



ST. HUGH'S COLLEGE, OXFORD

**BYLAWS**

Last reviewed: November 2025

Date ratified by Governing Body: 03 December 2025

Author/Responsible Officer: Statutes and Bylaws Committee

Date to be reviewed by: 17 June 2026

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## MEETINGS OF THE GOVERNING BODY AND TRANSACTION OF BUSINESS

1. There shall be three Stated Meetings in each Term, on the Wednesday 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:
  - a. Support the Chair of Governing Body.
  - b. Ensure the circulation the Agenda of Stated Meetings of Governing Body by Friday preceding each Meeting
  - c. Receive reports of Committees and other business to be placed on the Agenda of a Stated Meeting 24 hours before the circulation of the Agenda
    - i. A first circulation of papers is expected by Friday preceding each Meeting
    - ii. A second circulation is permitted for late papers by Monday preceding each Meeting
  - d. Act as a member of Governing Body Preparation Group.
  - e. Work closely with the College Secretary to review agendas, minutes, and papers before wider circulations.
  - f. In Governing Body Meetings:
    - i. Monitor quorum during Governing Body meetings
    - ii. Provide updates to Governing Body under Secretary's Business
    - iii. Count votes
    - iv. Take note of key decisions
  - g. Provide oversight of correspondence to Governing Body
  - h. Support Nominations for Vacancies Committee by
    - i. Circulation of upcoming office and committee vacancies
    - ii. Running elections
  - i. Support the onboarding of administration related to Governing Body.
  - j. Handover at end of term to the next Governing Body Secretary.

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 College Secretary not later than the Friday preceding each Meeting.
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 24 hours before the deadline for circulation of the agenda.
5. The items of business on the Agenda shall normally include the following:
  - a. Minutes
  - b. Business arising out of the Minutes not otherwise on the agenda
  - c. Adjourned business
  - d. Finance and General Purposes 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 and items of the Agenda may be varied or individual items given priority at the discretion of the Chair 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 and General Purposes 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 or via electronic voting software. All other votes shall be by show of hands or via electronic voting software. Unless resolved otherwise by Governing Body in advance of voting, votes will be

determined by a simple majority of members who are present. If agreed *nem con*, electronic voting on items where members are deemed able to participate on the basis of circulated paperwork without having been party to any discussion may be left open for a defined period of time after the close of the meeting to allow members who were not present to participate.

12. The Chair may at any time cause a Special Meeting to be summoned. The Chair 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. Fellows by Special Resolution shall be regularly invited to attend for Unreserved and for Reserved Business.
  - c. The Director of Development shall be regularly invited to attend for Unreserved and for Reserved Business.
  - d. 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.

## 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.

- a. The Governing Body shall appoint the following Standing Committees:

- i. Academic Committee
    - ii. Finance and General Purposes Committee
    - iii. Risk, Audit and Governance Committee
    - iv. Nominations for Vacancies Committee
    - v. Statutes and Bylaws Committee
    - vi. Remuneration Committee
    - vii. Health and Safety Committee
    - viii. Equality, Diversity and Inclusion Committee
    - ix. Sustainability Subcommittee
    - x. Student Financial Support Subcommittee
    - xi. Library and Archive Subcommittee
    - xii. People Subcommittee
    - xiii. (Henry Rowland) Bickley Memorial/Aung San Suu Kyi Lectures
    - xiv. Development and Alumni Relations Committee
    - xv. Portrait Committee
    - xvi. Investment Subcommittee
    - xvii. Art Subcommittee

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

- b. The Principal shall be ex-officio Chair 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 Remuneration Committee, Risk, Audit and Governance Committee, Investment Subcommittee and the Library and Archive Committee.
      - c. The method of retirement and election of elected members of Standing Committees shall be, except where these Bylaws otherwise provide, as follows:

2. Vacancies by Rotation

- a. 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.
- b. The election of new members shall take place at the Third Stated Meeting of Hilary Term. The Secretary of the Governing Body shall circulate with the Agenda of the Second Stated Meeting of Hilary 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 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.

### 3. Vacancies by Leave for One or Two Terms

- a. A Committee member taking leave for one or two consecutive terms shall be replaced for one or two terms, as required.
- b. 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
- c. 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.
- d. 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.

4. A Stated Meeting of a Standing Committee may be cancelled for lack of business by agreement of its members.
5. A meeting of a Standing Committee shall be valid notwithstanding the absence of any member, including the Chair or the Secretary. The Committee may appoint a member to serve as Chair or Secretary as required in any meeting.
  - 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, Chair
    - 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, Chair
    - 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.
- 6. 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.
- 7. When a Committee has been elected under this section, any member of the Governing Body may move to add one further member.
- 8. 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.
  - a. 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 Chair.

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

## A. Academic Committee

- a. The members of the Committee shall be:
  - i. the Principal, Chair;
  - ii. the Senior Tutor, Secretary;
  - iii. seven persons elected by Governing Body, at least five of whom shall be Tutorial Fellows.
- b. Invited to attend meetings, but without a vote, shall be:
  - i. one representative of the College's Stipendiary Lecturers drawn (by election within that group if need be) from those who hold contracts for 6 hours or more and those who hold permanent contracts for fewer than 6 hours;
  - ii. one member of the Middle Common Room nominated by its Committee;
  - iii. one member of the Junior Common Room nominated by its Committee;
  - iv. others by invitation as appropriate.
- c. The Committee shall meet at least twice a Term.
- d. Duties and powers of the Committee shall be:
  - i. to oversee general planning of academic matters and to make recommendations accordingly to Governing Body;
  - ii. to keep under review the appropriateness of the existing establishment of Tutors and Lecturers to the current academic needs of the College;
  - iii. to consider opportunities for academic collaborations that the University or external partners may from time to time make available to the College and to make recommendations accordingly to Governing Body;
  - iv. to make recommendations to Governing Body about replacement posts, new posts, sabbatical, and alteration of duties or terms of appointment of Tutors and Lecturers already in post, as need or opportunity arises, with the exceptions listed under v below where this Committee may make decisions under delegated authority;
  - v. to assume authority delegated to the Committee by Governing Body to approve (in all cases only within the agreed budgetary limits):
    - a. the recruitment, appointment, and re-appointment of all Non-Stipendiary Lecturers;
    - b. the recruitment, appointment, and re-appointment of fixed-term Stipendiary Lecturers whose duties do not exceed those of a 0.5 FTE appointment (6-hour teaching stint) and where there is no proposal for an associated Fellowship;
    - c. the confirmation of appointment of all Stipendiary Lecturers proposed by a search committee after advertisement and interview;
    - d. the extension for up to two years of the contract of any Lecturer already in post;

- e. minor adjustments to any Lecturer's contract;
- vi. to make recommendations to Governing Body for the reappointment of Tutors in accordance with the Statutes;
- vii. to make recommendations to Governing Body for the election and reappointment of Senior Research Fellows;
- viii. to make recommendations to Governing Body for the recruitment and election of stipendiary and non-stipendiary Junior Research Fellows, Career Development Fellows, other Post-Doctoral Fellows, and Visiting Fellows, and thereafter to receive an annual report from each person thus appointed and make recommendations to the Governing Body on the continuation of the Fellowship;
- ix. to receive, adjudicate, and approve applications for such research funding as may be available from College funds and advise Governing Body of its decisions in that respect;
- x. to undertake general responsibility for the oversight of postgraduate students;
- xi. to consider the College's Admissions strategy and policies and to advise as necessary on the conduct of the Admissions process;
- xii. to recommend to Governing Body the award of prizes, College Scholarships and Exhibitions;
- xiii. to keep under review and to report as necessary to Governing Body on the academic standing and welfare of Student Members and in particular:
  - 1. to receive an annual report from the Senior Tutor setting out the number of cases considered under the College's Academic Disciplinary Procedures and giving details of their outcomes;
  - 2. to receive an annual report from the Senior Tutor relating to students' voluntary decisions to withdraw from or suspend their studies.
  - 3. to receive an annual report from the Senior Tutor relating to any enforced suspensions and withdrawals from study.

## B. Finance and General Purposes Committee

- a. The Committee shall consist of:
  - i. the Principal, Chair
  - ii. the Bursar, Secretary
  - iii. the Senior Tutor
  - iv. five persons elected by and from the Governing Body
  - v. by invitation the College Accountant, the Domestic Bursar, the Head of Estates, and the Head of HR
  - 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.
- a. The duties and powers of the Committee shall be
  - i. to scrutinise and provide appropriate assurance to Governing Body on the work of the Bursar and the functions that they manage;
  - ii. to oversee and make recommendations to Governing Body concerning all non-academic activities of the College;
  - iii. to prepare and keep under periodic review all policies and procedures relating to employment terms and conditions; regulatory compliance not covered by the Health and Safety Committee; legal issues including litigation and potential litigation; and the operation of the College site;
  - iv. to prepare, in Michaelmas Term, a statement of accounts for the preceding year and present it to Governing Body;
  - v. 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;
  - vi. to advise the Governing Body on all matters of financial policy and practice, and in particular on the financial implications of proposals under consideration;
  - vii. to consider and advise the Governing Body on all matters concerned with College accommodation used for College purposes;
  - viii. 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;
  - ix. 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;
  - x. to review each year all charges made by the College;
  - xi. to keep under review policy and administration relating to conferences, and approve levels of charges;

- xii. to keep under review rates of pay for all College employees and others paid by the College, and make recommendations to the Governing Body;
  - xiii. to authorise proposed minor expenditures for which provision has not been made in the estimates in accordance with the Financial Regulations;
  - xiv. to approve any restrictions on proposed donations.
- c. The Committee shall meet at least twice a Term and in vacations as necessary by arrangement.

## C. Risk, Audit and Governance Committee

### PURPOSE

The purpose of the Committee is to assist the Governing Body of the College in its oversight of the integrity of the College's financial reporting, key controls framework, compliance, assessment and monitoring of risk and governance arrangements (including the culture and behaviour that is prevalent within the institution) and arrangements that can affect reputation and ethical and other behaviours including whistleblowing.

### DUTIES AND POWERS OF THE COMMITTEE

#### Audit and Risk

- i. make recommendations to Governing Body annually on the appointment of external auditors;
- ii. oversee the annual audit and discuss with the external auditors any matters arising from the annual audit, including a review of the management letter incorporating management responses;
- iii. receive the report of the external auditors and make recommendation to Governing Body on the adoption of the Annual Report and Financial Statements;
- iv. assess on behalf of Governing Body, the effectiveness of the College's key controls framework across the following areas:
  - Conflicts of interest
  - Financial and financial crime prevention
  - Operational risk
  - Compliance
- v. receive annually the Risk Management Policy, Risk Register and Business Continuity Plan, and consider the adequacy of the assurance and management of risks; and
- vi. provide assurance to the Governing Body on the adequacy of asset and chattel registers, insurance registers and the adequacy of the College's insurance arrangements.

#### Governance

- i. maintain oversight of the College's adherence to its Charter, Statutes and Bylaws, and ensure that these are reviewed periodically to ensure their legality, adequacy and effectiveness;
- ii. receive annually the attendance records of Governing Body members and conflicts of interest register and adjudicate upon any conflict of interest that is referred by any Fellow or Committee;
- iii. on request, provide advice to the Principal in relation to the reporting of a serious incident to the Charity Commission and receive in relation to any Serious Incident Report (SIR) made to the Charity Commission or an incident where an SIR was considered but not judged

sufficiently serious to require an SIR, a report from the Principal and Bursar of the details of the incident, a copy of the SIR (if filed) and any recommendations arising from the incident;

- iv. In line with Charity Commission guidance and the Charity Governance Code, annually review the mix of skills, knowledge and experience of the members of Governing Body and advise Governing Body on training needs or other measures which may be required to address any gaps in the overall skills, knowledge and experience required to govern, lead, and deliver the charity's purposes effectively; and
- v. On request by the Principal or one or more members of the Governing Body, contribute to internal dispute resolution, or ensure that the College instigates a mediation process as a first step in resolving any dispute before resorting to litigation.

### **Compliance**

The Committee shall monitor (either directly or through internal audit or other internal assurance) the College's compliance with all regulatory and legal requirements including:

- Regulatory compliance relating to the Office of the Independent Adjudicator and Charity Commission
- Charity legislation and the Charity Commission Code of Governance
- Employment and Equalities legislation including the Public Sector Equality Duty
- Safeguarding legislation (including receiving the annual report from the designated Safeguarding Officer / Trustee)
- Health and Safety legislation (including receiving the minutes of the Health and Safety Committee and register of incidents)
- PREVENT legislation
- GDPR legislation
- Trustee training
- Fundraising Policy (receiving a register of donors/donations referred to the University's Committee to Review Donations and Research Funding)

### **Whistleblowing**

The external members of the Committee have the right to escalate a matter to the relevant body (University, Charity Commission, the Visitor, or other appropriate regulatory bodies) if it believes that the Governing Body (as Trustees) is acting against the best interest of the College or otherwise in a way that requires regulatory disclosure. Any referral to the Visitor by an external member of the Committee shall be treated as if it were a referral by the Chair of Governing Body or the by qualifying number of Fellows of the College for the purposes of Statute XVI.

### **General**

The Committee has the right:

- i. to raise any matter, which in view of the Committee merits special and immediate consideration, to Governing Body's attention at any time during the academic year either in writing or by oral report of the Chair;
- ii. to place on the agenda of Governing Body for discussion any other matter which the Committee deems it appropriate and necessary for Governing Body to consider, the minutes of which will be reported promptly to the Committee; and



- iii. receive reports (written, in-person, or both) and ask questions of any Officer of the College or member of key management personnel on any matter that the Committee judges to merit assurance or scrutiny.

## **MEMBERSHIP AND CONSTITUTION**

### **Membership**

The Committee shall consist of:

- i. three persons who are neither employees nor fellows of the College, whom the Governing Body considers appropriate to serve on the Committee, one of whom will chair; and
- ii. three Fellows, no more than one of whom is paid by the College and at least one of whom must be a member of the Governing Body as defined in Statute I.1.

### **Appointment and Term**

Members will be appointed by the Governing Body for a term of three years. No member may serve for more than three consecutive terms. On formation of the Committee, the initial terms agreed with members may be for more or less than three years, to ensure that all initial members' terms are not coterminous.

### **Chair**

The Committee Chair will be appointed by the Governing Body. In the event of the resignation of the Chair during their term of office, the Governing Body shall seek to appoint a successor before the next scheduled Committee meeting to ensure that there is always a Chair in place.

### **Attendance**

Members of Governing Body and staff members may attend meetings of the Committee at the invitation of the Chair, but will have no voting rights. It is expected that the Principal and the Bursar will attend all meetings.

A representative of the College's external auditors may attend Committee meetings at the request of the Chair. Attendance by other College advisors may be requested by the Chair.

### **Secretary**

The Bursar will be the Secretary to the Committee.

### **Quorum**

The quorum shall be a minimum of three members with at least one Fellow of the College and one external member.

### **Voting**

Decisions made at the Committee shall be determined by a majority of votes of eligible members present and voting. Where there is an equal division of votes, the Chair shall have a second or casting vote. If a member of the Committee withdraws from the meeting due to a conflict (or potential conflict) of interest, the meeting must still be quorate in order for a vote to be conducted.

**Meetings**

The Committee will meet a minimum of three times a year.

#### D. Nominations for Vacancies Committee

- a. The Committee shall consist of:
  - i. the Principal, Chair;
  - ii. the Bursar, Secretary;
  - iii. the Senior Tutor;
  - iv. five persons selected by lot by and from Governing Body in such a way as to ensure that they comprise at least two male and at least two female Fellows. The members selected by lot, who may not be College Office-holders, shall be selected at the Second Stated Meeting of the Governing Body in Michaelmas Term, shall hold office for three years.
- b. The duties of the Committee shall be:
  - i. to present a report to Governing Body at its First Stated Meeting of Michaelmas Term (or at the start of subsequent Terms as may be necessary) that identifies all vacancies in College Offices or Committees of more than one term's duration that are expected to occur during the coming academic year or at its end and to invite expressions of interest in those vacancies from members of Governing Body;
  - ii. to provide a report at the First Stated Meeting of Hilary Term (or at the start of other Terms as may be necessary) recommending to Governing Body nominations to fill all vacancies in Committee memberships and College Offices.
- c. In providing nominations the Committee shall take into account the expressions of interest received from Governing Body as well as the importance of College Committees having a membership that reflects gender diversity, subject balance, experience, and past service on Committees or in College Offices, and other commitments (in College and beyond) of those invited to serve.
- d. The Committee shall have the power, delegated from Governing Body, to appoint College members of the selection panels convened for the appointment of new Tutorial and Professorial Fellows.
- e. The Committee shall meet at least once a year or as required. Meetings shall normally be held in person but may be held online or transact business electronically in case of urgent need.

#### E. Statutes and Bylaws Committee

- a. The Committee shall consist of:
  - i. the Principal, Chair;
  - ii. the Bursar, Secretary;
  - iii. the Senior Tutor;
  - iv. four Fellows of the College elected by Governing Body, at least one of whom must be a Tutor in Law, and at least two of whom must be members of 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 Governing Body any changes in them on which Governing Body has decided in principle or which may be required from time to time.
- c. The Committee shall meet at least once a Term.

## F. 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.

## G. Equality, Diversity and Inclusion Committee

- a. The Committee shall consist of:
  - i. the Principal, Chair;
  - ii. the Governing Body EDI Lead, Secretary;
  - iii. the Dean;
  - iv. the Head of HR;
  - v. the Disability Officer;
  - vi. one the Harassment Advisors;
  - vii. two persons elected by and from Governing Body;
  - viii. one member each of the Middle and Junior Common Rooms (attending only);
  - ix. such other persons as the Committee may find useful to invite to attend its meetings, either in whole or in part.
- b. The duties of the Committee shall be:
  - i. to develop an EDI strategy, with key performance indicators, that ensures that St Hugh's admits, employs, and retains individuals from the widest pool of talent;
  - ii. to monitor/report on EDI statistics, including representation by individuals with protected characteristics.
  - iii. to identify and prioritise areas for improvement and suggest methods whereby this may be attained
  - iv. annually to review the College's governance policies and plans to ensure that EDI is embedded in all College activities;
  - v. to review planned vacancies and recruitment processes to ensure that future appointments align with EDI strategy;
  - vi. to help the College partner with the University and the Conference of Colleges to align EDI activities across the Collegiate University and thereby avoid duplication of effort;
  - vii. to receive reports from those delivering EDI operational support (the Head of HR; the Dean; Harassment Advisors);
  - viii. to report on all of the above directly to the Governing Body of the College.
- c. The Committee shall meet at least once a Term and may meet additionally in and out of Term as necessary by arrangement.

## G. Health and Safety Committee

### 1. STATEMENT OF PURPOSE:

St Hugh's College Governing Body has responsibility for establishing and promoting a positive and proactive Health and Safety (H&S) culture, delivered via a robust framework to strengthen H&S practice within college governance.

The H&S Committee has been established specifically to oversee the framework and management systems, which enhance clarity around roles, accountability and responsibility throughout the organisation, providing enhanced assurance to Governing Body, and providing visibility of compliance and performance.

### 2. SCOPE:

The H&S Committee will review, challenge, consider and advise on the health, safety and welfare aspects of all St Hugh's College policy, procedure and practice relating to staff, contractors and other interested parties.

### 3. COMMITTEE DUTIES:

The purpose of the Committee is to assist Governing Body to fulfil their overall responsibilities in relation to health, safety and matters arising out of the activities of St Hugh's College and as they affect the students, public, employees, contractors and suppliers.

The Committee will agree and set out clear performance targets for the College which will be designed to help improve its H&S performance to meet acceptable standards and improve practice over time. This will include the development of high standard H&S culture across the College.

### 4. ROLE OF THE COMMITTEE:

To recommend to Governing Body, a Health and Safety policy (Appendix 1) for adoption by them and, as the Committee deems necessary, recommend changes to that policy and to review this on a regular basis at least annually or if there is a relevant change in legislation.

To monitor the College's compliance with the approved Health and Safety policy and report regularly to Governing Body.

To assess compliance of processes by the College with Health and Safety legislation.

To ensure that the College processes are continually improved to align with best practice.

To review the holistic outputs of accident/incident and near miss investigations to ensure that all of the appropriate learnings are captured and are being effectively utilised in the development of the College.

To oversee and support the development of a continuous improvement Health and Safety culture in respect to performance, learning, and underlying values.

To consider Health and Safety issues that may have strategic, business, and reputational implications for the College and to recommend appropriate measures and responses.

To assure Governing Body in respect to the effective communication of policies, procedures, and H&S arrangements throughout the College.

To provide scrutiny and challenge to ensure internal control mechanisms are operating effectively.

To ensure that an independent review of H&S policy, operations, culture and performance is conducted on an annual basis and outcomes reported to Governing Body.

To ensure that employee health and wellbeing activities are in place in line with St Hugh's commitment to have a high performing H&S culture.

To ensure that suitable and sufficient arrangements, and policies are in place to deal with health and safety aspects critical incident management and that these complement business continuity arrangements.

#### 5. MEMBERSHIP:

- Trustee with relevant experience/expertise - Chair
- Principal
- Bursar
- x2 Academic Fellows/Trustee
- In attendance
  - Head of Estates
  - Domestic Bursar
  - Head of HR
  - MCR Representative
  - JCR Representative
  - Guest Members, as agreed necessary.

#### 6. FREQUENCY OF MEETINGS:

The H&S Committee will meet termly (at least three times a year) and the meeting schedule will be published suitably in advance. It is expected that meetings will not be cancelled or rearranged without good justification and the Chair will have the deciding authority on this point.

#### 7. ATTENDANCE:

The expectation is that all members of the Health & Safety Committee will attend each meeting. However, if this is not possible then a nominated substitute can attend provided, they have been nominated by the member & approved by the H&S Committee Chair.

In order to enable the efficient and accurate flow of information the nominated substitute should be identified to the H&S Committee.

