



ST. HUGH'S COLLEGE

OXFORD

**BYLAWS**

March 2018

Printed as amended



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## **I MEETINGS OF THE GOVERNING BODY AND TRANSACTION OF BUSINESS**

1. There shall be three Stated Meetings in each Term, on the Thursday preceding Full Term, on Wednesday of the Fourth Week, and on Wednesday of the Eighth Week of Full Term, at times to be determined.
2. A member of Governing Body shall serve as Secretary. The Secretary shall normally hold office for three years, and may be renewed. The Secretary shall be elected under the rules for election to College Offices (Bylaw VI. 3). The duties of the Secretary shall be: to prepare the Agenda for, and write the Minutes of, Meetings of Governing Body; to draft papers, as required, on behalf of Governing Body; and to gather nominations for College Offices. The Bursar, Senior Tutor, and Dean shall not hold the position of Secretary. If the Secretary is unable to attend a Meeting, Governing Body shall elect a temporary Secretary for that meeting.
3. Notice of Agenda of Stated Meetings shall be circulated to members by the Secretary not later than seven clear days before the Meetings.
4. Notice of motions, reports of Committees and other business to be placed on the Agenda of a Stated Meeting should reach the Secretary not later than noon of the ninth day before the Meeting, except in the case of Committees whose Stated Meetings fall after that date.
5. The order of business on the Agenda shall normally be as follows:
  - a) Minutes
  - b) Business arising out of the Minutes not otherwise on the agenda
  - c) Adjourned business
  - d) Finance Committee: reports and recommendations
  - e) Elections and Secretary's business
  - f) Principal's business
  - g) Reports and recommendations from those holding College Offices
  - h) Reports and recommendations of Committees
  - i) Motions
  - j) Other business by leave
  - k) Notice of Motions

The order of the Agenda may be varied or individual items given priority at the discretion of the Chairman and Secretary.

6. Governing Body may constitute a Preparation Group consisting of the Principal, Vice-Principal, Secretary, Senior Tutor, Bursar and one Fellow elected annually by the Governing Body which shall meet before each Stated Meeting of the Governing Body to examine the circulated Agenda, to undertake any enquiry or clarification and propose any rearrangement of business that they consider useful to the Governing Body. The elected person shall be re-eligible for a second and third year only, and shall be elected or re-elected annually under the same rules as those laid down for the elections to College Offices (Bylaw VI).

7. At any Stated Meeting the Governing Body may, by a majority of those present and voting, vary the order of business.
8. At any Stated Meeting the Governing Body may by resolution of two-thirds of those present and voting proceed with business not entered on the Agenda.
9. The Governing Body shall make no decision involving major expenditure or loss of income without reference to the Finance Committee.
10. No person may be elected to a Fellowship carrying membership of the Governing Body unless their candidature has been considered by a Committee of Governing Body.
11. Voting on appointments to posts or elections to Fellowships and on contested elections to College Offices or to Committees shall be in writing. All other votes shall be by show of hands.
12. The Chairman may at any time cause a Special Meeting to be summoned. The Chairman shall cause a Special Meeting to be summoned if requested in writing to do so by not less than three members of the Governing Body who shall specify the purpose for which the Meeting is desired. The Agenda shall be issued not less than two clear days in Full Term and four clear days out of Term, before the date fixed for the Meeting. Only business entered on the Agenda shall be transacted at a Special Meeting.
13. Any Meeting may be adjourned.
14. At all Meetings of the Governing Body one-third of the total membership shall form a quorum or, if one-third is not a whole number, the nearest whole number above one-third.
15. The Governing Body may by resolution invite any person not a member of Governing Body to attend a meeting or meetings of Governing Body with voice but without vote.

Without prejudice to the generality of the rule just stated:

  - a) Representatives of the Junior Common Room and the Middle Common Room shall be regularly invited to attend for Unreserved Business but not for Reserved Business.
  - b) The Director of Development shall be regularly invited to attend for Unreserved and for Reserved Business.
  - c) Junior Research Fellows and Career Development Fellows shall be regularly invited to attend for Unreserved and Reserved business, provided that they shall give undertakings of confidentiality in relation to Reserved business.
16. The Governing Body may by resolution of two-thirds of those present and voting suspend any Bylaw.

## **II COMMITTEES**

1. As provided by Statute I.6 the Governing Body may appoint Committees and delegate to them such powers as it may think fit.
2. a) The Governing Body shall appoint the following Standing Committees:
  - (A) Academic Committee
  - (B) Finance Committee
  - (C) Estates Committee
  - (D) Student Support Committee
  - (E) Nominations for Vacancies Committee
  - (F) Statutes and Bylaws Committee
  - (G) Library and Archive Committee
  - (H) Education Committee
  - (I) Equalities Committee
  - (J) Risk Committee
  - (K) (Henry Rowland) Bickley Memorial/Aung San Suu Kyi Lectures
  - (L) Student Welfare Committee
  - (M) Computing/IT Committee
  - (N) Fund Raising Committee
  - (O) Student Members' Appeals Committee
  - (P) Portrait Committee
  - (Q) Investment Committee
  - (R) Remuneration Committee
  - (S) Student Disciplinary Committee

The composition, duties and powers of the above Committees are given at II A - S (below).

- b) The Principal shall be ex-officio Chairman of all Standing Committees except where otherwise indicated. The Bursar shall act as Secretary to all Standing Committees except where otherwise indicated. Voting rights on Standing Committees shall be restricted to members of the Governing Body except in the cases of the Investment Committee, the Education Committee, the Library Committee and the Estates Committee.
- c) The method of retirement and election of elected members of Standing Committees shall be, except where these Bylaws otherwise provide, as follows:

### **Vacancies by Rotation**

- (i) At the end of each Trinity Term, the elected member who has served longest on each Committee shall retire and shall not be immediately eligible for re-election to the same Committee (except in the case of the Henry Rowland Bickley Memorial Lecture Committee or the Portrait Committee, or to fill a vacancy of one or two terms in the same Committee). If two members have served for the same length of time, the junior of the two shall retire. Subject to the provision of c) (ii), no member shall retire under this provision who has served less than three years on any

Committee and the maximum number of years of continuous service on any Committee shall be five.

- (ii) The election of new members shall take place at the Third Stated Meeting of Trinity Term. The Secretary of the Governing Body shall circulate with the Agenda of the First Stated Meeting of Trinity Term a list of the elected members of Committees listed under II.2. a), on which the names of those due to retire by rotation or by leave as under c) (i) and (iv) shall be marked by an asterisk. The names of persons nominated to these Committees, together with the names of their proposers and seconders, shall reach the Secretary not later than noon on the Friday of the Fourth Week of Trinity Term. Such nominations as have been received by noon on the day of the Second Stated Meeting shall be reported to that Meeting. The Nominations for Vacancies Committee shall put forward nominations for any vacancies for which nominations have not been received by noon on Friday of the Fourth Week. All nominations shall be placed on the Agenda of the Third Stated Meeting, together with the report and recommendations of the Nominations for Vacancies Committee.

#### **Vacancies by Leave for One or Two Terms**

- (iii) A Committee member taking leave for one or two consecutive terms shall be replaced for one or two terms, as required.
  - (iv) A Committee member taking leave for more than two consecutive terms shall retire at the commencement of the period of leave. If the period of leave coincides with the academic year, the vacancy shall be treated as a vacancy by rotation ( c) (ii)). If the period of leave extends over two academic years, the part of it that falls within the first academic year shall be treated as a one- or two-term vacancy. From the end of the first academic year the vacancy shall be treated as a vacancy by rotation.
  - (v) In all three terms, the Secretary of the Governing Body shall circulate with the Agenda of the First Stated Meeting a list of vacancies of one or two terms by reason of leave which are due to occur at the beginning of the following term. The Nominations for Vacancies Committee shall put forward nominations for any vacancies for which nominations have not been received by noon on Friday of the Fourth week. All nominations shall be placed on the Agenda of the Third Stated Meeting, together with the report and recommendations of the Nominations for Vacancies Committee.
  - (vi) Notification of vacancies which occur for reasons other than leave for one or two terms shall be made to the next Stated Meeting of the Governing Body. Election to fill such vacancies may be made immediately or may be referred for nomination to the Nominations for Vacancies Committee.
- d) A Stated Meeting of a Standing Committee may be cancelled for lack of business by agreement of its members.
  - e) A meeting of a Standing Committee shall be valid notwithstanding the absence of any



member, including the Chairman or the Secretary. The Committee may appoint a member to serve as Chairman or Secretary as required in any meeting.

3. a) The Governing Body shall appoint an ad-hoc Selection Committee to make recommendations to the Governing Body about each new appointment of a Tutor, Additional Fellow, Stipendiary Lecturer, Administrative Officer and Librarian.
- b) A Selection Committee for an academic post other than that of Librarian shall consist of
  - (i) the Principal, Chairman
  - (ii) the Senior Tutor, who shall also act as Secretary (except that in the case of an election to the tutorship held by the Senior Tutor another member of the Governing Body shall be elected and shall serve as Secretary)
  - (iii) either five or seven other persons, these being either three members who should be the subject tutors most closely involved and members of the Governing Body nominated by them, together with two persons elected by and from the Governing Body, or four persons who should be the subject tutors most closely involved and members of the Governing Body nominated by them, together with three persons elected by and from the Governing Body. Nominations for elections to such a Committee should be made in writing before the meeting at which the elections are made. When a joint appointment to a tutorship at St. Hugh's and a lectureship at another college is being made, the other college shall be invited to send two representatives to meetings of the Selection Committee, each of whom shall have one vote on the Committee.
- c) A Selection Committee for the appointment of an Administrative Officer or Librarian shall consist of
  - (i) the Principal, Chairman
  - (ii) the Bursar, Secretary (except that in the case of a Committee to select a new Bursar another member of the Governing Body shall be elected and shall serve as Secretary)
  - (iii) either three or five persons elected by and from the Governing Body.

The Committee may invite a suitable person to act as an assessor.
- d) The duties and powers of an ad-hoc Selection Committee shall be
  - (i) to draw up particulars for the post and to advertise the vacancy (unless, in any particular case, the Governing Body decides, after consideration by the Committee, that advertising is unnecessary);
  - (ii) to shortlist and, where necessary, interview candidates;

(iii) to make recommendations to the Governing Body about the appointment.

4. The Governing Body may appoint Special Committees to report on any questions not coming within the terms of reference of a Standing Committee. A list of such Committees shall be reported in Trinity Term at the first Stated Meeting of the Governing Body for consideration of their continuance and membership. Every such Committee shall consist in the first instance of three, five or seven members, and shall include the Principal and the proposer of the Committee. The remaining members shall be elected by and from the Governing Body, nominations having been made in writing.

When a Committee has been elected under this section, any member of the Governing Body may move to add one further member.

5. a) Only members of the Governing Body may be co-opted by Committees. Co-opted members shall have the right to vote. Any Committee of the Governing Body may require the attendance of any member or employee of the College at its meetings in a non-voting capacity.
- b) The business of those Committees at which Student Members are in attendance shall be arranged in two parts under Agenda A, for which Student Members may be present, and Agenda B, which shall be reserved. The following business shall be reserved:
- (i) decisions on appointments, promotions, and other matters concerning the personal position of members of the staff of the College;
  - (ii) the admission of individuals and their academic assessment and personal affairs;
  - (iii) all items referring to terms and conditions of employment of all categories of staff;
  - (iv) matters referring to tenancies and leases;
  - (v) any other matter at the discretion of the Chairman.

In any case of doubt, the Chairman shall decide whether an item of business falls under one of the categories listed above. The Chairman's decision shall be final.

## STANDING COMMITTEES

### A Academic Committee

- a) The Committee shall consist of
- (i) the Principal, Chairman
  - (ii) the Senior Tutor, Secretary
  - (iii) seven persons elected by and from the Governing Body
  - (iv) at least once a year two members of the Middle Common Room and two members of the Junior Common Room shall be invited to attend.
- The appropriate subject Tutors may be invited to attend.
- b) The duties and powers of the Committee shall be:
- (i) to take responsibility for general planning in academic matters and to make recommendations accordingly to the Governing Body;
  - (ii) to keep under review and once in every two years to report to the Governing Body on the appropriateness of the existing establishment of Tutors and Lecturers to the current academic needs of the College;
  - (iii) to make recommendations to the Governing Body about replacements, new posts and alteration of duties or terms of appointment of Tutors and Lecturers in post, as need or opportunity arises;
  - (iv) to make recommendations to the Governing Body about reappointments of Tutors;
  - (v) to make recommendations to the Governing Body about reappointments of Lecturers.
  - (vi) to make recommendations to the Governing Body for the election and reappointment of Senior Research Fellows;
  - (vii) to advertise vacancies, shortlist and where possible interview candidates for Junior Research Fellowships, Studentships and Senior Scholarships, and to make recommendations to the Governing Body as to the award, or renewal of tenure, of such Junior Research Fellowships, Studentships and Scholarships;
  - (viii) to advise the Governing Body about the use of funds available for the purpose of research;
  - (ix) to consider the costs of teaching provision;
  - (x) to receive and present to the Governing Body annual reports from Junior Research Fellows and holders of research awards;
  - (xi) to make recommendations to the Governing Body for the election of Visiting Fellows (not

more than two in any one term);

(xii) to undertake general responsibility for the supervision of graduate studies.

c) The Committee shall meet at least twice a Term.

B     Finance Committee

a)     The Committee shall consist of

- (i)     the Principal, Chairman
- (ii)    the Bursar, Secretary
- (iii)   the Senior Tutor
- (iv)    five persons elected by and from the Governing Body
- (v)     The Accountant by invitation
- (vi)    at least once a year two members of the Middle Common Room and two members of the Junior Common Room shall be invited to attend.

b)     The duties and powers of the Committee shall be

- (i)     to prepare, in Michaelmas Term, a statement of accounts for the preceding year and present it to Governing Body;
- (ii)    to prepare annual estimates of income and expenditure for the oncoming year and present them to the Governing Body in Trinity Term and to monitor these estimates during the year to which they relate;
- (iii)   to advise the Governing Body on all matters of financial policy and practice, and in particular on the financial implications of proposals under consideration;
- (iv)    to consider and advise the Governing Body on all matters concerned with College accommodation used for College purposes;
- (v)     to advise the Governing Body on all aspects of the management of properties owned by the College but not in use for College purposes, and in particular to approve the terms and conditions of leases and tenancy agreements and levels of rents;
- (vi)    to consider the Surveyor's annual and other reports on the condition of the land and buildings of the College and prepare in Trinity Term an assessment of needs for repair, maintenance and improvements, such needs to be placed in order of priority;
- (vii)   to review each year all charges made by the College;
- (viii)  to keep under review policy and administration relating to conferences, and approve levels of charges;
- (ix)    to keep under review rates of pay for all College employees and others paid by the College, and make recommendations to the Governing Body;
- (x)     to authorise proposed "minor" expenditures for which provision has not been made in the estimates;
- (xi)    to approve donations for academic and educational purposes.

- c) The Committee shall meet at least twice a Term and in vacations as necessary by arrangement.

C     Estates Committee

a)     The Estates committee shall consist of

- (i)     the Principal (Chairman)
- (ii)    the Bursar (Secretary)
- (iii)   the Custos Hortulorum
- (iv)    the Curator of Pictures
- (v)     the Senior Tutor
- (vi)    one representative of the Middle Common Room, non-voting
- (vii)   one representative of the Junior Common Room, non-voting
- (viii) three persons elected by and from the Governing Body

The Committee may invite any of the following to attend: the Domestic Bursar, the Grounds Manager and the Estates Manager.

(b)    The duties and powers of the Committee shall be

- (i)     to consider the Annual Report on the condition of the land and buildings of the College;
- (ii)    to exercise general supervision over the appearance and decoration of all the internal and external areas of the College;
- (iii)   to be responsible to the Governing Body for the upkeep of the gardens belonging to the College and for the expenditure of any allocation made for that purpose by the Governing Body;
- (iv)    to make recommendations to the Governing Body about alterations in the gardens;
- (v)     to make recommendations to the Finance Committee about the allocation of funds for each financial year and for any special item of non-recurrent expenditure;
- (vi)    to prepare an annual report for presentation to the Governing Body at the first Stated Meeting in Hilary Term.

c)     The Committee shall meet at least once a term.

D     Student Support Committee

a)     The Student Support Committee shall consist of

- (i)     the Vice-Principal (Chairman)
- (ii)    the Bursar (Secretary)
- (iii)   the Senior Tutor
- (iv)    two persons who are also members of the Governing Body elected by and from the Education Committee.

b)     The duties and powers of the Committee shall be

- (i)     to administer the Hardship Fund and such other funds as may be allocated or available and award bursaries, or where it is more appropriate, loans, to undergraduates and graduates for the relief of hardship;
- (ii)    to prepare an annual report and accounts in Trinity Term for presentation to Finance Committee and to send reports to the Junior and Middle Common Rooms;
- (iii)   to distribute subsidies for Vacation Residence from such funds as are allocated by the Governing Body.

c)     The Committee shall meet at least once a Term and thereafter shall report through the Vice-Principal to the Finance Committee.



E     Nominations for Vacancies Committee

a)     The Committee shall consist of

- (i)     the Principal, Chairman
- (ii)    the Bursar, Secretary
- (iii)   the Senior Tutor
- (iv)    three persons elected by and from the Governing Body.

The elected members, who may not be College Office-holders, shall be elected at the Second Stated Meeting of the Governing Body in Michaelmas Term, shall hold office for not more than three years and may not be immediately re-elected. One member shall retire each year. If two members have served for the same length of time, the junior of the two shall retire. No member of the Committee may nominate or second anyone to serve on the Committee.

b)     The duties of the Committee shall be

- (i)     to provide nominations to fill all vacancies in College Offices or Committees (other than the Nominations for Vacancies Committee) for which no nominations have been received under the procedure laid down in II. 2. c) (iv). The Committee shall not put forward a nomination for any Committee vacancy or College Office for which a valid nomination has been received from members of the Governing Body;
- (ii)    to present at the Third Stated Meeting in Trinity Term a report listing all nominations to vacancies in Committees and College Offices due to occur at the end of the academic year, both those received from members of the Governing Body, with names of proposer and seconder, and those put forward by the Committee itself;
- (iii)   to put forward at the Third Stated Meeting in every term nominations for any one- or two-term vacancies due to occur in the following term by reason of leave;
- (iv)    nominations to Selection Committees and Special Committees shall not be made by the Nominations for Vacancies Committee.

c)     The Committee shall meet at least once a year or as required.

