



Policy on Suspension*

1. Introduction

- 1.1. *Purpose.* This Policy on Suspension ('PoS') exists to enable the College to make suitable provision for those rare cases in which its junior members (students) are in medical or other difficulties which require them to take a temporary break from their studies, such that they will not be able to complete those studies according to the originally anticipated schedule. The College's first priority is to enable its students, so far as possible, to be thriving participants in their courses of study. In service of this goal, the primary purpose of this PoS is to ensure that students remain in good academic standing, fulfilling their academic potential and completing their studies in a timely way. Already implicit in this statement is the College's view that breaks in study (including postponements of examinations) are undesirable, and can be allowed only in exceptional cases, and even then only within strict limits. Students admitted for a course of study of fixed or limited duration are expected to complete the course of study within that duration, without interruption, unless major life-events conspire to make that impossible. Sometimes the nature of those life-events may be such that, regrettably, the course of study cannot be completed at all. The interruption may be too prolonged or too repeated to allow for the measure of continuity that is necessary to make satisfactory academic progress. This PoS also makes provision for this mercifully very rare eventuality.
- 1.2. *Support for students.* Students whose situations are or may be covered by this PoS have a number of sources of support available to them, including the College's welfare team, the OUSU sabbatical officers, and the relevant JCR or WCR officers.¹ The College has an arrangement with the College Doctors whereby they will provide opinions and certifications for the purpose of this PoS. This arrangement is explained in more detail in section 3 below. It still allows for students to consult the College Doctors confidentially for the normal range of advice and support, as opposed to for opinions and certifications under this PoS. The PoS is intended not to affect the normal interactions of students with the College Doctors acting as their general medical practitioners.
- 1.3. *Definitions.* In what follows 'the Applicant' means the person who is applying for (or who has applied for) suspension of status, whether the Student or not. 'The Student' means the junior member of

* v6.0, promulgated 25 June 2021. This Policy has the force and import of a Regulation of the College: see OCM MT2(2013)U, item 3, by which the Policy was adopted as a Regulation.

¹ For more details, see http://www.univ.ox.ac.uk/college_life/welfare/

college for whom suspension of status is sought or to whom suspension of status has been or will be granted or upon whom suspension of status has been or will be imposed. 'A student' (without initial capital letter) means any junior member of the College.

1.4 *Deadlines.* The College aims to deal with cases covered by this PoS as quickly as possible so that delay does not aggravate any difficulties with academic progress. Accordingly this PoS includes various deadlines with which the College and The Student must make every reasonable effort to comply. In a case where delay is unavoidable, the delaying party must explain the situation giving rise to the delay before the deadline expires, or failing that at the earliest possible opportunity afterwards, and must also keep the other party informed of progress in making up for lost time. All time periods mentioned (whether expressed in hours, days, or weeks) are to be read inclusively.

1.5 *Form of communication.* Where this PoS requires communication to the Applicant or the Student in writing, the normal method is by email to the recipient's personal ox.ac.uk email address, or where the recipient lacks such an address, to the email address which has been supplied by the recipient to the College for such purposes. Where this PoS requires communication to the Senior Tutor in writing, the normal method is by email to the Senior Tutor's own ox.ac.uk email address or to the ox.ac.uk email address of the Academic Officer. The email is regarded as having been delivered to the recipient at the time of sending. However a communication on paper is also valid for the purpose of this PoS and where that method is used, the communication is regarded as having been delivered when it is placed in the recipient's pigeonhole in the College lodge, or on the second working day after it is posted to the recipient by first class post (as the case may be). The recipient's pigeonhole in the College lodge should only be used where the sender is reasonably satisfied that the recipient is in residence in Oxford, and has reasonable access to the College, at the time of delivery.

2. General principles

2.1 *Suspension of status defined.* Subject to 2.2 below, any interruption of full-time studies (except where imposed by the College under disciplinary procedures) that has among its consequences the postponement of any University examination is a suspension for the purposes of this PoS. For the avoidance of doubt, this includes any case in which a student withdraws from a University examination during or immediately before that examination with a view to re-entering for that examination at a later date.

2.2 *Scope of Policy.* This PoS covers suspensions of status on medical or compassionate grounds only and the word 'suspension' in this PoS should be understood accordingly.