#### 8. AGENDA AND MINUTES OF MEETINGS:

The draft agenda will be circulated by the College Secretary a minimum of 5 working days before the planned meeting date. Any items members wish to add to the agenda should be submitted to the Chair via the College Secretary not less than 2 weeks before the meeting date.

The draft minutes of the meeting will be produced by the College Secretary within 4 weeks following the meeting date and circulated to all members for comment. Comments on the



draft minutes should be submitted to the Chair via the College Secretary within 5 working days following the draft circulation. The final approved minutes will then be published once ratified by the Committee at its subsequent meeting.

## H. Sustainability Subcommittee

- a. The Subcommittee shall consist of:
  - i. the Principal, Chair;
  - ii. the Bursar, Secretary;
  - iii. the Senior Tutor;
  - iv. one representative of the Middle Common Room, non-voting, and one representative of the Junior Common Room, non-voting;
  - v. three persons elected by and from Governing Body.
  - vi. The Subcommittee may invite any of the following to attend: the Domestic Bursar, the Head Gardener and the Head of Estates, or any other member of staff as deemed necessary for specific items of business.
- b. The duties and powers of the Subcommittee shall be:
  - i. to consider the termly update 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 exercise general supervision over the College's Domestic operations, including accommodation, catering and security;
  - iv. to oversee the work of the Health and Safety Officer and Health and Safety Action Group;
  - v. to guide the Computing/IT function within the College;
  - vi. to be responsible to Governing Body for the upkeep of the gardens belonging to the College and for the expenditure of any allocation made for that purpose by Governing Body;
  - vii. to make recommendations to Governing Body about alterations in the gardens;
  - viii. to make recommendations to the Finance and General Purposes Committee about the allocation of funds for each financial year and for any special item of non-recurrent expenditure.
- c. The Subcommittee shall meet at least once a term.

## I. Student Financial Support Subcommittee

- a. The Committee shall consist of:
  - i. the Vice-Principal, Chair;
  - ii. the Bursar, Secretary;
  - iii. the Senior Tutor;
  - iv. two persons elected by Governing Body;
  - v. one representative from the Junior Common Room and one from the Middle Common Room, non-voting.
  - vi. The Subcommittee may invite any of the following to attend: the College Accountant and the Academic Registrar, or any other member of staff as deemed necessary for specific items of business.
- b. The duties and powers of the Subcommittee shall be:
  - i. to administer the Financial Assistant Funds and such other funds as may be allocated or available and award grants to undergraduates and graduates for the relief of unforeseen financial difficulties;
  - ii. to prepare an annual report and accounts in Michaelmas Term for presentation to Finance and General Purposes Committee;
  - iii. to administer and distribute travel grants from available funds.
- c. The Subcommittee shall meet at least once a Term and thereafter shall report through the Vice-Principal to the Finance and General Purposes Committee.

## J. Library and Archive Subcommittee

- a. The Subcommittee shall consist of:
  - i. the Library and Archive Fellow, Chair;
  - ii. the Librarian, Secretary;
  - iii. the Archivist;
  - iv. 4 persons elected by and from Governing Body;
  - v. one representative of the Middle Common Room, non-voting;
  - vi. one representative of the Junior Common Room, non-voting.
- b. The duties and powers of the Subcommittee shall be:
  - i. to report to Academic Committee, by submission to the Minutes of each meeting of the Library and Archive Subcommittee;
  - ii. to frame medium to long term policies for library provision and strategy;
  - iii. to make rules for the use of the Library by members of the College and others to whom the privilege of using the Library may from time to time be extended by the Subcommittee or by the Librarian on its behalf;
  - iv. to acknowledge donations and, at its discretion, dispose of unneeded books;
  - v. to make recommendations to the Finance and General Purposes Committee on library and archive matters; staffing matters, other than the appointment of a Librarian;
  - vi. to consider matters concerning the Archive and to make recommendations relating thereto to the Academic Committee
- c. The Subcommittee shall meet at least once a Term

#### K. People Subcommittee

- a. The Subcommittee shall consist of:
  - i. the Principal, Chair;
  - ii. the Bursar, Secretary;
  - iii. the Dean;
  - iv. the Senior Tutor;
  - v. the EDI Lead;
  - vi. three persons elected by and from Governing Body
  - vii. by invitation the Head of HR, Academic Registrar and Domestic Bursar;
  - viii. by invitation the Chair of Staff Committee;
  - ix. one member of the Middle Common Room and one member of the Junior Common Room shall be invited to attend.
- b. The duties and powers of the Subcommittee shall be
  - i. to oversee and make recommendations to Governing Body concerning all welfare, equality, staff engagement and HR matters of the College;
  - ii. to prepare and keep under periodic review all policies, procedures and provision for welfare, equality and HR;
  - iii. to oversee and make recommendations to Governing Body concerning the non-academic aspects of student life;
  - iv. to oversee and provide assurance to Governing Body on the College's safeguarding policy, activities, and compliance;
  - v. to exercise oversight of the College's Code of Practice on Freedom of Speech and its relationship to other policies and procedures, including the Harassment Policy and Equality Policy;
  - vi. To exercise governance oversight of the College's HR function and general people-management capability and provide assurance and make recommendations to Governing Body;
  - vii. to consider and make recommendations on other people issues as appropriate from time to time, with the exception of any individual disciplinary, grievance, complaint, redundancy, or other specific case.
- c. The Subcommittee shall meet at least once a Term and in vacations as necessary by arrangement.

#### L. Bickley Memorial Lectures Committee

- a. The Committee shall consist of:
  - i. the Principal, Chair;
  - ii. the Italian Fellow;
  - iii. two 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.

#### M. Development and Alumni Relations Subcommittee

- a. The Subcommittee shall consist of:
  - i. the Principal, Chair
  - ii. the Vice-Principal
  - iii. the Bursar
  - iv. the Senior Tutor
  - v. the Development Director
  - vi. three persons elected by and from the Governing Body.
- b. The duties and powers of the Subcommittee 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 and alumni relations.
- c. The Subcommittee shall meet as required.

#### N. Portrait Committee

- a. The Committee shall consist of:
  - i. the Vice-Principal, Chair
  - 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.



#### O. Investment Subcommittee

- a. In accordance with Statute XII the Committee shall consist of
  - i. the Principal, Chair
  - 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.
  - v. 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.
  - vi. 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;
  - iv. to advise the Governing Body under Statute XII.2 on investment of all funds which do not form part of the 'Trust Funds Pool';
  - v. 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

## P. Art and Collections Subcommittee

a. The Subcommittee shall consist of:

- i. the Curator of Pictures (Chair);
- ii. the Principal;
- iii. the Archivist;
- iv. 3 Fellows elected by Governing Body.

In attendance will be:

- v. one representative of the Middle Common Room, non-voting;
- vi. one representative of the Junior Common Room, non-voting.
- vii. one or more members of staff with interest and expertise in the business of the Subcommittee if approved by Nominations for Vacancies Committee.

The Subcommittee may invite any other member of staff to attend as necessary for specific items of business.

b. The duties and powers of the Subcommittee shall be:

- vii. to report to Academic Committee, via submission of the Minutes of each meeting of the Art and Collections Subcommittee;
- viii. to frame policies for the College's art and collections, including provision, strategy, display and access;
- ix. to acknowledge donations and, at its discretion, dispose of unneeded art and items from the collections;
- x. to make recommendations to the Finance and General Purposes Committee on purchases and expenditure;
- xi. to deepen and increase the engagement of students and staff with arts and cultural activities;
- xii. to oversee the accreditation, maintenance and security of current art holdings in College;
- xiii. to ensure working practices and strategic plans are conducted and furthered in accordance with the highest EDI standards.

c. The Subcommittee shall meet at least once a Term.

### 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. 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. 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. 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 to review, uphold, amend or overturn decisions to impose precautionary measures in accordance with the provisions of Appendices C and 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 Chair.
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;
  - v.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. REVIEW PROCESS FOR THE PRINCIPAL

The purpose of the Principal Review Group will be:

- to conduct the Principal's probation (12 months) and mid-probation (6 months) reviews, and to recommend to Governing Body whether probation should be passed, extended, or not passed;
- to meet with the Principal annually (or more frequently if required) to review her performance in the role and agree any additional support or modification of duties for onward recommendation to Governing Body.

The Principal Review Group will consist of five members of Governing Body chosen by Governing Body on the recommendation of Nominations for Vacancies Committee, none of whom shall be an Officer of the College.

There has previously been discussion of whether the Principal Review Group should also conduct annual performance reviews for the senior officers of the College or whether these should be undertaken by the Principal. It is proposed to defer consideration of this question until the new Principal is in-post, as her preference on this question is a relevant factor that Governing Body may wish to take into account before deciding.

## VI. 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.

## VII. 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 Third Stated Meeting of Hilary Term a list of College Offices due to fall vacant at the end of the current academic year. Expressions of interest shall reach the Secretary not later than noon on Friday of the Fourth Week of Hilary Term. Nominations for Vacancies Committee shall put forward a nomination which shall be placed on the Agenda of the Third Stated Meeting of Hilary 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. Perform the duties of the Principal when the latter is absent from College or incapacitated by reason of illness or when there is a vacancy in the Principalship (Statute III; Appendix J of the Bylaws)
  - ii. Undertake such other duties as the Governing Body may determine, including chairmanship of Committees (Statute III; Bylaw VI-A-b(ii))
  - iii. Serve as a member of Governing Body Preparation Group (Bylaw I-6), Risk Committee (Bylaw II-J), Development and Alumni Relations Committee (Bylaw II-N)
  - iv. Chair the Student Support Committee and report on its deliberations and decisions to the Finance and General Purposes Committee (Bylaw II-D)
  - v. Chair Portrait Committee (Bylaw II-P)
  - vi. Attend Investment Committee (Bylaw II-Q)
  - vii. Exercise the authority of the Principal if she is not available with respect to reviewing precautionary measures imposed against a student by the Dean (Appendix E of the Bylaws)
  - viii. Receive appeals against disciplinary warnings given to members of the College's academic staff (Statute XVII – 13)
  - ix. Receive a complaint from five or more members of the Governing Body seeking the removal of the Principal from office for good cause and then refer such complaint to the Governing Body (Statute XVII – 39, 40)
  - x. Dismiss the Principal from office where one or more charges against the Principal are upheld by a Tribunal constituted under Statute XVII to investigate a complaint against her and such Tribunal recommends such dismissal (Statute XVII – 44)
  - xi. Suspend the Principal from office if he/she considers that the College might otherwise suffer significant harm where a complaint against her is referred to a Tribunal under Clause 41 of Statute XVII (Statute XVII -45)



- xii. Investigate complains made about the Principal by a member of the academic staff of the College (Bylaw XIII)
- xiii. Designate a substitute for the Senior Tutor where any conflict of interest regarding the latter arises with respect to the procedures governing the academic discipline of undergraduate members of the College (Bylaws Appendix B 1.17)
- xiv. Convene an Academic Standards Panel at the request of the Senior Tutor with respect to the possible suspension or termination of studies of an undergraduate member of the College (Bylaws Appendix B 5.7b, 6)
- xv. Designate a substitute for the Senior Tutor where any conflict of interest regarding the latter arises with respect to the procedures governing the fitness to study of undergraduate members of the College (Bylaws Appendix D 1.9)
- xvi. Convene a Fitness to Study Panel at the request of the Senior Tutor with respect to an undergraduate member of the College or, in exceptional circumstances, refer such a student to the University's Fitness to Study Panel (Bylaws Appendix D 6)
- xvii. Receive appeals from alumni of the College against determinations made by the Dean and transmit them to the Governing Body (Bylaws Appendix L-II-5)
- xviii. Receive complaints from student members of the College and either reject them or appoint a Complaints Panel to consider them (Bylaws Appendix N 4, 6.4)

#### 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 coordinating 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 & Archive Fellow

- a. The Library & Archive Fellow shall hold office for three years, renewable for two further periods of two years.
- b. The duties of the Library & Archive Fellow shall be:
  - i. keep in close touch with the Librarian and the Archivist, and offer support and, when it is solicited, advice;
  - ii. chair the Library and Archive subcommittee;
  - iii. act as spokesperson for Library and Archive matters at Governing Body.
- c. If the Librarian is a Fellow this Bylaw shall be suspended.

#### E. 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. chair the Art and Collections Sub-committee;
  - iii. be a point of contact for / lead on all matters relating to art in College;
  - iv. advise on acquisitions and loans of works of art in accordance with the Acquisitions and Loans Policy;
  - v. advise and decide on exhibition proposals and schedule;

- vi. manage displays throughout College, working with the Archivist for labelling and Estates for hanging;
- vii. oversee use and maintenance of the Picture Store;
- viii. in conjunction with the Archivist, arrange framing and conservation of works;
- ix. support the Librarian and Archivist with documentation.

#### F. Sports Fellow

- a. The Governing Body's Sports Fellow is an Officer of St Hugh's College responsible for overseeing, encouraging and guiding the sports initiatives and policy within the College. The Lead does this in collaboration with other College Officers, administrative staff, and students.
- b. The Sports Fellow must be an Official Fellow of the College and is appointed by the Governing Body for a period of 3 years with the possibility of re-election for a further 2 years.
- c. The main tasks of the Sports Fellow are to:
  - i. develop, maintain, and periodically review a strategy for sports at St Hugh's;
  - ii. advocate for investment in facilities and coaching, and work with the Development team to realise these ambitions;
  - iii. collaborate with student sports representatives, Fellows, and administrative staff to promote sporting clubs and to make sport accessible to all students within the College community;
  - iv. recognise and celebrate student athletic achievements by communicating these to the Governing Body and broader College community;
  - v. support the development and visibility of college sports teams externally in coordination with the communications team;
  - vi. promote the development of wellbeing initiatives that tie sport to mental and physical health for all the community at St Hugh's;
  - vii. where necessary, act as the link between College and University sporting bodies and represent the college in intercollegiate sports committees and events.

#### G. Equality, Diversity and Inclusion Lead

- a. The Governing Body's EDI Lead is an Officer of St Hugh's College responsible for overseeing, encouraging and guiding the development of EDI initiatives and policy within the College. The Lead does this in collaboration with other College Officers and managers, including the Senior Tutor, the Dean, the Bursar, and the Head of HR.
- b. The EDI Lead must be a Fellow of the College and is appointed by the Governing Body for a period of 3 years with the possibility of re-election for a further 2 years. The position will, in the first instance, be compensated by a reduction in stint teaching hours of one third, to be reviewed after the first year. By prior arrangement the Fellow may instead choose corresponding additional remuneration calculated at the annual Senior Tutors' hourly rate for teaching groups of three for three hours a week, again to be reviewed after the first year.

- c. The main tasks of the EDI Lead are to:
  - i. act as secretary of the College's EDI Committee;
  - ii. in that capacity lead on the development of the College's EDI strategy;
  - iii. act as a spokesperson for EDI issues at Governing Body and provide briefings to other committees as appropriate;
  - iv. develop policies to enhance the degree to which the College meets the recommendations of the Charity Commission's Code of Governance in respect of EDI;
  - v. facilitate, encourage and, where possible, initiate activities in partnership with the University and the Conference of Colleges that will further EDI within the College while avoiding duplication of effort;
  - vi. liaise with the Junior and Middle Common Rooms and with Staff Committee regarding ways in which they and Governing Body can take concrete steps to promote equality, diversity, and inclusion within the College;
  - vii. to represent the College at the Conference of Colleges Equality and Diversity Forum (CEDF).
- d. The EDI Lead is not expected to act as an additional source of welfare provision for student members of the College, provide advice with respect to disciplinary matters, or provide advice with respect to alleged instances of harassment. Requests for such support should be channelled onward to the College's welfare services, harassment officers or – for staff – HR Department.

#### F. Rep to Alumni Association

- a. The Governing Body's Representative to the Alumni Association is an Officer of St Hugh's College responsible for liaising with and fostering good relations with the Alumni Association.
- b. The Representative to the Alumni Association must be a Fellow of the College and is appointed by the Governing Body for a period of 3 years with the possibility of re-election for a further 2 years.
- c. The main tasks of the Representative to the Alumni Association are to:
  - i. attend the termly meetings of the Alumni Association Committee;
  - ii. report notable items of unreserved Governing Body business at such meetings, either orally or by brief, written report
  - iii. attend the Alumni Association's AGM;
  - iv. attend Alumni Association events where possible.

#### G. Secretary to Governing Body

- a. The Secretary to the Governing Body is a St. Hugh's College Officer, elected for a term of 3 years, who supports the Chair in the running of Governing Body, including crafting and distribution of agendas, collection, drafting, and distribution of papers, and maintaining meeting minutes. The Governing Body Secretary is governed by two statutes (I.11. and VI.5., see Appendix A) and a number of Bylaws (see Appendix B), but in practice, much of the day-to-day

- operations are handled by the College Secretary, with the Governing Body Secretary acting as a main point of contact to support and providing oversight.
- b. The main tasks for the Governing Body Secretary are:
    - i. Support the Chair of Governing Body
    - ii. Ensure the circulation the Agenda of Stated Meetings of Governing Body by Friday preceding each Meeting
  - c. Receive reports of Committees and other business to be placed on the Agenda of a Stated Meeting 24 hours before the circulation of the Agenda
    - i. A first circulation of papers is expected by Friday preceding each Meeting
    - ii. A second circulation is permitted for late papers by Monday preceding each Meeting
    - iii. Act as a member of Governing Body Preparation Group
    - iv. Work closely with the College Secretary to review agendas, minutes, and papers before wider circulations
    - v. In Governing Body Meetings:
      - i. Monitor quorum during Governing Body meetings
      - ii. Provide updates to Governing Body under Secretary's Business
      - iii. Count votes
      - iv. Take note of key decisions
  - d. Provide oversight of correspondence to Governing Body
  - e. Support Nominations for Vacancies Committee by
    - i. Circulation of upcoming office and committee vacancies
    - ii. Running elections
  - f. Support the onboarding of administration related to Governing Body
  - g. Handover at end of term to the next Governing Body Secretary
  - h. In addition, the Governing Body Secretary may:
    - i. Attend other operational meetings at the request of the Chair
    - 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. 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. vii. 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 the Alumni Association

- a. The Fellow for the Alumni Association shall hold office for three years and may be renewed.
  - b. The duties of the Fellow for the Alumni Association shall be to advise the College on all matters concerning its relations with the Alumni Association.
2. 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:
- a. Vice-Principal: Three hours
  - b. Dean: Five hours
  - c. Dean of Degrees: One hour
  - d. Library & Archive Fellow: Two hours
  - e. Computing/IT Fellow: One hour
  - f. 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.

## VIII. 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.



## IX. 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, as a consequence, the University).
  - d. 'Requirement to reside outside of College' shall mean the requirement to go out of residence for a fixed period of time or pending the fulfilment of certain conditions.
  - e. 'Restriction of access to College facilities' 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. 'Suspension' by the College shall mean the involuntary suspension of student status for a fixed period of time or pending the fulfilment of certain conditions. This is distinct from voluntary suspension for a period of time by mutual agreement as detailed in the Student Handbook, for example when a student decides to suspend for a year on medical grounds.
  - g. 'Harassment' shall mean a course of unwarranted behaviour as defined in the Harassment Policy.
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. Conduct and Disciplinary Sanctions

1. A Student Member who commits an offence under the College's Code of Discipline (Appendix C(ii)) may incur a sanction, including expulsion, suspension, a requirement to reside outside College, restriction of access to College facilities, a 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, or suspended 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 Dean (or in their absence the Designated Safeguarding Lead or Designated Safeguarding Deputy) may at their discretion and with immediate effect as a temporary precautionary measure require a Student Member to reside outside College, restrict their access to particular College facilities, or suspend them if they are satisfied that having regard to the safety, interests and welfare of the members and employees of the College it is reasonably necessary. 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. Any student subject to a precautionary measure has the right to request a review by the Principal.
4. 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.
5. No Student Member shall be presented for a degree unless he or she has paid all sums due to the College.

## **X: ACADEMIC STAFF: Redundancy Procedure**

### **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.

### **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 Chair 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. 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).

### **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 Chair 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.
- 3.7. 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.

## XI. 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.

#### 2.3.1. *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.

### 2.3.2. *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. 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**

- 3.1. 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).
- 3.2. 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 Chair.
- 3.3. 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.
- 3.4. 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.

- 3.5. 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.
- 3.6. The Committee Chair 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 Chair 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 Chair 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 Chair 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).
- 3.7. 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:
  - 3.7.1. the charge or charges;
  - 3.7.2. copies of any documents specified or referred to in the charge or charges;
  - 3.7.3. a list of witnesses to be called by the prosecutor;
  - 3.7.4. copies of statements containing the witnesses' evidence.
- 3.8. 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.
- 3.9. 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.
- 3.10. 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.
- 3.11. 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.

- 3.12. 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.
- 3.13. 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.
- 3.14. 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.
- 3.15. 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.
- 3.16. 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.
- 3.17. 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
- 3.18. 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 Chair 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.
- 3.19. 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.
- 3.20. 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.

- 3.21.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.

## **XII. 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 Chair 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 Chair. 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 Chair 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.

### XIII. 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 Chair, and two further persons in accordance with Clause 29(4) of the Statute who shall sit with the Chair if the Chair 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 Chair 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 Chair 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 Chair in the event that the Chair sits alone.
5. The Chair 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 Chair 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 Chair, 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
8. Any hearing of the appeal may be adjourned or postponed at the discretion of the Chair. 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 Chair 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 Chair 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 Chair may, by an appropriate certificate in writing, correct any accidental errors and/or any omissions in documents recording the decisions of the Appeal Body.