F     Statutes and Bylaws Committee

- a)     The Committee shall consist of
  - (i)     the Principal, Chairman
  - (ii)    the Bursar, Secretary
  - (iii)   one Fellow and Tutor in Jurisprudence, to be agreed by those in post or, in default of agreement, by the Governing Body
  - (iv)    two persons elected by and from the Governing Body.
- b)     The duties and powers of the Committee shall be
  - (i)     to undertake the drafting of any changes in the Statutes required by Governing Body;
  - (ii)    to review the Bylaws and to draft and propose to the Governing Body any changes in them on which the Governing Body has decided in principle or which may be required by or implied in any Governing Body decision.
- c)     The Committee shall meet at least once a Term.

G     Library and Archive Committee

a)     The Committee shall consist of

- (i)     the Principal, Chairman
- (ii)    the Librarian, Secretary, who, whether or not a Fellow, shall be entitled to vote
- (iii)   the Library Fellow
- (iv)    the Archive Fellow
- (v)     the Senor Tutor
- (vi)    five persons elected by and from the Governing Body
- (vii)   one representative of the Middle Common Room, non-voting
- (viii)  two representatives of the Junior Common Room, non-voting.

b)     The duties and powers of the Committee shall be

- (i)     to provide from the annual allocation made by the Governing Body for the purchase of books and periodicals and for the day-to-day running expenses of the Library;
- (ii)    to make rules for the use of the Library by members of the College and others to whom the privilege of the Library may from time to time be extended by the Committee;
- (iii)   to accept donations at its discretion and with the agreement of the Governing Body to dispose of unneeded books;
- (iv)    to make recommendations to the Finance Committee on Library staffing matters, other than the appointment of a Librarian;
- (v)     to consider matters concerning the archive and to make recommendations relating thereto to the Governing Body;
- (vi)    to prepare an annual report for presentation to the Governing Body at the second Stated Meeting in Michaelmas Term.

c)     The Committee shall meet at least once a Term.

H     Education Committee

a)     The Committee shall consist of

- (i)     the Principal, Chairman
- (ii)    the Senior Tutor, Secretary
- (iii)   anyone responsible for the teaching or academic guidance of undergraduate Student Members of the College.

The Committee may invite others to attend.

b)     The duties and powers of the Committee shall be

- (i)     to keep under review and to report as necessary to the Governing Body on the progress and welfare of Student Members and in particular:

1. subject to any regulations made by the Governing Body, to determine the period within which Student Members shall pass University Examinations and to recommend to the Governing Body the consequences of failure to pass them within the specified time;
2. to receive an annual report from the Senior Tutor setting out the number of cases considered under the College's Academic Disciplinary Procedures (see Appendix B) and giving details of their outcomes;
3. to recommend to the Governing Body the award of College Scholarships and Exhibitions and to award prizes;
4. to recommend to the Governing Body the withdrawal for neglect of studies of College Scholarships or Exhibitions;
5. to consider questions relating to students' wishes or intentions to withdraw, temporarily or otherwise;

- (ii)    to consider routine admissions matters and in particular to provide as necessary for the conduct of the Admissions Process.

c)     At all Meetings of the Education Committee the meeting shall be quorate if one-third of the Tutorial Fellowship is present or, if one-third is not a whole number, the nearest whole number above one-third.

d)     The Committee shall meet at least once per year.

I     Equalities Committee

- a)     The Committee shall consist of
- (i)     the Principal, Chairman
  - (ii)    the Bursar, Secretary
  - (iii)   The Dean
  - (iv)    the Senior Tutor
  - (v)     one of the two designated Harassment Officers
  - (vi)    one representative of the Middle Common room
  - (vii)   one representative of the Junior Common Room
  - (viii)  three members of the non-academic staff.
- b)     The duties and powers of the Committee shall be
- (i)     to coordinate Equality Policy development and identify priorities for the Action Plan to be recommended to Governing Body each year;
  - (ii)    to monitor student support to ensure that procedures and allocations are fair and equitable;
  - (iii)   to monitor staff recruitment, selection and career development to ensure that procedures are fair and equitable;
  - (iv)    to establish and review consultative forums to involve ethnic minority staff and students;
  - (v)     to monitor procedures for undergraduate admissions to ensure that procedures are fair and equitable;
  - (vi)    to monitor procedures for graduate admissions to ensure that procedures are fair and equitable.
- c)     The Committee shall meet at least once per year.

J     Risk Committee

- a)     The Committee shall consist of
  - (i)     the Principal, Chairman
  - (ii)    the Bursar, Secretary
  - (iii)   the Vice Principal
  - (iv)    the Senior Tutor
  
- b)     The duties and powers of the Committee shall be
  - (i)     to review the College's Risk Matrix in respect of teaching, staff appointments, student admissions, and student discipline and make recommendations to Governing Body to manage the inherent risks;
  
  - (ii)    to review the College's Risk Matrix in respect of employment of staff, operation of buildings, domestic service provision, recreational and sporting facilities, financial management, and IT service provision and make recommendations to Governing Body to manage the inherent risks.
  
- c)     The Committee shall meet at least once per year.

K (Henry Rowland) Bickley Memorial / Aung San Suu Kyi Lectures Committee

- a) The Committee shall consist of
  - (i) the Principal, Chairman
  - (ii) three persons elected by and from the Governing Body.
- b) The duties and powers of the Committee shall be to propose, in the Trinity Term before the academic year in which the lecture is due to be delivered, the name of a lecturer for invitation by the Governing Body.

L     Student Welfare Committee

- a)     The Student Welfare Committee shall consist of
- (i)     the Principal (Chairman)
  - (ii)    the Senior Tutor (Secretary)
  - (iii)   the Dean
  - (iv)    two persons who are also members of the Governing Body
  - (v)     the College Doctors
  - (vi)    the College Nurse
  - (vii)   the College Counsellor
  - (viii)  the Chaplain
  - (ix)    the Assistant Dean
  - (x)     the Head Porter
  - (xi)    the Accommodation Officer
  - (xii)   the Housekeeper
  - (xiii)  the Disability Officer
  - (xiv)   MCR welfare representatives
  - (xv)    JCR welfare representatives.

The Committee may from time to time invite other members of the College to attend its meetings.

- b)     The duties and powers of the committee shall be
- (i)     to co-ordinate and consider the structure of provision for student welfare;
  - (ii)    to make recommendations to Governing Body about the structure of provision for student welfare, and any other matter of welfare policy the committee sees as appropriate.
- (c)     The committee shall meet once per term or as required.



M    Computing/IT Committee

- a)    The Committee shall consist of
  - (i)    the Principal, Chairman
  - (ii)   Computing/IT Fellow, Secretary
  - (iii)   three persons elected by and from the Governing Body.

The Committee may invite the ICT Manager to attend.

- b)    The duties and powers of the Committee shall be
  - (i)    to guide the Computing/IT function within the College.
- c)    The Committee shall meet as required.

N     Fund Raising Committee

- a)     The Committee shall consist of
  - (i)     the Principal, Chairman
  - (ii)    the Vice-Principal
  - (iii)   the Bursar
  - (iv)    the Development Director (if any)
  - (v)    two persons elected by and from the Governing Body.
- b)     The duties and powers of the Committee shall be
  - (i)     to make recommendations to the Governing Body on the occasions and means of raising money for College purposes by appeal;
  - (ii)    to advise and assist the Principal, the Vice-Principal and the Development Director in fund-raising.
- c)     The Committee shall meet as required.

O Student Members' Appeals Committee

a) The Committee shall consist

- (i) of six persons not being the Principal elected by and from the Governing Body. Of these the three most senior according to the date of their appointment to the College shall act in each term provided (1) that in the event of one or more of them being the Tutor(s) of the appellant the next most senior shall act; and (2) that in the case of a serious disciplinary offence a member of the Governing Body who gave evidence at the hearing before the Principal or whose evidence is to be given to the Student Members' Appeals Committee or who has advised the appellant in connection with the hearing before the Principal shall not act;
- (ii) also, in the case of a serious disciplinary offence, of two Student Members of the College if the appellant so wishes and if the Student Members who shall be appointed by the Junior Common Room, or where appropriate the Middle Common Room, agree to act.

The Committee shall appoint a Chairman from its members. The Bursar shall act as non-voting Secretary.

- b)
  - (i) In the case of a disciplinary offence, the Dean and the Tutor(s) of the appellant shall be disqualified from sitting as members of the Committee, but shall be invited to attend.
  - (ii) In any case of academic deficiency to be determined in accordance with the procedure set out in Appendix B the Senior Tutor (as the case may be) the Vice Principal, Dean and the Tutor(s) of the appellant shall be disqualified from sitting as a member of the Committee but shall be invited to attend.
- c) The powers and duties of the Committee shall be to hear appeals brought by Student Members against decisions made by the Dean, Principal, Student Disciplinary Committee or Academic Standards Committee in respect of disciplinary or other offences and to confirm, quash, or vary such punishments; no punishment of expulsion, sending down or rustication shall take effect until ratified by the Governing Body and where appropriate the Committee shall make a recommendation to the Governing Body; all decisions of the Committee which in other respects shall be final shall be reported to the Governing Body.

P     Portrait Committee

- a)     The Committee shall consist of
  - (i)     the Vice-Principal, Chairman
  - (ii)    the Curator of Pictures, Secretary
  - (iii)   three persons elected by and from the Governing Body.
- b)     The duties and powers of the Committee shall be
  - (i)     to make recommendations to the Governing Body for the commissioning of portraits;
  - (ii)    to make recommendations on the type and cost of any portrait that the Governing Body wishes to commission, and on the choice of artist.
- c)     The Committee shall meet as required.

Q    Investment Committee

a)    In accordance with Statute XII the Committee shall consist of

- (i)    the Principal, Chairman
- (ii)   the Bursar, Secretary
- (iii)  the Financial Adviser to the College (Statute XII.2)
- (iv)   two persons elected by Governing Body from among its members.

The Vice-Principal shall be invited to attend and shall be sent all papers but shall not have a vote except in the absence of the Principal.

The Committee may invite persons experienced in investment matters to attend meetings.

b)    The duties and powers of the Committee shall be

- (i)    to review the investments of the College;
- (ii)   to advise the Governing Body from time to time on the investment policy of the College;
- (iii)  to direct the Bursar to make and alter investments in the 'Pool' under Article X of the Scheme for administering certain funds of the College under the Universities and Colleges (Trusts) Act, 1943, section 2;
- (v)    to advise the Governing Body under Statute XII.2 on investment of all funds which do not form part of the 'Trust Funds Pool';
- (vi)   to make recommendations to Finance Committee each year concerning the amount of income available to be drawn.

c)    The Committee shall meet at least once a year and shall transact business at other times either by circulation or in Special Meetings.

R     Remuneration Committee

- a)    The Committee shall consist of
  - (i)     three persons who are not in receipt of any benefits from College
  - (ii)    two Fellows who are not paid by College
- b)    The duties and powers of the Committee shall be
  - (i)     to receive from the Bursar all necessary background information required by the Committee;
  - (ii)    to review the remuneration and conditions of employment of Fellows/members of Governing body and make recommendations to Governing Body;
  - (iii)   to set the framework, subject to existing terms and conditions of employment, for pay and conditions of Senior Managers whose detailed pay and conditions are determined by the Principal and Bursar;
  - (iv)    to make an annual report to Finance Committee/Governing Body;
  - (v)    the Principal and Bursar may be invited to attend to provide advice on salaries and conditions of service other than their own.
  - (vi)    two Tutorial Fellows elected by and from the Governing Body shall attend the committee as observers.
- c)    Finance Committee shall report to Governing Body on the affordability of Remuneration Committee's recommendations.
- d)    Governing Body may accept, refer back, or reduce the remuneration proposals of Remuneration Committee, but may not increase them
- e)    The Committee shall meet at least once a year.

S     Student Disciplinary Committee

- a)    See Appendix C for composition of the Student Disciplinary Committee.
- b)    See Appendix C for the duties and powers of the Committee.

### **III THE PRINCIPAL**

1. As required by Statute II.5. the Principal shall exercise a general superintendence over the College in all its departments, and see that the Statutes and Bylaws of the College are observed.
2. The Principal shall determine in accordance with the policy adopted by the College and by the University and in consultation with the Senior Tutor the number of undergraduates who may be in residence in any term. The number in residence shall be reported to the meeting of Education Committee in Michaelmas Term.
- 3.1 The Principal shall assign undergraduates and graduates reading for an Honour School and Visiting Students to Tutors or where no appropriate Tutor is available to other Fellows or Lecturers of the College and shall obtain termly reports from each such Tutor, Fellow or Lecturer.
- 3.2 Any Lecturer to whom any such student is assigned shall consult and be entitled to consult either a Tutor of the College nominated by the Principal or the Principal.
- 3.3 The Principal shall assign graduates reading for Higher Degrees and Diplomas to Fellows of the College.
4. Except where Bylaw VII applies, the Principal shall appoint all senior employees of the College, on the recommendation of the Committee on Non-Academic Staff, unless the Governing Body shall appoint a Special Selection Committee for the purpose.

Senior employees of the College shall be taken to include: the Chef, Grounds Manager, Head of Maintenance, Finance Officer, Deputy and Assistant Bursars, and such other employees as the Governing Body shall from time to time determine.

5. The Principal shall appoint all other administrative or domestic employees of the College on the recommendation of the Bursar, Domestic Bursar or other departmental head.
6. The Principal shall have authority to grant the grace of the Society under University Decrees and Regulations Chapter I Section 1.1.1.(d) (1989 Statutes, Decrees and Regulations) and report to the Governing Body any case of her refusal to do so.
7. The Principal shall make to the Governing Body at the second Stated Meeting in the Michaelmas Term a general report on the College.
8. The Principal shall have power in accordance with the provisions of Appendix E to suspend a student's membership of the college in exceptional cases.



#### **IV MANNER OF APPOINTMENT OF PRINCIPAL**

1. At the first or second Stated Meeting of the Governing Body in the Trinity Term two years before that in which the office of Principal will become vacant under the provisions of Statute II.4, the Governing Body shall fix the date of a Special Meeting to be held not later than Saturday of seventh week of the same Trinity Term.
2. If the Governing Body is informed at any Stated Meeting of the intention of the Principal to resign the Governing Body shall at that meeting or so soon afterwards as is practicable fix the date of the Special Meeting.
3. If a vacancy occurs in the office of Principal otherwise than provided in clause 1 or 2 above the Secretary to the Governing Body shall summon a Special Meeting to be held within 14 days of the occurrence, or so soon afterwards as is practicable, provided that if the vacancy shall occur in the month of July August or September the Special Meeting may be fixed for a day not later than the tenth day of October.
4. The Principal shall not be present at the Special Meeting and the senior of the Tutorial Fellows present shall act as chairman.
5. The only business on the Agenda of the Special Meeting shall be the appointment of a Principal under Statute II.2-4 and matters directly relating to or arising from it.
6. The Special Meeting shall establish a timetable for appointing a Principal including
  - (i) the placing of advertisements;
  - (ii) the closing date for applications;
  - (iii) the date of an initial meeting to discuss candidates;
  - (iv) visits by candidates;and the procedure to be followed.
7. The Special Meeting shall be adjourned from time to time as may be necessary, and at an adjourned meeting not later than the seventh week of the third complete Term following the date of the first meeting voting shall take place on the candidates who have been formally proposed and seconded.
8. The method of election shall be by secret ballot using the following voting system -
  - i) Each voting slip shall be marked in order of preference, giving '1' to the voter's most preferred candidate, '2' to the next preferred and so on. All candidates must be given a preference order. A ballot which fails to give such an ordering to any candidate is invalid.
  - ii) Initially the voting slips are counted as they would be in an ordinary voting system - that is, only the first preferences are looked at and votes are tallied thus. If any candidate obtains a straight majority (50+%) of the valid ballots, that candidate is deemed to be the

successful candidate under the voting procedure.

- iii) If no candidate has a majority, the candidate with the greatest number of last preferences is eliminated and the votes redistributed according to the second preferences of his/her supporters.
  - iv) The new votes are added up, and again the candidate who obtains a majority is deemed to be the successful candidate under the voting procedure.
  - v) If no candidate has a majority, the candidate with the greatest number of last preferences is eliminated. Where second preferences on redistributed slips have been given to a candidate who has been eliminated, third preferences are used, and so on.
  - vi) If votes are tied between two or more candidates having the greatest number of last preferences under ii) - v) above, each or all of those candidates shall be eliminated and their votes redistributed under iii) or v) as the case may be.
  - vii) This process continues until someone emerges with a majority.
9. On the determination of the successful candidate under the voting procedure, a Motion shall be put from the Chair that this candidate shall be elected as Principal. This Motion shall be deemed to be passed if supported by a simple majority of those present and voting in a secret ballot. That candidate will then have been elected to the office of Principal.
10. If there is no successful candidate under the voting procedure, or if the Motion to elect the candidate who is the successful candidate under the voting procedure is not passed by a simple majority, the Meeting shall be immediately adjourned. It shall reconvene in not less than forty-eight hours, and the process of voting shall be repeated.
11. If a Motion under 10 above is not passed at the adjourned Meeting, the election process will be deemed to have failed and Governing Body will immediately determine a timetable for the consideration of further candidates.
12. If no election has been made within twelve weeks from the conclusion of the procedure in 11 above, the appointment of a Principal shall lapse to the Visitor in accordance with Statute XVI.6.

## **V     ADMINISTRATIVE OFFICERS AND LIBRARIAN**

### **1.     Bursar**

The Governing Body shall appoint a Bursar who shall be the principal Administrative Officer of the College referred to in Statute IV.1(i)(b).

The Bursar shall be responsible to the Governing Body for the College's financial, domestic and general administration and the management of its investments, grounds and buildings and for advising on and implementing College policy in respect of health, safety and welfare, and staff discipline, in accordance with guidelines agreed from time to time. The Bursar shall be Secretary to all of its Committees except those to which a different person is specifically appointed as Secretary.