2.3 *Grounds of suspension.* The College will permit a student's suspension of status only where the Academic Committee is satisfied

- (a) that suspension of status is necessary on medical or compassionate grounds (such as injury, illness, very recent bereavement, urgent need for the Student to act as a carer towards a close family member, or maternity/paternity); and
- (b) that the circumstances are such that the Student can reasonably be expected to be able to resume his or her studies at the end of the period of suspension.

For the avoidance of doubt the College will not grant suspension of status solely on the ground that the Student is or feels ill-prepared for examinations, giving rise to anxiety.

2.4 *Number of suspensions.* Under this PoS the College will permit at most one single period of suspension to any one student during any one course of study, where the limit of one includes suspensions imposed upon the Student under 2.7 below as well as those granted upon application of the Student. A course of study for this purpose means the whole period of study leading to one degree or other qualification of the University. A student is regarded as studying towards the same degree or other qualification of the University even if he or she changes subject (so long as this does not involve a formal readmission to the College in ordinary competition).

2.5 *Exceptional second suspension.* The College may permit a second period of suspension of status under this PoS in the following exceptional cases:

- (a) where a student, whose membership of the College would otherwise be at an end, is required to remain a member of the College solely in order to make a second or further attempt at a University examination, where the University permits a second or further attempt (whether it does so by general regulation or by special dispensation); or
- (b) where a student requires a second period of suspension for a reason that is substantially independent of those for which the first was granted.

Under this PoS no third period of suspension of status is granted. For the purpose of exception (a) above, notwithstanding anything said in 2.6 below, the period of suspension may be of one year or of such shorter period as will enable the intermitting student to return to College at the appropriate time to make his or her second or (as the case may be) further attempt at the examination.

2.6 *Period of suspension.* A suspension for the purposes of this PoS will last no more and no less than one year. The following are the only exceptions:

- (a) if in the judgment of the Academic Committee the circumstances warrant it, a student who applies for suspension of status under this PoS on or before Friday of week minus one of Hilary Term of his or her first year on any course of study may be permitted to restart the same course of study with effect from the start of Michaelmas term of the following academic year;
- (b) if in the judgment of the Academic Committee the circumstances warrant it, a student who withdraws from a University examination during or immediately before that examination and successfully applies for suspension of status under this PoS may be permitted to resume his or her studies at the start of the term, in the following academic year, in which he or she proposes to re-attempt the same examination;
- (c) if in the judgment of the Academic Committee the circumstances warrant it, a student who has already missed a substantial amount of work during a period in which he or she was not intermitted under this PoS may be granted a suspension of less than one year so as to allow resumption of work at the point at which, effectively, it was abandoned;
- (d) if in the judgment of the Academic Committee the circumstances warrant it, a student who is intermitted under 2.7(b) below may have his or her year of suspension calculated from the beginning of the term in which his or her suspension of status is imposed, or from the start of the next term, notwithstanding that the suspension of status will then be, in effect, longer than or shorter than one year;
- (e) if in the judgment of the Academic Committee the circumstances warrant it, a student studying for a research degree (being a degree for which the only public examination is the examination of a thesis) may be intermitted for a period of one term, or any multiple of one term up to three terms (which need not be consecutive), where such suspensions match suspensions of student status granted by the University on medical or compassionate grounds;
- (f) if in the judgment of the Academic Committee the circumstances warrant it, and if the College doctors certify the necessity of it, a suspension of up to two years may be granted (with such further adjustment to the period as may be warranted under (a) to (e) above) to enable a student to be treated for or to recuperate from a severe medical condition.