#### XIV. 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 possibly 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 Chair. 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 Chair 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 Chair 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 Chair 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 - Student Members: Academic Discipline (Undergraduate Students)

### 1. Academic Obligations and Satisfactory Academic Performance

- 1.1. St Hugh's College expects all undergraduates to pursue their academic studies diligently and to the satisfaction of their tutors so that they may fully realize their academic potential.
- 1.2. The Academic Discipline Procedures outlined here are to be followed in cases where an undergraduate is deemed to be in breach of their academic obligations or is considered not to be sustaining satisfactory academic performance. The disciplinary component of these Procedures begins at Stage 2 (see 5.5 below) or if an Academic Offence (see Section 3 below) is reported. Stage 1, informal meetings, is not disciplinary.
- 1.3. Undergraduates should be aware that they are also subject to the University's regulations concerning academic conduct and that as a result they are expected to observe two sets of (complementary) disciplinary regulations. The University's Student Handbook (Proctors' and Assessor's Memorandum) provides more information on the University's remit.
- 1.4. The academic obligations of students and the conditions for satisfactory academic performance include requirements
  - a. to comply with the residence requirements laid down for their course of study by the University;
  - b. to pass within the time permitted by University regulations the First Public Examination or other examinations specified by the University as a necessary part of their course of study;
  - c. to attend punctually all tutorials, classes, and other required academic engagements (which may be in person or online),
  - d. to participate actively and to a good standard in such engagements;
  - e. to devote an adequate amount of time and effort in preparation for such engagements;
  - f. to submit assignments (essays, problem sheets, projects, presentations, dissertations, etc.) with the regularity required by their tutor(s), to a good standard, and on time;
  - g. to ensure that such work is normally of at least upper-second-class standard;
  - h. to sit collections (internal College examinations) at the times required by tutors or the College Office, submitting work in these of a good standard, having devoted an adequate amount of time and effort to preparation and study during vacations;
  - i. to maintain regular, open, honest, and respectful communications with College tutors, external subject tutors, College officers and administrative staff throughout term and when required at other reasonable times during vacations, checking e-mails daily during term and responding promptly to communications from tutors, College officers and staff;
  - j. to refrain from plagiarism, intentional or otherwise, and from any other form of cheating or dishonesty in the submission of academic work;

- k. to follow all relevant regulations and guidelines set out in any Faculty's course requirement specifications and in their course handbooks;
  - l. to follow the University's academic conduct specifications as outlined in the Student Handbook;
  - m. to ensure that personal or social commitments and extra-curricular activities, whether within the College, the University, or beyond, do not distract from academic work or interfere with any other academic obligation listed here.
- 1.5. Academic disciplinary procedures are under the jurisdiction of the Senior Tutor and are distinct from the Non-Academic Disciplinary Procedures, which are under the jurisdiction of the Dean. If Procedures under both headings are being followed concurrently, the Dean and the Senior Tutor will liaise and may decide to pause or halt one Procedure in the interests of clarity and fairness.
- 1.6. The College is aware that failures to fulfil academic obligations may not always be purely disciplinary matters and that health and welfare issues may play a part when difficulties are encountered in studying. Academic disciplinary procedures (Stages 2-5) will not be invoked without consideration of a student's broader health and welfare circumstances or any mitigating circumstances. Students are encouraged to discuss such matters with their Tutor(s) if they impinge on their work and Stage 1 is designed to encourage such discussion. Academic support (see Section 2 below) will be provided wherever necessary, either in lieu of or in addition to disciplinary measures.
- 1.7. Mitigating circumstances are defined here as unexpected and significantly disruptive events, or ongoing conditions, or situations that are beyond a student's control (e.g., accident, illness, or bereavement) and which can be shown to affect academic performance when preparing, writing, or submitting work, or sitting examinations.
- 1.8. The College will usually require independent confirmation of mitigating circumstances, for example a medical certificate in cases of illness or equivalent proof in other circumstances.
- 1.9. Even serious personal difficulties will not normally be considered to mitigate or excuse specific Academic Offences as described in Section 3 below.
- 1.10. Other circumstances that would not normally merit mitigation include paid employment, short-term emotional disruption resulting from interpersonal relationships, and sporting, dramatic, or other extra-curricular commitments (see 1.4[m] above).
- 1.11. Students who consider that they need to take paid employment are strongly advised to explore the College's and the University's provisions for financial assistance and may be required to seek support in this way as part of academic support or disciplinary procedures.
- 1.12. If at any point during these Procedures the Senior Tutor determines that a student's academic shortcomings are significant but that non-academic circumstances (not least health concerns) present major obstacles to rectifying them or to a student's continuing their studies, they will invoke the College's Fitness to Study Procedures and any processes underway under these Procedures will be suspended.

- 1.13. For the purposes of these Procedures ‘meetings’ may be either in-person or online; ‘notification’ or ‘communication’ may be by email or in hard copy or both; ‘records’ may be electronic or in hard copy and are regulated by the College’s data protection policies.
  - 1.14. Details of College-internal processes and outcomes will not normally be shared with the University or other colleges except where specified below.
  - 1.15. Where a student is permitted to bring a supporter to a meeting, this should normally be a student member or an employee of the College or a member of the Oxford Student Union. The name and role or position of the supporter must be provided 24 hours in advance of the meeting. During the meeting, the supporter may ask for clarifications of anything said and may be consulted by the student but should not otherwise intervene in discussion. Legal representation will not normally be permitted at any stage, though reasoned requests for such representation may be made, and will be considered.
  - 1.16. Where an ‘expiry date’ is stipulated for an academic disciplinary measure, this will take into consideration the nature of the academic difficulties at issue and will be proportionate to the seriousness of the case. The fact that a penalty has been imposed will remain on record but after expiry the issues covered by the penalty and the penalty itself will not be considered in any future academic disciplinary measures and may not feature in any discussions or meetings held in connection with any subsequent academic disciplinary infringements. However, these matters may legitimately be raised contextually in future Stage 1 informal meetings, which have no disciplinary force.
  - 1.17. If conflicts of interest arise in the implementation of these Procedures that affect the Senior Tutor (e.g., if they are exceptionally also an academic tutor), the Vice-Principal of St Hugh’s will designate a substitute, who will be a Fellow of the College. If a conflict of interest affects the Vice-Principal (e.g., if they are the student’s academic tutor), their role will devolve to the most senior available Fellow of the College (judged by date of election).
2. Academic Support, including Academic Monitoring
    - 2.1. The College provides a range of academic advice and support alongside subject teaching to help students fulfil their academic obligations.
    - 2.2. Tutors are the primary source of subject-specific academic advice for undergraduates. College tutors will normally be Fellows or Lecturers. Where teaching is arranged centrally by Departments, St Hugh’s students may seek academic advice from those delivering such teaching even if these teachers are not also members of the College. External tutors will normally liaise with a relevant College Fellow or Lecturer or the student’s Personal Tutor whenever they have concerns about academic progress or engagement.
    - 2.3. Broader academic support is also available from a student’s Personal Tutor. Every student is assigned a Personal Tutor and that role is described in the Handbook for Student Members. The Personal Tutor will normally be a specialist in a subject



studied by the student or in a related subject and can often provide subject-specific academic advice as well as broader support.

- 2.4. The Senior Tutor ([senior.tutor@st-hughs.ox.ac.uk](mailto:senior.tutor@st-hughs.ox.ac.uk)) and the Academic Registrar ([thea.crapper@st-hughs.ox.ac.uk](mailto:thea.crapper@st-hughs.ox.ac.uk)) are also available to offer non-subject-specific academic support. They are also able to point students towards a range of other academic support services within the University.
- 2.5. The College also employs a Tutor in Learning Development and Support who may be approached directly by students (via [study.help@st-hughs.ox.ac.uk](mailto:study.help@st-hughs.ox.ac.uk)) or who may approach students at the recommendation of tutors.
- 2.6. A student's academic progress and performance are monitored in various ways:
  - a. by individual tutors during and after tutorials or classes, based on oral contributions to discussion and/or written work submitted and marked;
  - b. in informal discussion between tutors jointly responsible for teaching a student and between tutors and the Senior Tutor;
  - c. in the meetings held by College tutors and/or Personal Tutors with their students to discuss progress during the term and the tutorial reports submitted via TMS;
  - d. in reports submitted via the Teaching Management System (TMS). A termly individual report is submitted electronically by every tutor who has taught a student during a given term. These are read carefully by College tutors and Personal Tutors and may be accessed by the Academic Registrar and the Senior Tutor. Unsatisfactory reports are flagged by tutors for the Senior Tutor's special attention;
  - e. in written Collections (internal College examinations) held at the beginning of term;
  - f. in Principal's collections, which are annual meetings with the Principal of the College, who is provided with all TMS reports and may invite the Senior Tutor and/or subject tutors or Personal Tutors to attend;
  - g. After University examinations, particularly the First Public Examinations (e.g., Honour Moderations or Preliminary Examinations), when tutors will discuss results with students.
3. The primary purpose of monitoring is support. Monitoring processes offer opportunities for tutors and others to engage individually with students to discuss their progress, to offer general advice, to recommend a specific course of action to improve the quality of a student's work, or to warn them that they may be at risk of more formal action should they not improve their engagement with study or the quality of their work. Monitoring may therefore also provide evidence of failure to fulfil academic obligations.
4. Academic Offences
  - 4.1. The use of dishonest means in any examination or in fulfilling any academic obligation is a serious academic offence. Dishonest means include but are not limited to:
    - a. plagiarism (see 3.3-3.6 below);
    - b. fabrication or falsification of research data, sources, or results;

- c. cheating in assessments and examinations, including the use of notes, other aides-memoire (in any form), mobile phones or other electronic devices, where these are prohibited, etc.;
- d. unacknowledged collaboration with a fellow student or any other person;
- e. analogous forms of dishonesty and impropriety in the conduct of academic work.

## 5. Academic Offences

- 5.1. Disciplinary procedures will be invoked when any attempt to commit an Academic Offence is identified, including assisting another student in the commission of such an offence.
- 5.2. These procedures relate to St Hugh's College. Plagiarism may also constitute an offence under University regulations (see the plagiarism section of the University website).
- 5.3. Plagiarism is presenting someone else's work, ideas, or phrasing as your own, with or without their consent, by incorporating it into your work without appropriate acknowledgement or reference. All published and unpublished source material, whether in manuscript, printed, electronic or other form, is covered under this definition.
- 5.4. Learning is often a collaborative process and tutors often encourage certain forms of joint or collaborative work when preparing for tutorials or classes. Nevertheless, any work submitted under an individual student's name or examination number, whether for formal assessment or for regular tutorials or classes, must be their own work and their work only and must observe referencing and acknowledgement standards.
- 5.5. For advice on how good academic practice helps avoid plagiarism, students should ask College tutors, Personal Tutors, the College's Tutor in Learning Development and Support ([study.help@st-hughs.ox.ac.uk](mailto:study.help@st-hughs.ox.ac.uk)). The Senior Tutor ([senior.tutor@st-hughs.ox.ac.uk](mailto:senior.tutor@st-hughs.ox.ac.uk)) can also advise.
- 5.6. Academic Offences relating to Public Examinations or other assessments at Department, Faculty or University level will be addressed by the relevant Department or by an Examination Board and may be referred to the Proctors. The College will normally be notified of the outcome of such processes and that notification will form part of the student's College record.
- 5.7. The procedures for addressing alleged Academic Offences that relate to term-time or vacation work submitted to or assessed by the College are as follows:
  - a. A College or external tutor who identifies an Academic Offence or suspects that one has been committed will notify the Senior Tutor, supplying evidence. Evidence may take many forms, but in cases of suspected plagiarism will typically include a copy of the student's work with relevant passages highlighted and a copy of the alleged source material, also with relevant passages highlighted. The notifying tutor(s) should also provide any relevant contextual information they have.
  - b. The Senior Tutor may meet with the notifying tutor(s) to gain fuller understanding of what is alleged. They may also seek advice from an independent academic colleague in a relevant subject if necessary.

- c. The Senior Tutor will then assess the allegation: if the allegation is not found to be credible, the notifying tutor will be informed, and no further action will be taken.
  - d. If the Senior Tutor finds the allegation credible, they will ask to meet the student to discuss the matter. Details of the allegation will be supplied to the student with the invitation to the meeting.
  - e. If the allegation concerns unacknowledged collaboration between two or more students, separate meetings will be held. If such a collaboration involves students from other colleges, the Senior Tutor will notify the Senior Tutor(s) of the other colleges, who will act according to their own procedures. In such cases findings will normally be shared between colleges and such findings may legitimately inform the decision of the Senior Tutor of St Hugh's.
  - f. If the Senior Tutor finds that an Academic Offence has been committed, they will impose a formal penalty of which a record will be kept by the College. Formal penalties will be proportionate to the severity of the offence and will also reflect whether it is a first or a repeat offence. Formal penalties may include:
    - i. Academic Warning (see 5.5 below);
    - ii. Academic Probation (see 5.6 below);
    - iii. Suspension or termination of studies (see 5.7 below).
  - g. Additionally, after consultation with College tutor(s), the Senior Tutor may require that some or all of the affected work be re-written and re-submitted and/or that the student sit a Penal Collection (see Section 4 below).
  - h. A student may appeal against the Senior Tutor's findings and/or against all or part of the penalty imposed (see Section 7 below).
6. Penal Collections
- 6.1. In certain circumstances the Senior Tutor, after consultation with academic tutors, may impose a Penal Collection, which may be scheduled for any time during term.
  - 6.2. Penal Collections will be set by the relevant College tutor(s) or by an external tutor in consultation with a College tutor where that is academically more appropriate. Penal Collections will be double-blind marked by two tutors from other colleges or by members of relevant Department(s). In the event of a discrepancy between marks, the mark most favourable to the student will be accepted. If the terms include a requirement to achieve a specified standard in a Penal Collection, the markers will be told that the collection is 'penal' but not what standard is required.
  - 6.3. Satisfactory completion of a Penal Collection will mark the end of academic disciplinary procedures unless it is only one component amongst others in a series of measures proposed or stipulations made. However, the fact that a Penal Collection has been imposed will remain on a student's College record.
  - 6.4. A student may appeal against the Senior Tutor's decision to impose a Penal Collection (see Section 7 below).
7. Failure to Fulfil Academic Obligations and Unsatisfactory Academic Performance

- 7.1. If, in the opinion of any of their tutors, an undergraduate is failing to fulfil their academic obligations or their academic performance is unsatisfactory, there are four possible stages of action.
- 7.2. Stage 1 is not a disciplinary stage. Stage 1 informal intervention will normally be a preliminary to any disciplinary procedures (Stages 2-4). However, if an Academic Offence is reported (see Section 3 above), there is no requirement for a Stage 1 informal meeting.
- 7.3. Stages 2-4 do not necessarily have to be followed in sequence and any stage(s) may be omitted if the Senior Tutor, in consultation with academic tutors, determines that the seriousness of the problems justifies accelerated action.
- 7.4. Stage 1: Informal Meeting(s)

If tutors have concerns about an undergraduate's academic progress or achievement or their commitment to study, they will in the first instance remind students informally of their academic obligations and offer advice on how to remedy any deficiencies.

- a. Such a reminder will typically take place at an informal individual meeting, which may follow on immediately from teaching or otherwise take place without notice. Advice should be given, academic deficiencies should be clearly identified to the student, and specific courses of action should be agreed. An informal intervention of this kind may be made via email or in an online meeting if a face-to-face discussion is not practical.
- b. It is important that tutors and students can have such routine interactions openly and without any further formal procedures being anticipated. Nonetheless, if a tutor is concerned that problems risk becoming severe, they should indicate this to a student and note that if there is no improvement, formal procedures may be necessary.
- c. Tutors may also refer a student to the Senior Tutor for further discussion on the same informal basis. Tutors may be present at an informal meeting of the student and the Senior Tutor, but this may not always be necessary.
- d. Informal meetings of this kind, either with tutors or with the Senior Tutor, will not be recorded formally by the College, although notes should be kept as an aide-memoire for advice given or a course of action agreed. Follow-up emails may also be useful.
- e. There is no right of appeal against any element of Stage 1 because it is advisory and does not result directly in disciplinary action.

#### 7.5. Stage 2: Academic Warning

If after a Stage 1 informal meeting or meetings the problems identified there persist, tutor(s) should inform the Senior Tutor who may then issue an Academic Warning.

- a. The tutor(s) will specify the shortcomings in writing to the Senior Tutor.
- b. The Senior Tutor may wish to meet with the tutors and/or seek subject-specific advice from appropriate academic colleagues, within St Hugh's or beyond.

- c. The Senior Tutor will meet with the student and give them the opportunity to present their views of the situation and draw attention to any mitigating circumstances that may apply. Tutors may be present at that meeting if they wish.
- d. If the Senior Tutor determines that the shortcomings are insignificant or that minor difficulties have already been rectified, no further action will be taken. No formal record will be kept of this stage of the process.
- e. If the Senior Tutor determines that the shortcomings are significant and ongoing and that there are no mitigating circumstances sufficient to make such a course inappropriate, they will issue an Academic Warning.
- f. The Academic Warning may include
  - i. a requirement to take appropriate academic remedial action such as submit missing work to a specified deadline;
  - ii. a requirement to seek academic or non-academic support from specific persons, groups, or agencies, including but not limited to medical or counselling support;
  - iii. attendance requirements;
  - iv. stipulations of expected levels of attainment;
  - v. the imposition of a Penal Collection (see Section 4 above);
  - vi. any other stipulations intended to help ensure that a student's academic performance returns to satisfactory levels.
  - vii. The Academic Warning may be issued orally in the student's meeting with the Senior Tutor, but will also be confirmed in writing, placed on record, and copied to tutors and the student's Personal Tutor. It will include an expiry date'
  - viii. A student may appeal against the Senior Tutor's decision to issue an Academic Warning or against one or more of the conditions imposed (see Section 7 below).

#### 7.6. Stage 3: Academic Probation

If after an Academic Warning has been issued a student does not meet some or all of the conditions outlined in it, or if further problems arise, the student will be placed on Academic Probation by the Senior Tutor. The Senior Tutor may also proceed directly to the Academic Probation Stage if in their judgement a student's problems or deficiencies are serious enough to warrant this.

- a. Before placing a student on Academic Probation, the Senior Tutor will always discuss the issues with relevant College tutors.
- b. If such discussions determine that Academic Probation may be appropriate, the Senior Tutor will arrange a meeting with the student and one or more of the tutors, at which the student may be accompanied by a 'supporter' (subject to the conditions set out in 1.15 above).
- c. At that meeting the Senior Tutor will give the student the opportunity to present their views of the situation and draw attention to any mitigating circumstances that may apply.

- d. If at that meeting the Senior Tutor determines that Academic Probation is the appropriate course of action, they will specify conditions. These may include any requirements listed in 5.5(f) above or any other stipulations that may be felt to assist the student in the fulfilment of their academic obligations.
- e. The Senior Tutor will alert the student to the fact that failure to comply with the conditions of Academic Probation may result in a disciplinary suspension or termination of studies (see Stage 4 below).
- f. The decision to impose Academic Probation may be issued orally in the student's meeting with the Senior Tutor, but will also be confirmed in writing, placed on record, and copied to tutors and the student's Personal Tutor. This will include an expiry date.
- g. A student may appeal against the Senior Tutor's decision to place them on Academic Probation or against one or more of the conditions imposed (see Section 7 below).

#### 7.7. Stage 4: Suspension or Termination of Studies

In the event of non-compliance with the conditions set for Academic Probation, or if further problems arise, the Senior Tutor may recommend that a student's studies be suspended or terminated. The Senior Tutor may also proceed directly to Stage 5 if in their judgement a student's problems or deficiencies are serious enough to warrant this.

- a. Any recommendation for suspension or termination of studies will be discussed with the student and tutors (either separately or together or both) before it is submitted to and Academic Standards Panel (ASP, see Section 6 below).
- b. If such discussions conclude that suspension or termination of studies is an appropriate course of action, the Senior Tutor will ask the Vice-Principal to convene an ASP and send to the ASP Chair and to the student a written statement including normally including all of the following:
  - i. any conditions previously imposed at other stages of these Procedures;
  - ii. their account of how such conditions have been breached;
  - iii. an account of any further academic deficiencies;
  - iv. a report from the student's academic tutor(s);
  - v. any relevant correspondence with the student;
  - vi. any other information that the Senior Tutor deems relevant;
  - vii. a recommendation as to the penalty sought from the ASP.
- c. A suspension on academic disciplinary grounds is an 'involuntary suspension'. It is temporary and for a specified period and is sometimes referred to as 'rustication'. Suspended students are prohibited from entering College premises and using College facilities (including taking meals) for the duration of the suspension (unless at the express invitation of a College officer or a tutor). Normally a student's University Card ('Bod Card') is retained; they continue to have access to University libraries and services; they remain a

member of the University but cease to be formally in residence and so cannot complete the required number of statutable terms. A student returning from 'involuntary suspension' will not necessarily be allocated a room in College.

- d. Termination of studies is sometimes referred to as being 'sent down' or 'expelled' and is permanent. An undergraduate whose studies are terminated is deprived of membership both of the College and of the University and therefore loses the right to enter for University examination or take its degrees.
- e. Suspension or Termination of Studies is a formal stage in the academic disciplinary procedures and is therefore distinct from provisions in the Fitness to Study Procedures.
- f. A student may appeal against an ASP decision to suspend or terminate studies (see Section 7 below).

## 8. Academic Standards Panel

### 8.1. When it is required, the Vice-Principal will appoint an Academic Standards Panel (ASP).

- a. The ASP will normally comprise three members drawn from the Governing Body of the College, including at least one Tutorial Fellow.
- b. The Vice-Principal may wish to include on such a Panel an additional full member with appropriate qualifications and/or expertise, who may be external to the College and to the University, if in their view the complexity or severity of the case warrants this.
- c. The Principal, the Vice-Principal, the Senior Tutor, and the Bursar may not sit on the ASP.
- d. No member of the College who has been involved at any point in the academic disciplinary process may sit on the ASP. The ASP will elect its own chair from amongst its members, including any external member.