### **2.     Senior Tutor**

The duties of the Senior Tutor shall be

- (i) to deal with matters relating to undergraduate teaching, progress and welfare (except that the Vice-Principal shall deal with student hardship), including negotiating with the University Authorities on behalf of undergraduates of the College about academic matters;
- (ii) to consult with the Principal on the matter of numbers early in Michaelmas Term and during the admissions period;
- (iii) to co-ordinate admissions policy, to promote liaison with schools and to deal with enquiries concerning admissions either personally or by passing them to the appropriate Tutors;
- (iv) to represent the College in dealing with the Admissions Office;
- (v) to plan and oversee the organization of Open Days for schools (pupils and teachers);
- (vi) to deal with requests from schools to visit the College and generally to exercise supervision over visits by pupils and teachers;
- (vii) to organise College Collections;
- (viii) to co-ordinate tutorial reports;
- (ix) to liaise with the Junior Common Room on such matters as the Freshers' Guide and Induction Week;
- (x) to present proposals for College policy on graduates to the Governing Body and to execute policy agreed by the Governing Body;
- (xi) to co-ordinate and administer the admission of graduates;

- (xii) to represent the College on the Senior Tutors' Committee and report on its deliberations to the Governing Body;
- (xiii) to represent the College at the Committee of Tutors for Graduates and report on its deliberations to the Governing Body;
- (xiv) to negotiate on behalf of the College with Faculty Boards and the General Board and, where appropriate, other colleges about joint appointments;
- (xv) to act as Secretary to the Academic Committee, and Selection Committees for academic appointments other than that of Librarian;
- (xvi) to act as Secretary to the Education Committee;
- (xvii) to act as Secretary to the Student Welfare Committee.

### 3. Domestic Bursar

The Governing Body may appoint a Domestic Bursar, under the terms of Statute VI.B.1., who shall be required to reside within the College unless the Governing Body shall decide otherwise. The Domestic Bursar, under the overall authority of the Bursar, shall be responsible for the domestic management of the College.

### 4. Librarian

As required by Statute VI.F, the Governing Body shall appoint a Librarian who shall take charge of the Library, purchase and catalogue the books approved by the Library Committee, and enforce the rules. The Librarian shall act as Secretary and executive officer of the Committee and shall have such assistance in the performance of her duties as the Governing Body may from time to time determine.

## **VI      COLLEGE OFFICES**

1. Elections to the following Offices shall be made by the Governing Body at the Third Stated Meeting in Trinity Term. Terms of office shall commence at the beginning of the academic year following election, and shall be for the periods of years specified below. The Secretary of the Governing Body shall circulate with the Agenda of the First Stated Meeting of Trinity Term a list of College Offices due to fall vacant at the end of the current academic year. The names of persons nominated for election to these Offices, together with the names of their proposers and seconders, shall reach the Secretary not later than noon on Friday of the Fourth Week of Trinity Term. If no nomination is received by then for any Office, the Nominations for Vacancies Committee shall put forward a nomination which shall be placed on the Agenda of the Third Stated Meeting of Trinity Term.

### **A.    Vice-Principal (see Statute III)**

- a) The Vice-Principal shall hold office for a period not exceeding three years, and shall not be immediately eligible for re-election.
- b) The duties of the Vice-Principal shall be
  - (i) as required by Statute III. 2, unless the Governing Body shall determine otherwise, to perform the duties of the Principal during the Principal's absence or incapacity through illness or during a vacancy in the office of Principal;
  - (ii) to act as Chairman of such Committees as the Governing Body may decide.

### **B.    Dean (see Statute VI.D.)**

- a) The Dean shall hold office for three years, renewable for not more than one period of two years.
- b) The duties of the Dean shall be:
  - (i) to be responsible for the discipline of Student Members and carry out the functions specified in Appendices D and E to these Bylaws.
  - (ii) to advise the Governing Body on disciplinary matters and rules of conduct for Student Members;
  - (iii) to advise the Governing Body on matters relating to the security of the Student Members of the College.
- c) The Governing Body may appoint an Assistant Dean and not more than four Junior Deans each of whom shall hold office for one year and may be renewed. An Assistant Dean shall be a Fellow or graduate student of the College and a Junior Dean shall be a graduate student of the College.
- d) The Assistant Dean and the Junior Deans, acting with authority delegated to them by the Dean, shall assist the Dean in connection with the discipline of Student Members. Each night during weeks 0 to 9 in Michaelmas Term and Hilary Term and weeks 0 to 10 in

Trinity Term, one or two of the Assistant and Junior Deans shall be on duty. While on duty an Assistant or Junior Dean has a responsibility for

- (i) the safety and security of Student Members;
  - (ii) maintaining an appropriate level of noise;
  - (iii) responding to incidents;
  - (iv) recording details of incidents.
- (e) The Assistant Dean shall deputise for the Dean in the execution of the Dean's duties and shall assist the Dean in co-ordinating the work of the Junior Deans.
- (f) While in post, the Assistant Dean and the Junior Deans shall reside in College free of charge and shall be entitled to free meals in Hall during term time. The Assistant Dean shall be entitled to an additional remuneration determined by the Governing Body.
- (g) A vacancy for an Assistant Dean or Junior Dean shall be advertised. Renewal in office shall be subject to satisfactory review.

C. Dean of Degrees (see Statute VI.E.)

- a) The Dean of Degrees shall hold office for two years, and may be renewed. The Governing Body may appoint more than one Dean of Degrees for a fixed period of time.
- b) The duties of a Dean of Degrees shall be
- (i) to present for matriculation any duly qualified member of the College;
  - (ii) to present on any Degree Day any member of the College to whom the Grace of the College has been granted.

D. Library Fellow

- a) The Library Fellow shall hold office for three years, renewable for two further periods of two years.
- b) The duties of the Library Fellow shall be to act as spokesperson for the Library matters at Meetings of the Governing Body and to be the link between the Governing Body and the Librarian.
- c) If the Librarian is a Fellow this Bylaw shall be suspended.

E Archive Fellow

- a) The Archive Fellow shall hold office for three years, renewable for two further periods of two years.
- b) The duties of the Archive Fellow shall be to act as spokesperson for Archive matters to Governing Body and to be the link between Governing Body and the Archivist.

F. Custos Hortulorum

- a) The Custos Hortulorum shall hold office for three years and may be renewed.
- b) The duties of the Custos shall be
  - (i) to act as Secretary to the Gardens Committee;
  - (ii) to maintain contact with the Grounds Manager and to be informed on the condition of the gardens and on the implementation of any garden plan.

G. Curator of Pictures

- a) The Curator of Pictures shall hold office for three years, and may be renewed.
- b) The duties of the Curator shall be
  - (i) to be informed on the condition and security of pictures or other works of art belonging to the College, and to make recommendations to the Governing Body on their location or care;
  - (ii) to implement any decision of the Governing Body on these matters;
  - (iii) to act as Secretary to the Portrait Committee.

H. Computing/Information Technology Fellow

- a) The Computing/Information Technology Fellow shall hold office for three years and may be renewed.
- b) The duties of the Computing/Information Technology Fellow shall be
  - (i) to promote computing and the use of information technology throughout the College;
  - (ii) to recommend the provision of funds for the purchase of equipment and software;
  - (iii) to liaise with University and other external bodies on Computing/Information Technology matters;
  - (iv) to oversee the work of the ICT Manager.
- c) The Computing/Information Technology Fellow shall be assisted by a Special Committee of Fellows knowledgeable about computing and information technology matters.

I. Fellow for Senior Member Relations

- a) The Fellow for Senior Member Relations shall hold office for three years and may be renewed.
- b) The duties of the Fellow for Senior Member Relations shall be to advise the College on all matters concerning its relations with Senior Members and with the Association of Senior

Members.

2. a) The holders of the following College Offices shall have their college teaching hours reduced by not less than the undernoted amounts, or receive the corresponding additional remuneration instead at the Senior Tutor's Committee's recommended rates for teaching in pairs:

Vice-Principal	Three hours
Dean	Five hours
Dean of Degrees	One hour
Library Fellow	Two hours
Archive Fellow	One hour
Computing/IT Fellow	One hour
Assistant Dean (if a Fellow)	One hour

3. a) If the holder of a College Office dies or resigns during his or her period of office or because of illness or injury becomes incapacitated from completing the whole or a substantial part of the remainder of his or her period of office an election shall be made by the Governing Body at a Stated Meeting at any time to fill any such vacancy.
- b) The Secretary of the Governing Body shall notify all members of the Governing Body of any such vacancy as soon as it arises, and invite nominations to fill the vacancy. The names of persons nominated for election to fill any such vacancy, together with the names of their proposers and seconders, shall reach the Secretary not later than noon on the Friday before the date of the Meeting at which the election is to be held. If no nomination is received by then for any Office, the matter shall be referred at the Meeting in question to the Nominations for Vacancies Committee for consideration.
- c) Any person elected to fill any such vacancy shall hold office for a term commencing on a date to be determined by the Governing Body at the meeting at which the election is held and expiring at the end of a period determined by the Governing Body which shall not in any event exceed the period of three years from the beginning of the Michaelmas Term next following the date of election.
- d) After the expiration of the term the holder shall be eligible for election for such further period of office as is applicable to the office in question in accordance with this Bylaw.



## **VII APPOINTMENT OF CHAPLAIN AND COLLEGE DOCTOR**

1. The Governing Body shall appoint a Chaplain who must be a clergyman of the Church of England. The Governing Body shall make such an appointment on the recommendation of a Committee which shall consist, ex officio, of the Principal, the Dean, and a number of Fellows elected by the Governing Body. The number of Fellows shall not be less than the minimum number required for a Selection Committee for a Tutorial Fellow at that time. In the case that no member of the Committee is a clergyman of the Church of England, the Governing Body shall invite one who must be a Fellow of a College in the University to act as an assessor.
2. The Governing Body shall, if it sees fit, appoint a College Doctor. The Governing Body shall appoint one or more College Doctors on the recommendation of the Student Welfare Committee. The number of Fellows shall not be less than the minimum number required for a Selection Committee for a Tutorial Fellowship at that time. If no member of such a Committee is medically qualified, the Governing Body shall invite a suitably qualified person who must be a Fellow of a College in the University to act as an assessor.

## **VIII     STUDENT MEMBERS**

### **A. General**

1. For the purposes of these by-laws, the following words shall have the following meanings:
  - (a) The term 'Student Member' shall mean any person who is registered as a student whether for a degree, diploma, or as a visiting student of the College.
  - (b) 'Termination of course' shall mean that a student is no longer permitted to continue the course of study for which he or she is registered. In disciplinary cases, termination of course will trigger expulsion.
  - (c) 'Expulsion' by the College shall mean the permanent loss of membership of the College and the University.
  - (d) 'Sending down' by the College shall mean the requirement to go out of residence for an indefinite period of time with whatever consequences this may have in the event of readmission by the College in relations to standing in the University.
  - (e) 'Banning' by the College shall mean a withdrawal of the right of access to specified premises or facilities for a fixed period or pending the fulfilment of certain conditions.
  - (f) 'Rustication' by the College shall mean the withdrawal of the right of access to the whole of the premises or facilities of the College for a fixed period or pending the fulfilment of certain conditions.
  - (g) 'Suspension' by the College shall mean a withdrawal of a right of access as above where action is taken as an interim measure pending further investigation, or where action is required in a non disciplinary situation. Such withdrawal may be for a limited period pending the fulfilment of certain conditions or may be indefinite.
  - (h) 'Harassment' shall mean a course of unwarranted behaviour such as to cause and as may reasonably be expected to cause such distress or annoyance as seriously to disrupt the work or substantially to reduce the quality of life of another person.
2. College Regulations and Bylaws that relate to Student Members shall be posted on the College Website.
3. Each Student Member shall notify the College of an e-mail address via which tutors and other College officers can communicate with them.

### **B. Junior Common Room**

There shall be a Junior Common Room which shall represent the views of undergraduate Student Members to the Governing Body and membership of which shall be required by the Governing Body.

The Constitution of the Junior Common Room shall be that in effect at the time of the coming into force of this Bylaw subject to any amendments made by the Junior Common Room and ratified by the Governing Body.

#### C. Middle Common Room

There shall be a Middle Common Room which shall represent the views of graduate Student Members to the Governing Body and membership of which shall be required by the Governing Body. The Constitution of the Middle Common Room shall be that in effect at the time of the coming into force of this Bylaw subject to any amendments made by the Middle Common Room and ratified by the Governing Body.

#### D. Punishment

1. A Student Member who commits an offence may incur a punishment, including expulsion, sending down, rustication, suspension, banning, fine, or other appropriate penalty, following the guidelines for procedure contained in Appendix C.
2.
  - a) A Student Member whose work is in the opinion of his or her Tutor(s) seriously unsatisfactory may be expelled, sent down or rusticated by the Governing Body, following the guidelines for procedure contained in Appendix B.
  - b) As provided by Statute IX.4, a College Scholarship or Exhibition may be withdrawn for neglect of studies.
3. The Principal may at her discretion suspend a Student Member with immediate effect if she is satisfied that having regard to the safety, interests and welfare of the members and employees of the College it is inappropriate for the Student Member to remain in residence. In that event the guidelines for procedure contained in Appendix E (a copy of which shall be made available to the Student Member) shall be followed.
4. The Principal may exclude from residence in the College in any year a Student Member who in the previous year has created a persistent problem. Reasonable notice of such exclusion must be served.
5. The Principal, when a Student Member has been given permission to withdraw temporarily from his or her course, may attach such conditions as she deems in the College's best interest to the behaviour of the Student Member during the period of withdrawal.
6. No Student Member shall be presented for a degree unless he or she has paid all sums due to the College.

## **IX      ACADEMIC STAFF:**

### **Redundancy Procedure**

#### **Stage 1 - Governing Body Meeting (Clause 10(2))**

- 1.1 In the event that a reduction in academic staff or activity is contemplated for any reason whatsoever, the Principal shall call a special meeting of the Governing Body to consider and determine upon the matters set out in Clause 10(2) of the Statute.
- 1.2 If any member is unavoidably unable to attend and reasonably considers that he may be personally affected by a decision under Clause 10(2), for example because the Governing Body may be considering deleting a subject altogether, he shall be entitled to seek a postponement of the meeting by written notice to the Principal to be delivered to him at least three days prior to the date set for the meeting.
- 1.3 Prior to the special meeting, the Principal shall cause a detailed memorandum of information to be prepared on a confidential basis for the Governing Body. The memorandum shall contain all relevant available information including financial and academic matters, setting out in detail the position of the College and the matters to be considered both in favour of and against making any reductions in general terms and in so far as possible without reference at this stage to the position of any individual members of academic staff who may be affected.
- 1.4 The memorandum shall put all considerations forward fairly and in an even-handed manner and shall not make recommendations for any specific course of action. The memorandum shall evaluate as far as possible the impact of any reduction on the principles established by Clause 1 of the Statute.
- 1.5 To provide members with an opportunity to consider, and respond to, the memorandum of information, it shall be circulated at least seven days before the relevant meeting of the Governing Body and representations shall be invited. Any representations which are received in the Bursar's Office by 12pm on the second day before the day of the meeting shall be circulated to all members of the Governing Body.
- 1.6 Prior to making any decision under Clause 10(2) the Governing Body shall consider the impact of such a decision on the relevant Division Faculty or Department and subject boards and shall consult with the relevant University bodies.

#### **Stage 2 - Redundancy Procedure: Initial Stage**

- 2.1 Once a decision has been reached in principle under Clause 10(2) of the Statute, the Governing Body shall appoint a Redundancy Committee ("the Committee") unless it determines that it will carry out the task of handling any redundancies itself.
- 2.2 Members of the Committee shall be selected in accordance with the provisions of Clause 11 of the Statute. However no members who appear to be personally affected or likely to be so affected shall be chosen. No-one on a fixed-term appointment shall be eligible for selection and no-one to whom the Statute applies shall be eligible for selection unless he has been

employed by the College for at least two years. The Chairman of the Committee shall be expressly so appointed by the Governing Body.

- 2.3 In the case of potential collective redundancies the Governing Body shall, and in all other cases may, consider and establish appropriate procedures for consultation with representatives of the members of staff potentially affected. Such consultation shall generally be carried out by the Redundancy Committee or, if none is appointed, the Governing Body itself. Such consultation shall be with either a recognised trade union or specially elected "workplace" representatives as defined by any relevant legislation currently in force, or in the absence of any such representatives all the individuals potentially affected by the decision, and shall commence in good time with a view to reaching agreement in relation to the matters set out in any legislation in force for the time being.
- 2.4 The Redundancy Committee (or if none is appointed, the Governing Body) shall meet as soon as is reasonably practicable to establish a time-table for consideration of the issues. The Committee shall consider the identification of those who are potentially at risk of redundancy and shall seek to identify any alternatives to redundancy to avoid redundancy and/or to mitigate the effects. It shall also consider, where applicable, selection criteria for the determination of who is to be chosen from among those who are potentially redundant.
- 2.5 No decision shall be taken upon any of the relevant matters without the Committee's ensuring that there has been full and proper consultation with the affected persons and their representatives. For this purpose, and prior to any decision being made, the Committee shall ensure that each person is afforded an opportunity to meet with members of the Committee (accompanied by a representative if they wish), to be provided with relevant information and to make representations on any aspect of the case.
- 2.6 After having considered all relevant matters the Redundancy Committee shall meet to formulate its recommendations together with the reasons for them. A written report of the recommendations and reasons for them shall be provided to the Governing Body and to the affected person or persons as well as their representative(s).

### **Stage 3 - Decision to Dismiss**

- 3.1 Upon receipt of the report and recommendations of the Redundancy Committee a special meeting of the Governing Body shall be convened to consider the matter further.
- 3.2 Any member whose dismissal on grounds of redundancy is recommended by the Redundancy Committee, shall be permitted at least two weeks between the date of the Committee's report and the special meeting of the Governing Body to prepare and submit any representations he considers appropriate to the Governing Body. Any representations which are received in the Bursar's Office by 12pm on the second day before the day of the meeting shall be circulated to all members of the Governing Body.
- 3.3 In addition to submission of written representations, the person concerned shall have the opportunity to make oral representations to the Governing Body at the special meeting prior to any decision being made and shall be entitled to be accompanied and/or represented by a

person (who may be a professional and/or trade union representative) of his choice.

