

UNIVERSITY COLLEGE OXFORD

STATUTES

STATUTE I. THE CONSTITUTION OF THE COLLEGE

PART I. THE COLLEGE

1. The corporate name of the College of the Great Hall of the University of Oxford, of ancient foundation and later incorporated by a charter of 15 February 1573, is University College.
2. The College's object is to promote the advancement of university education, learning, and research as a College in the University of Oxford (including maintaining its historic buildings and other patrimony, pastoral care of its students, and public liturgy).
3. The College consists of a Master, Fellows and undergraduate and graduate students admitted in accordance with these statutes, together with such other persons upon whom membership of the College is conferred in accordance with cl 57 below.

PART II. THE COLLEGE'S GOVERNANCE

4. (1) The College's governance is vested in the Governing Body known as the Master and Fellows and consisting of the Master, the Official Fellows, the Professorial Fellows, and such other Fellows as are appointed to it by or under regulations.
(2) The Governing Body acts by decisions made ordinarily when it is assembled in Meetings under these statutes or made extraordinarily in such other ways as are authorized by these statutes or as may be authorized by or under regulations.
(3) The members of the Governing Body are the College's charity trustees.
5. (1) The Governing Body has all powers necessary for the making and carrying out of such decisions as it shall think fit for the College's governance and for maintaining and promoting the College's interests, and power to do anything necessary, ancillary or conducive to the achievement of the College's charitable object and purposes.
(2) Those powers include the power to adopt, make, vary and rescind regulations on any matter to which the Governing Body's powers extend.
(3) Regulations have effect subject to these statutes.
(4) The Governing Body shall make regulations with respect to —
 - (a) election to the Mastership and terms and conditions of that office;and
 - (b) terms and conditions of Fellowships and of Offices or other duties associated with Fellowships; and
 - (c) appointment of Fellows to the Governing Body; and

(d) procedures relating to Meetings of the Governing Body; and
(e) procedures for the declaration and avoidance of conflicts of interest by members of the Governing Body; and

(f) procedures relating to delegation of powers of the Governing Body and to the taking of decisions by the Governing Body by correspondence; and

(5) Where these statutes provide that a matter shall be governed or a decision taken by or under regulations and no such regulation is applicable, the Governing Body may deal with such matters or take such decisions by vote of two-thirds of those present and voting at a Meeting assembled with not less than seven days' written notice of the terms of a motion to do so, provided always that the number of those present satisfies any requirement for a quorum that may be set by regulation.

6. (1) Meetings of the Governing Body shall be held as required, provided that there shall be no fewer than six in each academic year.

(2) Any decision to elect or re-elect a Master or a Fellow (including an Honorary or Foundation Fellow), to amend a statute, to make, repeal, suspend, or vary a regulation, or to do anything else designated for the purposes of this clause by regulation shall be taken only by vote of two-thirds of those present and voting at a Meeting of the Governing Body assembled with notice (under procedures laid down by regulation) of a motion to do so, provided always that the number of those present satisfies any requirement for a quorum that may be set by regulation.

(3) The Master shall convene a Meeting of the Governing Body if at any time requested to do so by five or more members of the Governing Body, and such a Meeting is to be held within fourteen days of the request being made unless those making the request expressly seek a later date.

7. (1) Except as otherwise provided in these statutes, all Meetings of the Governing Body shall be held in the College, be convened by the Master by written notice sent to all members at addresses designated by them, and be chaired by the Master or absent the Master by the Vice-Master or absent the Vice-Master by the senior Fellow present who is willing to act.

(2) Any Meeting of the Governing Body may be adjourned to such later date as the Governing Body shall decide.

8. (1) Unless otherwise provided in these statutes or by regulation, decisions of the Governing Body are determined by a majority of those present and voting.

(2) If there is an equality of votes, the Master has a casting vote.

(3) The power of exercising a casting vote may, in the Master's absence, be exercised by the Vice-Master but not by any other presiding Fellow.

9. (1) Where it appears to the Master that a decision is needed and that the matter is non-controversial, or that an urgent matter needs decision between 1 July and 1 October in any year, the Governing Body's decision may be made by correspondence if doing so seems appropriate to the Master, the Vice-Master and such other member or members of the Governing Body as regulations specify for this purpose.

(2) Where a decision is to be made by correspondence, a proposal for decision shall be put to the relevant members of Governing Body in writing, and the relevant members of

the Governing Body shall, unless regulations otherwise provide, be given at least seven days in which to reply to, and where necessary vote on, the proposal.

10. (1) The Governing Body shall establish such standing or ad hoc committees as are needed for the College's good governance, and shall provide by regulations for the number, names, membership, terms of reference and delegated powers of the standing committees.

(2) The Governing Body in its discretion may revocably delegate (subject to these statutes and to any applicable regulations or other conditions specified by the Governing Body) power to take decisions on particular matters to a committee or to one or more College Officers or other individuals, whether or not they are members of the Governing Body.

11. (1) Without prejudice to the generality of cl 10, the Governing Body shall by regulations establish a Remuneration Committee responsible for making recommendations to the Governing Body as to the level of remuneration (including any stipend, allowance or benefit) provided for services rendered to the College by persons (including the Master) who are members of the Governing Body.

(2) The Remuneration Committee shall include members who are persons not in receipt of any remuneration (whether stipend, allowance or benefit) from the College, to be known here as 'independent members'.

(3) Provision shall be made in the regulations such that (whether by the composition of the committee, or by manner of voting, or by any other means) the combined votes of any other members of the Remuneration Committee are not capable of prevailing over the combined votes of all the independent members.

(4) Provision may be made in the regulations for the Remuneration Committee revocably to delegate to a sub-committee of its members such of its functions and powers as (subject to the regulations) it may determine, provided that provision is also made in the regulations such that (whether by the composition of the sub-committee, or by manner of voting, or by any other means) the combined votes of any other members of a sub-committee are not capable of prevailing over the combined votes of all the independent members.

(5) Any member of the Governing Body may vote on any recommendation to it made by or on behalf of the Remuneration Committee, notwithstanding that the matter concerns that member's own remuneration, unless it concerns the remuneration of that member alone.