### 8.2. The Chair of the ASP will determine a date for a hearing as soon as is reasonably possible, giving all concerned at least one week's notice. The Senior Tutor, relevant subject tutor(s), and the student concerned must attend the Panel's hearing. The student may be accompanied by a supporter (subject to the conditions set out in 1.15 above).

### 8.3. If any of those required or invited to attend fail to appear at the hearing despite proper notice having been given, the ASP may deal with the case in their absence or adjourn to a later date later, as it sees fit. A second scheduled meeting will proceed even if required or invited attendees are absent.

### 8.4. At least one week before an ASP hearing, all those required to attend and all Panel members will be sent an agenda, all supporting materials, a list of the Panel's membership and the email address of the Panel Chair. Further materials, including a written response to these materials by the student, may be sent to the Panel Chair up to 48 hours before the meeting and will be circulated as soon as possible.

### 8.5. The student, any supporter, the subject tutor(s), and the Senior Tutor must withdraw from the meeting before the Panel makes its decision.

- 8.6. The ASP may confirm the recommendations of the Senior Tutor, vary them, or overturn them. If the Panel varies or overturns the recommendations, it may, where appropriate, specify different or further conditions for the student.
  - 8.7. The ASP Chair will ensure that a clear record of the decision and the factors contributing to it is made and that a copy is sent to the student, the subject tutor(s), the Senior Tutor, the College Office, and the Principal.
9. Appeals
- 9.1. Students have the right of appeal against decisions taken by, or conditions imposed, by the Senior Tutor, or against decisions made by an ASP. There is no right of appeal against recommendations made during Stage 1 informal meeting(s).
  - 9.2. The grounds upon which a student may appeal are:
    - 9.2.1. that there was bias, or a reasonable perception of bias, on the part of any person or group involved in determining disciplinary action;
    - 9.2.2. that any person or group acted unfairly or failed to follow procedure as set out in this document;
    - 9.2.3. that the student has new material that it was not reasonably practicable for them to provide earlier in the process, and which would probably have affected the outcome;
    - 9.2.4. that there was an error in the interpretation of any of the provisions referred to in this procedural document by any person or group;
    - 9.2.5. that the decision reached was one that no reasonable decision-maker could have made;
    - 9.2.6. that the sanction(s) imposed was/were disproportionate.

Students are not entitled to bring an appeal that challenges the academic judgement of a tutor.

- 9.3. Appeals against decisions and stipulations made by the Senior Tutor at Stage 2 (Academic Warning) or Stage 3 (Academic Probation) should be made by sending a Notice of Appeal to the Principal ([principal@st-hughs.ox.ac.uk](mailto:principal@st-hughs.ox.ac.uk)) within 7 days of notification of the decision. The Notice of Appeal must set out the grounds on which the student is appealing and explain why they consider that the particular ground of appeal is established. At the same time the student should provide a copy of decision against which the appeal is being made and any other relevant evidence.
- 9.4. The Principal's decision on a Stage 2 or Stage 3 appeal is final and no further appeal is permitted.
- 9.5. The Principal may elect not to adjudicate a Stage 2 or Stage 3 appeal but to refer it instead to an Academic Disciplinary Appeal Panel (see 7.7 below).
- 9.6. Appeals against decisions and stipulations made by an ASP at Stage 4 (Suspension or Termination of Studies) should be made by sending a Notice of Appeal to the Principal ([principal@st-hughs.ox.ac.uk](mailto:principal@st-hughs.ox.ac.uk)) within 7 days of notification of the decision. The Principal will then appoint an Academic Disciplinary Appeal Panel. The Notice of Appeal must set out the grounds on which the student is appealing and must include a copy of the decision against which the appeal is being made, and any other relevant evidence.



- 9.7. An Academic Disciplinary Appeal Panel (hereafter simply Appeal Panel) will consist of three people appointed by the Principal for the sole purpose of considering the appeal. Panel members must either be members of the College Governing Body or people approved by the Governing Body as being suitable to sit on an Appeal Panel but who need not be members of the College. The Principal will appoint one of the Panel members to Chair the Appeal Panel.
- 9.8. The Principal, the Senior Tutor, the Dean, the Bursar, and the student's Tutor(s) may not be appointed to the Appeal Panel.
- 9.9. No person who has been formally involved in any academic disciplinary processes so far or who has advised the student in connection with the processes may be appointed to the Appeal Panel.
- 9.10. The Appeal Panel will be assisted by a member of the College's administrative staff who will act as Secretary to the Appeal Panel.
- 9.11. The Principal will write to the student informing them of the membership of the Panel and stating that if they object to the inclusion of any of the members, they must set out the grounds for their objections in an email reply to the Principal ([principal@st-hughs.ox.ac.uk](mailto:principal@st-hughs.ox.ac.uk)) within two working days. If the Principal considers that the grounds for objecting are reasonable, they will appoint a replacement member and the Secretary will inform the student and the other Appeal Panel members of the change.
- 9.12. The Principal will ask the Senior Tutor to make a case to the Appeal Panel in support of the implementation of the disciplinary measure. Within three working days of the Principal's request, the Senior Tutor will provide to the student and the Secretary a written response to the appeal and indicate whether they are requesting an oral hearing, giving reasons.
- 9.13. Within two working days of the Senior Tutor's response the student must confirm in writing to the Secretary whether they are requesting an oral hearing, giving reasons.
- 9.14. The Appeal Panel Chair will determine whether an oral hearing is appropriate and if so, the Secretary will fix a date and place for a hearing, which may be outside College. The date should be fixed in consultation with the student, the Senior Tutor, and the members of the Appeal Panel. The student may bring a supporter subject to the conditions set out in 1.15 above.
- 9.15. The Secretary will write to the Appeal Panel members, the student, and the Senior Tutor to confirm the date, time, and location of the hearing, giving a reasonable notice period, and provide them with a bundle containing all documents relevant to the appeal.
- 9.16. If the student or the Senior Tutor wishes the Appeal Panel to take account of any additional material or written submissions that becomes available after the bundle is circulated, copies must be provided to the Secretary at least five working days before the hearing, preferably electronically. The Secretary will ensure that it is circulated to the Appeal Panel and other relevant parties as soon as possible. Any documentation submitted after this time will not be considered by the Appeal

Panel unless the Chair decides that exceptional circumstances warrant its inclusion.

- 9.17. The Appeal Panel Chair will determine the procedure for the hearing, so as to ensure that is fair, and, so far as is possible, informal and flexible. If exceptionally witnesses are heard, questions will be put to them only by the members of the Appeal Panel.
- 9.18. The Appeal Panel members will deliberate following any hearing and reach a decision. Where the appeal is considered without a hearing the Appeal Panel members will meet to deliberate having first been provided by the Secretary with all relevant documentation. The Secretary will inform the student and the Senior Tutor of the date on which the Appeal Panel will meet.
- 9.19. The appeal may be determined by a simple majority vote.
- 9.20. The Chair of the Appeal Panel will inform the Principal, the student, and the Senior Tutor in writing of its decisions appending a report setting out the Appeal Panel's conclusions and the reasons for them. In case of a majority decision, the conclusions drawn and the reasons given will be those of the majority.
- 9.21. The Appeal Panel may:
- a. confirm the disciplinary decision in all aspects;
  - b. reverse the disciplinary decision in all aspects;
  - c. confirm the finding of a failure in academic obligations but vary the stipulation(s) imposed (either decreasing them in severity or increasing them in severity, except in the case of termination of studies).
- The decision of the Appeal Panel is final and is not subject to further appeal within College.
- 9.22. Whether an appeal is upheld by the College or denied, the process will form part of the student's formal record and St Hugh's may need to inform the University (via the Proctors) of any decisions made.
- 9.23. If the appeal is not allowed the letter informing the student of the outcome will explain that it is a Completion of Procedures letter that marks the end of College procedures.
- 9.24. The student nonetheless has the right to seek review of an adverse decision made by an Appeal Panel by further appeal to the Conference of Colleges Appeal Tribunal (CCAT: <http://www.confcoll.ox.ac.uk/html/main/ccat.html>). Appeals must be made by the subject within five days of receiving a Completion of Procedures letter from the Chair of the Appeal Panel. Normally, the Conference of Colleges Appeal Tribunal will only review determinations where a substantial sanction is imposed.
- 9.25. If an appeal to the Conference of Colleges Appeal Tribunal is not allowed or not upheld, the subject may submit a complaint to the Office of the Independent Adjudicator (<https://www.oiahe.org.uk/students/how-to-complain-to-us>) within 12 months of the date of the final decision.

## APPENDIX C - Student Members: Non-Academic Discipline

### DEFINITIONS

- ‘Appeal Panel’ means a Non-Academic Disciplinary Appeal Panel convened in accordance with Part 7 of this procedure
- ‘Breach of discipline’ means a breach of the rules set out in the College Code of Discipline and contained in, but not limited to, the provisions specified in Appendix C(i)
- ‘Bursar’ means the Bursar of St Hugh’s College
- ‘Chair of the Student Disciplinary Committee’ means the person chosen by the Principal to oversee the work of the Committee as specified in Part 6.
- ‘College’ means St Hugh’s College
- “Conference of Colleges Appeal Tribunal” means the intercollegiate panel formed to consider appeals on disciplinary decisions imposing a substantial penalty made by College
- ‘Committee’ refers to the Student Disciplinary Committee
- ‘Dean’ means the Fellow with responsibility for discipline
- ‘Student Disciplinary Committee’ means a panel convened in accordance with Part 6 of this procedure
- ‘Investigator’ means a person appointed by the Principal to investigate and compile a report for consideration of the Student Disciplinary Committee
- ‘Member of the College’ for the purpose of this procedure includes the any other College office-holder, current Fellow, current student, or current employee of the College
- ‘Panel members’ means members appointed to an Appeal Panel.
- ‘Principal’ means the Principal of St Hugh’s College
- ‘Procedure’ means this Non-Academic Disciplinary Procedure
- ‘Reporter’ means a person who submits a report under paragraph 4.1 of this procedure
- ‘Senior Tutor’ means the Senior Tutor’ of St Hugh’s College
- ‘Subject’ means a student who is alleged to have breached the Code of Discipline
- ‘Vice-Principal’ means the Vice-Principal of St Hugh’s College

### 1. Introduction

- 1.1. This Disciplinary Procedure deals with conduct by students that breaches their non-academic obligations as a member of the College. These obligations, which are summarised or identified in Annex A, are referred to as “the College Code of Discipline”. In this Procedure a “Breach of Discipline” refers to a breach of one or more of the provisions of the College Code of Discipline.

- 1.2. The purpose of this Procedure is to address breaches of discipline by students, and not to resolve disputes between individuals. Students may only be disciplined where their conduct occurs in a College context, as defined in Appendix C(iii).
  - 1.3. In this Procedure the person making a report is referred to as the “reporter” and the person who is alleged to have breached the College Code of Discipline is referred to as the “subject”.
  - 1.4. For informal advice about procedural aspects of the disciplinary process, please contact the Dean at [dean@st-hughs.ox.ac.uk](mailto:dean@st-hughs.ox.ac.uk).
  - 1.5. Where disciplinary proceedings are contemplated, the Dean will remind reporters and subjects of the sources of support available to them. Advice and support for students are available from:
    - 1.5.1. A member or members of the College welfare team (<https://www.st-hughs.ox.ac.uk/current-students/health-welfare>);
    - 1.5.2. The University Sexual Harassment and Violence Support Service (<https://www.ox.ac.uk/students/welfare/supportservice>);
    - 1.5.3. The University Student Welfare and Support Services (<https://www.ox.ac.uk/students/welfare>), or Oxford SU Advice Service (<https://www.oxfordsu.org/support/studentadvice>).
  - 1.6. The Dean, or the Principal acting in the Dean’s absence, may impose any safeguarding measures which are considered reasonably necessary to ensure the peace of the College and the safety of its members. Such measures may include requiring a student to have no contact with another member of the College or excluding any person from College premises. These safeguarding measures are neutral in effect and do not imply that any student member on whom measures are imposed has been found to be in breach of any of their obligations under the College Code of Discipline.
  - 1.7. This Procedure will not be used to investigate disciplinary reports made against Fellows or members of College staff, which are dealt with in accordance with College Bylaws Parts X – XIII and Bylaw Appendix F.
- 2. General**
- 2.1. Reports will usually be dealt with confidentially by all parties involved and details will not normally be disclosed except where it is necessary in order to carry out a fair investigation, to affect a safeguarding or precautionary measure (under paragraph 1.6 above or 4.4 below), to communicate the outcome of disciplinary proceedings, to protect members of the College and/or University community and/or the public, and/or to comply with any relevant legal or regulatory obligations.
  - 2.2. Any information and/or names disclosed to student members of College involved in this Procedure must be treated as strictly confidential both during and after the completion of proceedings. Any breach of confidentiality may itself be considered a violation of the College Code of Conduct resulting in disciplinary action.
  - 2.3. Parties should act promptly, and in any event meet the time limits set out in this Procedure. Time limits may be extended by the relevant decision-maker where it is necessary in the interests of fairness. It will often be necessary to extend time limits for complex cases. Where time limits are extended, the subject (and where appropriate the reporter) will be kept updated about the progress of the case.

- 2.4. Any member of the College who has concerns that a student involved in this Procedure is suffering health, welfare or academic study issues as defined in the College's Fitness to Study Procedure, or other difficulties that may be relevant to whether or how the disciplinary procedure should be used, should inform the Academic Registrar and/or Senior Tutor.
- 2.5. In accordance with the Equality Act 2010, reasonable adjustments may be made in individual cases to this Procedure so as to enable the subject and any other person affected by the application of the Procedure to participate fairly.
- 2.6. Anonymous reports will only be considered under this Procedure in exceptional circumstances and where there are compelling reasons to do so. While some investigation may be possible in certain cases, it will usually be very difficult to proceed with disciplinary action following an anonymous report, because of the need to allow the subject to respond to the report.
- 2.7. Subjects and reporters may be accompanied to meetings, interviews, or hearings by a supporter who will play no speaking role in proceedings. A supporter will usually be a member of the College or a member of the Oxford Student Union. Requests to be accompanied by a supporter should be made to the Dean, Investigator, and/or Chair of the Student Disciplinary Committee as appropriate, providing the name and position of the supporter at least 48 hours in advance of the date of any meeting or hearing. It would normally be disproportionate to seek legal representation during proceedings, but reasoned requests for such representation may be made and will be considered.
- 2.8. Meetings and hearings may take place online at the discretion of the Dean, Investigator, and/or Chair of the Student Disciplinary Committee. A request to hold a meeting or hearing online may be made by any party involved in the proceedings to the Dean, Investigator, and/or Chair of the Student Disciplinary Committee as relevant.
- 2.9. Where there is more than one reporter and/or more than one subject it may be appropriate for all the subjects to hear or be provided with the other subjects' evidence.
- 2.10. The standard of proof used when making determinations under this Procedure is the balance of probabilities. This means that the Dean and/or the Student Disciplinary Committee will conclude that there has been a breach of the College Code of Discipline if they are satisfied that it is more likely than not that the conduct which is alleged to be a breach of the Code of Discipline occurred.
- 2.11. Non-compliance with a disciplinary sanction imposed under this Procedure may result in further disciplinary sanctions, including suspension or expulsion from College.
- 2.12. Any member of College involved in administering this Procedure shall comply with the College's conflict of interest policy (<https://www.st-hughs.ox.ac.uk/wp-content/uploads/Conflicts-of-Interest-Policy.pdf>) and should not act if there is a reasonable perception of bias on their part. If for any reason the Dean is unable to undertake their role in these Proceedings the Principal will appoint an appropriate substitute. Any decision to be made or action to be performed by the Principal may

be made or performed by the Vice-Principal or, alternatively, by three Tutorial Fellows of Governing Body, chosen in order of seniority by the Secretary to Governing Body, in the event that the Principal and Vice-Principal are absent, have a conflict of interest, or are unable to undertake the action within a reasonable time.

2.13. Records will be kept at all stages of the process.

2.14. This Procedure makes provision for the subject to appeal from adverse decisions taken under Parts 5 and 6. The reporter is not a party to disciplinary proceedings and does not have a right of appeal from the outcome of a disciplinary decision. If the reporter is a student, and is dissatisfied with the action taken under this Procedure, they may make a complaint under the College Complaints procedure (as set out in Appendix N of these College Bylaws). Any complaint will be addressed by individuals who have not previously been involved in the handling of the report.

### **3. Initial Considerations**

3.1. Reporters who are students may consider using the University Student Resolution Service which is a free mediation service for students who find themselves in conflict with another student.

3.2. The Dean may liaise between reporting students and subjects where there has been a relationship breakdown to put in place an informal no contact agreement on the basis that there has been no admission of fault between parties. Such agreements will be neutral in effect and will impose the minimum impact reasonably possible on all students involved. Reporting students and subjects may also seek enforcement of a University-wide no contact agreement by the Proctors ([https://proctors.web.ox.ac.uk/sites/default/files/proctors/documents/media/no\\_contact\\_arrangement\\_policy.pdf](https://proctors.web.ox.ac.uk/sites/default/files/proctors/documents/media/no_contact_arrangement_policy.pdf)).

### **4. Reports and Precautionary Measures**

4.1. Reports of a potentially criminal nature can be discussed with the Dean ([dean@st-hughs.ox.ac.uk](mailto:dean@st-hughs.ox.ac.uk)) and/or a member of the College Welfare Team (<https://www.st-hughs.ox.ac.uk/current-students/health-welfare>) who will help the reporter approach the police. All other reports should normally be made in writing, by email, to the Dean ([dean@st-hughs.ox.ac.uk](mailto:dean@st-hughs.ox.ac.uk)). If a reporter does not wish to make a written report in the first instance, they should contact any member of the College Welfare Team or College Decanal Team who will make a written account of the report. The reporter will then be invited to confirm the written account which will be kept on file for 12 months and may be submitted to the Dean if/when the reporter so wishes.

4.2. If the report is not successfully resolved informally, or if informal resolution is not appropriate, the Dean will decide whether to investigate an alleged breach of discipline.

4.3. If the Dean considers that a report may constitute a breach of discipline requiring an answer, they may (i) investigate the report under the Procedure for Minor Breaches of Discipline set out at Part 5 below, or (ii) refer the case to the Student Disciplinary Committee in accordance with the Procedure for Major Breaches of Discipline set out at Part 6 below.

- 4.4. The Dean may at any time impose temporary precautionary measures on the subject and/or the reporter for the remainder of this Procedure. Precautionary measures do not indicate any finding of misconduct and do not constitute a disciplinary sanction.
- 4.5. Possible precautionary measures may include (without limitation): a no contact arrangement; a ban from, or time constraints for, accessing particular College buildings or services; recommending a ban from, or time constraints for, accessing particular University buildings or services or services of another college (subject to endorsement by the University or relevant college as appropriate); moving either the reporter or subject to alternative College or University accommodation; and/or, where no other option is appropriate, a temporary suspension of studies.
- 4.6. Precautionary measures should aim to cause the minimum restriction reasonably necessary to protect the individuals concerned, or to protect members of the College, from an identified risk, or to protect an investigation under this Procedure, and should take into account safeguarding considerations where relevant.
- 4.7. Precautionary measures are more likely to be appropriate in cases involving a risk to any individual's mental or physical health, issues of a highly sensitive or confidential nature, and/or where there is a threat of significant disruption to academic study or other College activities.
- 4.8. The Dean will promptly provide the student and, where appropriate, the reporter, with written reasons for any precautionary measures imposed. Any student upon whom precautionary measures are imposed may ask the Dean to review them, and, if the request is refused, may apply to have the precautionary measures reviewed by the Student Disciplinary Committee.
- 4.9. The Dean may refer a matter to the police or seek guidance from the police or other public safety agencies where the report concerns criminal conduct and/or where there is a significant imminent risk of harm to students or staff. In deciding whether to do so, the Dean will take into account the wishes of the reporter.
5. **Procedure for Minor Breaches of Code of Disciplinary**
  - 5.1. The Procedure for Minor Breaches of Discipline applies to cases in which the Dean considers that, if established, the alleged breach of discipline would appropriately be addressed by the penalties set out in paragraphs (1) to (6) of Appendix C(ii), under the heading "Penalties for Minor Breaches of Discipline".
  - 5.2. Where the Dean proceeds to investigate under this section the aim will be to complete an investigation and issue a decision in relation to the alleged breach of discipline as soon as reasonably practicable. The Dean may suspend their investigation at any point in order to refer the matter to the Student Disciplinary Committee, Proctors, or police.
- Determination by the Dean**
  - 5.3. The Dean will meet with the subject informing them of the report, setting out the provision(s) of the College Code of Discipline alleged to have been breached and informing them that the report is being considered under this Part of the Procedure. The Dean will invite the subject to provide a response to the allegation. In all but exceptional circumstances the Dean will provide the subject with at least 24 hours' notice of the date and time of any meeting, the outcome of which will be

communicated in writing. Failure to attend the meeting with itself constitute a breach of discipline liable to separate sanction.

- 5.4. If the subject admits the breach of discipline the Dean will proceed to consider what if any sanction should be imposed.
- 5.5. If the subject does not admit the alleged breach of discipline the Dean may take any step reasonably and proportionately required to investigate and assemble relevant evidence. This may include interviewing the reporter and interviewing the subject, as well as interviewing any witnesses, requesting written responses to questions, and requesting relevant documents.
- 5.6. A member of the College staff will attend any meeting under this Part of the Procedure and take notes of the meeting and/or the meeting will be recorded.
- 5.7. Before reaching any determination under this Part the Dean will disclose all relevant evidence (including exculpatory evidence) to the subject, except where it is necessary to withhold information, such as the identity of a witness, to protect the rights of others, and where the Dean judges that in all the circumstances the need to protect such rights overrides the subject's need for the information in question.
- 5.8. The subject will be provided with the opportunity to respond to that evidence and to provide a justification or explanation for the conduct in question.
- 5.9. Where there are substantial questions of fact to be decided, the Dean may refer the report for consideration by the Student Disciplinary Committee under Part 6 of this Procedure. All materials gathered by the Dean in the course of their investigation will be provided to the Student Disciplinary Committee.
- 5.10. Having satisfied themselves that reasonable and proportionate investigatory steps have been taken, the Dean will consider and assess all relevant evidence and any response provided by the subject and will determine whether they are satisfied on the balance of probabilities that a breach of discipline occurred.
- 5.11. Where the Dean concludes that a breach of discipline has been established, they will inform the subject what, if any, sanction they are considering imposing. The Dean may impose any sanction, or a combination of sanctions, set out in Appendix C(ii) paragraphs (1)-(6) or may make a conditional determination under Appendix C(ii). The subject will have the opportunity to make representations bearing on the sanction, including any mitigation, to the Dean.
- 5.12. The Dean will inform the subject and, where appropriate, the reporter of their decision in writing. The Dean will remind the subject of their right of appeal and of the matters set out in paragraph 5.13 to 5.17 below.