- 3.4 The Governing Body may request a member of the Redundancy Committee (where appointed), being the Chairman or his delegate, to attend the Governing Body formally in that capacity to present the Committee's recommendations and to answer questions from the Governing Body and/or the person or persons concerned. If the Governing Body so determines, the Redundancy Committee may be asked to carry out further consultation with affected members or any other appropriate person.
- 3.5 No meeting of the Governing Body at which a decision to dismiss under Part II is taken shall be quorate unless at least 50% of those members of the College entitled to attend are present and no vote shall be effective unless at least 50% of those attending vote in favour. Members of the Governing Body who are affected by the Redundancy Committee's decision or who are members of the Committee shall be entitled to vote.
- 3.6 Prior to making any decision to dismiss in accordance with recommendations of the Redundancy Committee, the Governing Body shall specifically canvass any alternative employment opportunities or any other means of avoiding a dismissal for redundancy. In addition the Governing Body shall ensure that it has been fully appraised of any USS options which the person affected may be able to exercise in the event of redundancy.
- 3.7 In the event that the Governing Body accepts the recommendations of the Redundancy Committee and votes to dismiss any member on grounds of redundancy, a written note of the decision of the Governing Body together with a copy of the procedures establishing a right of appeal shall be provided to the person affected and his representative. No decision shall be implemented until after any appeal has been determined under Part V.
- 3.8 If the Governing Body decides upon the dismissal of any member on grounds of redundancy, it shall ensure that provision is made to assist the person concerned with financial and career planning, with reasonable expenses to be met by the College.

## **X     ACADEMIC STAFF:**

### **Disciplinary Procedure**

#### **1.     Informal Stage**

- 1.1   Where it appears to the Principal that the conduct or performance of a member of academic staff is falling below an acceptable standard or the member of staff appears to be otherwise in difficulties, the Principal may arrange to meet with that person on an informal basis to explore the situation and to consider what action can be taken to improve his conduct or performance. The Principal may appoint a colleague (being a Fellow or Emeritus or Honorary Fellow of the College) to conduct the informal discussions with the person concerned either with the Principal or alone. The informal discussion shall not be viewed as a disciplinary act but as an opportunity to explore together any problems that appear to have arisen and consider solutions that may be available. A record of this initial meeting may be kept, provided the member of staff agrees and a copy of any note is made available to him. If the person concerned prefers, the discussion may be kept confidential at this stage.

#### **2.     Disciplinary Warnings**

- 2.1   In any case where it seems to the Principal that the performance and/or conduct of a member of academic staff appears not to meet acceptable standards but where the circumstances do not appear to raise *prima facie* grounds for dismissal (for example, after investigation of a complaint submitted to the Principal under Clause 14(1) which is not to be referred to an Academic Disciplinary Committee), the Principal may convene a meeting with the individual for the purpose of considering the matter and any appropriate sanction. No disciplinary sanction shall be imposed unless the person concerned has had reasonable notification of the allegations made against him and an opportunity to respond and until the matter has been properly investigated by or at the behest of the Principal.
- 2.2   Prior to the disciplinary meeting, the person concerned shall be provided with written notification of the date and nature of the meeting and the matters to be considered, together with copies of any relevant statements. He shall have the opportunity to be accompanied or represented by a colleague or representative from any professional body or trade union of which he is a member such as the AUT. The individual shall not normally be permitted legal representation at this stage.
- 2.3   In the event that it appears to the Principal that the individual's conduct and/or performance has fallen below acceptable standards, and depending on the gravity of the situation and all the circumstances of the case, the Principal may issue an oral or written warning.
- (a)   *Oral Warning*
- The oral warning is the first stage of the disciplinary procedure. It shall state clearly that it comprises the first stage of the disciplinary process. The reasons for the warning shall be specified, together with any agreed plan of action for improvement, where applicable. The oral warning shall be recorded in a dated written note, a copy of which shall be provided to the individual. The note shall be kept in the Principal's file in respect of the person concerned and shall be regarded and marked as spent after one year.

(b) *Written Warning*

In the event that the person's conduct and/or performance does not improve, or gives further cause for concern whether of a similar nature or not, within the twelve month period during which the oral warning remains live, and in any case where the seriousness of the matter so merits, the disciplinary action which the Principal may take short of dismissal is a written warning. The written warning shall specify the reason and set out the improvement required and the time for achieving it. It shall be dated and a copy shall be provided to the individual as well as being kept in the Principal's file in respect of the person concerned. A written warning remains "live" for a period of two years after which it shall be regarded and marked as spent.

- 2.4 In the event that either an oral or a written warning is issued, the person concerned shall be notified of his right of appeal under Clause 13(2) of the Statute, Stage 3.

**3. Dismissal**

In any case before the Principal, whether on a complaint under Clause 14(1) or otherwise, he shall consider all the circumstances of the case including the outcome of any enquiries instituted under Clause 14(2) and any comments from the person concerned invited under Clause 14(3). If, after such consideration, it appears to the Principal that there are *prima facie* grounds for dismissal for good cause as defined in Clause 5 of the Statute, the Principal may call on the Governing Body to appoint an Academic Disciplinary Committee to consider and report on the case in accordance with Clauses 16-19 of the Statute. The Principal may suspend the person concerned at this stage in accordance with Clause 14(3).

- 3.1 Upon receipt of a request under Clause 15 of the Statute from the Principal, the Governing Body shall appoint the Academic Disciplinary Committee (the "Committee") as soon as reasonably practicable and shall inform the person to be charged by written notice that the Committee has been appointed to consider any charge or charges to be brought. The written notice shall include the names of the members of the Committee and shall enclose a copy of this By-law. At the same time the Governing Body shall appoint a solicitor or other suitable person to formulate charge(s) and to conduct or arrange for the conduct of the hearing. The Governing Body shall appoint one of the members to act as Chairman.
- 3.2 Subject to the provisions of the Statute and any provision to the contrary in this By-law, the Committee shall have power to regulate its own proceedings. If any member of the Committee is unable to attend within 3 weeks of the date of his or her appointment or the date of any earlier meeting of the Committee the Committee shall be discharged and a new Committee shall be appointed in accordance with the provisions of the Statute. The Committee shall be entitled to appoint a secretary to support it in discharging its function at any time and to take notes of evidence at any hearing.
- 3.3 The person appointed to formulate the charge or charges ("the prosecutor" - which expression may include a solicitor or any person instructed to act on that person's behalf) shall notify the person charged of the date and time set for the hearing of the charge or charges.



- 3.4 The person charged shall notify the prosecutor of any representative he has appointed to act for him/her and any further communications shall be addressed to the person charged and to any representative appointed by him. Any fees or expenses payable to the representative (other than reasonable travel costs and out of pocket disbursements) shall be at the charge of the person accused.
- 3.5 The Committee Chairman may make any interlocutory directions he considers necessary for the fair conduct of the hearing, including but not limited to any directions as to the hearing date(s), whether at the request of either party or otherwise of his own motion. The Chairman may also remit any matters to the Principal for further consideration and has power to join further parties to the case if he considers it appropriate to do so upon notice to the parties of such joinder. The Chairman of the Committee shall set the date, time and place for the hearing and may also set appropriate time limits for each stage (including the hearing), to the intent that any matters be heard and determined expeditiously. If the Chairman considers it appropriate in all the circumstances of the case he may request the Principal to consider the suspension of the person charged under Clause 14(3).
- 3.6 At least 14 days before the date set for the hearing, the prosecutor shall forward the following to the Committee and person charged and any other parties to the hearing:
- (a) the charge or charges;
  - (b) copies of any documents specified or referred to in the charge or charges;
  - (c) a list of witnesses to be called by the prosecutor;
  - (d) copies of statements containing the witnesses' evidence.
- 3.7 At least seven days before the date set for the hearing, the person charged shall forward to the prosecutor copies of any documents on which he wishes to rely, a list of his witnesses and copies of their statements of evidence. The prosecutor shall ensure that copies of all these are prepared and forwarded to the Committee as soon as practicable.
- 3.8 The jurisdiction and power of the Committee shall not be restricted by the fact that the person charged has been, or is liable to be, prosecuted in a court of law in respect of any act or conduct which is the subject of proceedings before the Committee. The Committee may postpone or adjourn a hearing, if it considers it appropriate, to enable a prosecution to be undertaken.
- 3.9 Subject to the consent of the Committee, both the prosecutor and the person charged may introduce new evidence at the hearing save that in the case of the prosecutor such new evidence shall not be admitted except for good reason. In the event that new evidence is admitted, the other party shall have the right to an adjournment to allow him time to consider the evidence and its effect on the case and may then submit further evidence in response, provided that the Committee consents, such consent not to be unreasonably withheld.
- 3.10 The Committee may proceed with the hearing in the absence of any party but shall not do so in the absence of the person charged or his representative unless it is satisfied that it is reasonable to do so in all the circumstances of the case or unless the person charged agrees or so requests.

- 3.11 Subject to the right of the person charged, his representative and the prosecutor to be present throughout the hearing, the Committee may decide whether to admit any persons to, or exclude them from, the hearing or any part of it.
- 3.12 Each party to the proceedings shall be entitled to give evidence at the hearing, to make an opening statement, to call witnesses, and to question any witness. Closing statements may be made by the prosecutor first and then any other parties, with the person accused being given the opportunity to speak last.
- 3.13 Without prejudice to the Committee's general power to regulate its own conduct, it shall specifically have the power to set time and other limits on the evidence to be called for each side consistent with providing a fair opportunity for each party to present its relevant evidence whilst ensuring that the charge is heard and determined as expeditiously as is reasonably practicable. The Committee shall have power to adjourn the proceedings from time to time as it sees fit.
- 3.14 The Committee shall ensure that its secretary or some other appropriate person is present throughout the hearing so that a full and accurate record of the evidence may be taken.
- 3.15 It is for the prosecutor to prove the charge or charges. In determining whether the charges or any of them are proved the Committee shall consider the evidence and decide whether on the balance of probabilities it considers that good cause for dismissal within the meaning of Clause 5 of the Statute has been proved in respect of each charge before it.
- 3.16 If the Committee decides that a charge has been proved, it shall give each party an opportunity either orally or in writing at the option of the Committee to address it on the question of penalty and/or mitigation prior to determining any recommendations that it may make to the Principal.
- 3.17 The decision of the Committee shall be recorded in a document in which the Committee's findings of fact, its reasons for the decision and any recommendations as to penalty are contained. The document shall be signed by the Chairman of the Committee and at least one other member. The document shall be sent directly by the secretary of the Committee to the person charged and to his representative in addition to the other parties specified in Clause 19 of the Statute. The person charged shall be notified of his right of appeal against the decision or against any recommendation of the Committee as to penalty.
- 3.18 Where any charge has been upheld and the Committee has recommended dismissal, the Principal or his delegate shall inform and consult the Governing Body prior to making any decision as to penalty. He shall arrange for a special meeting of the Governing Body for this purpose and shall keep the person charged informed as to the process. The person charged shall not have the right to make further representations to the Principal at this stage.
- 3.19 If the Principal decides to dismiss the person charged he may do so forthwith or upon such terms as he considers fit. If the Principal decides not to dismiss, the actions he may take are as set out in Clause 20(b) of the Statute. Any warning given under Clause 20(2)(c) shall be

recorded in writing and shall remain live for two years. In all cases the Principal's decision shall be communicated to the person charged in writing as well as to the Governing Body.

- 3.20 No decision as to dismissal or otherwise implementing recommendations of the Committee shall be implemented until after any appeal has been determined under Part V.

## **XI      ACADEMIC STAFF:**

### **Procedure for Removal on Medical Grounds**

#### **1.      Preliminary Stage**

- 1.1 Where from the conduct or performance of a member of academic staff it appears to the Principal that there may be cause for concern about that person on medical grounds, and in any case where the member of staff has been absent on medical grounds for an aggregate period of six months in any twelve month period, the Principal shall meet with the individual concerned and consider the circumstances of the case. The consultation shall be on a confidential basis if the member of staff so wishes, but the Principal may appoint an informal panel of two or three individuals, including one who is medically qualified, to advise and assist him.
- 1.2 At this stage the purpose of the meeting and any subsequent investigations is to elucidate the nature of the problem and to consider ways of assisting the member of staff to resume his full contractual duties. If the Principal considers it advisable, he shall seek the member of staff's consent to disclosure of the latter's medical record in accordance with the Access to Medical Reports Act 1988. The Principal may also, with the consent of the member of staff, arrange for him to be examined by an occupational health physician or other medical practitioner to assess among other things the prognosis for a return to work and any available treatment. Any fees payable in relation to such examination shall be borne by the College.
- 1.3 The Principal shall consider with the member of staff, and other concerned people as required, ways of ensuring that students and others for whom the individual has contractual responsibilities have their teaching, pastoral and other needs, as may be, met by a rearrangement of resources or other arrangements. In all cases, and especially where third parties are consulted, the Principal shall do all that is reasonably practicable to respect the confidentiality of the member of staff if he so wishes. The Principal shall also consider whether counselling or other assistance shall be offered to the member of staff at the expense of the College.

#### **2.      Medical Incapacity**

- 2.1 If it appears to the Principal that the situation is unlikely substantially to improve within a reasonable period of time, or in any case where the condition of the member of staff or any mental or physical quality affecting the member of staff is such as substantially to interfere with the performance of his duties, the Principal shall consider the removal of the member of staff in accordance with the provisions of Clauses 23 and 24 of the Statute. Prior to taking any action under this section, the Principal shall consult with the individual and/or any representative nominated by him as to the steps to be taken and their likely outcome. The consultation shall specifically include consideration of the person's condition and likely future state of mental or physical capacity, and whether the person wishes to seek early retirement or a reduction of duties and hours (with a commensurate reduction in stipend). The wishes and needs of the person concerned shall be balanced against the tutorial or other relevant requirements of the College. If the Principal suspends the member of staff under the provisions of Clause 23(1)(c) he shall ensure that the member of staff has adequate access to materials and/or colleagues to

enable him to participate effectively in the consultation process.

- 2.2 The consultation process shall also include consideration of any adjustments which could reasonably be made to the duties of the employment and/or the physical features of the premises and/or any arrangements made by or on behalf of the College so as to facilitate the continued employment of the person concerned. The Principal shall not consider the removal of the person concerned from his office or employment without first availing himself of advice and assistance as to any facilities that may be available to assist the person. In general the Principal shall have regard to the provisions of the Disability Discrimination Act 1995 and associated Codes of Practice, as appropriate.
- 2.3 The Principal shall seek to obtain a medical report concerning the member of staff from the medical practitioner who has had clinical care of him and shall notify the person concerned to that effect in writing, seeking the member's consent in writing in accordance with the provisions of the Access to Medical Reports Act 1988.
- 2.4 At all stages the person concerned shall be able to nominate a friend, professional colleague or other representative to assist and advise him. Provided that clear notification is given to the Principal, such a representative may be given authority to act instead of the person concerned if the latter so wishes and may give such consents, agreements etc as the person concerned would be able to give. Such authority shall include, but not be limited to, a power of attorney, including an enduring power which has been duly registered with the Court of Protection.
- 2.5 In the event that the member of staff does not apply for medical retirement, or does and is rejected, the Principal shall consider all the circumstances of the case, including any available medical information, and shall determine in particular whether the case should be forwarded to a Medical Board or an Academic Disciplinary Committee.
- 2.6 Any powers of the Principal may be exercised instead by a duly appointed alternate or other appropriate officer and references to the Principal shall, throughout this By-law be construed as including references to the alternate.

### **3. Medical Board**

- 3.1 If after considering all the circumstances of the case the Principal concludes that the removal on medical grounds of the member of staff (hereafter the person concerned) should be considered, he shall so inform the person concerned. The notification shall be provided in writing and shall be presumed to have reached the person concerned two days after being sent. The Principal shall notify the person concerned that a Medical Board (the Board) is to be appointed to consider whether he shall be removed from office on medical grounds, and shall request the person concerned to nominate someone to sit on the Board. If, within a reasonable period of time, the person concerned fails to nominate a person who is willing and able to sit on the Board reasonably expeditiously, the Principal shall presume a default and shall himself nominate someone.
- 3.2 At the same time as notifying the individual, the Principal shall also convene a special meeting of the Governing Body to consider the matter confidentially and shall request the Governing

Body to nominate a member to sit on the Board. If possible the member nominated by the Governing Body shall have some experience of the mental or physical incapacity apparently affecting the person concerned. The Governing Body shall canvass and propose the names of three medically qualified people to the person concerned to act as Chairman of the Board. For this purpose the Governing Body may seek the advice of the College doctor or any other suitable person on a confidential basis. In the event that agreement cannot be reached between the Governing Body and the person concerned as to the appropriate person to chair the Board, the Governing Body shall request the Principal for the time being of the Royal College of Physicians to nominate a Chairman. The Governing Body shall nominate an appropriate person from among the Fellowship who is unconnected with the case to act as secretary to the Board.

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

- 4.1 Where a Medical Board has been appointed to determine a case referred to it under Clause 23(3) of the Statute, the Chairman shall appoint the time, date and place for the hearing and the secretary shall notify all parties in writing. The Board shall have power to adjourn the hearing from time to time as it sees fit.
- 4.2 At least 21 days before the hearing, the Principal shall refer whatever relevant evidence he has in confidence to the Board and shall make the evidence available to the person concerned and/or any representative he has nominated to act for him, except for information for which a medical practitioner has claimed exemption from disclosure under the provisions of section 7 of the Access to Medical Reports Act 1988.
- 4.3 The Principal shall consider the case and, if he thinks it necessary, may appoint someone to present the case for removal as well as the relevant oral and documentary evidence to the Board. Witnesses may be called by the person presenting the case, in which case copies of their statements shall be made available to the Board and the person concerned at least 14 days prior to the date set for hearing.
- 4.4 The person concerned shall be entitled to an oral hearing before the matter is determined by the Board. The parties to the hearing shall be the person concerned (including any person appointed to act for or instead of him), any one appointed to present the case for removal and any other party which the Board may join at its own discretion. The secretary to the Board, the person concerned and/or his representative and the person presenting the case shall be entitled to remain throughout the hearing; otherwise it shall be for the Board to determine who may be present at any time.
- 4.5 The person concerned shall be entitled to present whatever evidence he considers relevant, subject to the overall right of the Board to regulate its own conduct of the hearing. At least 10 days before the hearing, the person concerned shall provide the secretary to the Board with copies of any evidence, including medical evidence, on which he wishes to rely. The secretary to the Board shall be responsible for ensuring that copies are made available to Board members and other parties as soon as possible. The person concerned and the person presenting the case for removal may each call one/two expert witness(es) whose statement(s) shall first be

presented in writing to the other parties.