2.7 *Initiating suspension.* Suspension of status is normally at the Student's application. However in the following two classes of cases, and only in the following two classes of cases, it may be imposed upon a student by the College:

- (a) Where a student is subject to disciplinary proceedings (whether academic or non-academic) and makes or proposes to make an excuse in defending those proceedings of a kind that also discloses a possible medical ground of suspension, the disciplinary proceedings may be temporarily stayed (at the initiative of the panel or committee then having charge of the disciplinary proceedings) and the Student may be required to attend the College Doctors for an assessment of fitness to study according to the special procedure laid out in 3.3 below. If the Student is then certified unfit to study by the College Doctors a suspension may be imposed upon the Student by the Academic Committee with or without the Student's consent. If the Student refuses to attend the College Doctors for an assessment of fitness to study as required under this provision, then his or her excuse may be disregarded for the purpose of determining the disciplinary outcome by the officer or committee then having charge of the disciplinary proceedings. 'Disciplinary proceedings', for the purpose of this provision, do not include any steps that can lead, under the College's disciplinary procedures, only to a formal warning.
- (b) Where, in the judgment of the Dean or Senior Tutor, a student's physical or mental condition is such as to give rise to grave concerns for his or her safety or the safety or well-being of those around him or her, the Dean or Senior Tutor (as the case may be) may require certification of fitness to study by the College Doctors to be provided to the Senior Tutor pursuant to the special procedure set out in 3.3 below. If the Student is certified unfit to study by the College Doctors a suspension may be imposed upon the Student by the Academic Committee with or without the Student's consent. If the Student fails to attend the College Doctors for an assessment of fitness to study as required under this provision then that will be treated for the purpose of this provision as a case in which the Student was certified unfit to study by the College Doctors. In any case falling under this provision the Senior Tutor is empowered to impose a suspension provisionally on the Student, pending certification of fitness to study by the College Doctors, and without awaiting a decision by the Academic Committee. In any case in which a suspension is imposed provisionally and the imposition is subsequently confirmed by the Academic Committee under this provision, the date of provisional imposition shall qualify as the date of imposition of the suspension of status for the purposes of 2.6(d) above.

2.8 *Conditions as to return: academic.* In the interests of the Student, the College needs to assure itself that the Student is academically prepared for return to College following a period of suspension. To that end the College will always set one or more academic conditions as to return. Academic conditions may include the sitting of a Special Collection or the submission of appropriate written work. In either case, students will be expected to obtain a specified grade in the work and will be advised of this in advance. Academic conditions are understood to be supportive of the Student's effective return into residence. The level of performance required is to be determined in accordance with the College's Policy on Academic Standing and Performance, having due regard to the circumstances that necessitate the student's suspension in accordance with this Policy on

Suspension. The College will provide such academic advice and support as is reasonably necessary to enable the student to prepare to meet any academic conditions as to return, so far as is compatible with the student's intermitted status. The Senior Tutor shall determine what is reasonably necessary, having consulted the Student and the relevant College tutors. For the avoidance of doubt it is not compatible with the Student's intermitted status that any teaching be provided by or on behalf of the College during a suspension. In the case of a research student as defined in 2.6(e) above the College may set, by way of academic condition as to return, the following condition, viz. that the University is satisfied that the student is academically prepared to return to his or her studies.

- 2.9 *Conditions as to return: fitness to study.* In cases in which suspension of status is on medical grounds, or on other grounds where there is a question of fitness to study, the College will require certification of fitness to study as a condition of return. Where certification of fitness to study is required, that certification can only be made by the College Doctors, who may seek or rely on such further professional opinions as they in their professional judgment see fit. Where, in the professional judgment of the College Doctors, certification of fitness to study requires attendance at the College Doctors' surgery, such attendance forms part of the relevant condition as to return, whether expressed or not. The College Doctors will not issue a certificate of fitness to study unless they are satisfied that the Student is also fit to perform such tasks or exercises as the College may have specified in academic conditions as to return imposed under 2.8 above. In the case of a research student, the College may set its own fitness to study condition where it is satisfied that it is not merely duplicating a condition set by the University.
- 2.10 *Failure to meet conditions as to return.* If the Student fails to meet any condition as to return, then (subject to the outcome of any appeal he or she may launch under 4.4 below) the Student ceases forthwith to be a member of the College, and this is an automatic consequence of the failure rather than a new determination by the Academic Committee or the Senior Tutor. Pending any appeal under 4.4 below the Student remains a member of the College but is to be allowed back into residence only at the discretion of the Academic Committee. In the event of a failed appeal the Student's membership is regarded as having ceased at the time at which he or she failed to meet the condition as to return, not at the time of determination of the appeal. Subject to the exception in 3.4 below, the College does not allow for repeated attempts at meeting any conditions as to return.
- 2.11 *Further conditions to be met after return.* Where the College Doctors certify fitness to study at the end of a period of suspension, but add that the fitness to study of the Student is to be kept under review, or that the student is fit to study only under medical supervision, or that the student is fit to study only while taking prescribed medication, or where the College Doctors enter any other proviso in their certificate of fitness to study pursuant to 3.6(d) below, the College may at the stage of the Student's return set further conditions to be satisfied by the Student after return from a period of suspension, so long as these are the very conditions specified by the College Doctors in the proviso to the certificate of fitness to study. If the Student fails to meet any such condition, then (subject to