(6) In a vote on any recommendation to it made by or on behalf of the Remuneration Committee, the Governing Body may —

- (a) accept the recommendation unamended; or
- (b) reject the recommendation and refer it back to the Remuneration Committee for further consideration; or
- (c) amend the recommendation so that any remuneration or increase of remuneration awarded to any person or persons according to the amended recommendation is less than that which would have been awarded to that person or persons according to the unamended recommendation, and accept the recommendation so amended.

PART III. VISITATORIAL POWERS

12. Nothing in these statutes other than cl 19 affects the right of Her Majesty the Queen, her heirs and successors, to visit the College or to exercise any power or authority whatsoever belonging to Her Majesty as Visitor.

13. The High Steward of the University may visit the College and require an answer of any member of the College to any enquiry which the High Steward deems it expedient to make for ensuring the observance of these statutes.

14. Any regulation or decision made by or on behalf of the Governing Body which the High Steward judges to be contrary to or ultra vires the statutes may be annulled on the High Steward's own initiative or on the complaint of the Master or of any five members of the Governing Body to the High Steward.

15. At the request of the Governing Body, the Master or any five members of the Governing Body, the High Steward shall determine the true construction of any clause or clauses of these statutes.

16. The High Steward shall consider representations —

(a) by the Master or any five Fellows, that the interests of the College are so adversely affected by a decision made by or on behalf of the Governing Body that it should be reversed by the High Steward; and

(b) by the Remuneration Committee if, in a case where the Governing Body has declined to act in accordance with the Committee's advice as to remuneration, at least half of its members consider that the College's object or interests are so adversely affected that the Governing Body's decision should be varied or reversed, but the Governing Body, after being informed of that opinion, persists in not acting accordingly;

and may confirm, vary or reverse the decision in question.

17. (1) If at any time it appears to the Council of the University that any of the following are not being duly observed —

(a) any provision of the College's statutes respecting the accounts of the College or the audit or publication thereof;

(b) any other provision of the College's statutes where that non-observance is liable prejudicially and substantially to affect any substantial interest of the University;

the Council may submit a representation to the High Steward.

(2) Before any such representation is made, the Vice-Chancellor shall inform the Governing Body of its substance and when the representation is made shall send a copy of it to the Governing Body.

(3) Upon receiving such a representation, the High Steward shall enquire into the matter and, after considering any comments or submission by the Governing Body, shall decide whether to uphold the representation and if so what order or direction to the Governing Body is just and appropriate for enforcing the statutory provision's due observance.

18. (1) The powers assigned to the High Steward in these statutes are exercisable in such ways and with the assistance of such persons as the High Steward deems appropriate.

(2) Any decision made by the High Steward under these statutes binds the Governing Body and every person affected by these statutes.

19. In accordance with sections 20 and 46 of the Higher Education Act 2004 nothing in these statutes enables or requires the Visitor or the High Steward to hear any appeal, review any decision or determine any dispute relating to—

(a) the appointment or employment or the termination of the appointment or employment of any person to whom Statute II applies;

(b) the appointment or employment or the termination of the appointment or employment of any person, where proceedings in respect of the same matter could validly be brought before any court or tribunal;

(c) the application of these statutes or of any regulation of the College to a matter falling within para (a) or (b), or the validity of any regulation made under or having effect for the purposes of Statute II.

(d) an application for admission to the College as a student or a student complaint within the jurisdiction of the Office of the Independent Adjudicator for Higher Education.

PART IV. THE MASTER

20. The Master is head of the College and shall exercise a general supervision over its affairs and management and its members' well-being.

21. In electing a Master, the Fellows of the Governing Body shall choose the person who, in their judgment, is most fit to perform these duties in accordance with the College's object.

22. Before taking up the office, or as soon as convenient thereafter, the person elected to be the new Master shall, in the presence of the High Steward, make a declaration of resolve faithfully to perform the duties of the office, observe the statutes and regulations of the College in force for the time being, promote the College's interests and its academic work, and accept the responsibilities of a charity trustee of the College.

23. Except when these statutes or regulations provide otherwise, or when absent for sufficient cause notified to the Vice-Master, the Master shall preside at Meetings of the Governing Body.

24. The Master may take part in the teaching or other academic activity of the College and may, if elected or appointed thereto, hold an Office or Offices within the College.

25. The Master shall reside in the College for at least seven calendar months in each year, of which at least six weeks shall be in each Full Term, provided always that in the case of ill-health or other sufficient cause the Governing Body may dispense the Master from the requirements of this clause on such terms as it shall think fit.

26. The Master receives such annual stipend and allowances as may be determined by the Governing Body from time to time.

27. (1) The Mastership is tenable until the 31 July next following the Master's 70th birthday (but until that birthday if it falls on the 31 July).

(2) Under regulations which it shall make for the purpose of this clause, and acting in conformity with the law (and as far as appropriately possible with the University's practice) in relation to time of retirement, the Governing Body may postpone the date of the Master's retirement beyond the date otherwise applicable.

28. The Governing Body may grant to the Master leave of absence or dispensation from duties on such terms as it decides.

29. (1) The members of the Governing Body shall be officially informed by the Vice-Master of an actual vacancy in the office of Master, or of an impending vacancy by retirement or resignation not more than 24 months before it is due.

(2) Upon being officially informed of an actual or impending vacancy by the Vice-Master under sub-cl (1), the Governing Body shall proceed to an election of a new Master in accordance with the procedure laid down by regulation (including any procedure for amending those regulations or supplementing their provisions).

30. During a vacancy in the Mastership, and in the Master's absence or illness, all the Master's powers and responsibilities may be exercised (subject to these statutes) by the Vice-Master or, in the Vice-Master's absence or illness, by the Fellow whom the Governing Body designates for this purpose or, pending such designation, by the senior member of the Governing Body who is willing and able to act.

PART V. THE FELLOWS

31. (1) The number of Fellows and the terms on which they hold their Fellowships are such as the Governing Body determines, subject to the provisions of these statutes.

(2) Election and re-election to Fellowships is by a majority of at least two-thirds of those members of the Governing Body present and voting at a Meeting assembled with notice of the proposed election.

(3) The Governing Body determines from time to time, by regulation or by particular decisions in respect of particular Fellows, whether or not to appoint to its membership any Fellow whose Fellowship makes its holder eligible for appointment to the Governing Body.