#### **Appeal following a Determination by the Dean**

- 5.13. The subject may appeal to the Principal against a decision made by the Dean under paragraph 5.12 above.
- 5.14. The appeal is a review of the Dean's decision and is limited to the grounds set out in paragraph 5.15 below.
- 5.15. The grounds upon which the subject may appeal are that:
  - 5.15.1. There was bias, or a reasonable perception of bias, on the part of the Dean;
  - 5.15.2. The Dean acted unfairly or failed to follow this Procedure;



- 5.15.3. The subject has new material that it was not reasonably practicable for them to provide earlier in the process, which would be likely to have affected the outcome;
- 5.15.4. There was an error of interpretation of any of the provisions referred to in Appendix C(i) or of this Procedure;
- 5.15.5. The decision that a breach of discipline was established was one which no reasonable decision-maker could have made;
- 5.15.6. The sanction imposed was disproportionate.
- 5.16. Any appeal must be made by sending a notice of appeal to the Principal ([principal@st-hughs.ox.ac.uk](mailto:principal@st-hughs.ox.ac.uk)) within 7 days of notification of the Dean's decision. The notice of appeal must set out the ground(s) upon which the subject is appealing and explain why the subject considers that the particular ground of appeal is established. At the same time the subject should provide a copy of the Dean's decision under paragraph 5.12 above and any other documentary evidence which is relevant to their grounds of appeal.
- 5.17. The subject should state in their notice of appeal whether they are requesting an oral appeal meeting with the Principal or are content with the Principal reviewing the case digitally/on paper.
- 5.18. The Principal may invite the subject to an appeal meeting, and will normally do so when the subject has requested it.
- 5.19. The Principal may: confirm the Dean's determination; confirm the Dean's determination as to the breach of discipline but vary the sanction imposed in such a way that the variation is regarded by the subject as an increase in sanction; confirm the Dean's determination as to the breach of discipline but vary the sanction imposed in such a way that the variation is regarded by the subject as a reduction in sanction; reverse the determination of the Dean as to the breach of discipline; or refer the report to a Student Disciplinary Committee under Part 6 below.
- 5.20. The Principal will determine the appeal as soon as reasonably practicable and will normally inform the subject of their decision, and the reasons for it, in writing. The reporter will be informed of the decision.
- 5.21. If the appeal is not allowed, the letter to the subject will explain that it is a Completion of Procedures letter which marks the end of the College process. The subject has the right to seek review of the decision made by the Principal by appealing to the Conference of Colleges Appeal Tribunal, to whom appeals must be made within 5 days of receiving a Completion of Procedures letter from the Principal. Normally, the Conference of Colleges Appeal Tribunal will only review determinations where a substantial sanction is imposed.
- 5.22. If an appeal to the Conference of Colleges Appeal Tribunal is not allowed or upheld, the subject may submit a complaint to the Office of the Independent Adjudicator within 12 months of the date of the final decision of the Conference of Colleges Appeal Tribunal.
- 6. Procedure for Major Breaches of Discipline**
- 6.1. This section addresses the procedure which will be followed where the Dean refers a case to the Principal for the purposes of convening a Student Disciplinary Committee.

- 6.2. Where the seriousness of an alleged breach justifies it, the Principal, or the Dean after consultation with the Principal, may suspend the subject from residence or from use of College facilities with immediate effect and for as long as the Disciplinary Procedure under this Part is in operation.

### **Notice of Referral**

- 6.3. The Dean may make a referral under this section where they consider that the penalties set out in paragraphs (1) to (8) of Appendix C(ii), under the heading “Penalties for Minor Breaches of Discipline”, may not be sufficient to address the alleged breach of discipline if it is established.
- 6.4. A referral may be made at any stage after receipt of a report, including at any stage of an investigation under Part 5 above, prior to a determination being made.
- 6.5. On referring the report to the Principal, the Dean will inform the subject of the report, setting out the provision(s) of the College Code of Discipline alleged to have been breached, stating that the matter has been referred to the Principal under this Part, and that a Student Disciplinary Committee will be convened to consider the report.

### **Appointment of an Investigator and a Student Disciplinary Committee**

- 6.6. The Principal will normally appoint an Investigator to investigate and to compile a report for consideration by a Student Disciplinary Committee. The Principal may appoint a Tutorial Fellow or an external Investigator at their discretion. The decision to appoint an external Investigator will be made when it is considered likely that specialist expertise will enhance the collection of evidence and/or the treatment of witnesses, for example in cases of alleged harassment or sexual misconduct.
- 6.7. The Principal will convene a Student Disciplinary Committee to consider the Investigator’s report. A Student Disciplinary Committee will consist of three people appointed by the Principal for the purposes of considering the Investigator’s report. Committee members must either be members of the College Governing Body or people approved by the Governing Body as being suitable Committee members, and who themselves need not to be members of the College. The Principal will appoint one of the Committee members to Chair the Committee. The Principal, Vice-Principal, Senior Tutor, Dean and Bursar may not serve on a Student Disciplinary Committee.
- 6.8. The Principal will write to the subject and the reporter informing them of the identities of the Investigator and of the Student Disciplinary Committee members. If either the subject or reporter has any objection to the appointments, they must set out the reasons for their objections in an email to Principal ([principal@st-hughs.ox.ac.uk](mailto:principal@st-hughs.ox.ac.uk)) within 2 days of being notified. If the Principal considers that the grounds for objecting are reasonable, they will aim to appoint an alternative Investigator or Committee member. The subject and the reporter will be notified by email of the identity of any replacement Investigator or Committee member.
- 6.9. A Student Disciplinary Committee may be appointed to consider a single case or a group of cases. Where the Principal has referred more than one case involving the same subject the Committee may decide to consolidate the cases.

### **Investigation**

- 6.10. The Investigator will gather such evidence and make such inquiries as appear to them to be necessary and proportionate to determine the issues in the case.
- 6.11. Any evidence obtained by the Dean for the purposes of their investigation of the report shall be provided to the Investigator.
- 6.12. The Investigator shall inform the subject of the case against them and shall disclose all relevant evidence (including exculpatory evidence) to the subject, observing the Procedure for dealing with confidential information set out in Part 2.
- 6.13. The Investigator will give the subject the opportunity to respond to the case against them, including an opportunity to put forward oral and/or written or documentary evidence, and to make representations. Representations may include, but are not limited to, representations regarding any response to the allegation, justification, or excuse for the breach of discipline under investigation, and mitigating factors that may bear on disposal of the case. Such representations should normally be heard at a meeting in person or online between the subject and the Investigator, at which notes should be taken of the subject's representations. However, where the subject is out of residence at the time, or it is not reasonably practicable for representations to be made in person within a reasonable time, the opportunity to make representations in writing may be substituted at the discretion of the Investigator.
- 6.14. The Investigator will usually provide the reporter with the subject's evidence, or if appropriate a summary of the evidence, in response to the report. The Investigator will invite the reporter to comment on the evidence and to provide any further relevant evidence, whether oral or documentary.
- 6.15. A member of College staff will attend any meeting between the subject and other witnesses (including the reporter) and the Investigator. The member of staff will take notes of the meeting and/or the meeting may be recorded.
- 6.16. On completion of their investigation, the Investigator will make a written report to the Student Disciplinary Committee including any written or documentary evidence, notes of meetings, and a conclusion as to whether on the evidence a finding that the subject committed the breach(es) of discipline could be justified.

#### **Disciplinary Meeting**

- 6.17. The Chair of the Student Disciplinary Committee will write to the subject informing them of the proposed date of the Disciplinary Meeting. The Chair will: set out the allegation against the subject, referring to the relevant provision(s) of the College Code of Discipline; provide a copy of the Investigator's Report and any other evidence that will be considered by the Committee; set out the names of the members of the Committee and anyone else who will be present for some or all of the meeting, identifying the capacity in which they will be attending; inform the subject of the right to be accompanied in accordance with paragraph 2.7 above; and inform the subject that they can expect the members of the Committee to ask them questions. The Chair will ask the subject to confirm their attendance at the meeting and whether they wish to call any witnesses. In the event that the subject is unable to attend the Disciplinary Meeting on the proposed date, or chooses not to attend, they should write to the Chair promptly, providing reasons for their inability to attend and/or decision not to attend. The Chair may either propose an alternative date for the Disciplinary Meeting or may

confirm that the Disciplinary Meeting will proceed on the proposed date and may proceed in the absence of the subject.

- 6.18.If the subject wishes to call witnesses to the Disciplinary Meeting, they must write to the Chair no later than 7 days before the meeting identifying the witnesses and explaining the reasons why they consider their attendance to be necessary. The Chair will consider whether the reason(s) given for calling a witness(es) to attend the Disciplinary Meeting is/are reasonably relevant to the facts under dispute.
- 6.19.If the Chair decides that it would be appropriate to invite witnesses to the Disciplinary Meeting, they will consider whether any arrangements are required to safeguard the interests of the witnesses. Such arrangements may be put in place at the discretion of the Chair but may include: separate waiting areas for the witnesses, the reporter and the subject; witnesses and/or the reporter bringing a supporter to sit with them while addressing the Committee and answering questions; witnesses and/or the reporter addressing the Committee from behind a screen; witnesses and/or the reporter responding to questions online from a different location. Such measures are likely to be required in sexual misconduct cases.
- 6.20.The Chair will determine the procedure for the hearing, so as to ensure a hearing that is fair and, so far as possible in view of the seriousness of the case, informal and flexible. The subject may make oral and/or written representations to the Student Disciplinary Committee, and the Committee may ask questions of the subject, the Investigator and any witnesses.
- 6.21.The subject will not be permitted to ask questions of the Investigator or witnesses directly, but will be provided with the opportunity to put questions through the Chair. Where the reporter attends the hearing, the Chair will ensure that the reporter and the subject have an appropriate opportunity to comment on any evidence the other has provided.
- 6.22.A member of the College staff will attend and take notes of the meeting and/or the meeting may be recorded.
- 6.23.After the Disciplinary Meeting the Student Disciplinary Committee will deliberate in the absence of any other person, apart from the note-taker. Before determining whether a breach of discipline has been established it will satisfy itself that reasonable and proportionate efforts have been made by the Investigator to obtain the relevant evidence necessary to determine the issues in the case from the subject and from others, whether orally or in writing; assess the relevance, reliability and credibility of the evidence; satisfy itself that the subject has had a fair opportunity to answer the case against them; satisfy itself from the evidence obtained that, on the balance of probabilities, it has been shown that the breach of discipline was committed by the subject; and identify the form of disposal which it is minded to adopt, subject to further representations by the subject.
- 6.24.Decisions of the Student Disciplinary Committee may be made by a simple majority vote.
- 6.25.If the Student Disciplinary Committee determines that a breach of discipline has been established, it will notify the subject of that determination, the reasons for it, and the disposal it is minded to adopt. It will invite the subject to make representations to the

Committee within 3 working days of notification of the determination, regarding the appropriate disposal. Such representations may be made orally or in writing, at the choice of the subject. The Student Disciplinary Committee may also request the provision of a written statement of the impact of the subject's conduct from the reporter or any other person.

6.26. The Student Disciplinary Committee may impose any sanction or combination of penalties set out in Appendix C(ii). It may also make a conditional determination. It will consider the range of available penalties and impose a sanction, or conditional determination, that is appropriate and proportionate in all the circumstances.

6.27. The Student Disciplinary Committee shall report its determination and disposal to the Principal as soon as possible, supported by written reasons. Notice of the Committee's determination and disposal will be given in writing to the subject by the Principal within 3 working days of receipt of the Committee's report, supported by a copy of the Committee's report. The decision letter will inform the subject of their right of appeal and of the matters set out in paragraphs 7.2 to 7.5 below. The reporter will be informed of the outcome of the proceedings and reminded of their obligations to treat this information confidentially.

#### **Appeals Following Disciplinary Committee Proceedings**

6.28. The subject may appeal against any adverse determination of a Student Disciplinary Committee and against any sanction imposed.

6.29. The appeal is a review of the Student Disciplinary Committee decision and is limited to the grounds set out in paragraph 6.32 below.

6.30. Any disciplinary measures appealed against do not come into effect pending determination of the appeal. It is permitted for a student to meet any conditions specified in the disciplinary measure or conditional determination, and hence to terminate the measure, while the appeal is pending. Voluntarily meeting any conditions specified in the disciplinary measure or conditional determination will not be taken as a sign of guilt on the part of the subject. Precautionary measures may continue to apply pending the determination of an appeal.

#### **Notice of Appeal**

6.31. The grounds upon which a subject may appeal are that:

6.32. There was bias, or a reasonable perception of bias, during the procedure;

6.33. There was unfairness or a failure to follow this Procedure;

6.34. The subject has new material that it was not reasonably practicable for them to provide to provide earlier in the process, that would have been likely to make a material difference to the outcome;

6.35. There was an error of interpretation of any of the provisions referred to in Appendix C(i) or of this Procedure;

6.36. The decision that a breach of discipline was established was one which no reasonable decision-maker could have made; and/or

6.37. The sanction imposed was disproportionate.

6.38. Any appeal must be made by sending a notice of appeal to the Principal ([principal@st-hughs.ox.ac.uk](mailto:principal@st-hughs.ox.ac.uk)) within 7 days of notification of the Student Disciplinary Committee's determination. The notice of appeal must set out the ground(s) upon

which the subject is appealing and explain why the subject considers that the particular ground of appeal is established. At the same time the subject should provide a copy of the Student Disciplinary Committee's determination and any other documentary evidence which is relevant to their grounds of appeal.

### **The Appeal Panel**

6.39. An appeal under this Part is to be heard by a Non-Academic Disciplinary Appeal Panel (herein referred to as Appeal Panel).

6.40. An Appeal Panel will consist of three people appointed by the Principal for the purposes of considering the appeal constituted in accordance with paragraph 6.36 below. The Principal will appoint one of the members as Chair of the Appeal Panel.

6.41. The Appeal Panel will consist of three people appointed by the Principal for the purposes of considering the Appeal. Panel members must either be members of the College Governing Body or people approved by the Governing Body as being suitable Committee members, who themselves need not to be members of the College. The Principal will appoint one of the Panel members to Chair the Appeal Panel.

6.42. Any person who gave evidence that was considered by the Student Disciplinary Committee, and/or who has advised the subject or reporter in connection with the report, may not be appointed to the Appeal Panel. Similarly, The Principal, Dean, Senior Tutor, Bursar, and the Tutor(s) of the subject and reporter may not be appointed to the Appeal Panel.

6.43. The Appeal Panel will be assisted by a member of College staff who will act as Secretary to the Appeal Panel ('the Secretary').

6.44. The Principal will write to the subject and the reporter informing them of the identities of proposed Appeal Panel members and stating that if they have any objection to the appointment of any of the members, they must set out the reasons for their objections in an email to the Principal ([principal@st-hughs.ox.ac.uk](mailto:principal@st-hughs.ox.ac.uk)) within 2 working days. If the Principal considers that the grounds for objecting are reasonable, they will aim to appoint an alternative Committee member. The subject and the reporter will be informed of the identities of the newly proposed Appeal Panel member/s.

### **Consideration of the Appeal**

6.45. The Principal will nominate a person ('the College Representative') to make a case before the Appeal Panel in support of the implementation of the disciplinary measure. Within three working days of their appointment, the College Representative will provide to the subject and the Secretary a written response to the grounds of appeal. The response must state whether the College Representative is requesting an oral hearing. Any request must be supported by reasons. The reporter will be notified that an appeal has been commenced.

6.46. Within 2 working days of the College response the subject must confirm in writing to the Secretary whether they are requesting an oral hearing. Any request must be supported by reasons.

6.47. The Appeal Panel Chair will determine whether an oral hearing is appropriate and, if it is, the Secretary will fix a date and place for a hearing, which may be outside of

College. The date should be fixed in consultation with the subject, the College Representative, and the members of the Appeal Panel.

6.48. The Secretary will:

6.48.1. write to the Appeal Panel members, the subject, and the College Representative to confirm the date, time, and location of the hearing, giving a reasonable notice period;

6.48.2. provide the Appeal Panel members, the subject, and the College Representative with a bundle containing all documents relevant to the appeal.

6.49. If the subject or the College Representative wishes the Appeal Panel to take account of any additional material or written submissions, copies must be provided to the Secretary at least 5 days before the hearing. It is envisaged that such material will be submitted in writing by mail. The Secretary will ensure that it is circulated to the Appeal Panel and the other party as soon as possible. Any documentation submitted after this time will not be considered by the Appeal Panel unless the Chair decides that exceptional circumstances warrant its inclusion.

6.50. The Appeal Panel Chair will determine the procedure for the hearing of the appeal, so as to ensure a hearing that is fair, and, so far as possible in view of the seriousness of the case, informal and flexible. If (exceptionally) any witnesses are heard, questions will be asked of them by the members of the Appeal Panel.

6.51. The Appeal Panel members will deliberate on their decision following any hearing. Where the appeal is considered without a hearing the Appeal Panel members will meet to deliberate and will be provided by the Secretary with all relevant documentation. The Secretary will provide the subject and the College Representative with notice of the date on which the Appeal Panel will meet.

6.52. The appeal may be determined by a simple majority vote.

6.53. The decision of the Appeal Panel shall be provided in writing to the Principal, the subject, and the College Representative upon conclusion of any hearing. The Appeal Panel will produce a written report setting out its conclusions and the reasons for them. In case of a majority decision, the decision and the reasons will be those of the majority. The reporter will be notified of the outcome.

6.54. The Appeal Panel may uphold the implementation of the disciplinary sanction, vary the conditions of its implementation, require those conditions to be satisfied afresh, set aside the sanction and remit the matter to the Student Disciplinary Committee, or substitute any alternative disposal that was open to the Student Disciplinary Committee. An Appeal Panel may impose a more severe disciplinary measure than that which was imposed by the Student Disciplinary Committee.

6.55. The decision of the Appeal Panel is final and not open to further appeal within the College.

6.56. If the appeal is not allowed the letter to the subject will explain that it is a Completion of Procedures letter which marks the end of the College process. The subject has the right to seek review of the decision made by the Appeal Panel by further appeal to the Conference of Colleges Appeal Tribunal (CCAT). Appeals must be made by the subject within 5 days of receiving a Completion of Procedures letter from the Appeal

Panel. Normally, the Conference of Colleges Appeal Tribunal will only review determinations where a substantial sanction is imposed.

6.57. If an appeal to the Conference of Colleges Appeal Tribunal is not allowed or not upheld, the subject may submit a complaint to the Office of the Independent Adjudicator within 12 months of the date of the final decision.

## **7. Appeal in Relation to Breach of Conditions**

7.1. If conditions are attached to any disposal under Appendix C(i) and the Dean considers that the subject has failed to meet those conditions, notice of that failure and of the consequences as determined by the terms of the disposal will be given in writing to the subject by the Dean. In the case of a dispute about whether the conditions specified in a disciplinary sanction or conditional determination have been met by the subject, the appeal procedure under this Part applies.

7.2. The subject may appeal against the coming into effect of the consequences of any failure to meet a condition specified in a sanction or conditional determination, on one or both of the following grounds:

7.2.1. that the Dean was wrong to conclude that the subject failed to meet the condition;

7.2.2. that the subject's failure to meet the condition was excusable.

7.3. The subject exercises the right of appeal under this provision by giving notice of appeal in writing to the Principal within 7 days of receipt by the subject of notice.

7.4. The appeal, which will be a rehearing, will be referred by the Principal to a Student Disciplinary Committee constituted in accordance with Part 6 above and the procedure under Part 6 will be followed.

## **8. Criminal Offences**

8.1. The Dean may refer to the police, or seek police guidance on, any report that may relate to criminal conduct, and/or where there is a significant risk of harm to other members of College.

8.2. The Dean will not normally proceed to investigate a report, and will not normally refer a subject to the Student Disciplinary Committee, whilst that report/subject is subject to a police investigation or other criminal proceedings. 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.

8.3. In the event that a subject is convicted of a criminal offence in respect of an action that would also constitute a breach of the College Code of Conduct, the Student Disciplinary Committee will normally determine that a breach of discipline has been established without recourse to an investigation in College.

8.4. In the event that a student member is convicted of a criminal offence in respect of an action that would also constitute a breach of the College Code of Conduct, as is of such seriousness that a term of imprisonment might have been imposed but was not, the Student Disciplinary Committee will normally determine that the subject be suspended or expelled from College. In the event that a student member of College is sentenced to a term of imprisonment, the Student Disciplinary Committee will normally determine that the subject be expelled from College.

## **9. University Offences**



- 9.1. A student member who has a sanction of rustication, suspension or expulsion imposed on them by the University will also be rusticated, suspended or expelled from College.