the outcome of any appeal he or she may launch under 4.4 below) the Student ceases forthwith to be a member of the College, and this is an automatic consequence of the failure rather than a new determination by the Academic Committee or the Senior Tutor. Pending any appeal under 4.4 below the Student remains a member of the College.

3. Procedures in more detail

3.1 *Form of application.* An application for suspension of status is to be made to the Senior Tutor in writing by the Student, or (in cases where the Student is gravely incapacitated) by a close family member or guardian acting on his or her behalf. Except where the opinion of the College Doctors has been (or will shortly be) sought by the Student or by the Applicant and has been (or will shortly be) communicated direct by the College Doctors to the Senior Tutor, evidence supporting the proposed suspension of status and showing the ground of it is to be included with the application. In the event that the Senior Tutor doubts the adequacy of the evidence supplied, the Senior Tutor may require additional evidence to be supplied and/or require the Applicant to obtain the opinion of the College Doctors, to be communicated direct to the Senior Tutor.

3.2 *Determination of application.* An application for suspension of status under 3.1 is to be considered by the Senior Tutor who is to arrive at a recommendation. The Senior Tutor's recommendation is to be put to the Academic Committee, orally or in writing, and supported by a brief statement of reasons, at its next available meeting, which may be a special meeting called for the purpose of determining the application for suspension of status only. Members of the Academic Committee will be supplied with copies of the application letter and the supporting evidence only

- (a) if and to the extent that the Applicant so requests; or
- (b) if and to the extent that the Senior Tutor believes it necessary and proportionate for the proper consideration of his or her recommendation; or
- (c) where the Academic Committee is minded to reject the application (either in accordance with or contrary to the recommendation of the Senior Tutor) at the request of any member of the Academic Committee.

If the Applicant prefers the application letter or any item or items of supporting evidence not to be passed to the Academic Committee this should be made clear in the application letter, in which case the item or items in question will be withheld (irrespective of any potential importance to the success of the application). The Academic Committee is not to receive any representations direct from the applicant. The decision of the Academic Committee is to be communicated within 48 hours to the applicant in writing by the Senior Tutor and, in the event that the suspension of status is allowed by the Academic Committee, the Senior Tutor is to make timely arrangements for the suspension of status to take effect.

3.3 *Special procedure.* Where the College seeks to impose a suspension of status on the Student under 2.7 above, the committee or panel or officer responsible for initiating the imposition under 2.7 above shall write to the Student requiring the Student to make contact with the College Doctors for the purpose of obtaining a certificate of fitness to study, to be communicated direct to the Senior Tutor by the College Doctors. The letter to the Student shall state the grounds, under this PoS, for setting such a requirement and shall specify a reasonable time (not exceeding two weeks) for the Student to obtain the certificate. In cases to which this special procedure applies no evidence of fitness or unfitness to study, nor of any other matter bearing on the suitability or desirability of suspension of status, shall be relevant to the determination of the case for or against the suspension of status other than the certification of the College Doctors. Within 48 hours of receipt of certification, the Senior Tutor is to notify the committee or panel or officer responsible under 2.7 above of the verdict of the College Doctors. If the verdict is that the Student is not unfit to study, any stayed disciplinary proceedings will be resumed. If the verdict is that the Student is unfit to study, then a report on the case will be made by the Senior Tutor to the Academic Committee, orally or in writing, recommending that the Student be intermitted under this procedure, the suspension of status to take effect upon ratification by the Academic Committee at its next available meeting, which may be a special meeting called for the purpose of ratifying the Senior Tutor's recommendation. The Academic Committee is required to ratify the recommendation of the Senior Tutor except in cases in which, in the judgment of the Academic Committee, the special procedure set out here was not correctly followed. The Student shall be entitled to make a written representation to the Academic Committee via the Senior Tutor, but only to draw attention to any respect in which, in the Student's opinion, the special procedure was not followed. If the Academic Committee determines that the special procedure was not followed it may, where in its judgment this would not prejudice the Student's position, require the special procedure to be restarted, but if it does not so require then any stayed disciplinary proceedings will be resumed. The decision of the Academic Committee is to be communicated by the Senior Tutor within 3 working days to the Student in writing and, in the event that the suspension of status is to be imposed, the Senior Tutor is to make timely arrangements for it to take effect. In cases in which disciplinary proceedings resume under this special procedure, any time limits or deadlines applicable to those proceedings shall be calculated without counting the days during which the proceedings were stayed, unless there was unreasonable delay on the part of the College or its Doctors, in which case the days during which the proceedings were stayed shall be counted in calculating any time limit or deadline for action by the College or its officers or its committees (but not in calculating any time limit or deadline for action to be taken by the Student). The determination of whether a delay was unreasonable shall be made by the panel or committee then having charge of the disciplinary proceedings.