32. The categories of Fellowship are set out in the following table.

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| Fellowships whose holders are automatically members of the Governing Body: |
| Official Fellowships |
| Professorial Fellowships |
| Fellowships whose holders are eligible to be made members of the Governing Body: |
| Supernumerary Fellowships |
| Term Fellowships |

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| Senior Research Fellowships Junior Research Fellowships Fellowships of such other category as may be created by regulation to carry on the academic or administrative work of the College or the University; |
| Fellowships whose holders are not eligible to be made members of the Governing Body: |
| Emeritus Fellowships Honorary Fellowships Foundation Fellowships Fellowships of such other category as may have been created by regulation. |

33. (1) No Fellow of the College may receive any stipend or allowance simply by virtue of being a Fellow or a member of the Governing Body.

(2) Any College Office or any share in the work of the College (whether in education, scholarship, research, pastoral work or administration) may be associated with any vacant Fellowship or assigned to any existing Fellow subject to the Fellow's consent, and such Office or work may be rewarded with such stipend or allowances or combination of stipend and allowances as the Governing Body may decide (taking account in appropriate cases of the arrangements agreed with the University for joint appointments).

34. (1) An Official Fellowship is tenable by any person holding an Office within the College which —

(a) is concerned with teaching, administration, discipline, pastoral support, or liturgy; and

(b) carries with it eligibility for appointment to retirement; and

(c) is designated by the Governing Body by regulation or otherwise as entitling the holder to an Official Fellowship.

(2) A person appointed to such an Office shall, on appointment, be elected to an Official Fellowship.

(3) An Official Fellowship is tenable in the first instance for a period not exceeding five years from appointment to the relevant Office, at the end of which time the Fellow shall be eligible for re-election either for a further period of years not exceeding five or (subject to these statutes) until retirement.

(4) An Official Fellow re-elected for a period of years may (whether or not that is the first time the Fellow has been re-elected) at the end of that time be re-elected either for a further period not exceeding five years or (subject to these statutes) until retirement.

(5) An Official Fellowship is vacated, even if the specified period of election or re-election has not expired, when the Fellow ceases to hold an Office entitling the holder to be elected to an Official Fellowship.

(6) Before electing an Official Fellow associated with a teaching Office, the Governing Body shall consult the Faculty or Department or other Unit of the University, if any, to which the academic field of the associated teaching Office pertains.

(7) The Governing Body may grant leave of absence or dispensation from duties to an Official Fellow on such terms as it shall decide in conformity, as far as it deems appropriate, with the University's practice in relation to leave of absence and dispensation from duties.

35. (1) A Professorial Fellowship is tenable —

(a) by any University professor whose professorship has been allocated to the College by the Council of the University of Oxford.

(b) at the discretion of the Governing Body, by any person not covered by para (a) who holds an office or position in the University of Oxford declared by a University statute or regulation to qualify the holder for a Professorial Fellowship, which office or position has come to be associated with the College by agreement with the University.

(2) A person appointed to a professorship to which sub-cl (1)(a) applies shall, on appointment, be elected to a Professorial Fellowship and shall hold it for as long, and only for as long, as he or she holds that professorship.

(3) A person appointed to an office or position to which sub-cl (1)(b) applies may, on appointment or at a later time, be elected to a Professorial Fellowship and if so elected shall hold it for such period or periods during his or her tenure of the relevant University office or position as the College may from case to case and from time to time determine, provided always that during any period during which a person eligible for a Professorial Fellowship under sub-cl (1)(b) is not the holder of such a Fellowship, he or she shall instead be elected by the College to a Supernumerary Fellowship under cl 36.

(4) Save with the explicit consent of the Governing Body to a departure from this rule, no person shall be elected to a Professorial Fellowship if, by that election, the complement of Professorial Fellows would come to exceed one fifth of the total complement of the Governing Body.

36. (1) A Supernumerary Fellowship is tenable by any person whose services while holding such a Fellowship would, in the opinion of the Governing Body, be of advantage to the College and who either —

(a) is not eligible for a Fellowship of another category carrying membership of the Governing Body, or

(b) is eligible for a Professorial Fellowship under cl 35(1)(b) above but is not for the time being the holder of such a Fellowship.

(2) A Supernumerary Fellow is elected for a fixed period not exceeding five years and is eligible for re-election for further fixed periods not exceeding five years each, provided that if at election or re-election the Governing Body determines that the Fellowship is contingent upon holding (or holding in connection with the University) a University or other specified office or position, the Fellowship comes to an end, even if the specified period of election or re-election has not expired, when the Fellow ceases to hold that office or position.

37. (1) A Term Fellowship is tenable by any person to whom the Governing Body assigns teaching duties in the College associated by the Governing Body with such a Fellowship.

(2) A Term Fellow is elected for a fixed period of years (not less than three nor more than seven) and is not eligible for re-election at the end of that period.

(3) Subject to the provisions of Statute II, a Term Fellowship is vacated upon the expiry of the specified period of election or, where that period has not expired, under such other conditions as may be specified in regulations.

(4) The first year of a Term Fellowship is probationary.

(5) Before electing a Term Fellow, the Governing Body shall consult the Faculty or Department or other Unit of the University, if any, to which the academic field of the associated teaching duties pertains.

(6) The Governing Body may grant leave of absence or dispensation from duties to a Term Fellow on such terms as it shall decide in conformity, as far as deems appropriate, with the University's practice in relation to leave of absence and dispensation from duties.

38. (1) A Senior Research Fellowship is tenable by any person of academic distinction whom the Governing Body requires to perform academic duties or functions in the College or University or elsewhere that are associated by the Governing Body with such a Fellowship.

(2) A Senior Research Fellow is elected for five years in the first instance and may be re-elected for one or more periods of years (not exceeding five years each).

(3) Subject to the provisions of Statute II, a Senior Research Fellowship is vacated upon the expiry of the specified period of election or re-election or, where that period has not expired, under such other conditions as may be specified in regulations.

39. (1) A Junior Research Fellowship is tenable by any person whom the Governing Body requires to perform academic duties or functions in the College or University or elsewhere that are associated by the Governing Body with such a Fellowship.

(2) A Junior Research Fellow is elected on such terms as the Governing Body may determine by regulation or subject to any regulation from time to time decide, provided always that a Junior Research Fellow shall be predominantly engaged in advanced academic research during the tenure of his or her Fellowship.

(3) A Junior Research Fellow is elected for a fixed period of years (not exceeding four years), and is not eligible for re-election at the end of that period.