## Appendix C(i): Code of Discipline

### 1. Introduction

- 1.1. The Code of Discipline is designed to help members of College live together harmoniously, to safeguard the College environment for all members and others, and to avoid disruption to the proper functioning of the College. It is the responsibility of College to deal with student members whose behaviour adversely and unreasonably affects the welfare of others or brings the College into disrepute.
- 1.2. The College is governed in accordance with its Statutes by the Governing Body. Governing Body has developed a series of Bylaws, rules, and regulations that affect student members. Student members should familiarise themselves with these rules and regulations, and should seek advice or clarification as needed from the Dean ([dean@st-hughs.ox.ac.uk](mailto:dean@st-hughs.ox.ac.uk)).
- 1.3. Student members of College are also bound by, and should familiarise themselves with, rules and regulations set down by the University and overseen by the Proctors (<https://www.ox.ac.uk/students/academic/conduct>; <https://governance.admin.ox.ac.uk/legislation/statute-xi-university-discipline-0#collapse1556036>).

### 2. Application of the Disciplinary Procedure

- 2.1. The Disciplinary Procedure will apply when a student member is alleged to have:
  - 2.1.1. Contravened any College regulation including but not limited to the regulations contained in this document; or
  - 2.1.2. Contravened any University regulation or code as found by the appropriate University authority and not already investigated and dealt with by the University; or
  - 2.1.3. Conducted themselves in a way that disrupts or attempts to disrupt the lawful activities of any member of the College or of one of its staff, constitutes dishonest dealings with another member of the College or its staff, or is otherwise seriously detrimental to the interests of the College; or
  - 2.1.4. Brought the College into disrepute and/or indulged in conduct inconsistent to the orderly life of the College. Action may be brought against student members in respect of such behaviour within other Colleges, within the precincts of the University, or elsewhere within the City, where that action may be perceived to bring the College into disrepute. The University includes the student press, social networking sites, weblogs and online sites associated with the University; or
  - 2.1.5. Failed to take reasonable steps to prevent disruptive or offensive behaviour on the part of anyone they invite into College; or
  - 2.1.6. Intentionally or recklessly engaged in any act, omission, or course of conduct which is contrary to government, Public Health England or local public health rules, any instructions issued by public health officials, or any rules which College has issued based on official health guidelines.
  - 2.1.7. The Disciplinary Procedure will also apply where a student member is being investigated for or has been convicted of a criminal offence in which instance it

is mandated that the student inform the Dean who will instigate proceedings as set out in Parts 5 and 6 of the Disciplinary Procedure.

### 3. Rules and Regulations

No student member will:

- 3.1. Engage in violent, disorderly, or threatening behaviour or use violent, disorderly, or threatening, language.
- 3.2. Engage in the harassment or sexual harassment of any member, visitor, employee or agent of the College as set out in the College [Harassment Policy](#) and [Prevention of Sexual Harassment Policy](#).
- 3.3. Intentionally or recklessly disrupt or attempt to disrupt teaching, 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 of College or by visiting speakers (Bylaws Appendix G), or obstruct or attempt to obstruct any employee or agent of the College in the performance of his or her duties.
- 3.4. Damage or deface any property (including intellectual property) of the College or of any member, officer or employee of the College, or knowingly misappropriate such property.
- 3.5. Occupy or use or attempt to occupy or use any property or facilities of the College except as may be authorised by the College.
- 3.6. Forge or falsify expressly or impliedly any College or University certificate or document, or knowingly make false statements concerning standing or results obtained by examination
- 3.7. Engage in any activity likely to cause injury or to impair safety.
- 3.8. Engage in any fraudulent or dishonest behaviour in relation to the College or the holding of any College office.
- 3.9. Refuse to disclose their name and other relevant details to an officer or an employee or an agent of the College or University in circumstances where it is reasonable to require such information to be given.
- 3.10. Share or place in the public domain photographs, videos, or sound recordings of other members of the College or College staff without the consent of the person or persons concerned.
- 3.11. Disclose to any third party or otherwise misuse any confidential information about either the College, or of any member, officer or employee of the College which comes to their attention either as a result of a previous disclosure to them or inadvertently, except is so far as is allowed by law.
- 3.12. Disclose to any third party or otherwise misuse any private information about either the College, or of any member, officer or employee of the College which comes to their attention either as a result of a previous disclosure to them or inadvertently, except is so far as is allowed by law.
- 3.13. Use, prepare, offer, sell, or give to any person illegal drugs;

- 3.14. Engage in conduct that fails to comply with the Statutes and Regulations of the University.
- 3.15. Engage in conduct that fails to comply with College regulations regarding conduct in examinations.
- 3.16. Engage in conduct that fails to comply with College regulations regarding the use of the College library.
- 3.17. Engage in any other conduct that is detrimental to the interests of the College.
- 3.18. Fail to comply with any rule outlined in the Student Handbook as published from time to time ([Student Handbook - St Hugh's College](#)).
- 3.19. Fail to comply with their responsibilities as outlined in the Student College as published from time to time (<https://www.st-hughs.ox.ac.uk/wp-content/uploads/2021/08/College-Contract-MT21.pdf>).
- 3.20. Fail to comply with the Regulations for the Use of College Premises and Grounds by Student Members as set out here [Regulations for the Use of College Premises by Alumni and Visitors](#).
- 3.21. Fail to comply with the College IT Acceptable Use Policy (<https://www.st-hughs.ox.ac.uk/wp-content/uploads/IT-Acceptable-Use-Policy-June-2016-1.pdf>).
- 3.22. Fail to comply with the stipulations laid out in the [Licence to Occupy](#).
- 3.23. Fail to respond to a fire alarm by prompt evacuation of the building, or after instruction to do so from a fire marshal.
- 3.24. Tamper with, improperly use, or prevent the correction function of fire safety equipment including by not limited to fire extinguishers, fire doors, fire exits, and signage.

## Appendix C(ii): Sanctions

The penalties which may be imposed in respect of a breach of the College Code of Discipline are:

1. Example penalties for Minor Breaches of Discipline
  - 1.1. A written warning that will remain on the subject's disciplinary record for a period of time to be specified in the Dean's determination.
  - 1.2. A requirement that the subject undertake specified training.
  - 1.3. A requirement that the subject produce a written reflection.
  - 1.4. A period of Decanal Probation in which the subject will be required to meet standards of conduct prespecified in writing, during which further acts of misconduct may result in more severe disciplinary sanctions. The duration of the probation period will be specified in the Dean's determination and will be proportionate to the breach of discipline.
  - 1.5. A ban from any specified College locations, facilities and services not including the subject's own College-provided living accommodation or the route to it, so imposed so as not to disproportionately interfere with the subject's academic work. The duration of the ban will be specified in the Dean's determination and will be proportionate to the breach of discipline.
2. Example Penalties for Major Breaches of Discipline
  - 2.1. Any sanction approved for Minor Breaches of Discipline.
  - 2.2. A period of Decanal Probation, not exceeding 1 year, in which the subject will be required to meet standards of conduct prespecified in writing, during which further acts of misconduct may result in more severe disciplinary sanctions.
  - 2.3. A ban, for a period of up to 1 academic year, from any College premises other than by prior consent for academic purposes and/or from residing in College accommodation with or without conditions that need to be satisfied before a return to the College premises and/or accommodation.
  - 2.4. A ban, for a period of up to 1 academic year, from any College premises other than by prior consent for academic purposes and/or from residing in College accommodation unless certain conditions are satisfied, with or without further conditions that need to be satisfied before a return to the College premises and/or accommodation.
  - 2.5. Suspension from the College for a period of up to one academic year, with or without conditions that need be satisfied before return to College.
  - 2.6. Expulsion from the College unless certain conditions are satisfied.
  - 2.7. Expulsion from the College.
  - 2.8. Any combination of the above.
3. Conditional determination
  - 3.1. The Dean or the Student Disciplinary Committee may also make a conditional determination that there should be no sanction so long as certain conditions are satisfied.
4. Conditions

- 4.1. The conditions that may be attached to a sanction or conditional determination under Parts (II)1 to (II)3 above include:
  - 4.2. that the subject is to commit no breach of the Code of Discipline of any type, or of any specified type, for a specified period or indefinitely;
  - 4.3. that the subject is to report to the Dean at such intervals and for such period as the Dean and/or Student Disciplinary Committee may determine with a view to keeping the subject's conduct under review and for the purposes of which review the subject's assent to a conduct agreement may be required;
  - 4.4. that the subject is to take some other reasonable step or steps specified in the disposal, the step or steps to be taken before a specified date, provided that the step/s will not be designed to penalise the student.
5. Costs
- 5.1. The Dean or the Student Disciplinary Committee may always pass on to a student any costs incurred by the College as a direct consequence of the breach of discipline, for example the cost of removing graffiti or a breach of the University IT Regulations.
  - 5.2. The Dean or the Student Disciplinary Committee will not normally seek to recover costs attributable to investigating and establishing the breach of discipline, or reasonable legal fees.
6. Approach to disposal
- 6.1. When reaching a decision as to what sanction to impose, or specify in a conditional determination, the Dean or Student Disciplinary Committee will dispose of the case in a manner that is proportionate to the circumstances of the breach of discipline and the subject. Relevant factors may include (without limitation):
    - The seriousness of the breach of discipline
    - The degree of harm caused to any victim, including the College
    - The subject's previous disciplinary record
    - Whether or not the subject has co-operated with the investigation
    - The degree of insight shown by the subject
    - The existence of mitigating or aggravating factors
- Mitigating factors may include (without limitation)
- Apologies and reparations made by the subject to any victim
  - Previous good standing on the part of the subject where no history of disciplinary action exists
  - Acceptance at the earliest opportunity by the subject of a breach of discipline
  - Compelling evidence that the subject's judgment was diminished through no fault of their own at the time of the disciplinary breach
- Aggravating factors may include (without limitation):
- Any failure to co-operate with investigatory or risk assessment processes

- Evidence that the disciplinary breach was motivated by the protected characteristics or perceived protected characteristics of the victim
- Repeated breaches of the same or similar provisions of the Code of Discipline
- Failure to comply with a minor sanction

## EXAMPLES

A non-exhaustive list of examples of behaviour which constitutes a breach of the Code of Discipline, and indicative penalties is set out below

Breach of Discipline	Example	Indicative penalties (depending on severity of case)
Sexual Harassment	Making unwanted advances of a sexual nature or a student member	No contact agreement; Suspension from College Accommodation and Facilities; Suspension from College; Expulsion
Harassment	Making racist remarks to a student member	Compulsory attendance at a suitable training course to address behaviour; Suspension from College activities and/or facilities; Suspension from College; Expulsion
Damage to College property Impairing	Deliberate damage to student room	Recovery of all costs incurred in making good; A period of probation; Removal of College accommodation privilege
	Repeatedly propping open or tampering with fire door	Recovery of all costs incurred in making good; Completion of an essay of reflection; Mandatory attendance at Fire Marshall training; Removal to bottom of Room Ballot; Removal of College accommodation privilege



## Appendix C(iii): Application of the Procedure

### APPLICATION OF THE PROCEDURE

1. This Procedure applies to any current or suspended student of St Hugh's College, whether undergraduate or graduate, any visiting student, common awards student, associate member of the JCR or MCR, and whether in residence or out of residence at the time, who is alleged to have breached the College Code of Discipline as set out in Appendix A.
2. An alleged breach of the College Code of Discipline may be the subject of disciplinary steps under the Procedure only if the subject is alleged to have committed the alleged breach in their capacity as a member of the College. A breach of discipline will be treated as having been committed in that capacity if:
  - 2.1. it was committed on or near College premises; or
  - 2.2. it was committed on or near the premises of another college or on or near University premises and a request is received from the Dean or other competent official of that other college, or from the University Proctors or the Head of a University Department or the Chair of a University Faculty Board as the case may be, to deal with the matter as an offence against College discipline; or
  - 2.3. it was committed during College activities away from College premises; or 2.4. it was committed when studying at a partner organisation; or
  - 2.4. it was committed on social media against any other member of the College; or 2.6. it threatens to bring the College into disrepute among reasonable people; or
  - 2.5. it was committed by the use of College facilities (such as computer networks) or privileges (such as intercollegiate internal mail); or
  - 2.6. it was committed by the use of University facilities (such as computer networks) or privileges (such as a University Card) and a request is received from the University Proctors to deal with the matter as an offence against College discipline; or it was committed against the College or any other member of the College.
1. For certain types of report, steps may be taken under other procedures before the matter is addressed by the Dean. In particular:
2. Complaints about harassment including sexual misconduct may be considered under the College's harassment and sexual misconduct procedures (available at [Harassment Policy](#) and [Prevention of Sexual Harassment Policy](#)).
3. Reports about medical students and PGCE students may be subject to preliminary consideration by the relevant University Department under Fitness to Practice procedures and may also be considered by that Department after the completion of a disciplinary procedure in College. The Department may impose precautionary measures pending the outcome of investigation under this procedure.
4. Other College Policies

Where this Procedure applies, and the subject's situation also constitutes a proper basis for steps to be taken under another policy or procedure of the College (for example the College's fitness to study procedure), and the responsible person in College for that other procedure confirms that a report has been made about the student under the other procedure or that steps under that other policy or procedure are anticipated or have been proposed or initiated, the responsible College officers under each policy or procedure will together determine, in consultation with the subject, whether all steps should be consolidated so that they are taken under a single policy or procedure, provided that such a consolidation may not have the effect of depriving the subject of an avenue of appeal (or some other procedural advantage) that they would otherwise have enjoyed. In the event of disagreement as to the appropriateness of a consolidation, the final determination is to be made by the Principal. The responsible officer of the College for the purpose of this procedure is the Dean.

#### University Policies

1. Where this Procedure applies and the subject's situation also constitutes a proper basis for disciplinary steps to be taken by the University Proctors, and such steps have been proposed or initiated, any steps proposed or initiated under this procedure will be stayed until the conclusion of Proctorial proceedings. Disciplinary steps may subsequently be taken under this Procedure notwithstanding that Proctorial proceedings have been discontinued or that Proctorial charges have been dismissed, and no finding of fact by the Proctors or absence of any such finding will necessarily bind the College.

#### Behaviour which could constitute a criminal offence

- 1.1. Where this Procedure applies and the subject's situation also constitutes a proper basis for investigation by the police or by any other public authority, or for any other steps to be taken towards prosecution in the criminal courts, and such steps have been proposed or initiated (or their imminent proposal or initiation can reasonably be foreseen), any steps proposed or initiated under this Procedure will usually be stayed until the conclusion or abandonment of the investigation or prosecution.
- 1.2. Where the alleged victim of an alleged criminal offence is a member of the College, the College will provide that person with necessary support, including supporting them in their decision about reporting the matter to police.
- 1.3. Disciplinary steps may subsequently be taken under this Procedure notwithstanding that criminal proceedings have not been commenced or have been discontinued or that criminal charges have been dismissed. The College will not necessarily treat discontinuance or dismissal of such proceedings as evidence that the subject did not breach the Code of Discipline in the manner alleged.
- 1.4. The fact that proceedings under this Procedure are stayed pending the outcome of criminal investigation or prosecution will not prevent the Dean from taking

safeguarding and/or precautionary measures referred to in paragraphs 1.6 and 4.4 of this Procedure.

- 1.5. Where a student is found guilty of a breach of University regulations or a criminal offence, the College may subsequently pursue the same matter under this procedure and attach its own sanction to the same breach or offence, making due allowance for any sanction or other measure already imposed by the Proctors or by the courts. The College also retains the right, following any Proctorial finding against or criminal conviction of the student as well as in any other circumstances, to take steps to ensure the peace of the College and the safety of its members, which are not regulated by this Procedure.

## APPENDIX D - Student Members: Fitness to Study (Undergraduate Students)

### 1. Context and Scope

- 1.1. These Procedures have been designed to conform in essence with the University's Guidance on Fitness to Study (referred to henceforth as 'the Guidance') as agreed by Conference of Colleges in August 2022. The Guidance was issued after extensive consultation with colleges and University services, in which St Hugh's College participated actively. It has been adapted to ensure it conforms with College structures and its other Procedures.
- 1.2. In these Procedures, health and welfare may include, but are not limited to, matters relating to a student's physical health, mental health, or psychological wellbeing, and to behavioural, emotional, and social matters that may arise out of a student's ordinary course of life, including residence in College, but which cause concern.
- 1.3. The Guidance and these Procedures have been developed to comply with the statement of good practice issued by the Office of the Independent Adjudicator. This concerns the necessity to manage the impact of difficulties with students' health and welfare both on themselves and on others, and upon their ability to undertake their course of study. These Procedures are based upon the OIA's core principles of accessibility, clarity, proportionality, timeliness, fairness, independence, confidentiality, and improving the student experience.
- 1.4. These Procedures apply to undergraduates of St Hugh's College and may be invoked either when a student is causing concern to College Tutors or other members of staff or when a University department or faculty expresses concern and requests that the College implement its Fitness to Study Procedures.
- 1.5. The person responsible for Fitness to Study Procedures in St Hugh's is the Senior Tutor ([senior.tutor@st-hughs.ox.ac.uk](mailto:senior.tutor@st-hughs.ox.ac.uk)). Communications from the Senior Tutor specified in these Procedures may be made on their behalf by the Academic Registrar or by a member of the administrative team in the College Office. The Senior Tutor may be represented by the Academic Registrar in Exploratory Meetings but retains responsibility for the implementation of the Procedures. See also 1.8 below.
- 1.6. These Procedures are distinct from the College's Undergraduate Academic Discipline Procedures (including Support and Monitoring) and its Non-Academic Disciplinary Procedures. No decisions made and/or agreements reached at any stage of Fitness to Study Procedures are disciplinary in nature. However, interventions under Academic and Non-Academic Disciplinary Procedures sometimes uncover a need to invoke Fitness to Study Procedures, in which case other interventions will normally be suspended pending exploration of fitness to study.
- 1.7. Throughout these Procedures the College may seek advice from the Student Welfare and Support Services or other qualified professionals as necessary. Such advice may include whether new or extended reasonable adjustments for long-term health conditions and/or disability can and should be made or whether existing adjustments need to be reviewed. A declaration of medical fitness by a qualified professional is not necessarily the same as an overall conclusion that a student is fit to study.

- 1.8. Where a student is permitted to bring a supporter to a meeting, this should normally be a student member or an employee of the College or a member of the Oxford Student Union. The name and role or position of the supporter must be provided 24 hours in advance of the meeting. During the meeting, the supporter may ask for clarifications of anything said and may be consulted by the student but should not otherwise intervene in discussion. Legal representation will not normally be permitted at any stage, though reasoned requests for such representation may be made, and will be considered.
  - 1.9. If conflicts of interest arise in the implementation of these Procedures that affect the Senior Tutor (e.g., if they are exceptionally also an academic Tutor), or if they are unable to chair a Case Review Meeting, the Vice-Principal of St Hugh's will designate a substitute, who will be a Fellow of the College. If a conflict of interest affects the Vice-Principal (e.g., if they are the student's academic Tutor), their role will devolve to the most senior available Fellow of the College (judged by date of election).
2. Fitness to Study
    - 2.1. Fitness to study is defined by the University and the College as follows:
      - 2.1.1. A student's fitness
        - a. for a distinct course of academic study;
        - b. to continue with their current course of academic study;
        - c. to return to their current or another course of academic study.
      - 2.1.2. A student's ability to meet
        - d. the reasonable academic requirements of any particular course of study or programme;
        - e. the reasonable social and behavioural requirements of a student (whether resident in College or not) without their physical or mental health or other personal circumstances having a deleterious impact upon their own safety and/or welfare or a deleterious impact on the welfare of other students and/or staff.
    - 2.2. These Procedures may be implemented when the College becomes aware of any of the following:
      - a. a deterioration in the health or welfare of a student: this may be evidenced by, or may impact on, their ability to meet their academic obligations (for example, a persistent inability on the part of a student to submit work or to attend tutorials, classes, lectures, seminars, or other academic engagements); behaviour within or outside academic engagements that causes concern about a student's own health, safety, and/or welfare;
      - b. behaviour within or outside academic engagements that adversely affects the learning environment or the health, safety, and/or welfare of others.
3. Procedures
    - 3.1. There are three stages in the Fitness to Study Procedures. They need not be invoked in sequence. Where possible, resolution will be sought at Stage 1, but the Senior Tutor

may follow Stage 2 or Stage 3 procedures as soon as concerns come to light if circumstances require.

- a. Stage 1: Exploratory Meeting(s). Where initial concerns about fitness to study are raised, the Senior Tutor will arrange a meeting with the student to explore these (see Section 4 below);
  - b. Stage 2: Case Review Meeting. Where prolonged, recurring, serious or more complex concerns are identified, the Senior Tutor will convene a Case Review Meeting (see Section 5 below).
  - c. Stage 3: Referral to a Fitness to Study Committee Panel. Where concerns remain unresolved after Exploratory Meetings or a Case Review Meeting, a student will be referred to a Fitness to Study Panel (see Section 6 below).
- 3.2. Members of the St Hugh's Welfare Team in addition to the Senior Tutor may be involved in discussions or meetings at any stage. In every case consideration will be given to the support a student may require in order to take an effective part in the Procedures. At a student's request, or on their own initiative, the Senior Tutor may nominate another senior member of the College who plays no part in these Procedures to meet with the student to offer support or provide procedural clarification at any stage.
4. Stage 1: Exploratory Meeting(s)
  - 4.1. Anyone who has concerns about a student's fitness to study should alert the Senior Tutor, who may also initiate Fitness to Study Procedures directly.
  - 4.2. When concerns come to light, the Senior Tutor will promptly seek relevant information from those who have academic and/or welfare responsibilities for the student. As soon as reasonably possible, the Senior Tutor will convene an Exploratory Meeting with the student at which they will explain the concerns that have been raised. The meeting will identify and illustrate the event(s), behaviour, or academic concerns that have given rise to the referral. The student will be encouraged to explain their circumstances and any relevant contexts and express their opinions as to what can or should be done to help. Other relevant members of staff (e.g., Tutors and/or members of the welfare team) may be invited to the meeting, and if this is the case the student will be informed at least 48 hours in advance of who will be present and why.
  - 4.3. The student may be accompanied at an Exploratory Meeting by a supporter (subject to the conditions outlines in 1.8 above) and should notify the Senior Tutor at least 24 hours in advance of a meeting if they are to be accompanied and give the name of their supporter and identify their role.
  - 4.4. An Exploratory Meeting with the Senior Tutor will attempt reach an agreement with the student about steps necessary to address and resolve concerns. More than one such meeting may be necessary to reach such an agreement. The discussion might include, where appropriate, recommendations to the student to seek support from Student Welfare and Support Services, medical services, and/or other professionals. It might also identify a need to refer the student to the Disability Advisory Service to

establish reasonable adjustments for a disability or other measures to help resolve fitness to study concerns. Notes will be kept of these discussions.