- 4.6 Any party may produce additional evidence during the hearing subject to the Board's consent and subject to any adjournment that may be required to give the parties time to consider and respond.
- 4.7 Each party to a hearing shall be entitled to give evidence at the hearing, to make opening and closing statements (either personally or through a representative) and to call witnesses and to question any witness concerning any relevant evidence. Subject to the provisions of this By-law and of the Statute, the Board may regulate its own procedure and shall ensure that the case is heard and determined as expeditiously as is reasonably practicable.
- 4.8 The Board may proceed with the hearing in the absence of any party but shall not do so in the case of the person concerned and/or his representative unless it is satisfied that it is reasonable to do so in all the circumstances of the case or the person concerned agrees or so requests. If at any time a member of the Board is unable to continue, the Board shall be discharged and a new one appointed in accordance with the procedure set out under Clause 3 above.
- 4.9 The person presenting the case for removal shall specifically draw the attention of the Board to the provisions of the Disability Discrimination Act 1995 and provide the Board with information as to what adjustments have been considered to avoid the removal of the person concerned from his employment, together with information as to cost and effectiveness of the adjustment(s).
- 4.10 At any stage before making its decision the Board may call for additional information including requiring the person concerned to undergo medical examination by a medical practitioner chosen or agreed by the Board, at the College's expense. In the event that the person concerned fails to undergo any medical examination required by the Board, or if the medical evidence is inconclusive, the Board shall exercise its judgement on the basis of the evidence available to it.
- 4.11 The Board's decision shall be recorded in writing and shall contain its findings on the main facts and on the medical evidence available to it, as well as its conclusion as to whether the person concerned should be required to resign on medical grounds. The Board shall specifically record the matters it has taken into consideration in determining whether any reasonable adjustments can be made to enable the person concerned to remain in employment. If the Board concludes that the person concerned should be required to retire on medical grounds it shall clearly so state and, in the case where the person concerned is a member of the USS, confirm that in its opinion he is suffering from permanent ill-health or infirmity.
- 4.12 It is the responsibility of the Board secretary to ensure that the Principal and all the parties to the hearing receive a copy of the decision. The decision document which shall be signed by the Board shall be sent to the person concerned as well as his representative, except in the case where it is clear that the representative has authority to act in place of the person concerned, or in any other case with the consent of the person concerned.
- 4.13 Upon receipt of the Board's decision, the Principal shall consult the Governing Body prior to

making any decision to terminate the employment of the person concerned but in so doing shall, in so far as possible, respect medical confidentiality. He shall arrange for a special meeting of the Governing Body for this purpose and shall keep the person concerned and/or his representative informed as to the process. Prior to making any decision to terminate the employment of the person concerned on medical grounds, and depending on the circumstances of the case, including the length of time taken, the Principal may afford him an opportunity to retire on such grounds in accordance with the rules of the USS where applicable.

- 4.14 In the event that the Board does not determine that the person concerned should be required to retire on medical grounds, for example because it is not satisfied that he is incapacitated on medical grounds, the Principal shall consider the position and, if he so determines, may invoke the Disciplinary Procedure at any stage including requesting the Governing Body to appoint an Academic Disciplinary Committee.
- 4.15 In the event that such a Committee is appointed, it shall proceed in accordance with the procedures established under Part III save that any findings of fact made by the Board shall be binding on the Committee.
- 4.16 No decision as to termination or otherwise implementing the conclusion of the Board shall be implemented until after any appeal has been determined under Part V.



## **XII      ACADEMIC STAFF:**

### **Appeals Procedure**

1. A Notice of Appeal against any decision under Parts II, III or IV of the Statute must be served on the Principal within 28 days of the decision. The Principal shall bring the fact that an appeal has been made to the attention of the Governing Body and inform the appellant that he has done so. If in all the circumstances of the case the Principal in his discretion considers it appropriate he shall call a special meeting of the Governing Body for the purpose of bringing the appeal to the attention of the Governing Body and in any event will ensure that the appeal is brought to the attention of the Governing Body within 28 days. The Principal shall consider any appropriate action, including suspension, that may be required in relation to the appellant and/or his position in the College pending the outcome of the appeal.
2. The Governing Body shall appoint a person to hear the appeal in accordance with Clause 29 of the Statute who shall be called the Chairman, and two further persons in accordance with Clause 29(4) of the Statute who shall sit with the Chairman if the Chairman so decides under Clause 4 of this By-law.
3. In the event that the notice of appeal is not served in time in accordance with Clause 28 of the Statute, the Chairman shall consider the circumstances of the case including the length and the reason for the delay and the grounds of appeal and shall determine whether justice and fairness require that the appeal shall be permitted to proceed.
4. The Chairman shall consider whether to sit alone or with two other persons. In the event that he decides to sit with two other persons, they shall be the persons appointed by the Governing Body in accordance with Clause 2 above and the body so constituted shall be referred to as the Appeal Body, which term shall also refer to the Chairman in the event that the Chairman sits alone.
5. The Chairman shall appoint a date, time and place for the hearing and shall make such other directions for the disposal of the case as appear to him appropriate including the joinder of other parties, and any directions that may be required to clarify the grounds of appeal. The Appeal Body shall have power to adjourn the hearing from time to time as it sees fit.
6. Notice of the date, time and place and any directions made by the Chairman shall be served on all parties to the appeal at least 14 days before the date appointed and the appellant shall be notified of his right at his own expense to be represented by another person who may, but need not, be legally qualified. The appellant and any other party shall also be notified of their right to call witnesses with the consent of the Appeal Body.
7. Any committee, board or other body shall, if joined as a party to the appeal by the Chairman, appoint one or more persons either from among their number or otherwise, who may, but need not, be legally qualified, to prepare and present the response to the appeal, such response to be served on the Appeal Body, the appellant and any other parties at least seven days before the day appointed for the hearing of the appeal.

8. Any hearing of the appeal may be adjourned or postponed at the discretion of the Chairman. The Appeal Body may dismiss the appeal for want of prosecution. However no decision to dismiss in such circumstances shall be made without first having provided the appellant with an opportunity to make representations whether orally or in writing.
9. Except as provided in Clause 8 of this By-law no appeal may be determined without an oral hearing, due notice of which has been served on the appellant and any persons appointed by him to represent him.
10. Each party to the hearing shall be entitled to make a statement and to address the Appeal Body. Witnesses may be called with the consent of the Appeal Body. Leave to adduce fresh evidence and/or the calling of witnesses examined at first instance shall only be given if the Appeal Body is satisfied that it is necessary or expedient in the interests of justice.
11. Subject to the provisions of the Statute and of this By-law, the Appeal Body shall determine its own procedure. The Chairman may at his discretion set time limits at each stage of the proceedings to the intent that any appeal shall be heard and determined as expeditiously as is reasonably practicable having regard to the principles of justice and equity.
12. In accordance with the provisions of Clause 30(3) of the Statute the Appeal Body may allow or dismiss an appeal in whole or in part or remit the appeal in such manner and for such purpose as it sees fit within the provisions of Clause 30(3) of the Statute. In the event that the Appeal Body remits the appeal in accordance with Clause 30(3)(a)-(d) the Chairman may set such time limits for further consideration as he considers appropriate.
13. The reasoned decision of the Appeal Body, including any decision under Clause 30(3)(a)-(d), shall be recorded in writing and shall be sent to the Principal and to the parties to the appeal.
14. The Chairman may, by an appropriate certificate in writing, correct any accidental errors and/or any omissions in documents recording the decisions of the Appeal Body.

### **XIII ACADEMIC STAFF:**

#### **Grievance Procedures**

##### **1. Bringing a Complaint**

- 1.1 A member of academic staff to whom this Statute applies may bring a complaint under Clause 34(1) of the Statute about the matters specified in Clause 33 provided that he has exhausted any other relevant avenues of complaint.
- 1.2 Any complaint should be addressed in the first instance to the Principal and should be made in writing. (Any complaints against disciplinary warnings under Clause 13 should specify with sufficient detail the grounds of complaint and any supporting information.) The complainant should specify whether he wishes any aspect of the matter to be kept confidential at this stage.

##### **2. Investigating a Complaint**

- 2.1 The Principal (which expression includes anyone appointed to act instead of him) shall consider any complaint made to him as quickly as he reasonably can and shall take steps to investigate the matter. At this stage he may appoint one or more people to investigate the issues on his behalf but shall whenever possible meet with the complainant for the purpose of considering the complaint generally and agreeing or establishing the further steps which may be taken. In any case where the complaint relates directly to the conduct of the Principal, the latter shall appoint the Vice-Principal (or the most Senior Fellow available) to act as an alternate.
- 2.2 The Principal shall consider in the first instance whether other remedies available to the complainant have been exhausted and may, if in all the circumstances of the case it seems right, refer the complainant to the appropriate channels for resolution of his complaint prior to taking any further action.
- 2.3 If in any other case other than an appeal against a disciplinary warning the Principal forms the *prima facie* view that the complaint should be dismissed or that no further action should be taken for the reasons set out in Clause 34(2) of the Statute, he shall so inform the complainant and invite his views before taking further action. Upon receipt of the complainant's response, or in the event that no response is received within 21 days, the Principal shall consider the matter further and shall take such action as seems to him right including dismissing the complaint. The Principal shall notify the complainant of his decision at the earliest opportunity.
- 2.4 Provided that he acts within 10 days of receiving the decision of the Principal under clause 2.3 above, the complainant may refer the matter to the Governing Body. If a majority of the Governing Body so determines, it may appoint a Grievance Committee to hear the complaint notwithstanding it has been dismissed by the Principal.
- 2.5 In any case where, upon due consideration, the Principal is satisfied that the subject matter of the complaint may properly be considered with, or forms part of, a complaint under Part III, or a determination under Part IV or an appeal under Part V of the Statute, he shall so inform the complainant and defer any further action on it until such time as the complaint, determination or appeal has been heard or the time for instituting has passed.

- 2.6 In any case where upon investigation the Principal is satisfied that the complaint concerns an act or omission which may amount to a criminal offence, he shall so notify the complainant and, subject to any representations the complainant may make, shall consider whether, and if so what, further action may be taken in relation to the complaint within the College's grievance procedure.

### **3. Informal Resolution**

- 3.1 In any case where the Principal does not dispose of the appeal or defer it under Clause 34(3) of the Statute or under the provisions of this procedure, he shall consider whether it may be capable of informal resolution. The Principal shall take into consideration the nature and ambit of the complaint and the wishes of the complainant and have particular regard to the interests of justice and fairness. Before attempting informal resolution the Principal shall consider whether the complainant or any other person may benefit from the assistance of a third party in connection with the complaint and shall consider in particular whether professional advice should be sought.
- 3.2 If the complainant objects to informal resolution the Principal shall consider whether to refer the matter to a Grievance Committee or take any other action as he sees fit.
- 3.3 In any attempt at informal resolution the Principal shall have regard to confidentiality as far as possible and shall ensure that the interests of the parties to the matter are considered at all stages.

### **4. Grievance Committee**

- 4.1 In any case where the complaint has not been disposed of by the Principal, or where an appeal is made under Clause 13(2) Stage 3 of the Statute, the Principal shall refer the matter to a Grievance Committee ("the Committee") established in accordance with the provisions of Clause 36 of the Statute. The Governing Body shall appoint one of its members to act as Chairman. The Principal shall notify the Committee of the nature of the complaint or appeal and shall provide the Committee with copies of any statements or other relevant documents which he considers will assist in the fair disposal of the matter. Any appeal under Clause 13(2) Stage 3 of the Statute shall be in writing and shall specify with sufficient detail the grounds of appeal and any supporting information.
- 4.2 The Principal shall notify the individual concerned that the matter has been referred to the Committee and shall provide the individual concerned with copies of the documents which he has provided to the Committee.
- 4.3 The Committee shall meet as soon as is reasonably practical to consider the matter on a preliminary basis. At this stage, the Committee may appoint someone to act as secretary to assist in all aspects of the grievance hearing or appeal and the preparatory steps. The Committee may call for written statements from the individual concerned or any other person and may cause such investigations to be conducted as appear appropriate, if necessary by an independent person specifically appointed for the purpose. The Committee shall appoint a

time for the matter to be heard and may make such arrangements as it considers fit for the fair and just hearing of the matter. The Committee may appoint its Chairman to act in its stead in all preliminary matters. The Committee shall have power to adjourn the proceedings from time to time as it sees fit.

- 4.4 The matter shall not be disposed of without an oral hearing at which the individual concerned, and any person against whom the grievance or appeal lies, shall be entitled to be heard and to be accompanied by a friend or representative. Save that the hearing may proceed in the absence of the individual concerned or any other party who fails to attend without reasonable cause.
- 4.5 Provided that due regard is had to the interests of justice and fairness, the conduct of the hearing and any associated matters may be determined by the Committee. In particular, the Committee may determine whether and to what extent oral examination of witnesses shall be permitted, whether any evidence may be taken in the absence of the individual concerned (or the person against whom any complaint is made) and whether and what time limits shall be set for the proceedings.
- 4.6 The reasoned decision of the Committee as to whether the complaint or appeal is well-founded shall be notified in writing to the individual concerned and any person against whom any complaint is made, as well as to the Governing Body. In the event that any part of the grievance or appeal is upheld, the Committee shall also notify the Governing Body of its recommendations as to the proper redress for the individual concerned and any other recommendations as it sees fit.
- 4.7 No appeal lies from the decision of the Committee save that the Governing Body shall be entitled to accept or reject any recommendations made under Clause 4.6 above.

## **APPENDIX A - DECLARATIONS AND UNDERTAKINGS**

1. In accordance with Statute II.7 the following undertaking shall be given, in the presence of the Visitor and a member of the Governing Body, by the Principal upon appointment:

"I promise and declare that I will faithfully perform the duties of my office and observe the Statutes and Bylaws of St. Hugh's College."

2. In accordance with Statute IV.3 the following undertaking shall be given, in the presence of the Principal and the Governing Body, by a Fellow upon appointment to membership of the Governing Body:

"I promise and declare that I will be true and faithful to St. Hugh's College, will observe the Statutes and Bylaws of the College and will endeavour to promote its interests and studies."

The Chairman of the Governing Body shall thereupon admit the Fellow with the words following:

"I admit you a Fellow of this College, duly elected, with all the obligations and privileges of the office."

3. a) Junior Research Fellows shall make the following declaration, and sign a Register kept for the purpose, in the presence of the Governing Body at the first Stated Meeting in Michaelmas Term after their election or as soon thereafter as possible:

"I promise and declare that I will faithfully perform the duties of a Junior Research Fellow of St. Hugh's College and will endeavour to promote its interests and studies."

The Chairman of the Governing Body shall thereupon admit the Junior Research Fellow with the words following:

"I admit you a Junior Research Fellow of this College, duly elected, with all the obligations and privileges of the office."

- b) At a Special Meeting of Governing Body in Michaelmas Term, one Scholar and one Exhibitioner shall make the following declaration on behalf of all the Scholars and Exhibitioners elected in the preceding year:

"I promise and declare that I will faithfully perform the duties of a Student/Senior Scholar/Scholar/Exhibitioner of St. Hugh's College and especially I undertake to have regard in all things to its good name, to maintain to the best of my ability its reputation as an academic house of the University and make full use of the advantages for study therein afforded."

All Scholars and Exhibitioners elected in the preceding year will sign a Register kept for the purpose, if possible at the Special Meeting at which the declaration is made.

## **APPENDIX B - GUIDELINES FOR PROCEDURE**

### **I Academic Standards**

Student Members are required to be of good academic standing. This means that a Student Member will:

- (i) Keep residence as required by the University
- (ii) Pass Public (University) Examinations
- (iii) Attend on time all tutorials, classes etc, unless permission to be absent is obtained from tutors within good time
- (iv) Produce work and sit collections with the regularity required by tutors
- (v) Produce work of an appropriate standard, given the Student Member's individual ability and circumstances and appropriate to the stage which they have reached in their course: normally work of at least upper second class standard.

A breach of (i), (ii), (iii), (iv) or (v) will constitute academic deficiency. A Student Member who is, in the judgement of his or her tutor, academically deficient, may be subject to academic disciplinary procedures, as follows:

### **II Discussion and Informal Warning**

1. The Student Member will be required to discuss with his or her tutor, and/or with the Senior Tutor, the nature of the academic deficiency and the best means to remedy it. The tutor or Senior Tutor may issue an informal warning, verbally and/or by email, giving details of what is expected in future. This may include specification of attendance, completion of work and/or expected levels of attainment in ordinary collections.
2. No record of an informal warning will be placed on the student member's file.

### **III Formal Warning**

1. If a Student Member has received an informal warning and has not met the requirements outlined in that informal warning, he or she may then receive a formal warning from the Senior Tutor, in consultation with the student member's tutor(s). A formal warning will normally be issued verbally in a meeting with the Senior Tutor, at which the Student Member may be accompanied by another student or member of the College. The Senior Tutor will specify what is expected in future. This may include attendance, completion of work and/or expected levels of attainment in special collections. Special collections may be marked either by a college tutor or by a tutor from another college or department.
2. A written copy of the formal warning will be sent to the Student Member within a week of the meeting, and copies will be sent to the relevant tutors and the Principal and will be placed on the Student Member's file.

### **IV Probation**

1. If a Student Member has received a formal warning and has not met the requirements outlined in that formal warning, he or she may then be placed on probation by the Senior Tutor, in consultation with the student member's tutor(s). Conditions of probation will normally be outlined in a meeting with the Senior Tutor, at which the Student Member may be accompanied by another student or member of the College. The Senior Tutor will specify what is expected in future. This may include attendance, completion of work and/or required levels of attainment in penal collections. Penal collections will be 'double blind' marked by two tutors from other colleges or departments. In the event of a discrepancy between marks, the mark most favourable to the Student Member will be accepted.
2. If a Student Member considers that any of the specified conditions or levels of attainment is unreasonable, he or she may request that an Academic Standards Committee is convened to review these (see VI).
3. A written copy of the conditions set for probation will be sent to the Student Member within a week of the meeting, and copies will be sent to the relevant tutors and the Principal and will be placed on the Student Member's file.

## **V Termination or Suspension of Course**

In the event of non-compliance with the terms of probation, the Senior Tutor may recommend that the Student Member's course be suspended or terminated. Any such recommendation must be made to an Academic Standards Committee.