(4) Subject to the provisions of Statute II, a Junior Research Fellowship is vacated upon the expiry of the specified period of election or, where that period has not expired, under such other conditions as may be specified in regulations.

(5) The first year of a Junior Research Fellowship is probationary.

40. The Governing Body may, at the holder's request, suspend the Fellowship of a Senior Research Fellowship or Junior Research Fellow for a period or periods not exceeding two years at any one time and such period or periods shall not be counted in reckoning the period of tenure of the Fellowship.

41. (1) Subject to sub-cl (2), holders of Official, Professorial, Supernumerary or Senior Research Fellowships retire from that Fellowship and any associated office, position, or duties on the date specified by regulation for the purpose of this clause, being a date in the September in which or next following which the holder is due to retire under any University statute or regulation governing the holder's position in the University, or under any contract between the holder and the College or the University.

(2) Under regulations which it shall make for the purpose of this clause, and acting in conformity with the law (and as far as appropriately possible with the University's practice and the legitimate expectations of any holder elected to a Fellowship associated with an office or position within the College or the University), the Governing Body may postpone the date of the holder's retirement beyond the date otherwise applicable.

42. (1) An Emeritus Fellowship is tenable by any person who vacates a Fellowship after a period of years as a member of Governing Body, the relevant period of years to be specified in regulations but in any event to be a period of not less than fifteen years.

(2) Regulations made for the purpose of sub-cl (1) above may specify different periods of years for Fellowships of different types, or for Fellowships vacated for different reasons, or for continuous as opposed to discontinuous periods of membership of Governing Body.

(3) A person who meets the conditions for holding an Emeritus Fellowship shall, on meeting those conditions, be elected to an Emeritus Fellowship.

(4) Emeritus Fellows hold their Fellowships for life subject only to cl 45.

43. (1) The Governing Body may elect to Honorary Fellowships distinguished persons and persons of such other description as may be provided by regulation.

(2) A limit to the number of Honorary Fellows that may exist at any one time may be specified by regulation.

(3) Honorary Fellows hold their Fellowship for life subject only to cl 45.

44. (1) The Governing Body may elect to Foundation Fellowships persons who, in its opinion, have made exceptional contributions to the means available to the College to pursue its charitable object.

(2) Foundation Fellows hold their Fellowship for life subject only to cl 45.

45. Subject to due procedure set out in regulations, the Governing Body at a Meeting assembled with at least seven days' notice of the matter may revoke the Fellowship of any Fellow to whom the provisions of Statute II do not apply, whose conduct, in the Governing Body's opinion, has brought or is bringing the College into disrepute or has been or is incompatible with being such a Fellow.

46. The Governing Body may require a Fellow (other than a Professorial, Emeritus, Honorary or Foundation Fellow) to reside in College or in accommodation which belongs to the College, if this is necessary for the proper performance of the Office or duties associated with the Fellowship.

47. (1) Fellowships other than Emeritus or Honorary or Foundation Fellowships are vacated, even if the specified period of election or re-election has not expired, on their holder's taking up the Mastership of the College, or the headship of another college, hall or society within the University, or any fellowship (other than an honorary or emeritus fellowship) in another college, hall or society within the University.

(2) All Fellowships are vacated, even if the specified period of election or re-election has not expired, upon the resignation of their holder, provided always that no holder of an Official or Professorial or Term Fellowship, nor of any Supernumerary Fellowship held contingent upon the holding of an office or position, is entitled to resign from that Fellowship other than by resigning from the office or position with which the Fellowship is associated.

48. (1) Seniority among the Fellows is determined according to the period, whether or not continuous, during which each has been a Fellow of the College, with the highest seniority attaching to the longest period and the lowest to the shortest.

(2) For the purposes of sub-cl (1) any period spent as an Emeritus, Honorary or Foundation Fellow shall not be reckoned as part of the period during which the holder has

been a fellow of the College, and Emeritus, Honorary and Foundation Fellows are not to be regarded as possessing any seniority for the purposes of this clause.

49. (1) Every Fellow shall as soon as possible after election receive a copy of the statutes and regulations of the College.

(2) Every Fellow elected or appointed to membership of the Governing Body shall as soon as possible, at a Meeting of the Governing Body, make a declaration of resolve to observe the provisions of the statutes and regulations in force from time to time, to promote the interests and the academic work of the College, and to accept the responsibilities of a charity trustee of the College.

PART VI. COLLEGE OFFICERS

50. The Governing Body shall appoint such Officers of the College as it judges are required for the teaching, discipline and pastoral support of the College's members, and for liturgy, and for the administration of its affairs and estates, provided that there shall always be a Vice-Master, Praelectors to a number judged by the Governing Body sufficient for the teaching of the College's undergraduates, and a Chaplain, a Senior Tutor, a Dean, an Estates Bursar and a Domestic Bursar.

51. (1) There are two categories of Office for the purpose of cl 50 —

(a) any Office entitling the holder to be elected to an Official Fellowship; and

(b) any other Office to which the Governing Body appoints a Fellow or with which for the time being it associates a Fellowship.

(2) Those appointed to Offices to which sub-cl (1)(a) applies are appointed for the periods prescribed in cl 34(3) and (4).

(3) Those appointed to Offices to which sub-cl (1)(b) applies are appointed for such periods (not exceeding the tenure of the holder's Fellowship) as the Governing Body prescribes in each case, provided always that, subject to the provisions of Statute II and subject to due procedure laid down in regulations (including provision for a hearing and an appeal), the Governing Body may terminate any such appointment before the expiry of the prescribed period.

(4) Save as is otherwise provided in these statutes, Officers are appointed on such terms as the Governing Body determines, whether under regulations or otherwise, where 'terms' includes the determination of whether their Office is to fall, for the time being, under sub-cl (1)(a) or under sub-cl (1)(b).

(5) Any Fellow may be appointed to and hold more than one Office.

(6) Officers are responsible to the Governing Body for the proper performance of their duties.

52. (1) If it appears to the Governing Body that the holder of a College Office, being a teaching Office or otherwise (including for the purposes of this clause only the Mastership), is or is likely to be prevented from fully performing the duties of the Office by reason of paid or unpaid activities not in the service of the College, the Governing Body may request or require an account of the holder's activities, subject to any regulation made for the purposes of this clause, and (after considering such account, or any default in providing it) may —

(a) require the holder to desist within a specified time from all or some such activities to the extent required to make practicable the full performance of the duties of the Office; or

(b) impose such conditions relating to remuneration or otherwise as the Committee may determine; or

(c) both require desistance under (a) and impose conditions under (b).

