for incapacity on medical grounds, the provisions of Part IV shall have effect, provided that the Vice-Principal shall perform any duty or exercise any power there assigned to the Principal.

47. For the purpose of appeals by the Principal against removal from office, the provisions of Part V shall have effect, provided that the Vice-Principal shall perform any duty or exercise any power there assigned to the Principal.

**XVIII. TENURE OF PERSONS TO WHOM STATUTE XVII DOES NOT APPLY**

1. Nothing in this Statute shall apply to any person to whom the provisions of Statute XVII apply.
2. The Governing Body may at a Meeting specially called with not less than a fortnight's notice of the business to be transacted thereat, by the vote of not less than two-thirds of those present and voting, terminate the appointment of the holder of any College office or appointment of any Fellow, Tutor or Lecturer or any Administrative officer, before the expiration of any period for which she is appointed or reappointed, for misconduct, mental or physical incapacity, neglect of duties, or contumacious non-observance of Statutes or Bylaws of the College, or other grave cause, provided that the person affected shall have the right to be heard in her own defence at the Meeting at which the termination of her appointment is to be considered and, being a Fellow of the College, shall have the right of appeal to the Visitor against the act of the Governing Body.
3. The holder of any College office or appointment or any Fellow, Tutor or Lecturer or any Administrative officer, shall vacate her office if she shall accept any paid office or engage in any occupation either of which shall be judged by the Governing Body to be inconsistent with the discharge of her duties to the College.

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\* Introduced by Order in Council dated 26 July 1995 with Statute XVII (see footnote).

Statute XIX\*

## **XIX. EXISTING INTERESTS**

These Statutes shall operate without prejudice to any existing interest of any person holding office honorary or otherwise when they come into effect.

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\* Originally Statute XVII, renumbered by Order in Council dated 26 July 1995.

Statute XX\*

## **XX. REPEAL AND AMENDMENT**

1. The existing Statutes of the College and all amendments thereto are hereby repealed.
2. These Statutes shall be subject to alteration in the manner provided in the Universities of Oxford and Cambridge Act, 1923.

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\* Originally Statute XVIII, renumbered by Order in Council dated 26 July 1995.

## XXI. CECILIA MAY ADY FUND

Whereas under the Will of the late Cecilia Mary Ady St Hugh's College received in July 1958 the capital sum of £10,000 to be used in building a Chapel for the College or in payment of the stipend of a Chaplain of the College, and whereas the College already has a Chapel and the capital is not sufficient to build a new Chapel, and whereas the College is of the opinion that the objects of the trust could be better carried out if the College were given power to use the legacy for purposes connected with the Chapel and its services as well as for the stipend of the Chaplain: Now St Hugh's College in exercise of its powers in that behalf conferred upon it by the Universities of Oxford and Cambridge Act, 1923, and of all other powers enabling it, enacts, subject to the approval of Her Majesty in Council, as follows:

1. That a sum not exceeding £5,000 from the capital be used for the improvement of the existing Chapel.
2. That the income of the Fund be used for purposes connected with the Chapel and its services including the payment of a Chaplain's stipend.
3. That any income not spent in any year under the provisions of Clause 2 shall, at the discretion of the College, either be carried forward for expenditure in some future year, or be invested in augmentation of the capital of the Fund.
4. That income accruing to the Fund up to the date of the approval of this Statute be subject to the provisions of Clauses 2 and 3.

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\* Introduced as Statute XIX by Order in Council dated 27 November 1961, renumbered by Order in Council dated 24 April 1996.

## XXII. TRUSTS

1. The Statute shall apply to each of the trusts, endowments, foundations, funds, gifts and schemes set out in the Schedule appended to this Statute (hereinafter in this Statute referred to as “a Trust”).
2. The Governing Body may from time to time use for the general educational purposes of the College the whole or any part of any surplus income of a Trust.
3. When considering whether to spend surplus income in accordance with section 2 of this Statute the Governing Body shall take account of all relevant factors including any future needs for expenditure on the purposes for which the Trust in question was established.
4. In this Statute “surplus income” means income unexpended in any year after the purposes of the Trust have been fully provided for in that year (whether wholly by income from the Trust or partly by other means).
5. This Statute shall have effect from the date on which it is approved by Her Majesty in Council and shall apply to all income in hand on that day as well as to income receivable thereafter.

### THE SCHEDULE

The HR Bickley Memorial Lecture Fund  
The Hilary Howarth Prize Fund  
The Alice Ottley Scholarship Fund  
The Rhys-Davids Fellowship Fund  
The Fanny Seaton Schoolteacher Fellowship Fund  
The Yates Scholarship Fund

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\* Introduced by Order in Council dated 24 April 1996.

### **XXIII. EXPENDITURE POWERS**

1. This Statute shall apply to the following funds, namely:
  - (a) all funds and endowments of the College which are not held on any specific trust;
  - (b) any endowment, benefaction or trust for purposes connected with the College
    - (1) which was created by an instrument which came into operation not less than 60 years before 1 January 2001; or
    - (2) of which the College is the Trustee or Governing Body and has consented to the provisions of this Clause.
2. In this Statute
  - (a) “fair value” means the amount at which an asset could be exchanged in an arm’s length transaction between informed and willing parties, other than in a forced liquidation sale;
  - (b) “total return” means return in terms of both income, whether received or accrued, and capital appreciation, whether realised or unrealised.
3. The Governing Body may appropriate for expenditure of the purposes of a fund to which this Statute applies 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 the funds of the College to which this Statute applied.
4. Any reference to these Statutes to the revenues of the College shall include the total sums appropriated in accordance with Clause 3 of this Statute.
5. The Governing Body shall from time to time appoint a suitably qualified person to review the total return and the investment criteria adopted by the College.

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\* Introduced by Order in Council dated 27 February 2003.