3.4 *Return into residence.* Where certification of fitness to study is required as a condition of a suspended student's return into residence it shall be the responsibility of the Student to consult the College Doctors for the purpose of certification. That consultation is to take place no earlier than 14 weeks

and no later than 10 weeks in advance of the first day of the full term in which the Student's return is anticipated. This is to enable arrangements for return, including the setting of any collections that may need to be sat as a condition of return, to be put into effect. A suspended student who believes that he or she cannot reasonably be expected to consult the College Doctors in accordance with the timetable above, or who wishes to have a second attempt following a failed attempt to obtain certification of fitness to study, may apply to the Senior Tutor in writing, no later than 9 weeks in advance of the first day of the full term in which the Student's return is anticipated, requesting to be permitted to consult the College Doctors for the purpose of certification no later than 8 weeks, or such shorter period as the Senior Tutor may specify for the avoidance of exceptional hardship, in advance of the start of the full term in which the Student's return is anticipated. Any such application shall include a reasoned explanation for the request, and shall be allowed only in the discretion of the Senior Tutor, to be exercised on reasonable grounds. Both the decision of the Senior Tutor and its grounds are to be communicated to the Student in writing within 7 days of any such request. In the case of any dispute as to whether the Senior Tutor's grounds for refusing the request are reasonable, the appeal procedure under 4.4 below applies, and (for the avoidance of doubt) the Student is to be permitted to attempt to satisfy any academic condition as to return pending the determination of any such appeal.

3.5 *Failure to meet conditions.* Where, in the judgment of the Senior Tutor, the Student fails to meet any condition as to his or her return set under this PoS, or fails to meet any condition to be satisfied after return, notice of that failure, and of the consequence, will be given in writing to the Student by the Senior Tutor acting on behalf of the Academic Committee, within 3 working days of the failure's having come to the attention of the Senior Tutor. In case of dispute about whether any condition as to return has been met by the Student, the appeal procedure under 4.4 below applies.

3.6 *Content of communication from the College Doctors.* Where the College Doctors provide the Senior Tutor with an opinion for the purposes of this PoS, that opinion will include such detail of the Student's medical or medically-related conditions as are necessary, in the opinion of the College Doctors, for their opinion to count as helpful evidence for the College in determining the success of an application of suspension. Where the College Doctors provide the Senior Tutor with a certificate of fitness to study for the purpose of this PoS, the certificate shall state

- (a) whether, in the view of the College Doctors, the Student is or is not fit to continue with or (as the case may be) resume his or her studies at the date of certification;
- (b) whether that view is informed by the direct observations of the College Doctors, or by material assembled from other sources, or by both methods together;
- (c) where the student is not certified fit to study, the main medical explanation or explanations for that being the case, in the briefest terms;

- (d) where the student is certified fit to study, any proviso to the effect that in the opinion of the College Doctors continuing review of the situation is required or continuing treatment or medication is required, or any similar proviso that will enable the College to set suitable conditions for the Student to meet, under 2.11 above, after his or her return to college.