(2) It is a condition of employment in any College Office that the holder be willing, if so requested, to provide an account of activities for the purpose of sub-cl (1) and, if so required, to desist from all or some such activities to the extent required to make practicable full performance of the responsibilities of the Office.

(3) The Governing Body may, by regulation or by particular decisions in respect of particular Office-holders, delegate to the Remuneration Committee the consideration of any account of an Office-holder's activities furnished under sub-cl (1), or any default of such account, and may require of the Remuneration Committee that it make a recommendation to the Governing Body concerning the measures that should be taken, if any, under sub-cl (1).

(4) A recommendation of the Remuneration Committee under sub-cl (3) shall be treated as a recommendation as to level of remuneration for the purpose of cl 11, and a relaxation of requirements or conditions as to activities not in the service of the College shall be treated as an increase in remuneration for the purposes of cl 11(6).

53. (1) The Governing Body shall determine from time to time which Offices and other positions of employment in the College are pensionable.

(2) The Governing Body shall accordingly make appropriate financial provision to pay the employer's contribution under the Universities Superannuation Scheme (USS) or the Oxford Staff Pension Scheme (OSPS) or any other occupational pension scheme designed for employees of universities or colleges, and shall arrange to deduct the corresponding employee's contribution thereunder from the stipends, salaries or any pensionable allowances of the College's Officers and others employed in positions in the College.

(3) Where an Officer or other person employed in a position in the College opts not to join USS, OSPS or any other pension scheme designed for employees of universities and colleges, but to make alternative pension provision, the Governing Body may make an appropriate employer's contribution to such an alternative, up to the amount it would have provided under sub-cl (2).

(4) For the purpose of calculating the employer's or employee's contribution, the Governing Body may, as it deems fit, take into account any allowance or other payment it makes additional to the Officer's or other employee's substantive stipend or salary.

(5) The Governing Body shall make regulations with respect to these determinations and pension provisions, including (without prejudice to the generality of this provision) regulations with respect to the circumstances under which an employer's contribution will be made to an alternative pension scheme under sub-cl (3).

PART VII. CHAPLAIN AND CHAPEL

54. The Governing Body shall provide by regulation or otherwise for the performance within College of divine service according to the liturgy of the Church of England, by or under the supervision of the Chaplain.

PART VIII. UNDERGRADUATE AND GRADUATE STUDENTS

55. (1) The Governing Body shall admit to membership of the College both undergraduate and graduate students, to pursue courses of study and/or research within the University as matriculated members of the University.
- (2) The Governing Body may admit to membership of the College both undergraduate and graduate students to pursue courses of study and/or research under the direction of the College other than as matriculated members of the University.
- (3) Student members shall be admitted to the College on the basis only of —
- (a) their academic promise and
 - (b) their potential to benefit from membership and/or to advance the object of the College by their scholarly work or research.
- (4) The Governing Body shall make provision for the teaching of the College's undergraduates and for the academic support of its graduate students.
- (5) Subject to applicable law and any lawful agreement with the University or other colleges, the Governing Body shall levy such fees and make such charges as it deems appropriate for tuition and other academic support, for providing accommodation and meals, and for other College services and facilities.
- (6) The Governing Body shall, on such terms and conditions as it determines —
- (a) award scholarships and exhibitions to undergraduates, and scholarships to graduate students, in accordance where relevant with any stipulations of donors or benefactors; and
 - (b) make other grants or loans to undergraduates or to graduate students for support during their courses of study or research.
56. The Governing Body shall make regulations —
- (a) setting and upholding the minimum conditions of academic performance that shall be consistent with continued student membership of the College; and
 - (b) prescribing the grounds and processes for disciplining student members for neglect of studies and other academic misconduct, including provisions governing their suspension or expulsion from the College; and
 - (c) prescribing the grounds and processes for disciplining student members for ordinary misconduct, including provisions governing their suspension or expulsion from the College, their access to the premises and precincts of the College, and, if it sees fit, the imposition of fines or other financial penalties upon them; and
 - (d) providing for intermission of studies and, if it sees fit, suspension of membership, in cases in which there is no reasonable alternative in the light of a student's personal circumstances; and
 - (e) governing the making of awards and payments under cl.55(6), including the terms on which they may be terminated or suspended by or on behalf of the Governing Body for neglect of studies or any other misconduct.
57. (1) In the service of the College's object the Governing Body may admit to membership of the College persons who are neither students of the College nor Fellows of

the College, but who participate in the academic work of the College or the University or both, in the following categories:

(a) College Lecturers, being those retained by the College to enhance its teaching provision;

(b) Academic Visitors, being those invited by the College (with the title of 'Visiting Fellow' or otherwise) to conduct advanced research temporarily under the auspices of the College;

(c) Research Scholars, being researchers in the University who are not fellows of any Oxford college and upon whom the College confers the title.

(2) The Governing Body shall make regulations determining the further conditions for membership of the College in these categories, and the procedures for conferring it.

PART IX. PROPERTY, INVESTMENT, REVENUE, DISPOSAL OF REVENUE, AND EXPENDITURE

58. (1) The powers of the Governing Body stated in cl 5 include the power to acquire and dispose of land and other property and to borrow and to charge property of the College as security.

(2) Any moneys held for the general purposes of the College and also any moneys held on specific trusts may (subject to any relevant provisions of these trusts) be invested in or upon such securities, stocks, funds or other investments (including land) in any part of the world, and whether involving liability or not, as the Governing Body in its absolute discretion thinks fit, so that the Governing Body is empowered to invest and transpose the investment of such funds in the same unrestricted manner (including by the employment of investment managers) as if it were the beneficial owner thereof.

59. (1) Subject to the provisions of cll 11 and 33, the Governing Body may apply the College's revenue for the payment, on such reasonable terms as it shall from time to time decide, of stipends, allowances, benefits and associated costs (including the provision of a common table) to its own members, to the holders of College Offices, and to others employed in positions in the College.

(2) The Governing Body may, subject to the provisions of the University and Colleges Estates Acts 1925 and 1964 and to any relevant trust, make provision for employing the College's endowment or spending income, or both, on new or additional buildings for the College or on repairs to the College's buildings or on the acquiring or providing of houses or buildings to be occupied or used in connection with the College, or on other desirable or necessary purposes relating to the College.