- 4.5. During any meeting at which agreement is reached, the student will be informed that there will be a review period and a follow-up meeting to ensure that the concerns raised about their fitness to study have been addressed and resolved.
- 4.6. After a meeting at which agreement is reached, the Senior Tutor will send the student email confirmation of the steps that have been agreed between them and invite the student to confirm that the email represents their understanding of what was agreed. The respective responsibilities and expectations of the College, the student, and others, including support services, will be set out clearly. Any timetable for the steps agreed will be identified. The email will also confirm the date of a follow-up meeting after a review period.
- 4.7. College will consider, in consultation with the student, whether it is appropriate to inform the student's Department or Faculty of the steps that are agreed by having regard to the College's own policies and the University's Guidance on Confidentiality in Student Health & Welfare.
- 4.8. At the end of the review period, a follow-up meeting will be held with the student to discuss steps agreed and progress made. If fitness to study concerns have been resolved, this will be recorded. If any need for further monitoring and support arrangements to help the student are identified in the follow-up meeting, these will be implemented and recorded.
- 4.8. If at the follow-up meeting it is established that the steps agreed have not been taken by the student and/or the fitness to study concerns have not been resolved, either
  - a. a further agreement will be made to cover the steps to be taken, the responsibilities of those involved, and the timescale for further review, or
  - b. if a student is unable or unwilling to co-operate with the procedures or to make an agreement, and/or if repeated or prolonged fitness to study concerns have not been resolved despite agreements, a Stage 2 Case Review Meeting will be arranged.
5. Stage 2: Case Review Meeting
  - 5.1. A Case Review Meeting will be appropriate in circumstances including but not limited to
    - a. where the steps agreed at an Exploratory Meeting under Stage 1 have not been effective (see 4.9[b] above);
    - b. where the Senior Tutor considers the nature of the concerns referred to them be more serious at the outset than is appropriate for an Exploratory Meeting;
    - c. where College has been supporting a student with health or welfare difficulties for some while but where the student is increasingly unable to meet the requirements of their course of study including where this is having a deleterious impact upon their own or others' health, safety, and/or welfare, or on others' ability to study.
  - 5.2. Unless there is a conflict of interest (see 1.8 above), the Senior Tutor will convene and chair a Case Review Meeting. In addition to the student, those with a significant interest in the student's academic progress, health, and welfare will be invited to attend. Such people might include, for example, a College Tutor or other members of

the University's or the College's academic and welfare support staff who have knowledge of the student's health, safety, welfare, and academic progress.

- 5.3. The Senior Tutor will determine the structure and conduct of the Case Review Meeting and may seek information and opinions, including written materials, in advance from those who will be present and/or from Student Welfare and Support Services and/or other professionals who may be working with the student but who may not be able to attend (but see also 5.7 below).
- 5.4. The Senior Tutor will give the student at least 48 hours' notice of a Case Review Meeting and will inform them of the details of any referral or of the circumstances that cause the meeting to be convened. The Senior Tutor will ensure that the student is provided with copies of any documents to be considered at the meeting, and ask the student to provide any documentation they wish to be considered. The student may request a deferral of the Case Review Meeting for a reasonable period if they need time to secure relevant documentation (see also 5.7 below).
- 5.5. The student may be accompanied at a Case Review Meeting by a supporter (subject to the conditions outlined in 1.8 above).
- 5.6. In advance of the Case Review Meeting, the Senior Tutor may require the student to provide details and/or evidence of any health, safety, or welfare problems relevant to the discussion. For this purpose, the student may be asked to seek a specialist assessment from a qualified practitioner; it may be convenient to approach one familiar with fitness to study concerns, such as a College doctor or counsellor. A copy of these Procedures will be made available to the assessor. Alternatively, the student may wish to provide the Case Review Meeting with specialist advice from their own qualified practitioner (in which case any costs that might be incurred will be met by the student). Such assessments and advice may help determine the following, potentially amongst other matters:
  - a. the nature and extent of any health, safety, or welfare problems that the student may be experiencing;
  - b. a timescale for the probable resolution of such problems including where relevant a prognosis for relevant medical conditions;
  - c. the extent to which these problems may affect a student's fitness to study and their ability to manage reasonable academic requirements and/or the normal demands of student life;
  - d. any impact it may have on others;
  - e. where reasonable adjustments or other measures have already been put in place, the effectiveness of those measures;
  - f. whether any additional measures can be taken by College to enable the student to study effectively and what such measures should be;
  - g. whether the student will be receiving any ongoing treatment, therapy, or other support relevant to their fitness to study.
- 5.7. If the student chooses not to undertake a specialist assessment that has been requested, or not to disclose the contents of any such assessment, the Case Review Meeting will proceed on the basis of the information already available to College. If such assessments cannot be provided in time for a prompt Case Review



Meeting, it may proceed with the evidence available but will not usually make final recommendations until the required assessments are available.

5.8. The purpose of the meeting is to ensure –

- a. that the student and all those participating in the Case Review Meeting understand the nature and extent of the concerns that have been raised;
- b. that the student's views and wishes are heard and considered;
- c. that all reasonable options for the resolution of fitness to study concerns are considered and the best of these are identified and agreed;
- d. that the possible or likely consequences of a failure to resolve concerns are identified and made clear to all those participating (e.g., a Stage 3 Panel and its potential outcomes).

5.9. Having taken advice from relevant persons where necessary, the Case Review Meeting may make one of the following recommendations:

- a. that no further action be taken;
- b. that the student's progress be monitored for a specified period of time; and/or that an action plan be agreed with the student (see 5.11 below); and/or that special academic arrangements be put in place (e.g., reasonable adjustments in the form of a Student Support Plan prepared by the Disability Advisory Service and/or other measures and support), specifying the nature of these and who is responsible for providing them;
- c. that the student's status be suspended for a period of time (usually one year unless particular academic circumstances make a shorter period both desirable and feasible);
- d. that consideration be given to the student withdrawing from their course of study.

5.10. Where further action is agreed or recommended, an action plan will be put in place outlining

- a. any steps that the student will need to take;
- b. any support to be provided to the student by College;
- c. who is responsible for providing or securing such College support;
- d. how long any such steps are necessary in order to resolve the concerns identified;
- e. provision for regular review meetings with the student for the duration of the action plan and at its completion to ensure compliance with the plan and that measures to enable the student to study effectively are being provided;
- f. who in College will undertake the reviews if not the Senior Tutor;
- g. the possible or likely consequences of a failure to resolve concerns those participating (e.g., a Stage 3 Panel).

5.11. A minute of the Case Review Meeting, its recommendations, and any agreements made will be sent to the student within a reasonable time of the date of the meeting and retained on record. The student will be asked to confirm agreement that the minute is an accurate record.

- 5.12. College will consider, in consultation with the student, whether it is appropriate to inform the student's Department or Faculty of the steps that are agreed by having regard to St Hugh's own policies and the University's Guidance on Confidentiality in Student Health & Welfare.
- 5.13. If, having agreed on an action plan, the student decides not to follow it, or if the student does not accept the recommendations made by the Case Review Meeting, the Senior Tutor will refer the matter to a Fitness to Study Panel under Stage 3.
6. Stage 3: Fitness to Study Panels
- 6.1. Where Stage 1 and/or Stage 2 procedures have been exhausted without resolving concerns about a student's fitness to study, the Senior Tutor will refer the case to the Vice-Principal who will convene a College Fitness to Study Panel (but see 6.2 and 6.3 below). Exceptionally, a Fitness to Study Panel may also be convened if the Senior Tutor and the Vice-Principal consider that the seriousness of the case is such that prior completion of Stages 1 and/or Stage 2 of these Procedures is not appropriate.
- 6.2. St Hugh's will normally refer students to its own Fitness to Study Panel, but the College may exceptionally decide to refer a case to the University's Fitness to Study Panel if a College Panel cannot be convened or for any other pressing reason. That decision will be made by the Vice-Principal.
- 6.3. The University's Fitness to Study Panel is established under Statute XIII. The remit of the panel is to: 'consider a student's fitness to study where all other normal procedures (whether at college or University level) have been exhausted or are inappropriate.' The full procedures of the University Panel are set out in detail in Statute XIII, Part B and Council Regulations 1 of 2012. Should a referral to the University's Panel be necessary, it will be made on behalf of the Vice-Principal by the Senior Tutor, in writing to the Secretary. Such a referral requires that the College show that its own Fitness to Study Procedures have been followed, and that reasonable adjustments have been made in the case of disabled students. Documentation relating to Stages 1 and 2, where these have taken place, and any other relevant documentation will also be required. Responsible persons from College and those who have advised orally or in writing at informal or formal meetings may be required to attend a meeting of the Panel to provide evidence or information.
- 6.4. When it is required, the Vice-Principal will appoint a Fitness to Study Panel (FtSP),
- The FtSP will normally comprise three members drawn from the Governing Body of the College, including at least one Tutorial Fellow.
  - The Vice-Principal may wish to include on such a Panel an additional full member with appropriate qualifications and/or expertise, who may be external to the College and to the University, if in their view the complexity or severity of the case warrants this.
  - The Principal, the Vice-Principal, the Senior Tutor, and the Bursar may not sit on the FtSP.

- d. No member of the College who has been formally involved at any point in discussions of the student's fitness to study (including the student's Tutors) may sit on the FtSP.
  - e. The FtSP will elect its own chair from amongst its members, including any external member.
- 6.5. The Chair of the FtSP will determine a date for a hearing as soon as is reasonably possible, giving all concerned at least one week's notice. The Senior Tutor, relevant subject Tutor(s), and the student concerned must attend the Panel's hearing. Relevant members of student welfare and support teams from St Hugh's or the University may also be invited to attend.
- 6.6. The student may be accompanied at a FtSP hearing by a supporter (subject to the conditions outlined in 1.8 above).
- 6.7. If any of those required or invited to attend fail to appear at the hearing despite proper notice having been given, the FtSP may hear the case in their absence or adjourn to a later date, as it sees fit. A second scheduled hearing will always proceed even if required or invited attendees are absent.
- 6.8. At least one week before an FtSP hearing, all those required or invited to attend and all Panel members will be sent an agenda, all supporting materials, a list of the Panel's membership and the email address of the Panel Chair. Further materials, including a written response to these materials by the student, may be sent to the Panel Chair up to 48 hours before the meeting and will be circulated as soon as possible.
- 6.9. The student, any supporter, the subject Tutor(s), and the Senior Tutor must withdraw from the meeting before the Panel makes its decision.
- 6.10. In considering a case the FtSP may draw upon suitably qualified expert advice, including but not limited to expert medical, psychiatric, and legal advice, and may delay its decisions until such advice is made available. It will have due regard to obligations under equality legislation and in particular the duty to make reasonable adjustments.
- 6.11. The FtSP may determine
  - a. that a student is fit to study;
  - b. that a student is not fit to study and that their studies be suspended for a fixed period (usually but not necessarily one academic year);
  - c. that resumption of study after a fixed period be conditional upon submission of evidence from a medical or counselling professional to confirm that in this person's opinion the student is fit to resume studies;
  - d. that a student be permanently withdrawn from their course or programme of study.
- 6.12. A suspension on the grounds of fitness to study is an 'involuntary suspension'. It is temporary and for a specified period. It is not the same as a suspension on any academic or non-academic disciplinary grounds and should not be referred to as 'rustication'. Suspended students are prohibited from entering College premises and using College facilities for the duration of the suspension (unless at the express invitation of a College officer or a Tutor). Normally a student's University Card

(‘Bod Card’) is retained; they continue to have access to University libraries and services.

6.13. A student may appeal against the determinations either of a College FtSP or the University’s FtSP (see Section 8 below).

## 7. Return to Study after Suspension

7.1. Student Welfare and Support Services may be asked to help draw up a ‘Return to Study Plan’ in consultation with the student and the relevant welfare, disability, and/or academic leads. The Plan will ordinarily address or include

- a. the specific study-related support needs of the student in returning to education;
- b. the support that is reasonably required in the short term;
- c. the involvement of and liaison with external agencies;
- d. any longer-term support or adjustments that are reasonably required and any conditions that might apply;
- e. a risk-management plan that takes account of the experiences that led to the student initially suspending from their course of study and any other information that is known to be relevant.

7.2. Where a FtSP suspends a student’s studies, conditions necessary for resumption of student status and return to a course of study will be specified in the decision of the Panel. Conditions are at the discretion of the Panel but may include the need for a student to supply evidence to establish that concerns have genuinely been resolved. This may include evidence of improved health or welfare, of improved management of health conditions, or of action taken to address behavioural concerns.

7.3. College may also need to satisfy itself that the conditions necessary for resuming studies have been met by seeking advice from any specialist or professional practitioner who was involved in the fitness to study procedures and from Student Welfare and Support Services, where appropriate. College may request the student to provide evidence from an appropriate specialist or professional practitioner or to provide confirmation of their health or welfare and thus their ability to resume their course of study and to sustain that resumption. Such evidence may be from a specialist or professional practitioner who has provided support or treatment for the student during suspension. College has the right to seek further professional opinion (see also 1.7 above concerning the distinction between medical fitness and fitness to study).

7.4. For practical reasons connected with the structure of the teaching year in Oxford, the normal period of suspension will be one year, although the suspension may be extended (see 7.8[b] below).

7.5. The Senior Tutor will review each suspension in good time before the student is due to resume studies and if they consider that all conditions have clearly been met and that the student is evidently fit to resume their course of study, they will inform the student and make appropriate arrangements in College.

7.6. If the Senior Tutor considers that the student has not satisfied all conditions and is not fit to resume their course of study, or is unsure, they will ask for the FtSP to be reconvened. The Panel will seek such advice as it may need (see 7.3 above) and when making its decision will consider

- a. whether conditions have in fact been met or can be met and sustained such that it is appropriate for the student to return to study;
- b. whether there are further steps to be taken or more evidence required before return to study is appropriate;
- c. how return is to be managed in the context of the academic requirements of the student's course of study;
- d. if the student's course of study has changed, whether or not it is feasible to return to it and what the options are for the student including the best option in all the circumstances of the case;
- e. the availability of continuing support for the student including from Student Welfare and Support Services.

7.7. The reconvened FtSP may

- a. confirm that the student has satisfied all conditions and is fit to resume their course of study;
- b. determine that some of all conditions have not been met and/or that a student is not fit to resume their course of study, in which case it may determine either a further period of suspension with updated or adjusted conditions or a termination of studies.

7.8. Informal meetings between the student, Tutor(s), the Senior Tutor, and/or members of the College Welfare Team may be held at any time to inform decisions.

7.9. Following a reconvened FtSP, a decision will be communicated to the student in writing within a week of the date of the meeting and a copy kept on record.

7.10. The College will consider, in consultation with the student, whether it is appropriate to inform the student's Department or Faculty of the steps that are agreed by having regard to the College's own policies and the University's Guidance on Confidentiality in Student Health & Welfare.

## 8. Appeals

8.1. Appeals against decisions taken by the University's FtSP should be made by making a written application to the Conference of Colleges Appeal Tribunal (CCAT).

8.2. Appeals against decisions of the College's FtSP are made by sending a Notice of Appeal to the Principal ([principal@st-hughs.ox.ac.uk](mailto:principal@st-hughs.ox.ac.uk)) within 7 days of notification of the decision. The Principal will then appoint a Fitness to Study Appeal Panel. The Notice of Appeal must set out the grounds on which the student is appealing and explain why they consider that the particular ground of appeal is established. At the same time the student should provide a copy of decision against which the appeal is being made and any other relevant evidence.

8.3. The grounds upon which a student may appeal are:

- a. that there was bias, or a reasonable perception of bias, on the part of any person or group involved in determining actions taken;
- b. that any person or group acted unfairly or failed to follow procedure as set out in this document;
- c. that the student has new material that it was not reasonably practicable for them to provide earlier in the process, and which would probably have affected the outcome;
- d. that there was an error in the interpretation of any of the provisions referred to in this procedural document by any person or group;
- e. that the decision reached was one that no reasonable decision-maker could have made.

8.4. A Fitness to Study Appeal Panel (hereafter simply Appeal Panel) will consist of three people appointed by the Principal for the sole purpose of considering the appeal. Panel members must either be members of the College Governing Body or people approved by the Governing Body as being suitable to sit on an Appeal Panel but who need not be members of the College. The Principal will appoint one of the Panel members to Chair the Appeal Panel.

8.5. The Principal, the Senior Tutor, the Dean, the Bursar, and the student's Tutor(s) may not be appointed to the Appeal Panel.

8.6. No person who has been formally involved so far in any Fitness to Study discussions concerning the student or who has advised the student in connection with the processes may be appointed to the Appeal Panel.

8.7. The Appeal Panel will be assisted by a member of the College's administrative staff who will act as Secretary to the Appeal Panel.

8.8. The Principal will write to the student informing them of the membership of the Panel and stating that if they object to the inclusion of any of the members, they must set out the grounds for their objections in an email reply to the Principal ([principal@st-hughs.ox.ac.uk](mailto:principal@st-hughs.ox.ac.uk)) within two working days. If the Principal considers that the grounds for objecting are reasonable, they will appoint a replacement member and the Secretary will inform the student and the other Appeal Panel members of the change.

8.9. The Principal will ask the Senior Tutor to make a case to the Appeal Panel in support of the implementation of the decision taken by the FtSP. Within three working days of the Principal's request, the Senior Tutor will provide to the student and the Secretary a written response to the appeal and indicate whether they are requesting an oral hearing, giving reasons.

8.10. Within two working days of the Senior Tutor's response the student must confirm in writing to the Secretary whether they are requesting an oral hearing, giving reasons.

8.11. The Appeal Panel Chair will determine whether an oral hearing is appropriate and if so the Secretary will fix a date and place for a hearing, which may be outside

College. The date should be fixed in consultation with the student, the Senior Tutor, and the members of the Appeal Panel. The student may bring a supporter subject to the conditions set out in 1.8 above.

- 8.12. The Secretary will write to the Appeal Panel members, the student, and the Senior Tutor to confirm the date, time, and location of the hearing, giving a reasonable notice period, and provide them with a bundle containing all documents relevant to the appeal.
- 8.13. If the student or the Senior Tutor wishes the Appeal Panel to take account of any additional material or written submissions that becomes available after the bundle is circulated, copies must be provided to the Secretary at least five working days before the hearing, preferably electronically. The Secretary will ensure that it is circulated to the Appeal Panel and other relevant parties as soon as possible. Any documentation submitted after this time will not be considered by the Appeal Panel unless the Chair decides that exceptional circumstances warrant its inclusion.
- 8.14. The Appeal Panel Chair will determine the procedure for the hearing, so as to ensure that is fair, and, so far as is possible, informal and flexible. If exceptionally witnesses are heard, questions will be put to them only by the members of the Appeal Panel.
- 8.15. The Appeal Panel members will deliberate following any hearing and reach a decision. Where the appeal is considered without a hearing the Appeal Panel members will meet to deliberate having first been provided by the Secretary with all relevant documentation. The Secretary will inform the student and the Senior Tutor of the date on which the Appeal Panel will meet.
- 8.16. The appeal may be determined by a simple majority vote.
- 8.17. The Chair of the Appeal Panel will inform the Principal, the student, and the Senior Tutor in writing of its decisions appending a report setting out the Appeal Panel's conclusions and the reasons for them. In case of a majority decision, the conclusions drawn and the reasons given will be those of the majority.
- 8.18. The Appeal Panel may:
  - a. confirm the FtSP decision in all aspects;
  - b. reverse the FtSP decision in all aspects;
  - c. vary some of the FtSP's stipulation(s) as it sees fit.
- 8.19. The decision of the Appeal Panel is final and is not subject to further appeal within College.
- 8.20. Whether an appeal is upheld by the College or denied, the process will form part of the student's formal record and St Hugh's may need to inform the University (via the Proctors) of any decisions made.
- 8.21. If the appeal is not allowed the letter informing the student of the outcome will explain that it is a Completion of Procedures letter that marks the end of College procedures.
- 8.22. The student nonetheless has the right to seek review of a decision made by an Appeal Panel by further appeal to the Conference of Colleges Appeal Tribunal

(CCAT). Appeals must be made by the subject within five days of receiving a Completion of Procedures letter from the Chair of the Appeal Panel. Normally, the Conference of Colleges Appeal Tribunal will only review determinations where a substantial sanction is imposed.

- 8.23. If an appeal to the Conference of Colleges Appeal Tribunal is not allowed or not upheld, the subject may submit a complaint to the Office of the Independent Adjudicator within 12 months of the date of the final decision.