## **VI Academic Standards Committee**

1. The Academic Standards Committee shall consist of a Chairman and four members from the Governing Body. The Principal, the Vice-Principal, the Senior Tutor, the Dean or the Bursar, may not serve as a member of the Committee. At the point where a matter has been referred to the Committee, the Chairman will convene a panel consisting either of the Chairman and two other members of the Committee or of three members of the Committee, one of whom the Chairman will nominate as Acting Chairman.
2. The Academic Standards Committee will hold a formal academic standards hearing, which must be attended by the Senior Tutor and/or relevant subject tutor(s) and by the Student Member. In the event of the absence of any person required to attend the hearing, the Committee may, at its discretion, adjourn the proceedings and in particular, if the Student Member concerned fails to appear, may deal with the case in his or her absence, if satisfied that proper notice has been given. The Student Member may be accompanied by another student or member of the College.
3. At least one week before the hearing, the Student Member will be given a clear statement of the grounds for action and a copy of supporting evidence such as tutors' reports. Along with the Student Member and anyone accompanying him or her, the subject tutor(s) and the Senior Tutor must withdraw before a decision is made.
4. The Academic Standards Committee may confirm the recommendation of the Senior Tutor or



vary or overturn it. If the Committee varies or overturns the recommendation, it may, where appropriate, specify different or further conditions or levels of attainment for the Student Member. The Chair of the Academic Standards Committee will take responsibility for ensuring that a clear record of the decision and the factors contributing to it is made and that a copy is sent to the Student Member, the subject tutor(s), the Principal and the Senior Tutor. The Committee shall inform the Governing Body of its determination as soon as practicable.

## **VII Appeal and Referral**

1. The Student Member shall have the right to appeal to the Student Members' Appeal Committee constituted in accordance with Bylaw II. He or she shall write to the Senior Tutor within one week of his or her receipt of the Academic Standards Committee's determination. Subject to this right of appeal, any decision of the Academic Standards Committee shall be final and binding on the Student Member concerned.
2. Where a penalty of suspension or termination of course is imposed by either the Academic Standards Committee or the Student Members' Appeal Committee, the penalty must be referred to the Governing Body with an explanation of why the penalty was imposed. The Governing Body may then either uphold the penalty, or refer the matter back to the Committee for it to substitute some lesser penalty. Neither the Senior Tutor nor any member of the Academic Standards Committee (or, if held, the Student Members' Appeal Committee), may take any part in the Governing Body's discussion of or decision on the matter.

## **VIII Exceptional Cases**

In exceptional cases where it is inappropriate to initiate or continue a process of academic rehabilitation, the Senior Tutor and the Principal, in consultation with the student's subject tutor, may recommend that the student member's course be suspended or terminated without implementing the procedures of II, III and IV. In such cases the procedures set out in VI must be followed, and must include the provision for appeal and referral as set out in VII.

## **IX Suspension of Course**

If the Student Member's course is suspended, then he or she remains on probation throughout the period of the suspension. New conditions of probation may be specified in accord with IV. Normally, failure to meet the conditions for return from the suspension will lead to the termination of the Student Member's course, unless new and demonstrably extenuating circumstances have arisen.

## **APPENDIX C - STUDENT MEMBERS: DISCIPLINE**

*Note:* Disciplinary Rules are promulgated by College in order to prevent danger or harm to any member or employee of the College, to protect college property, to preserve the privacy, and tranquility of all members of the college, to prevent harassment, and to preserve the reputation and safe, efficient functioning of the college. To this end disciplinary powers are vested in the Dean, a Student Disciplinary Committee, and a Student Members' Appeal Committee, and in special circumstances in the Principal or other senior members of College, with Governing Body having a controlling power over all disciplinary actions.

### **I Disciplinary Code**

No Student Member of the College shall intentionally or recklessly:

- (a) disrupt or attempt to disrupt teaching or study or research or the administrative, sporting, social or other activities of the College, or disrupt or attempt to disrupt the lawful exercise of the freedom of speech by members, students, and employees at College and by visiting speakers, or obstruct or attempt to obstruct any employee or agent of the College in the performance of his or her duties;
- (b) damage or deface any property of the College or of any member, officer or employee of the College, or knowingly misappropriate such property;
- (c) occupy or use or attempt to occupy or use any property or facilities of the College except as may be authorised by the College;
- (d) forge or falsify expressly or impliedly any University certificate or document or knowingly make false statements concerning standing or results obtained in examination;
- (e) engage in any activity likely to cause injury or to impair safety;
- (f) engage in violent, disorderly or threatening or offensive behaviour or language;
- (g) engage in the harassment of any member, visitor, employee or agent of the College;
- (h) engage in any fraudulent or dishonest behaviour in relation to the College or the holding of any College office;
- (i) refuse to disclose his or her name and other relevant details to an officer or an employee or agent of the College in circumstances where it is reasonable to require such information to be given;
- (j) use, offer or sell or give to any person drugs, the possession or use of which is illegal;
- (k) engage in conduct in breach of the Statutes and Regulations of the University published from time to time;

- (l) engage in conduct in breach of College regulations regarding conduct in examinations;
- (m) engage in conduct in breach of College regulations regarding the use of the College library;
- (n) engage in any other conduct which is detrimental to the interests of the College.

## **II Criminal offences**

If a Student Member is convicted of a criminal offence of such seriousness that an immediate term of imprisonment might have been imposed (and whether or not such a sentence was in fact imposed) the Governing Body shall have power, after hearing any representation that the Student Member may wish to make, to expel the Student Member or impose such lesser penalty as it shall see fit.

## **III University offences**

- (a) If a Student Member is expelled by the University, such expulsion shall apply to the College also, subject to a right of appeal to the Governing Body.
- (b) If a Student Member is disciplined by the University for conduct in breach of College and/or University statutes or regulations, a penalty of suspension or rustication imposed by the University shall apply also to College premises and facilities, subject to a right of appeal to the Governing Body.

## **IV Disciplinary procedures**

1. For the purposes of the Disciplinary Procedure the Student Disciplinary Committee shall consist of a Chairman and four members from the Governing Body. The Principal, the Vice-Principal, the Senior Tutor, the Dean or the Bursar, may not serve as a member of the Committee. At the point where a matter has been referred to the Committee, the Chairman will convene a panel consisting either of the Chairman and two other members of the Committee or of three members of the Committee, one of whom the Chairman will nominate as Acting Chairman.
2. The Disciplinary Procedure may be initiated by any member or employee of the College who has good reason to believe that a Student Member has breached College rules. This person (if not the Dean) shall refer the matter to the Dean as soon as reasonably possible after the occurrence of the alleged breach, naming the Student Member concerned and giving details of the alleged breach.
3. The Dean shall, as soon as practicable after the Disciplinary Procedure has been initiated, inform the Student Member's College Tutor or Adviser (as the case may be) of the nature of the alleged offence and the steps which have been taken.
4. When an alleged breach of the College rules involves a Student Member resident in College or in College premises, the Dean shall have the authority (where the seriousness of the alleged breach justifies it and after consultation with the Principal) to suspend the student from residence or from use of College facilities, if necessary, with immediate effect, for as long as the

Disciplinary Procedure is in operation.

5. Where an alleged breach of the rules constitutes in the opinion of the Dean, a sufficiently serious offence, the Dean shall immediately refer the matter to the Police, and where a Student Member is subject to criminal proceedings arising out of the alleged breach of the rules, the Dean shall not normally proceed with the case other than temporarily to suspend the Student Member from residence, or from use of College facilities if appropriate.
6. If the alleged breach of the rules is not proceeded with as a criminal matter by the prosecuting authorities, the Dean shall then deal with the matter as though it had not been referred to the Police.
7. If the complaint relates to activity which falls within the College's Code of Practice on Harassment, whether or not it constitutes 'harassment' for the purpose of this by-law, the Dean shall consider whether the complaint should more appropriately be dealt with under the informal procedure set out in the Code. If the Dean takes the view that the complaint should not be so dealt with the Dean shall deal with the matter under the Disciplinary Procedure.
8. The Dean shall, if possible, within 24 hours of receiving the report of the alleged breach, require in writing the Student Member concerned to attend for interview at a time and place stipulated and shall normally provide the Student Member with 24 hours' notice of the interview. The notification of the interview shall give particulars of the alleged breach of the College rules.
9. At the interview, the Dean shall explain to the Student Member that he or she can:
  - (a) admit the alleged breach and continue with the interview;or
  - (b) deny the alleged breach and continue with the interview as an investigative process, which may be adjourned if either the Dean or the Student Member reasonably require evidence in relation to the alleged breach to be provided by other persons.

If the Student Member opts for (a) the Dean shall elicit all information about the breach relevant to penalty.

If the Student Member opts for (b) the Dean shall investigate whether the alleged breach is established.

10. (a) At any stage of the interview, the Dean may, if it seems appropriate in all the circumstances refer the matter to a Student Disciplinary Committee.
- (b) At the close of the interview the Dean may, dependent on its nature and outcome:
  - (i) take no further action;or
  - (ii) if the breach is admitted, after hearing any mitigation impose a penalty upon or admonish the Student Member concerned. No fine greater than £200 may be imposed by the Dean in these circumstances. The Student Member may appeal to

the Principal regarding the penalty, which the Principal may uphold or vary within the range of penalties available to the Dean.

or

(iii) if the breach is not admitted, refer and present the case to the Student Disciplinary Committee; or, if in the Dean's opinion the nature and seriousness of the alleged offence would not warrant a penalty outside the Dean's own powers he or she may offer the Student Member the choice of accepting the Dean's jurisdiction or having the matter referred to the Student Disciplinary Committee. The Student Member must be reminded that the scope of the penalties available to the Student Disciplinary Committee is wider than those available to the Dean.

(c) If in case (iii) the Student Member opts to accept the Dean's jurisdiction the Dean's decision may only be appealed to the Principal. The Student Member shall notify the Dean in writing of the intention to exercise the right of appeal within 48 hours of his or her receipt of the Dean's determination. Subject to this right of appeal, any decision of the Principal shall be final and binding on the Student Member concerned.

(d) If in case (iii) the Student Member declines the Dean's jurisdiction the Dean must refer the matter to the Student Disciplinary Committee.

11. The details of any breach established and/or any penalty imposed shall be entered on an appropriate record and signed by the Dean and the Student Member. One copy of the record shall be retained by the Dean, one given to the Student Member and one lodged with the College Office.

12. (a) The Student Disciplinary Committee will be informed by the Dean where there is a reference under paragraph 10(a) (b) or (d) above, of the particulars of the alleged breach of the rules, of the name or names of the Student Member(s) involved, and of any known witnesses.

(b) Within, if possible, five days of the reference the Student Disciplinary Committee shall require in writing the Student Member concerned and witnesses to attend for a hearing at a time and place stipulated, with usually two full days' notice. Such notice shall state the details of the alleged breach of rules.

13. (a) The Principal will be informed by the Dean where there is an appeal under paragraph 10(c) above, of the particulars of the breach of rules, of the penalty imposed, of the name or names of the Student Member(s) involved, and of any known witnesses.

(b) Within, if possible, five days of the appeal the Principal shall require in writing the Student Member concerned and witnesses to attend for a hearing at a time and place stipulated, with usually two full days' notice. Such notice shall state the details of the alleged breach of rules and the penalty imposed.

14. If any person required to attend a hearing before the Student Disciplinary Committee fails to make an appearance, the Committee may, at its discretion, adjourn the proceedings and in particular, if the Student Member concerned fails to appear, may deal with the case in his or

her absence, if satisfied that proper notice has been given.

15. The Chairman of the Student Disciplinary Committee shall explain the procedure to be followed at the hearing and shall read out the complaint of alleged breach of the rules against the Student Member.
16. At the hearing the Student Disciplinary Committee shall take in writing a statement of evidence from the Student Member concerned and from each witness, including the replies to any questions that the Committee may wish to put. Each such statement on completion shall be read through and shall incorporate any amendments and additions the Student Member wishes to make and thereafter be signed and dated by the Student Member.
17. If in the course of such hearing the Student Disciplinary Committee are given the names of additional potential witnesses, whose evidence they consider may be significant, they shall follow, so far as appropriate, the procedure referred to in 13 above so as to arrange their attendance.
18. At the conclusion of the hearing, the Student Disciplinary Committee shall determine whether any breach of the rules has been established, taking into account any representations made by or on behalf of the Student Member.
19. If the Student Member required to attend such an interview fails to appear, the Student Disciplinary Committee may deal with the case in his or her absence, if satisfied that proper notice has been given.
20. At the conclusion of the hearing, the Student Disciplinary Committee may acquit, or if guilt is found, may determine an appropriate and proportionate penalty (if any) taking into account any representations made by or on behalf of the Student Member. The Committee shall inform the Student Member and the Governing body in writing, as soon as is practicable, of its determination.
  - (a) Penalties may include:
    - (i) A fine up to £500.
    - (ii) A requirement to live out of the college for one or more terms.
    - (iii) Rustication (ie suspension of the membership of the college) for 1 to 3 terms.
    - (iv) Expulsion from the college.
    - (v) A period of Disciplinary Probation of 1 or more terms. If the terms of a probation order are breached the original offence will be re-considered by the Student Disciplinary Committee as well as the fact that the order has been breached and another penalty from (i) – (iv) of the above imposed.
    - (vi) Any damage to the college or to a member which can be compensated in financial

terms may result in an order to pay such compensation in addition to any other penalty imposed.

(vii) Any other proportionate penalty as the Committee thinks fit.

(b) Any penalty imposed may be suspended for a period of 1 or more terms. Where a further offence of any nature is alleged during the period of such suspension the original penalty may be imposed or varied along with any sanction for the subsequent offence at the discretion of a new Committee.

21. The Student Member shall have the right to appeal from a decision of the Student Disciplinary Committee to the Student Members' Appeal Committee constituted in accordance with Bylaw II. The Student Member shall notify the Dean in writing of the intention to exercise the right of appeal within 48 hours of his or her receipt of the Student Disciplinary Committee's determination. Subject to this right of appeal, any decision of the Student Disciplinary Committee shall be final and binding on the Student Member concerned.
22. The procedures attendant upon an appeal to the Student Members' Appeal Committee shall be the same as those attendant upon a reference to a Student Disciplinary Committee with any necessary modifications.
23. Where a penalty of rustication or expulsion is imposed, the penalty must be referred to Governing Body with an explanation of why the penalty was imposed. Governing Body may then either uphold the penalty, or refer the matter back to the Committee for it to substitute some lesser penalty. Governing Body shall not save in extraordinary circumstances take any other form of action. Governing Body shall not act under this section until the right of appeal under section 21 has lapsed or an appeal process begun under section 21 has been completed. No member of the Student Disciplinary Committee or (where there has been an appeal process) the Appeal Committee may take any part in Governing Body's discussion or decision on the matter.
24. Any findings of a breach of the Student Disciplinary Code set out in Part I above or of other College rules by the Dean, a Student Disciplinary Committee or a Student Members' Appeal Committee should be based upon the balance of probabilities.
25. The Student Member is to be reminded of his or her right of appeal to the Office of the Independent Adjudicator for Higher Education from any determination of the Governing Body, or to such other person or body who may lawfully take the place of the Visitor.
26. The Dean, or the Student Disciplinary Committee, or the Student Members' Appeal Committee, or the Principal when hearing a matter appealed directly from the Dean, shall permit the Student Member to be accompanied by another member of college if the Student Member so wishes.
27. Any time limits contained in this disciplinary procedure may be extended at the discretion of the Dean, the Principal, the Student Disciplinary Committee or the Student Members' Appeal Committee as is appropriate.

## **V     Principal's Emergency Powers**

- (a) The Principal shall have the authority to suspend a student member's membership of the college for a period of up to 28 days where the Principal believes this is necessary for the safety or welfare of that member or any other member or the safe and effective running of the college.
- (b) Where the Principal is not available, the emergency power in (a) may be exercised by the Vice-Principal or if the Vice-Principal is not available, by three or more senior members of the Governing Body.



#### **APPENDIX D - STUDENT MEMBERS: ILL HEALTH**

1. All those concerned in implementing this by-law shall respect the need for medical confidentiality.
2. In the event that the Dean believes that a Student Member is suffering from a serious problem arising from ill-health, whether this has come to light in the course of a disciplinary investigation or otherwise, he or she shall refer the Student Member to the College doctor for assessment.
3. If disciplinary procedures have already been commenced, they shall be adjourned depending a determination under this procedure.
4. If the Student Member refuses to co-operate with the College doctor, or if the Dean, having considered the doctor's assessment, is of the opinion that a further opinion would be helpful, he or she may recommend that the Student Member has an independent medical examination, in which case the expense will be borne by the College.
5. In the event that the Student Member refuses to co-operate with the Dean or the College, or to attend for the purposes of an independent medical examination, he or she may be liable to suspension by the Dean.
6. If, having considered the evidence available, the Dean is of the opinion that further action may be necessary, he or she shall require the Student Member to attend a hearing to consider all the evidence. At the Dean's discretion, the Student Member may be represented at the hearing by a third party. Having considered the evidence, the Dean may proceed in one of the following ways:
  - (a) in a case of such gravity that indefinite suspension or expulsion might be considered, the Dean shall refer the matter for consideration by the Medical Committee;
  - (b) in any case where disciplinary proceedings have been adjourned, but the Dean is satisfied that the Student Member is not suffering from a serious problem relating to ill-health, he or she may resume those proceedings;
  - (c) in any case the Dean may
    - (i) discharge the Student Member, whether absolutely, or subject to conditions;
    - (ii) suspend the Student Member for a specified period (whether or not subject to certain condition) such period not to exceed one term.
- In the event that the Student Member fails to attend or to make representations, the Dean may proceed in his or her absence.
7. Any hearing under these procedures shall be in camera.

8. In any event where a Student Member's conduct gives rise for a need for urgent action, the Dean may suspend the Student Member forthwith pending investigation, such suspension not to exceed 14 days. The Student Member shall have a right of appeal to the Principal or to his or her duly appointed deputy in respect of such an interim order.
9. If a case has been referred to the Medical Committee for consideration under clause 5 above, the Student Member shall be given reasonable notice of any hearing, and shall be entitled to be represented before the committee.
10. The committee may, having considered the evidence, expel the Student Member, suspend the Student Member for an indefinite period, whether or not subject to condition, or make such lesser order as it thinks fit.
11. The Medical Committee shall comprise three members appointed by the Governing Body one of whom at least shall be medically qualified, and who need not be a fellow of the College.
12. In the event that the Student Member is expelled, there shall be a right of appeal to the Governing Body.

## **APPENDIX E - GUIDELINES FOR PROCEDURE**

### **Student Members - Immediate Suspension**

1. The Principal has the authority to suspend a Student Member for a period of up to 28 days if she is satisfied that having regard to the safety, interests and welfare of the members and employees of the College it would be inappropriate for the Student Member to continue in residence.
2. The Principal shall inform the Student Member and the Tutor(s) of the Student Member in writing of her intention to act and shall give reasons. The Student Member shall be supplied with a copy of these provisions.
3. The Student Member may within three days of the receipt of the statement of intention from the Principal bring forward any relevant matter for consideration.
4. If the Principal decides to suspend the Student Member she shall inform the Student Member in writing. Such suspension shall have immediate effect.
5. The Principal's decision shall be subject to confirmation by the Governing Body, after a hearing, if requested by the Student Member, by the Student Members' Appeals Committee, notice of appeal to be lodged within seven days. Until confirmation by the Governing Body, the Principal may permit the Student Member access to the College premises on such terms and subject to such conditions as she shall think fit.
6. Where the Principal is not available, the authority set out in 1. may be exercised by the Vice-Principal or if the Vice-Principal is not available, by three or more senior members of the Governing Body.