(3) In particular, the Governing Body may assist Fellows to acquire and/or improve their own residences, or enter into joint ownership arrangements on such residences, upon such terms and at such interest, if any, as it may determine, provided that such arrangements shall be treated as allowances to Fellows for the purposes of cll 11 and 33 above.

(4) The Governing Body may make reasonable donations for educational or charitable objects related to the College's purpose or connected with the College's duties as the holder of property.

(5) The application of the College's revenue under the provisions and to the purposes of these statutes is subject to any statute or statutes made for the University under the powers

of the Universities of Oxford and Cambridge Act 1923 for enabling or requiring the College to make contributions out of its revenue for University purposes and for the payment of charges imposed thereby.

60. (1) The Governing Body shall always apply specific trusts for the purposes for which they were established, save that to the extent permitted by law —

(a) any trust may be altered by regulation made under this statute, if the trust was created by an instrument operative not less than 60 years before the coming into force of such regulation;

(b) the Governing Body has power to use for the general educational purposes of the College any part of the surplus income of any trust —

(i) which was created by an instrument operative not less than 60 years before the power's exercise or

(ii) of which the Governing Body is the trustee or, where it is not, any relevant trustee has consented to that exercise.

(2) In this clause, 'surplus income' means income unexpended in any year after the purposes of the trust have been provided for in that year (whether wholly by income from the trust or otherwise) in so far, if at all, as in the opinion of the Governing Body it is possible to provide for those purposes in that year.

61. (1) The Governing Body may decide from time to time which part of the unapplied total return of the College is to be held on trust for application (income) for the purposes of the College.

(2) 'Total return' means the whole of the investment return received by the College, regardless of when it has arisen.

(3) 'Investment return' means the return from investments which represent the assets given to the College on trust for investment (capital) and comprises —

(a) any interest receivable; plus

(b) any net rent and other income or gains derived from the use or exploitation of assets; plus

(c) any dividends; plus

(d) all forms of capital gain resulting on or from the disposal, redemption or revaluation of investment assets (including the issue or repayment of share or loan capital); less

(e) any capital losses resulting on or from the disposal, redemption or revaluation of investment assets.

(4) 'Given to' includes any method of acquisition other than investment return.

(5) 'Unapplied total return' means the total return less any part of it which the trustees have previously applied for the purposes of the College or have previously allocated to the trust for application (income) for the purposes of the College.

(6) The power conferred by this clause applies only to any funds and endowments of the College not held on any specific trust, and any endowment, benefaction or trust for purposes connected with the College —

(a) which was created by an instrument operative not less than 60 years before the making of this Statute; or

(b) of which the Governing Body is the trustee or, where it is not, any relevant trustee has consented to that exercise.

- (7) When exercising its power under this clause the Governing Body shall —
- (a) take proper advice, exercise the duty of skill and care set out in the Trustee Act 2000, and comply with such accounting or other requirements as are necessary or it is advised are desirable and
 - (b) act only in such a way as not to prejudice the College's ability to meet the present and future needs designated by any relevant trust.
- (8) The Governing Body shall every five years or more frequently review its criteria for total return and for the exercise of its powers of investment.

62. (1) The Governing Body shall —
- (a) maintain full accounts of all aspects of the College's financial business; and
 - (b) at least once in every year cause the College's accounts to be audited and appoint for this purpose a partnership in practice as Chartered Accountants; and
 - (c) at least once in every year cause the Estates Bursar to prepare and deliver to the Registrar or other proper officer of the University, and to any external regulating body to which the College is subject, accounts and information relating to the accounts.
- (2) The accounts and information mentioned in sub-cl (1) shall be in the form or forms prescribed by any statute of the University in force for the time being, and to the extent so prescribed shall be published.

PART X. ALTERATION

63. These statutes, being made wholly for University College in the University of Oxford within the meaning of the Universities of Oxford and Cambridge Act, 1877, section 30, as set out in the Schedule of the Universities of Oxford and Cambridge Act 1923, are subject to alteration in the manner provided by the latter Act, and in so far as they affect the University shall not be altered without the University's consent.

STATUTE II. ACADEMIC STAFF

PART I. CONSTRUCTION APPLICATION AND INTERPRETATION

1. This Statute and any Regulation made under this Statute shall be construed in every case to give effect to the following guiding principles, that is to say:
 - (a) to ensure that member of the academic staff of the College have freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their jobs or privileges;
 - (b) to enable the College to provide education, to promote learning, and to engage in research efficiently and economically; and
 - (c) to apply the principles of justice and fairness.

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

3. (1) This Statute shall apply —
 - (a) to any person holding a College Office designated by the Master and Fellows as one to which this Statute applies;
 - (b) to any person employed by the College to carry out teaching or research save for a person holding an appointment which has been excluded by the Master and Fellows from the scope of this Statute on the ground that the duties in that regard are only of a limited nature; and
 - (c) to the Master, to the extent and in the manner set out in Part VII.(2) In this Statute any reference to a ‘member of the academic staff’ is a reference to a person to whom this Statute applies.

4. In this Statute ‘dismiss’ and ‘dismissal’ mean dismissal of a member of the academic staff and —
 - (a) include remove or, as the case may be, removal from office; and
 - (b) in relation to employment under a contract, shall be construed in accordance with section 55 of the Employment Protection (Consolidation) Act 1978.

5. (1) For the purposes of this Statute ‘good cause’ in relation to the dismissal of a member of the academic staff, being in any case a reason which is related to conduct or to capability or qualifications for performing work of the kind which the member of the academic staff concerned was appointed or employed to do, means —
 - (a) conviction for an offence which may be deemed by an Academic Disciplinary Committee appointed under Part III to be such as to render the person convicted unfit for the performance of the duties of the office or employment as a member of the academic staff; or
 - (b) conduct of an immoral, scandalous or disgraceful nature incompatible with the duties of the office or employment; or

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

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

(2) In this clause —

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

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

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

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

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

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

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

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

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

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

(3) For the avoidance of doubt it is hereby declared that nothing in Part III shall be construed as affecting the Statutes and Regulations of the College concerning re-election on the expiry of a fixed term of a Fellowship.