## APPENDIX E - Student Members - Precautionary Measures

1. The Dean has the authority to impose temporary precautionary measures as detailed in Section 4 of Appendix C of these bylaws where they judge this to be reasonably necessary during the course of a live disciplinary procedure.
2. The Dean also has the authority to restrict a student's access to particular facilities or the College site, including requiring a student to live outside College accommodation if they judge this to be necessary as a safeguarding measure, regardless of whether or not there is a live disciplinary procedure. This can be temporary (for example, but not restricted to, requiring a student to live outside College accommodation while a serious allegation is investigated) or ongoing (for example, but not restricted to, restricting a student's access to the College bar where their behaviour indicates an ongoing risk to themselves or others). Restrictions of this kind are not a disciplinary sanction, and will only be applied (i) where the balance of risks indicates that it is reasonably necessary and (ii) for the period that is reasonably necessary. The context in which precautionary measures might be imposed for safeguarding reasons include not only statutory safeguarding of children and vulnerable adults, but the wider safeguarding of those who come into contact with the charity as detailed in Section 4 the College's Safeguarding Policy.
3. If the Dean is unavailable, the Designated Safeguarding Lead or the Designated Safeguarding Deputy may impose precautionary measures as detailed in paragraph 2 of this Appendix (but not the full range of precautionary measures that the Dean can impose during a live disciplinary procedure as detailed in paragraph 2 of this Appendix and in Appendix C of these bylaws), subject to ratification by the Dean at the earliest reasonable opportunity.
4. **A student who is subject to a restriction of this kind can request a Review by the Principal, who will determine whether or not the Dean's decision is reasonable and should remain in force, be modified, or be overturned. The Dean's decision will remain in force while any Review is carried out.**
5. Where the Principal is not available, the authority set out in paragraph 5. 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.
6. There is no right of further appeal against the Principal's decision in a Review. However, a student who believes that they have been unfairly or unreasonably disadvantaged by a precautionary measure can make a complaint under the Student Complaints Procedure in Appendix N of these bylaws.

#### APPENDIX F - Non-Academic Staff - Disciplinary Matters, including dismissal

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 College's Disciplinary procedure for all disciplinary matters.

## APPENDIX G - GUIDELINES RELATING TO COLLEGE PRIZES

### 1. Scholarships and Exhibitions

- a.
  - i. Undergraduates who have obtained a First or Distinction in the First Public Examination will automatically receive 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 H - 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 (e.g., Senior Tutor: Academic Committee) and with the Principal or other College officers. Certain matters have been foreseen (e.g., 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 reasonably be settled on the basis of returns so far received, i.e., essentially a postal vote, or whether it requires the convening of a Special Meeting of Governing Body.

## APPENDIX I – 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.

*(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 email, 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, as detailed in the Student Complaints Procedure in Appendix N of these bylaws;
- 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 K – STUDENT COMPLAINTS PROCEDURE

### 1. Scope

- 1.1. This Complaints Procedure is for current or recent students of St Hugh's College who wish to complain about the College's action or lack of action in relation to them, or about the standards of service provided to them by or on behalf of the College.
- 1.2. In some cases, this Procedure will not apply because another College Policy or Procedure is more appropriate, or because the Complaint relates to the central University rather than the College.
  - Reports of alleged misconduct by another St Hugh's student are covered by the Non-Academic Disciplinary Procedure (Appendix C of these Bylaws), although a student who makes a report of alleged misconduct and is dissatisfied with the outcome is able to make a Complaint under this procedure.
  - Complaints about the central University's action or lack of action, or about the standards of service provided by or on behalf of the central University, are covered by the University's Student Complaints Procedure.
  - Reports of alleged misconduct by a student from another college fall under the University's Student Disciplinary Procedure for Non-Academic Misconduct and are handled by the Proctors.
  - Complaints of harassment or sexual harassment, whether by another St Hugh's student or by a member of College staff or a senior member of the College, are covered by the College's Harassment Policy and Sexual Harassment Policy.
  - Complaints relating to actions governed by the JCR or MCR constitutions should be addressed via the routes laid out in those constitutions.
  - Proposals to change College policies or procedures should ordinarily be raised in Governing Body or the relevant subcommittee, not via the Student Complaints Procedure. Student representatives from the JCR and MCR sit on relevant College committees, and any student member can propose a JCR/MCR motion in accordance with the JCR/MCR constitution to mandate student representatives to bring a proposal to the relevant committee.
- 1.3. This procedure is open to any current student of the College, or any former member of the College within 12 months of ceasing to be a current student.
- 1.4. The College welcomes feedback about its provision of services and encourages students to communicate any concerns to the College about the service they have received. It is also important to note that a formal complaint is a time-consuming process for all involved, and that the College reserves the right not to proceed with unfounded complaints, as detailed in section 6 below.
- 1.5. Complaints should be made as close in time as reasonably possible to the events in question, and in any event promptly

### 2. Aims and Principles

- 2.1. The College will seek early resolution of Complaints where possible, via a fair and transparent informal process.
- 2.2. The aim of this Procedure is to provide a process to investigate and address a student's dissatisfaction with their interactions with the College. Where a Complaint is upheld, the College will seek to make good any failings on its part which have been identified.
- 2.3. A Complaint is defined as an expression of dissatisfaction by one or more students about the College's action or lack of action, or about the standard of service provided to them by the College.
- 2.4. If a Complaint raises issues of potential misconduct on the part of staff or students, the Complaint will be investigated under this Complaints procedure, but any potential disciplinary implications will be considered subsequently and addressed under the appropriate disciplinary procedure as a separate process. Disciplinary action against an individual cannot form part of an outcome or resolution for a Complaint under this Procedure, and the College's duties to others may mean that a Complainant cannot be told about the outcome or existence of a subsequent disciplinary process.
- 2.5. No student who raises a proper Complaint will be treated less favourably, regardless of whether or not their complaint is upheld. However, where a complaint is considered to be made improperly the College reserves the right to consider the complainant's actions under the Non-Academic Disciplinary Procedure. Further detail can be found in section 6 below.
- 2.6. The College will not normally consider Complaints made anonymously but reserves the right to do so when it considers it is appropriate in the circumstances. However, Complainants should be aware that, even if an anonymous Complaint is allowed to proceed, the fact of its anonymity may make it harder to resolve the Complaint to the Complainant's satisfaction.
- 2.7. The College is mindful of its obligations under the Equality Act 2010 and will adjust these Procedures on a case-by-case basis where the College feels it is necessary to implement reasonable adjustments for any individual concerned.
- 2.8. The College will comply with relevant data protection legislation and its own data protection policies and procedures when processing individuals' personal data under this Procedure.
- 2.9. Where the issues raised affect a number of students, those students may choose to submit a joint Complaint. The College may ask the students to nominate one student to act as the group representative and may decide to communicate only through this representative who is expected to liaise with the other students.
- 2.10. If an officer of the College is unable to carry out their role as specified in this Procedure, including because of real or legitimately perceived conflict of interest, another member of Governing Body will be appointed in their place.

- 2.11. The College will endeavour to meet all timescales set out in this Procedure, although from time to time it may be necessary to vary them. If it is necessary to vary any timescales, the College will write to all parties to explain the reason and to set out a new timescale.
- 2.12. Where a Complaint requires more urgent resolution (e.g., because the potential remedy is time-sensitive), the College will endeavour to respond to each stage of the Procedure as promptly as it reasonably can. It is for the College, not the Complainant, to decide if this is necessary, based on the circumstances of the Complaint.

### **3. Informal Process**

- 3.1. The College will seek to resolve complaints informally where possible.
- 3.2. If a student is dissatisfied, they should in the first instance raise this informally with the person concerned, or with the relevant manager or officer of the College. If in doubt, complaints about academic matters can in the first instance be raised with the Senior Tutor; complaints about non-academic matters with the Bursar; and complaints about the actions or inaction of a College Officer with another officer who has not been involved in the issue (i.e., any of the Senior Tutor, Bursar, Dean, or Tutor for Equality, Diversity and Inclusion).
- 3.3. Informal complaints may be made orally or in writing, including via email.
- 3.4. The College will endeavour to respond to a complaint within 14 days, although this may need to be extended in some circumstances. Where appropriate, the College's initial response will be to arrange a meeting with the student to hear more about their complaint and to understand the issues involved before proposing an informal resolution.
- 3.5. The aim of the informal process is to reach mutual agreement on an informal resolution to the complaint. Depending on the content of the complaint, this can take the form of a particular action; of a change in the way the College handles particular situations in future; of an apology; and/or of some other mutually-agreed resolution. It is also possible that, following discussion of the issues, the student and the College might agree that no further resolution is necessary.
- 3.6. At the end of the informal process, the manager or officer handling the informal complaint will document what has been agreed, or, if no agreement has been reached, the College's best proposal for informal resolution, and will invite the student to respond either to accept or reject this.
- 3.7. If the student and the College cannot agree a mutually acceptable informal resolution to the Complaint, the student has the option to raise a formal Complaint as detailed below.

### **4. Formal Process**

- 4.1. A student wishing to raise a formal Complaint should do so in writing to the Vice-Principal. They should set out, as succinctly as possible, what happened; why they are dissatisfied with what happened; and what remedy they are seeking. The student should also attach the relevant correspondence from the informal process.

- 4.2. In exceptional circumstances, a student may apply to the Vice-Principal for permission to make a formal Complaint without first attempting to find informal resolution. There is a presumption that it is always preferable to reach informal resolution where possible, and so a student would need to demonstrate a compelling reason not to engage in the informal process. It should be noted that an unwillingness on the part of a student to attempt to reach informal resolution would not in itself constitute sufficient reason to move straight to a formal process.
- 4.3. If the Vice-Principal judges a Complaint to be made improperly, they will reject the Complaint at this stage in accordance with section 6 of this Procedure, in which case the Complainant will have a right to request a Review by the Principal.
- 4.4. In all other cases, the Vice-Principal will appoint a Complaints Panel, consisting of three members. Panel members must either be members of the College Governing Body or people approved by the Governing Body as being suitable Panel members, and who themselves need not to be members of the College. The Vice-Principal will appoint one of the Panel members to chair the Panel. The Principal, Vice-Principal, Senior Tutor, Dean and Bursar may not serve on a Complaints Panel. The Vice-Principal will normally appoint the Complaints Panel within 14 days of receiving a formal Complaint.
- 4.5. A member of College staff who has had no previous involvement in the Complaint or events complained of will be appointed as Secretary to the Complaints Panel.
- 4.6. The Chair of the Complaints Panel will determine whether or not an Investigation needs to be carried out into some or all of the substance of the Complaint prior to the Complaints Panel Meeting. If an Investigation is necessary, the Chair of the Complaints Panel will appoint an Investigator, who can be either a member of College or a suitably-qualified external person. If necessary, the timescales in this Procedure will be modified to allow time for the Investigation to be carried out. The Secretary to the Complaints Panel will notify the Complainant (i) that an Investigation is taking place, and (ii) of the scope and terms of that Investigation. In many cases (for example, where facts are clear from the documentary record, or where the Chair judges it possible to test any disputed questions of fact in the Complaints Panel Meeting itself), no Investigation will be necessary.
- 4.7. The Investigator will carry out any investigation in the manner that they judge best, in line with the rest of this Procedure. At the conclusion of the Investigation, the Investigator will produce a Report for the Complaints Panel, which will be sent to the Panel, the Complainant, and anyone else the Chair of the Complaints Panel decides should receive it, not less than 7 days before the Complaints Panel Meeting (see 4.8).
- 4.8. Within 14 days of the Vice-Principal's receiving the Complaint (unless timescales are modified to allow for an Investigation), the Secretary will write to the student who is making the complaint, setting a date for the Complaints Panel Meeting, and asking them if there is anything they wish to add to their written submission, and for the names of any witnesses that they wish to propose calling and the reason for calling them. The student will be given 7 days to respond in writing.
- 4.9. The Chair of the Complaints Panel will specify any information, evidence or written submissions that the Panel needs to receive in advance. Where relevant, this can

include a submission from a nominated representative of the College (usually a relevant officer or senior manager) setting out the College's response to the Complaint.

- 4.10. The calling of witnesses is at the absolute discretion of the Chair of the Complaints Panel. Where questions of fact are not disputed or are clear from the written record or other documentary evidence (including CCTV footage or other digital information), it will not normally be necessary to call witnesses. Where expert evidence is required (for example, medical evidence), the default is for this to be submitted in writing. The Chair of the Complaints Panel will not unreasonably withhold permission for witnesses to be called but will also be mindful that this is an internal complaints procedure that should be conducted proportionately to the gravity and complexity of the Complaint.
- 4.11. The Complainant will have the right to attend the Complaints Panel Meeting. The Chair will determine if other parties, including witnesses, should attend, and whether for all or part of the meeting. If an investigation has been undertaken, the Investigator will normally be asked to attend the meeting to present their Report.
- 4.12. The Complainant can be accompanied by a supporter who will play no speaking role in proceedings. A supporter will usually be a member of the College or a member of the Oxford Student Union. Requests to be accompanied by a supporter should be made to the Chair of the Complaints Panel, providing the name and position of the supporter at least 48 hours in advance of the date of any meeting or hearing.
- 4.13. The Complainant may request permission from the Chair for a Representative to attend the meeting in their place, which must be requested at least 7 days in advance of the hearing, and which will not be unreasonably withheld. A Representative would normally be a member of the Oxford Student Union who has received appropriate training. It would normally be disproportionate to seek legal representation during proceedings, but reasoned requests for such representation may be made and will be considered.
- 4.14. The Chair of the Complaints Panel will conduct the meeting as they judge appropriate, mindful that this is an internal complaints procedure. If it is judged appropriate for the Complainant or other parties to be allowed to question witnesses, the default will be for all questions to be put through the Chair rather than for there to be direct cross-examination.
- 4.15. The decision of the Complaints Panel can be made by majority vote. Within 7 days of the Panel's reaching its decision, the Secretary will write to the Complainant setting out the Panel's decision, which can include:
  - to uphold the Complaint in full;
  - to uphold some elements of the Complaint but not to uphold others;
  - not to uphold any element of the Complaint.
- 4.16. If some or all elements of the Complaint are upheld, the Panel will also determine what action should be taken to remedy the Complaint. This can include:

- to apologise on behalf of the College;
  - to reverse a previous decision;
  - to require the College to take a particular future action (for example, to provide training to staff in a particular area);
  - to require a change to the way the College will handle a particular situation(s) in future, and/or;
  - financial compensation, e.g., a refund of rent as detailed in section 7 of this Procedure.
- 4.17. Where the substance of a Complaint relates to the alleged actions or inaction of a member of academic or non-academic staff, the Panel's decision will be shared with the appropriate officer or manager to determine if a disciplinary investigation should take place. Any disciplinary procedure will be wholly separate from the Complaint procedure and will remain confidential.

## 5. Review Stage

- 5.1. If a student is dissatisfied with the Complaints Panel's decision, they may write to the Principal ([principal@st-hughs.ox.ac.uk](mailto:principal@st-hughs.ox.ac.uk)) within 14 days of the decision to request a Review. The Complainant should include details of the grounds on which they are requesting a Review.
- 5.2. The permitted grounds for Review are:
- there was bias, or a reasonable perception of bias, during the procedure;
  - there was unfairness or a failure to follow this Procedure;
  - the Complainant has new material that it was not reasonably practicable for them to provide earlier in the process, that would have been likely to make a material difference to the outcome;
  - the decision of the Panel on whether or not to uphold the Complaint was one which no reasonable decision-maker could have made; and/or
  - the remedy that the Panel determined for a Complaint that has been upheld was insufficient to address the substance of the Complaint.
- 5.3. The fact of a student's disagreeing with the Panel's decision does not in itself constitute grounds for Review.
- 5.4. The Principal will review the Complainant's stated grounds for Review, along with any relevant documentary evidence from the Complaints Panel. If the Principal determines that there are insufficient grounds to convene a Review Panel, they will issue a Completion of Procedures letter to the Complainant.
- 5.5. If the Principal determines that there are sufficient grounds, they will appoint a Review Panel, consisting of three members. Panel members must either be members of the College Governing Body or people approved by the Governing Body as being suitable Panel members, and who themselves need not to be

members of the College. The Principal will appoint one of the Panel members to chair the Panel. The Principal, Vice-Principal, Senior Tutor, Dean and Bursar may not serve on a Review Panel.

- 5.6. The Chair will determine how the Review Panel will carry out its Review. Depending on the grounds for Review, this may or may not involve inviting the Complainant or other parties to attend a meeting. A Review will not normally involve a complete re-hearing of the original Complaint.
- 5.7. Unless additional evidence is required, the Review Panel will conduct its Review within 14 days of the Principal's convening the Panel.
- 5.8. The Review Panel's decision can include:
  - to uphold the Complaints Panel's decision in full;
  - to revise some or all of the Complaints Panel's decision, or;
  - in exceptional circumstances, to refer the Complaint to a fresh Complaints Panel for a complete rehearing.
- 5.9. The Secretary will write to the Complainant within 7 days of the completion of the Review to communicate the Panel's decision and the reasons for this decision.
- 5.10. Except where the decision of the Review Panel is to refer the Complaint to a fresh Complaints Panel, the Complainant will be issued with a Completion of Procedures Letter.

## **6. Improper Complaints**

- 6.1. The College's default position is to take all Complaints seriously unless there is good reason to do otherwise.
- 6.2. However, the College will terminate consideration of a Complaint if it considers it to be an improper complaint.
- 6.3. Complaints which may be considered improper include:
  - complaints which are vexatious, whether intentionally or recklessly, including complaints which are obsessive, harassing, or repetitive;
  - complaints which relate to trivial or trifling issues;
  - complaints which insist on pursuing manifestly non-meritorious grievances;
  - complaints which seek the attainment of unrealistic or unreasonable outcomes;
  - complaints which seek to reopen (either in substance or in form) other complaints which have been previously decided;
  - complaints which insist on pursuing what may be meritorious issues in an unreasonable manner;
  - complaints which are designed to cause disruption (including disruption to the complaints process itself) or annoyance, or are evidently retaliatory in nature;

- complaints which involve demands for redress which lack any serious purpose or value, and/or;
  - complaints which, in any event, are made in bad faith.
- 6.4. If the Vice-Principal considers a Complaint to be improper, they will not refer it to a Complaints Panel, but will instead write to the Complainant to inform them of the decision not to let the Complaint proceed, and to explain the reason.
- 6.5. A student whose Complaint is not allowed to proceed to a Complaints Panel because it is considered improper may request a Review by the Principal. The Complainant must write to the Principal within 7 days of the Vice-Principal's decision, giving the reasons why they believe the Vice-Principal's decision to be incorrect.
- 6.6. Within 7 days of receipt of a request for Review, the Principal will review the Vice-Principal's decision and will either:
- uphold the Vice-Principal's decision not to refer the Complaint to a Complaints Panel, in which case the Principal will issue the Complainant with a Completion of Procedures Letter, or;
  - instruct the Vice-Principal to refer the Complaint to a Complaints Panel as detailed in section 4 of this Procedure.
- 6.7. If a Complaint is not allowed to proceed to a Complaints Panel because it is considered improper, the Vice-Principal may also refer the matter to the Dean for potential consideration under the Non-Academic Disciplinary Procedure. This will only be done if there are sufficient grounds, and Complainants will not be referred to the Dean unreasonably. However, the College reserves the right to do so where necessary, for example where a complaint that is improper may also amount to harassment or seems designed to disrupt the proper functioning of the College.

## **7. Complaints about College Accommodation**

- 7.1. If the College has failed to fulfil its obligations in respect of the provision of accommodation under a student's License to Occupy, the remedy for a complaint can include a refund of some or all of the student's rent for the affected period in cases where this is proportionate and appropriate.
- 7.2. The period for which a rent refund may be appropriate is from the date on which the student first notified the College of an issue, up to and including the date on which the issue was resolved or alternative accommodation was offered (regardless of whether or not the student chose to accept the alternative offered).
- 7.3. It is essential that students notify the College of any issues at the earliest opportunity, primarily so that any problems can be addressed promptly, but also because a rent refund will not be offered for any period when a student was aware of an issue but chose not to notify the College, and during which the College could not reasonably have done anything to rectify the problem.
- 7.4. If a room is uninhabitable or not fit for purpose, the College will normally offer a full refund of rent for the days in question. If a room is fit for purpose but some element



of the College's service is materially impaired such that the College is not fully complying with its obligations under the License to Occupy, the College will normally offer a partial refund of rent for the days in question. It is unlikely that a rent refund will be offered for minor issues that do not materially impair the service that the College delivers or affect the College's ability to comply with its obligations under the License to Occupy.

7.5. Any potential rent refunds will be assessed to ensure that the College is being fair and proportionate across all comparable cases, and to ensure that any proposed remedy is reasonable. Except in the case of Reasonable Adjustments or other factors relating to the Equality Act 2010, the fact that an individual student finds a particular issue subjectively more upsetting than average is unlikely to influence any proposed rent refund.

7.6. The College has the right to relocate students to alternative accommodation where necessary, although this is not exercised unreasonably. The fact that a student is unhappy with alternative accommodation (including where this means living in a different part of the College site from their friends) is not a reason for a full or partial refund of rent.

7.7. The following are also unlikely to constitute reasons for a full or partial refund of rent:

- issues caused by other students, for example noise or mess (although the College will take reasonable steps to ensure appropriate behaviour and cleanliness from all residents);
- issues reasonably beyond the College's control, such as street noise, roadworks, power cuts, or wildlife activity;
- low-grade issues that are integral to old buildings (e.g., occasional noisy pipes or floorboards; creaking windows);
- simply not liking a particular room without a material reason.

7.8. Where a full or partial refund of rent is reasonable and proportionate, the College will always look to propose this at the informal stage rather than requiring students to submit a formal complaint.

7.9. Any concerns or complaints about College accommodation should be addressed to the Domestic Bursar.

## **8. Reporting, Records and Confidentiality**

8.1. Complaints and the resolution of complaints provide valuable feedback for the College in improving its services. At least once per year, a report will be provided to Governing Body detailing the nature and outcome of any complaints received, suitably anonymised and redacted to preserve student confidentiality. This report will also include details of any changes to improve future process and operations.

8.2. Proper records will be maintained of any student complaints, including at the informal stage. At minimum, this will include copies of relevant correspondence, and notes of any meetings. These will be retained for the timescales detailed in the

relevant Records of Processing Activity under our Data Protection Policy and procedures.

- 8.3. The identity of the student making a complaint will be kept confidential, save where it is necessary for the College to disclose information to another person or body in order to resolve the complaint, or where it is necessary to do so in order for the College to comply with its legal or regulatory obligations. Complainants and other parties are expected to adhere to similar principles of confidentiality in respect of this Procedure.