## **APPENDIX F - GUIDELINES FOR PROCEDURE**

### **Non-Academic Staff - Disciplinary Matters, including dismissal**

#### **A) INTRODUCTION**

1. It is our aim that rules and procedures should emphasise and encourage improvement in the conduct of individuals, where they are failing to meet the required standards and not be seen as a means of punishment.
2. Non-Academic Staff should refer to the Employee Handbook for all matters relating to Disciplinary procedures.

**APPENDIX G - CODE OF PRACTICE ON FREEDOM OF SPEECH** (issued by the Governing Body of St Hugh's College on 9th March, 1988 pursuant to its statutory duty under Section 43 (3) of the Education (No. 2) Act 1986)

I. INTRODUCTION

Statutory obligations

1. The Education (No.2) Act 1986, Section 43, imposes on the authorities of universities and their constituent colleges obligations to safeguard the lawful exercise of freedom of speech and requires each of them to issue a code of practice to facilitate the discharge of its duties under the Act. The authorities are further required to take such steps as are reasonably practicable (including where appropriate the initiation of disciplinary measures) to ensure compliance with the code of practice. The duties imposed by Parliament, and the interpretation provisions, are as follows:

“43.- (1) Every individual and body of persons concerned in the government of any establishment to which this section applies shall take such steps as are reasonably practicable to ensure that freedom of speech within the law is secured for members, students and employees of the establishment and for visiting speakers.

- (2) The duty imposed by sub-section (1) above includes (in particular) the duty to ensure, so far as is reasonably practicable, that the use of any premises of the establishment is not denied to any individual or body of persons on any ground connected with -

- (a) the beliefs or views of that individual or of any member of that body; or

- (b) the policy or objectives of that body.

- (3) The governing body of every such establishment shall, with a view to facilitating the discharge of the duty imposed by subsection (1) above in relation to that establishment, issue and keep up to date a code of practice setting out -

- (a) the procedures to be followed by members, students and employees of the establishment in connection with the organisation -

- (i) of meetings which are to be held on premises of the establishment and which fall within any class of meeting specified in the code; and

- (ii) of other activities which are to take place on those premises and which fall within any class of activity so specified; and

- (b) the conduct required of such persons in connection with any such meeting or activity;

and dealing with such other matters as the governing body consider appropriate.

- (4) Every individual and body of persons concerned in the government of any such establishment shall take such steps as are reasonably practicable (including where appropriate the initiation of disciplinary measures) to secure that the requirements of the code of practice for that establishment, issued under sub-section (3) above, are complied with.
- (5) The establishments to which this section applies are
- (a) any university;
  - (b) any establishment which is maintained by a local education authority and for which section 1 of the 1968 (No. 2) Act (government and conduct of colleges of education and other institutions providing further education) requires there to be an instrument of government; and
  - (c) any establishment of further education designated by or under regulations made under section 27 of the 1980 Act as an establishment substantially dependent for its maintenance on assistance from local education authorities or on grants under section 100 (1) (b) of the 1944 Act.
- (6) In this section -
- "governing body", in relation to any university, means the executive governing body which has responsibility for the management and administration of its revenue and property and the conduct of its affairs (that is to say the body commonly called the council of the university);
- "university" includes a university college and any college, or institution in the nature of a college, in a university.
- (7) Where any establishment -
- (a) falls within subsection (5) (b) above; or
  - (b) falls within subsection (5) (c) above by virtue of being substantially dependent for its maintenance on assistance from local education authorities;
- the local education authority or authorities maintaining or (as the case may be) assisting the establishment shall, for the purposes of this section, be taken to be concerned in its government.
- (8) Where a students' union occupies premises which are not premises of the establishment in connection with which the union is constituted, any reference in this section to the premises of the establishment shall be taken to include a reference to the premises occupied by the students' union."

2. The University's own statutes include under Tit. XIII (Of University Discipline) the following provision:

- “2. (1) No member of the University shall intentionally
- (a) disrupt or attempt to disrupt teaching or study or research or the administration of the University, or disrupt or attempt to disrupt the lawful exercise of freedom of speech by members, students, and employees of the University and by visiting speakers, or obstruct or attempt to obstruct any officer or servant of the University in the performance of his duties;
  - (b) damage or deface any property of the University or of any college;
  - (c) occupy or use or attempt to occupy or use any property of the University or of any college except as may be expressly or impliedly authorized by the university or college authorities concerned;
  - (d) forge or falsify any university certificate or similar document or knowingly make false statements concerning standing or results obtained in examinations.
- (2) Every member of the University shall, to the extent that such provisions may be applicable to that member, comply with the provisions of the Code of Practice on Freedom of Speech issued from time to time by Council pursuant to the duty imposed by Section 43 of the Education (No. 2) Act 1986 and duly published in the University Gazette.”
3. The College's Statutes under VI.D (Dean) provide that the Dean 'shall administer the discipline of members of the College in statu pupillari but all matters of serious importance shall be referred to the Principal'.

## II. CODE OF PRACTICE

The following provisions constitute the Code of Practice adopted by St. Hugh's College to operate with effect from 1 September 1987 to facilitate the discharge of the duty imposed by Section 43 (1) of the Education (No. 2) Act 1986, in relation to the College.

### PART 1 - General Duties

#### 1. General duty to uphold freedom of speech

Members, students, and employees of the College are bound at all times so to conduct themselves as to ensure that freedom of speech within the law is secured for members, students, and employees of the College and for visiting speakers.

2. The freedom protected by para. 1 of this Code of Practice is confined to the exercise of freedom of speech within the law. Examples of statements which involve a breach of the criminal law are incitement to commit a crime, sedition, and stirring up racial hatred in contravention of statute. Statements may also be unlawful if they are defamatory or constitute a contempt of court.

#### 3. General duty not to impede access to, or egress from, places at which the right of freedom of speech is exercised on premises of the College.

Subject to such limitations on access as may lawfully be imposed by the competent college authorities, it shall be the duty of every member, student, and employee of the College not to impede any person entitled to be present from entering or leaving a place where the right of freedom of speech is being or is to be exercised on premises of the College.

#### 4. Right of peaceful protest

Nothing in this Code of Practice shall be taken to prohibit the legitimate exercise of the right to protest by peaceful means; provided always that nothing is done which contravenes the foregoing general principles or the other requirements of this Code.

### PART 2 - Academic Activities

5. All persons concerned with the organization or conduct of an activity which forms part of the College's teaching, study, or research (such as a tutorial, lecture, seminar, class, conference, research work, or examination) shall immediately give notice to the Dean of any facts coming to their notice which indicate that such activity is likely to be delayed or disrupted by improper means.

6. The Dean shall be empowered to give such directions and to adopt such measures as seem appropriate to the Dean to prevent or minimize the delay or disruption of an academic activity, and all persons concerned with the organization or conduct of the academic activity under threat shall co-operate in carrying out the Dean's directions and in facilitating the measures adopted.

7. In the event that any academic activity is delayed or disrupted by improper means a report shall forthwith be made to the Dean by the person or persons responsible for the conduct of such



activity.

PART 3 - Meetings and assemblies on premises of the College  
of clubs, societies, and other organizations

8. Any meeting or assembly involving 10 persons or more held on College premises must be specifically authorised by the Dean. A minimum of 48 hours' notice must be given and, in respect of meetings, the request must include the name(s) of any participant(s) not member(s) of the College.

9. Any member, student, or employee of the College who, whether alone or in collaboration with other persons, makes arrangements for the holding on premises of the College of any meeting or assembly of persons (including any meeting of any club, society or other organization and whether with or without a restriction to college membership), and who becomes aware of facts indicating that such meeting or assembly is likely to be delayed or disrupted by improper means, shall immediately report such facts to the Dean.

10. In relation to any such meeting or assembly which he believes to be threatened, the Dean shall be empowered to give such directions and to require the adoption of such measures as seem appropriate to the Dean to prevent or minimise the improper delay or disruption, and all persons concerned shall be bound to co-operate in carrying out the Dean's directions and in facilitating the measures required to be adopted.

PART 4 - Powers of the Dean in relation to  
threatened meetings

11. (1) Directions and measures to be adopted

In relation to any academic activity or any meeting or assembly of persons which the Dean believes to be threatened by disruption, the Dean may give directions and require measures to be adopted pursuant to paras. 6 and 10 of this Code on the following (amongst other) matters:

- (a) the number of persons to be admitted to the premises where the meeting is to be held;
- (b) the issue of tickets of admission;
- (c) the designation of one or more persons as the official organisers of the meeting with direct responsibility to the Dean for all the arrangements thereof;
- (d) the designation of a person as the chairman of the meeting with responsibility for the proper conduct of such meeting;
- (e) the admission (or non-admission, as the case maybe) of members of the University who are not members of the college, or members of the public generally;
- (f) the appointment of stewards to assist with the control of the meeting;
- (g) the employment of security staff to ensure the orderly conduct of the meeting and

safe access to and egress from the meeting;

(h) the carrying of banners, placards and similar objects into the meeting;

(i) the place where the meeting is to be held.

(2) Meetings where serious disruption is anticipated

The Dean may as necessary consult with the Proctors and the local police about forthcoming meetings and activities covered by this Code of Practice. In any case where serious disruption may be anticipated the Dean shall have power, having taken into consideration such advice from the police as may be available, to order the cancellation, postponement, or relocation of the meeting.

(3) Expenses incurred in safeguarding academic activities and other meetings

Where expenses are incurred (e.g. in the engagement of stewards or the employment of security staff) to safeguard an academic activity under Part 2 of this Code of Practice the cost thereof shall be borne by the College. In all other cases the cost shall be borne by the person or persons organising the meeting, save that the Dean may (if so advised) make representations to the Governing Body of the College suggesting that the cost shall be borne in whole or in part by the College and the Governing Body may decide the matter.

PART 5 - College premises made available for  
use by outside organisations

12. In any case where the College is proposing to grant permission to an outside organisation or group to hold meetings on its premises, the attention of such outside organisation or group will be drawn to the contents of this Code of Practice and permission to use the premises may be refused unless the outside organisation or group both undertakes to secure that the principles embodied in this Code will be upheld and satisfies the college authorities of its ability to discharge its obligations in regard to upholding freedom of speech.

PART 6 - Miscellaneous

13. The Governing Body of the College is under a duty pursuant to Section 43(3) of the Education (No. 2) Act 1986 to keep this Code of Practice up to date. No revision of the Code will, however, take effect until after due notice has been given.

14. Failure to comply with the provisions of this Code of Practice may render the offender liable to disciplinary proceedings. Nothing in this Code of Practice affects the normal operation of the criminal law.

## **APPENDIX H - HARASSMENT**

### **I. ST HUGH'S COLLEGE STATEMENT OF POLICY AND CODE OF PRACTICE**

1. Harassment is an unacceptable form of behaviour, demeaning to the victim and damaging to the environment of mutual respect and equality of opportunity which the College is committed to maintaining. Complaints of such conduct will be taken seriously and may lead to disciplinary action. All members and staff have a personal responsibility to ensure that their behaviour is not contrary to this code and are encouraged to ensure the maintenance of a working environment in the College which is free from harassment.
2. Harassment may be broadly understood to consist of unwarranted behaviour towards another person, so as to disrupt the work or reduce the quality of life of that person, by such means as single or successive acts of bullying, verbally or physically abusing, or ill-treating him or her, or otherwise creating or maintaining a hostile or offensive studying, working, or social environment for him or her. Forms of harassment covered by this code include harassment relating to another's sex, sexual orientation, religion, race, or disability.

Unacceptable forms of behaviour may include unwelcome sexual advances, unwelcome requests for sexual favours, offensive physical contact or verbal behaviour, or other hostile or offensive acts or expressions relating to people's sex, sexual orientation, religion, race, or disability. The abuse of a position of authority, as for example that of a tutor or supervisor, is an aggravating feature of harassment.

Being under the influence of alcohol or otherwise intoxicated will not be admitted as an excuse for harassment, and may be regarded as an aggravating feature.

3. A Member of the College or member of academic staff who wishes to complain of harassment should consult one of the College's two designated Harassment Officers, details of whom shall be posted on the college website.
4. It is essential that all those involved in a complaints procedure (including complainants) observe the strictest confidentiality consistent with operating that procedure; an accusation of harassment is potentially defamatory.
5. Complaints about harassment will be responded to promptly. The College hopes that most allegations of harassment can be dealt with informally, to the satisfaction of the complainants. To this end, an Adviser who has been consulted will attempt to help the complainant to clarify the nature of his or her complaint, and use his or her good offices where appropriate to try to resolve the matter by informal consultation.
6. Where in the opinion of the Harassment Officer it is not appropriate or possible to resolve the matter informally, either because of the seriousness of the allegation or because the complaint is made against an employee or member of the College other than a Student Member, the Harassment Officer will refer the matter to the Principal or the Dean as appropriate. A complaint involving any employee or member of the College other than a Student Member will in every case be referred to the Principal. A complaint involving a Student Member of the

College may be referred to the Principal or the Dean. In either case the Principal or the Dean as appropriate may attempt to resolve the matter informally or may instigate the relevant disciplinary procedure. Notwithstanding advice to the contrary, it is always open to any Student Member or member of staff to take a complaint directly to the Principal or the Dean (see Appendix N).

7. The College is prepared to consider complaints about harassment which involve other members of the University. The University has its own Code of Practice Relating to Harassment, which applies to University Departments, Faculties and Libraries. Other colleges have their own codes. If a Member of the College or a member of staff wishes to complain of harassment by a member or employee of the University or of another college, he or she should use the same consultation process as outlined above. In this case the Harassment Officer will consult the Principal or the Dean as appropriate. The Principal or the Dean may take the matter to the Head or Dean of the other institution involved, or to whomever seems appropriate.
8. The College is prepared to consider complaints about harassment against its members and employees by other members or employees of the University. In this case the College would expect the complaint to be made to the Principal or the Dean.
9. At the end of each academic year the members of the Committee shall jointly compile an abstract summarising the complaints made in the course of the year. The abstract shall be submitted to the Principal.
10. In implementing this Code of Practice, Harassment Officers and other officers of the College shall have regard to the College's Statement of Policy on Equal Opportunities.



## **UNIVERSITY POLICY ON HARASSMENT AND BULLYING**

### **General principles**

1. The University is committed to maintaining a working, learning and social environment in which the rights and dignity of all members of the university community are respected. This includes staff, students, and visitors to the University.
2. The University expects all members of the university community to treat each other with respect, courtesy and consideration. All members of the university community have the right to expect professional behaviour from others, and a corresponding responsibility to behave professionally towards others.
3. Harassment is a serious offence which is subject to the University's disciplinary procedures. Where necessary, complaints of harassment, bullying or other inappropriate behaviour will be investigated in line with the appropriate procedures. Allegations of harassment or bullying which arise within the college environment will normally be dealt with under the appropriate college procedure.
4. All members of the university community have a personal responsibility for complying with this code and people in positions of authority, such as heads of division, heads of department, chairs of faculty boards and their equivalents, have particular responsibilities under this policy, including to set a good personal example, to have regard to the principles of the policy, and to familiarise themselves with the procedures.
5. This policy and the accompanying procedure may be found on the website at <http://www.admin.ox.ac.uk/eop/harassmentadvice>
6. This policy will be subject to regular review by the General Purposes Committee of Council in consultation with other appropriate committees, including the Personnel Committee.

### **Definition of harassment (including bullying)**

#### *Harassment*

7. A person subjects another to harassment where s/he engages in unwanted and unwarranted conduct which has the purpose or effect of:
  - (a) violating that other's dignity, or
  - (b) creating an intimidating, hostile, degrading, humiliating or offensive environment for that other.

8. Harassment may involve repeated forms of unwanted and unwarranted behaviour, but a one-off incident can also amount to harassment.

9. Harassment on grounds of sex (including gender re-assignment), race, religion or belief, disability, sexual orientation or age may amount to unlawful discrimination<sup>1</sup>. Harassment may also breach other legislation and may in some circumstances be a criminal offence, e.g. under the provisions of the Protection from Harassment Act 1997.

10. Reasonable and proper management instructions administered reasonably, or reasonable and proper review of a member of staff's or a student's work and/or performance will not constitute harassment or bullying.

11. Behaviour will not amount to harassment if the conduct complained of could not reasonably be perceived as offensive.

### *Bullying*

12. Bullying is a form of harassment. It may be characterised by offensive, intimidating, malicious or insulting behaviour, or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.

### *Behaviour*

13. Examples of behaviour which may amount to harassment and bullying include (but are not limited to) the following:

- offensive comments or body language
- verbal or physical threats
- insulting, abusive, embarrassing or patronising behaviour or comments
- humiliating, intimidating, and/or demeaning criticism
- open hostility
- deliberately undermining a competent person by overloading with work and constant criticism
- isolation from normal work or study place, conversations, or social events
- publishing, circulating or displaying pornographic, racist, sexually suggestive or otherwise offensive pictures or other materials
- unwanted physical contact, ranging from an invasion of space to a serious assault.

Many of these examples of behaviour may occur through the use of the Internet, email, social networking sites, or telephone.

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<sup>1</sup> Harassment and bullying may occur not only on grounds of characteristics or perceived characteristics of the recipient of the behaviour but also on grounds of the characteristics or perceived characteristics of a person associated with him or her.

14. All of the examples above may amount to bullying, particularly when the conduct is coupled with the inappropriate exercise of power or authority over another person.

15. Being under the influence of alcohol, illegal drugs or otherwise intoxicated is not an excuse for harassment, and may be regarded as an aggravating feature.

#### *Intention or motives*

16. The intention or motives of the person whose behaviour is the subject of a complaint are not conclusive in deciding if behaviour amounts to harassment or bullying.

#### **Victimisation**

17. Victimisation occurs where a person is subjected to detrimental treatment because s/he has, in good faith, made an allegation of harassment, or has indicated an intention to make such an allegation, or has assisted or supported another person in bringing forward such an allegation, or participated in an investigation of a complaint, or participated in any disciplinary hearing arising from an investigation.