(4) In any case where an officer of the College or any person is designated to perform any duties or exercise any powers under this Statute, and that officer or person is himself involved in the matter in question, the Master and Fellows may appoint an alternate to act in his place under procedures prescribed by Regulations made under this Statute.

(5) Nothing in any other Statute shall enable the Master and Fellows to delegate their power to reach a decision under cl 10(2).

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

(7) If there be no Vice-Master or the Vice-Master is unable to act, references in this Statute to the Vice-Master shall refer to the senior Stipendiary Fellow able to act.

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

PART II. REDUNDANCY

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

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

(a) his appointment is made, or his contract of employment is entered into, on or after 20 November 1987; or

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

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

10. (1) The Master and Fellows shall be the appropriate body for the purposes of this Part.

(2) This Part applies only where the Master and Fellows have decided that there should be a reduction in the academic staff —

(a) of the College as a whole; or

(b) of any area of academic work within the College

by way of redundancy.

11. (1) Where the Master and Fellows have reached a decision under cl 10(2) —

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

(b) they shall appoint a Redundancy Committee to be constituted in accordance with sub-cl (3) to give effect to their decision by such date as they may specify and for that purpose

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

(ii) to report its recommendations to the Master and

Fellows.

(2) The Master and Fellows shall either approve any selection recommendation made under sub-cl (1) (b) (i), or shall remit it to the Redundancy Committee for further consideration in accordance with their further directions.

(3) A Redundancy Committee appointed by the Master and Fellows shall comprise —

(a) a Chairman chosen from amongst the Fellows; and

(b) two members chosen from amongst the Fellows to whom this Statute does not apply; and

(c) two members chosen from amongst the Fellows to whom this Statute applies.

(4) A member of the academic staff shall not be selected for dismissal under this section unless he has been afforded a reasonable opportunity to make representations to the Master and Fellows.

12. (1) Where the Master and Fellows have made or approved a selection they may authorise an officer of the College as their delegate to dismiss any member of the academic staff so selected.

(2) Each member of the academic staff selected shall be given separate notice of the selection approved by the Master and Fellows.

(3) Each separate notice shall sufficiently identify the circumstances which have satisfied the Master and Fellows that the intended dismissal is reasonable and in particular shall include —

(a) a summary of the action taken by the Master and Fellows under this Part;

(b) an account of the selection processes they have used;

(c) a reference to the rights of the person notified to appeal against the notice and to the time within which any such appeal is to be lodged under Part V; and

(d) a statement as to when the intended dismissal is to take effect.

PART III. DISCIPLINE, DISMISSAL AND REMOVAL FROM OFFICE

13. (1) If the conduct or performance of a member of the academic staff does not meet acceptable standards, but does not constitute sufficient cause for dismissal, an oral warning may be given by the Master who shall keep a note of the matter. The member of the academic staff concerned shall be informed of the reason for the warning; that it constitutes the first stage of the disciplinary procedure; and that a right of appeal exists under this clause. An oral warning shall be disregarded for disciplinary purposes after 12 months.

(2) If the offence is a serious one, or if a further offence occurs, a written warning may be given by the Master, who shall keep a copy of the warning. The member of the academic staff concerned shall be informed of the reason for the warning; the improvement required and the time within which that must be achieved; that charges may be instituted under cl 14 if there is no satisfactory improvement; and that a right of appeal exists under this clause. A written warning shall be disregarded for disciplinary purposes after 2 years.

(3) A member of the academic staff who wishes to appeal against a disciplinary warning given under this clause shall inform the Master within two weeks. A Grievance Committee appointed under Part VI shall hear the appeal and the Committee's decision shall be final.

14. (1) If there has been no satisfactory improvement following a written warning given under cl 13(2), or in any case where it is alleged that conduct or performance of a member of the academic staff may constitute good cause for dismissal or removal from office, a

complaint seeking the institution of charges to be heard by an Academic Disciplinary Committee appointed under cl 15 may be made to the Master.

(2) To enable the Master to deal fairly with any complaint brought to his attention under sub-cl (1), he shall institute such enquiries (if any) as appear to him to be necessary.

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

(4) As soon as may be following the receipt of the comments (if any) or in any event not later than 28 days after they were invited the Master shall consider the matter in the light of all the available material and may dismiss the matter summarily, or issue an oral or written warning to the person concerned, or determine that the matter be considered by an Academic Disciplinary Committee appointed under cl 15.

15. If the Master has determined that the matter is to be considered by an Academic Disciplinary Committee, he shall request the Master and Fellows to appoint such a Committee to hear the charge or charges and to determine whether the conduct or performance of the person charged constitutes good cause for dismissal or otherwise constitutes a serious complaint relating to his appointment or employment, and, if so, to recommend what action should be taken.

16. (1) An Academic Disciplinary Committee appointed by the Master and Fellows shall comprise —

- (a) a Chairman; and
- (b) one member chosen from amongst Fellows to whom this Statute does not apply; and
- (c) one member chosen from amongst Fellows to whom this Statute applies.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) Where any charge is upheld, other than where the Master has decided under sub-cl (1) to dismiss the person concerned, the action available to the Master, after consulting the Master and Fellows, (not comprising a greater penalty than that recommended by the Academic Disciplinary Committee) may be —

(a) to discuss the issues raised with the person concerned; or

(b) to advise the person concerned about his future conduct; or

(c) to warn the person concerned; or

(d) to suspend the person concerned for such period as the Master shall think fair and reasonable, not to exceed 3 months after the Master and Fellows

shall have considered the Academic Disciplinary Committee's decision, or if the person concerned has been suspended pending the hearing, after the Academic Disciplinary Committee's decision, provided that no suspension without pay may be ordered unless the relevant contract confers such a power; or

(e) such further or other action under the contract of employment or terms of appointment of the person concerned as appears fair and reasonable in all the circumstances of the case; or

(f) any combination of any of the above.

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

(2) Any action taken by the Master or his delegate shall be confirmed in writing and notified to the Master and Fellows.

PART IV. DISMISSAL FOR INCAPACITY ON MEDICAL GROUNDS

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

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

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

(4) In this Part references to the member of the academic staff include, in cases where the nature of the alleged disability so requires, a responsible relative or friend or a person with authority to act on behalf of that member in addition to (or instead of) that member.