18. The University seeks to protect any member of the university community from victimisation arising as a result of bringing a complaint or assisting in an investigation where they act in good faith. Victimisation is a form of misconduct which may itself result in a disciplinary process.

#### **Malicious or vexatious complaints**

19. If a complaint is judged to be vexatious or malicious<sup>2</sup>, disciplinary action may be taken against the complainant; however, such action will not be taken if a complaint which proves to be unfounded is judged to have been made in good faith.

#### **Confidentiality**

20. All information concerning allegations of harassment must be treated in the strictest confidence and breaches of confidentiality may give rise to disciplinary action. All parties involved in a complaint (including any witnesses who may be interviewed as part of any investigation, or trade union representatives supporting any of the parties) should maintain the confidentiality of the process.

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<sup>2</sup> This phrase means the complainant knew or could reasonably have been expected to know that the complaint was unfounded.

## **APPENDIX I - GUIDELINES RELATING TO COLLEGE PRIZES**

### **1.1 Scholarships and Exhibitions**

- (a) (i) Undergraduates who have obtained a First or Distinction in the First Public Examination will automatically received a scholarship: though  
(ii) it is open to the Education Committee to decide that an individual candidate, who has achieved a First or Distinction after a poor record of academic work during the year, should *not* receive a scholarship.
- (b) The same principles should apply to undergraduates who obtain a First in intermediate (Part 1 Final, etc) examinations.
- (c) Recommendations for exhibitions should be made by subject tutors in the case of candidates who were 'near-miss' for First or Distinction in both First Public and intermediate examinations, or obtained a University Prize in a single paper in such examinations.

Tutors' supporting statements should indicate why the student's performance is particularly strong though not quite at First/Distinction level. The Committee will be looking for (i) some element in the performance of First/Distinction level work, and (ii) that the individual should be high in the University-wide cohort. The same caveat as (a) (ii) above would apply.

- (d) Recommendations may be made to the Education Committee.
- 2. In the event of an undergraduate already having an award, then a prize should be awarded, the award to be elevated to a scholarship if it was previously an exhibition.
  - 3. The Hurry Prize should be retained in its present form to reward the most distinguished finalist (agreed by the Committee in Michaelmas Term). The prize would be in addition to the standard prize for a First.
  - 4. Prizes for a First Class in the Final Honour School should, if possible, be paid from tied funds.
  - 5. See following page for further details on the Elizabeth Francis Prize (Second Year French); Katherine Lawrence Prize (First Year Mathematics); Joseph & Nancy Burton Prize (PPE); Limpus Bequest (Modern History or Music); and Hilary Haworth Essay Prize (Mathematics, Science and Geography).
  - 6. Book prizes may be awarded for excellent performance in College Collections or extended essays, etc.

The purpose of this scheme is to reward undergraduates for good examination performance and, to the extent that alternative sources can be identified, to reduce the demands on untied funds.



#### ELIZABETH FRANCIS PRIZE

Awarded to an outstanding undergraduate in French in the Second Year on the recommendation of the Tutor (see GB.21.6.86., Min.291(c)). The recommendation to be made to Education Committee in Trinity Term.

#### KATHERINE LAWRENCE PRIZE

A book prize for the outstanding First Year undergraduate in Mathematics on the recommendation of the Mathematics Tutors (see GB.13.2.86., Min.174). The recommendation to be made at the meeting of the Education Committee in Michaelmas Term.

#### JOSEPH & NANCY BURTON PRIZE

For a distinguished essay by an undergraduate reading P.P.E. (any year) on the recommendation of the PPE Tutors, who advertise the prize to their undergraduates (see GB.10.10.85., Min.50). The recommendation to be made to Education Committee in Trinity Term.

#### LIMPUS BEQUEST

To provide books for an outstanding undergraduate reading Modern History or Music on the recommendation of the Tutors. Recommendations to be made to Education Committee in Trinity Term.

#### JULIA WOOD PRIZE

Awarded after appropriate advertisement to a secondary school student for a distinguished essay on any subject in Modern History. The History Tutors to arrange for the advertisement and assessment of the essays and to make a recommendation to Governing Body.

#### HILARY HAWORTH PRIZES

Book prizes awarded to undergraduates reading Mathematics, Sciences, or Geography, for excellent performance in their second or penultimate year. Recommendations to be made to Education Committee in Michaelmas Term.

The purpose of these prizes is to reward academic excellence.

## **APPENDIX J - URGENT DECISION-MAKING IN VACATIONS**

A variety of matters which are urgent but do not need Governing Body approval are dealt with in the vacation by the relevant College officers, usually in consultation with the appropriate committee (eg Senior Tutor: Academic Committee) and with the Principal or other College officers. Certain matters have been foreseen (eg confirmation of selection of Graduate Scholars) and the method of formal decision-making - circulation or delegated powers - agreed beforehand.

Any urgent matter which would normally require Governing Body decision invariably comes to the notice of the Bursar, who consults with the Principal, failing whom the Vice-Principal, failing whom the Senior Fellow (in vacation periods, the Bursar's office attempts to keep track of who is available at any given time) and an appropriate method of proceeding emerges in discussion. This frequently takes the form of consulting the appropriate committee, either by telephone in cases of great urgency, or by circulation, agreement on a recommendation which is then put to Governing Body by circulation with a time-limit appropriate to the nature of the items concerned. In the great majority of cases, this gives rise to a clear-cut decision. If contrary opinions are expressed, then the same kind of consultation as took place initially is undertaken, with a view to determining whether the matter can reasonable be settled on the basis of returns so far received, ie essentially a postal vote, or whether it requires the convening of a Special Meeting of Governing Body.

## **APPENDIX K - CONFIDENTIALITY IN STUDENT HEALTH AND WELFARE**

1. The College recognizes the general right to privacy enshrined in Article 8 of the European Convention on Human Rights and the obligations concerning the holding of personal data stipulated in the 1998 Data Protection Act, and is committed to upholding that right and discharging those obligations.
2. As a result, information of a personal and private nature shall not normally be passed on by members of the College to others without the consent of the person or persons to whom it refers.
3. Nevertheless, the College also has a duty of care to all its members, and there may be circumstances in which there is a need for information of a personal and private nature to be disclosed, in the interests of the person to whom it refers, or for the safety and protection of other people, or for the proper discharge by the College of its academic and non-academic responsibilities. In such circumstances, the consent of the person concerned shall always be sought if this is possible. There may, however, be circumstances in which it is not possible, for example when the person is not in a position to give consent. There may also be exceptional circumstances in which consent is not given but information is passed on nevertheless. Such relaxation of confidentiality must be on a strict “need to know” basis, must be confined to the minimum that is practically necessary to secure the overriding interest, and must be agreed in consultation with the Principal or any immediately concerned College Officers.
4. Medical practitioners shall follow their usual code of confidentiality, which generally does not allow disclosure (beyond their healthcare team) unless this is in the public interest because of a risk to other people.
5. Parents or families of students over the age of eighteen shall not normally be contacted without consent. There may, however, be exceptional circumstances in which this rule is overridden, for instance when a student is not in a position to give consent. Any decision to override this rule must be made by the Principal in consultation with any immediately concerned College Officers.
6. It is sometimes helpful for those with welfare responsibilities to consult one another for advice. This should be done by outlining the general circumstances of a case, making every possible effort to preserve anonymity, so that privacy and confidentiality are respected.
7. Where it is necessary to discuss a student’s personal problems, for instance with those providing professional care, this must not be allowed to result in inappropriate adverse academic or employment-related consequences.
8. In making decisions about academic or non-academic discipline, the College shall view students’ personal problems with an appropriate degree of sympathy. Details of academic performance shall be shared only on a “need to know” basis.
9. Tutors shall never discuss a student’s academic performance with other students.

10. The obligation to respect privacy and confidentiality applies to all members of the College and to all College staff.

## **APPENDIX L - REGULATIONS FOR THE USE OF COLLEGE PREMISES AND GROUNDS BY STUDENT MEMBERS**

### **Gardens and other external spaces**

1. No games of any kind may be played in the garden in front of the Main Building, up to and including the Beech Walk.
2. No ball games may be played in the Middle Garden between the Beech Walk and the eastern elevation of the Maplethorpe Building.
3. Ball games may be played in the West Garden subject to the following restrictions:
  - (a) games shall not be played in a manner which causes or may cause a risk to trees, shrubs or surrounding buildings;
  - (b) games shall not be played in a manner which creates or is likely to create noise or other disturbance affecting the ability of College members to work or sleep;
  - (c) games shall be played in a manner which respects the safety and enjoyment of the gardens and other garden users;
  - (d) all games are subject to such further restrictions as the Grounds Manager may from time to time impose on the use of any part of the gardens including exclusion.
4. Any area of the garden may be placed out of bounds by the Custos Hortulorum.
5. Bicycles may not be brought inside the College grounds beyond the point of any bicycle rack. Cycling is not permitted anywhere within College grounds.
6. The use of skateboards, scooters, roller blades or roller skates is prohibited.
7. Cars may not be driven or parked anywhere in the College grounds except
  - (a) with the written permission of the Dean; or
  - (b) at the beginning and end of each Term for the purpose of delivering or collecting belongings in accordance with directions made or restrictions imposed by the College Porter.
8. Animals may not be brought into the College.

### **Animals**

9. Pets of any kind may not be kept in any room.

### **Library**

10. Readers must not eat, chew gum or drink in any part of the Library.
11. Readers must not use mobile phones, radios, cassette recorders, or similar equipment in the Library, even with headphones.
12. Readers may use portable computers or other electrical equipment of their own only as directed by Library staff in areas designated by the staff.
13. Readers are personally responsible for any Library material issued to them or removed by them from the Library.
14. Readers must not engage in any conduct in the Library which causes or is likely to cause inconvenience, annoyance, or offence to other readers or members of staff.
15. Readers must not mark, deface, or damage Library material in any way.
16. Readers must not engage in conduct which damages or is likely to damage any part of the Library or any Library equipment or material.
17. Readers must comply with the Library Regulations issued by the Librarian from time to time and displayed in the Library and follow all other instructions of the Library staff.

### **Common areas of buildings**

18. Smoking is prohibited in all the common areas of the College Buildings.
19. Except in the case of fire, no member of the College shall deliberately or carelessly activate any fire alarm.
20. Except in the case of fire, no member of the College shall interfere with, move or damage any fire warning or fire fighting equipment or any fire blanket, sign, fire door or lock.
21. No member of the College shall obstruct corridors or stairs or other common areas in a way which causes a fire or other hazard.
22. Posters and other similar material shall not be attached to any surface other than boards provided for the purpose.

### **Study bedrooms**

23. Candles may not be lit in any room.
24. Musical instruments, radios, hi-fi equipment or other similar apparatus may not be played at any time in a manner which will affect the ability of other College members to work or sleep.
25. Posters and other similar material shall not be attached to any surface other than boards

provided for the purpose.

26. The cooking of food in any study bedroom is prohibited.

#### **Noise etc**

27. No person may engage in activities in any part of the College or create noise in a manner which will affect the ability of College members to work or sleep or will unreasonably interfere with their enjoyment of College premises.

#### **Litter**

28. The leaving of litter anywhere within the College is prohibited.

#### **Surveillance**

29. Persons using College premises and grounds may be subject to photographic imaging for the purpose of security or the carrying out of the Decanal function.

## **APPENDIX M – GUIDELINES CONCERNING ACADEMIC MATTERS**

*(Note: any reference in these Guidelines to the feminine gender shall be taken to include the masculine; any reference to tutorials shall be taken to include supervisions and classes; and any reference to tutors shall be taken to include directors of studies, advisors, and supervisors.)*

These Guidelines are intended to give both students and tutors an indication of what they can reasonably expect of one another. Many of the Guidelines, however, are open to interpretation, for example in their own frequent appeal to what counts as reasonable, and it is to be hoped that, through discussion, students and tutors shall be able to arrive at a clear mutual understanding of how the Guidelines apply in any particular case before any problem arises. If a student has a grievance, then she may complain to the Principal, to the Senior Tutor, or to any other suitable member of the Governing Body (see the College's complaints procedure). She may also seek advice from an appropriate MCR or JCR officer (normally the President in the case of the MCR and the Academic Affairs & Access Officer in the case of the JCR); and this will often be the most appropriate course of action in the first instance.

### **General**

Every student is entitled:

- to be informed at the start of her course of a tutor who will be responsible for overseeing her academic progress;
- to have scheduled meetings, at least once a term, with that tutor to discuss her academic progress and any other academic matters;
- to receive all information pertaining to her course, including the relevant lecture lists, in good time;
- to have at least the necessary minimum number of tutorials for each subject that she is studying;
- to have a reasonable amount of time to complete and submit any work set;
- to receive suitable appraisal, in a reasonable amount of time and legibly, of any work submitted;
- to be informed at the end of each term of the full content of an academic report for that term written by the principal tutor(s) with whom she has been having tutorials;
- to see, on request, all such academic reports in their entirety (*Note: this is a legal entitlement*);
- to be informed at the end of each term in what subjects collections are to be set at the beginning of the following term.

Every student must, unless prevented by some urgent cause, in which case she should let the tutor concerned know as soon as possible:

- attend all her tutorials punctually;
- sit all her collections;
- submit all work required of her on time and, if the work has to be read by the tutor, legibly;
- submit work that is of a reasonable standard and, in the case of an award holder, of a standard commensurate with her award on pain of its not being renewed at the end of the academic year;
- participate at a reasonable level in tutorials and, in the case of an award holder, at a level



commensurate with her award on pain of its not being renewed at the end of the academic year;

- do whatever reading and writing are required of her during vacations in order to consolidate subjects that she has already studied and/or to prepare for new subjects;
- ensure that she knows of any meetings that she is required to attend or of any information that she is required to supply either to her tutor(s) or to the College Office, by checking her e-mail, her pigeon hole, and the relevant notice board as often as necessary;
- attend any such meeting, and supply any such information;
- give her tutors a reasonable amount of time to write references, to endorse applications, or to arrange tutorials for special options.

## **Code of Conduct**

Every student and every tutor must:

- give their full attention to the discussion throughout any tutorial, unless temporarily prevented from doing so by some urgent cause such as telephone business that cannot be postponed.

Every student and every tutor should:

- be able to attend tutorials that are free from any form of harassment, including the use of language that is sexist, racist, or in any other way offensive or degrading;
- be able to leave any tutorial if the conduct at the tutorial becomes inappropriate;
- not feel under any pressure to meet socially with her tutors or with her students as the case may be.

## **Complaints**

Every student is entitled:

- to complain in confidence to the Principal, to the Senior Tutor, or to any other suitable member of the Governing Body about the conduct of her tutor or about any academic matter;
- to ask the Principal, the Senior Tutor, or any other suitable member of the Governing Body for a change of tutor, provided that she has a good reason, and without the tutor's having to know the reason or the student's suffering any adverse consequences.

## **APPENDIX N - COMPLAINTS PROCEDURE**

This document lays out the procedures for students who wish the College to consider and, if necessary, respond to serious dissatisfaction with their tuition, or other aspects of college life, in cases that do not involve harassment as defined in the College's Statement of Policy and Code of Practice on Harassment (see Appendix H). The College's complaints procedure has an informal stage and a formal stage and there is an appeals mechanism. Students may begin at the informal stage and then decide whether to move to the formal stage, or they may proceed directly to the formal stage. Students may at all stages be accompanied by another student or member of the College. At the formal stage, students may be accompanied by a representative of the Oxford University Students' Union (OUSU).

Any initial approach to a College Officer or member of staff will be in confidence. If the student does not wish to be identified, the initial approach may be made through another student (eg an officer of the JCR or MCR) or through a Fellow, College Officer or Chaplain. However, it must be understood that certain types of complaint will not be easy to make or sustain anonymously. Any initial approach to a College Officer will be in confidence, and the complainant will be advised of how far further action will involve others knowing his or her identity. Complaints may be withdrawn, but in some circumstances investigation will need to continue to afford the person who has been complained the opportunity to clear his or her name, or so that the College can be satisfied that nothing improper has occurred.

### **Informal stage**

Informal complaints may be raised with any Fellow or College Officer or with the Chaplain. The College Officer or member of staff with whom the complaint has been raised will seek to resolve the complaint as soon as possible by informal means. He or she may seek information from the complainant or from any others involved, subject to the consent of the complainant. He or she may also refer the complaint to another appropriate College Officer or member of staff, subject to the consent of the complainant.

### **Formal Stage**

Formal Complaints should be made in writing to a College Officer. The relevant College Officers are as follows:

- For academic matters: the Senior Tutor
- For matters involving college staff, accommodation or meals: the Bursar
- For financial matters: the Bursar
- For behavioural or disciplinary matters: the Dean
- For complaints about a College Officer: the Vice-Principal

The College Officer receiving notification of a formal complaint shall a) seek to offer sympathetic and confidential advice; and/or b) seek to find a remedy that is satisfactory to the complainant, or effect a reconciliation (in cases where relations have broken down between individuals, and where the complainant does not object to this course of action).

If the College Officer approached is unable to resolve the problem to the satisfaction of the

complainant, the complainant may write to the Principal. The Principal will consider what action is desirable and will, if necessary, convene a panel of up to three Fellows (none of whom should be named in the complaint and none of whom should be a College Officer) to investigate. The panel will report to the Principal who shall decide what action is to be taken. When this stage is completed the Principal will issue a 'Completion of Procedures' letter to the complainant stating that all internal procedures have been completed.

(Note: in the event of a complaint that involves the Principal, the Vice-Principal shall take the place of the Principal in the formal stage of the process).

## **Appeals**

If the complainant is dissatisfied with the outcome of the College's procedures, he or she may appeal to the Conference of Colleges Appeal Tribunal (CCAT). Information on CCAT may be obtained from the Principal's and Bursar's Secretary. The 'Completion of Procedures' letter sent to the complainant shall make clear that the complainant may, if dissatisfied with the outcome, complain further to the Office of the Independent Adjudicator (OIA) within three months of the date of the 'Completion of Procedures' letter. This same process will apply to complaints raised in relation to procedures under the College's Statement of Policy and Code of Practice on Harassment, and under the College's academic and non-academic disciplinary procedures. The right to take a complaint to the OIA only arises when all college procedures have been completed. The OIA will not entertain appeals in certain areas, most notably those of academic judgement or admissions matters. Material on the OIA may be obtained from the Principal's and Bursar's Secretary.

## **Recording**

Each College Officer will keep a register of formal complaints made during the academic year. A summary of numbers and outcomes for each will be collated by the Secretary to the Governing Body and presented to the Governing Body at the start of the following academic year.