23. (1) Where it appears to the Master that the dismissal of a member of the academic staff on medical grounds should be considered, the Master

(a) shall inform the member accordingly;

(b) may, if the member agrees or if the Master, having consulted the Master and fellows, considers that the College might otherwise suffer significant harm suspend the member from duty without loss of pay; and

(c) shall notify the member in writing that it is proposed to make an application to the member's medical practitioner for a medical report and shall seek the member's consent in writing in accordance with the requirements of the Access to Medical Reports Act 1988.

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

(3) If the member does not elect to retire voluntarily on medical grounds the Master may refer the case in confidence, in accordance with procedures prescribed by Regulations made under sub-cl (4), with any medical and other evidence (including any such evidence submitted by the member), to a Medical Board comprising one person nominated by the Master and Fellows; one person nominated by the member concerned or, in default of the latter nomination, by the Master; and a medically qualified chairman jointly agreed by the

Master and Fellows and the member or, in default of agreement, to be nominated by the President of the Royal College of Physicians.

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

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

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

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

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

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

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

(2) Any action taken by the Master shall be confirmed in writing and notified to the Master and Fellows.

PART V. APPEALS

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

26. (1) This Part applies —

(a) to appeals against any decision of the Master and Fellows to dismiss in the exercise of their powers under Part II;

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

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

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

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

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

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

(2) No appeal shall however lie against —

(a) a decision of the Master and Fellows under cl 10(2);

(b) any finding of fact of an Academic Disciplinary Committee under cl 19(1) save on legal grounds or save where, with the consent of the person or

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

(c) any medical finding by a Board set up under cl 23(3) save on legal grounds or save where, with the consent of the person or persons hearing the appeal, fresh evidence is called on behalf of the appellant at that hearing.

(3) In this Part references to ‘the person appointed’ are references to the person appointed by the Master and Fellows under cl 29 to hear and determine the relevant appeal.

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

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

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

(2) The Master shall bring any notice of appeal received (and the date when it was served) to the attention of the Master and Fellows and shall inform the appellant that he has done so.

(3) Where the notice of appeal is served on the Master outside the 28 day period the person appointed under cl 29 shall not permit the appeal to proceed unless he considers that justice and fairness so require in the circumstances of the case.

29. (1) Where an appeal is started under this Part the Master and Fellows shall appoint a person described in sub-cl (2) to hear and determine that appeal subject to sub-cl (3).

(2) The persons described in this sub-clause are persons not employed by the College holding, or having held, judicial office or being barristers or solicitors of at least ten years’ standing.

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

(4) The other persons who may sit with the person appointed, and who shall be appointed by the Master and Fellows, shall be —

(a) one member chosen from amongst Fellows to whom this Statute does not apply; and

(b) one member chosen from amongst Fellows to whom this Statute applies.

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

(2) Without prejudice to the generality of the foregoing such Regulations shall ensure —

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

(b) that an appeal shall not be determined without an oral hearing at which the appellant and any person appointed by him to represent him are

entitled to be present and, with the consent of the person or persons hearing the appeal, to call witnesses;

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

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

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

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

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

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

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

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

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

PART VI. GRIEVANCE PROCEDURES

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

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

(a) to matters affecting themselves as individuals; or

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

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

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

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

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

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

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

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

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

36. A Grievance Committee shall comprise three Fellows of the College appointed by the Master and Fellows.

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

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

PART VII. DISMISSAL OF THE MASTER

39. Any seven Fellows who are entitled to vote at College Meetings may make complaint to the Vice-Master seeking the removal of the Master from office for good cause.

40. (1) The Vice-Master shall refer such a complaint to a College Meeting convened in accordance with Regulations made under this clause. If it appears to the Fellows assembled at that meeting that the complaint does not raise a prima facie case, or that it could not, even if proved, constitute good cause for the removal of the Master from office, they may determine that no further action shall be taken upon it.

(2) Regulations made under this clause or cl 44 shall have effect notwithstanding the provisions of Statute VI in relation to the requisitioning, convening and summoning of Meetings.

41. If it appears to the Fellows assembled at a College Meeting convened under cl 40 that the complaint raises a prima facie case which could, if proved, constitute good cause for the removal of the Master from office, they shall appoint a Tribunal to hear and determine the matter.

42. The Tribunal so appointed shall comprise:

- (a) an independent Chairman; and
- (b) one member chosen from amongst Fellows to whom this Statute does not apply; and
- (c) one member chosen from amongst Fellows to whom this Statute applies.

43. A charge referred to the Tribunal shall be dealt with in accordance with the procedure prescribed in or under cll 17 to 19 provided —

- (a) that references therein to the Master shall be read as applicable to the Vice-Master; and
- (b) that the only recommendation the Tribunal may make is whether or not the Master should be removed from his office.

44. Where a charge or charges have been upheld and the Tribunal finds good cause and recommends dismissal, but in no other case, the Vice-Master shall consult a meeting of Fellows convened under Regulations made under this clause and may then dismiss the Master.

45. Where a complaint is to be referred to a Tribunal under cl 41, the Vice-Master may, if the Fellows assembled at the College Meeting making the reference considers that the College might otherwise suffer significant harm, suspend the Master from his duties in all matters relating to the government and discipline of the College without loss of salary.

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

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

STATUTE III TRANSITIONAL PROVISIONS

1. All existing statutes of the College are hereby repealed but, save insofar as is provided in Statute II, the new statutes have effect without prejudice to any existing interests of the Master, Fellows or other Officers or employees of the College and the repeal shall not affect any right acquired or act done under those existing statutes or the conditions governing any emolument or stipend held by virtue of such right.
2. On the coming into effect of these statutes, the Governing Body shall —
 - (a) re-elect to retirement under cl 34(3) of Statute I any Official Fellows who have held their Fellowships for more than five years from their first election and have not previously been re-elected to retiring age; and
 - (b) re-assign each person then holding an Official Fellowship (Reserved) or a Special Supernumerary Fellowship to a Fellowship of an appropriate category, without substantive change of terms and conditions.
3. (1) Any regulations which the Governing Body, prior to the coming into effect of these statutes, has made in accordance with the procedure mentioned in cl 6(2) of Statute I and has by the same procedure declared to be effective on the coming into effect of these statutes, shall take effect accordingly.
 - (2) Any ordinances or bye-laws to which sub-cl (1) would apply if they were regulations shall take effect accordingly, but as regulations not ordinances or bye-laws.