3.7 *Doctor-patient confidentiality.* In cases in which the College Doctors are to communicate any matter (whether an opinion or a certification) direct to the Senior Tutor, the Student will be required to grant to the College Doctors a limited waiver of doctor-patient confidentiality for that sole purpose. The Senior Tutor undertakes to preserve the confidentiality of any matter communicated by the College Doctors under such a waiver except to the extent that further communication is required under 3.1 above or for the purpose of 4.12 below, and when such further communication is required a similar obligation to preserve confidentiality will be attached to the communication. The consequences, under this PoS, of failure to grant a waiver of confidentiality to the College Doctors are the same as the consequences, under this PoS, of failure to consult the College Doctors when so required. In exceptional and rare cases of grave emergency or severe incapacitation, the College Doctors reserve the right to follow their normal professional practice in communicating with the Senior Tutor without first obtaining from the Student a waiver of doctor-patient confidentiality. In such cases the Senior Tutor undertakes to preserve the confidentiality of any matter communicated exactly as if it were under a waiver of confidentiality.

4. Appeals

4.1 *Appeals against refusal of suspension of status.* Suspension of status instigated by the Student is a special concession granted out of compassion, not a right of the Student. There is therefore no right of appeal against the refusal of an application to intermit or against the College's decision as to the duration of suspension of status granted. There is no obstacle to the making of a fresh application supported by new evidence or on the basis of a change in situation or on any other basis such that the Academic Committee might reasonably be expected to reach a different determination. The Senior Tutor may, however, decline to accept, and hence to pass to the Academic Committee, a re-application which he or she judges to be in substance a mere repetition of a recently refused application. There is no right of appeal against such a judgment of the Senior Tutor.

4.2 *Appeals against imposition of suspension of status.* There is no appeal against the imposition of a suspension of status by the College under the special procedure in 3.3 above, except on the ground that a procedure in this PoS was not correctly followed. In particular, but without prejudice to the generality of the foregoing, there is no appeal on the ground that the certification or opinion of the College Doctors was incorrect or incorrectly formed. The Student exercises the right of appeal under this provision by giving notice of appeal in writing to the Master within 7 days of the Student's being informed under 3.3 above of the decision to impose a suspension of status upon him or her. The Master may extend the 7 day time limit in this provision by any number of days in his or her discretion

(up to a maximum of 84 days) in cases in which, in his or her judgment, the health of the Student was such at the time of suspension that he or she could not reasonably have been expected to exercise his or her right of appeal within 7 days.

4.3 *Appeals against conditions as to return.* Any student granted a suspension of status, or who has a suspension imposed upon him or her, may appeal against the imposition of any academic condition as to return on the ground that the condition is not appropriate to his or her case.² The Student exercises the right of appeal under this provision by giving notice of appeal in writing to the Master within 7 days of the Student's being informed under 3.2 above of the decision to allow his or her request for suspension of status, or under 3.3 above of the decision to impose a suspension upon him or her. The Master may extend the 7 day time limit in this provision by any number of days in his or her discretion (up to a maximum of 56 days) in cases in which, in his or her opinion, the health of the Student was such at the time of suspension that he or she could not reasonably have been expected to exercise his or her right of appeal within 7 days.

4.4 *Appeals upon failure to satisfy conditions.* Any student granted suspension of status, or who has a suspension of status imposed upon him or her, may appeal against the coming into effect of the consequence of his or her failure to meet any condition as to his or her return, or any condition to be met after return, but only on one or more than one of the following grounds:

- (a) that the Senior Tutor unreasonably refused to allow the Student a second or belated attempt, under 3.4 above, to satisfy a fitness to study condition; or
- (b) that the Senior Tutor was mistaken in his or her judgment under 3.5 above that the Student failed to meet one or more of the conditions; or
- (c) that the Student's failure to meet any academic condition as to return, or any condition to be met after return, was excusable. Under this provision the Student is entitled to rely, by way of excuse, on the continuing or residual effect of the same circumstances that led to his or her suspension of status or to the imposition of the condition in question. However, a Student who does so rely may, exceptionally, be found on appeal to be unfit to study, and hence unfit to continue with his or her course as a member of the College, in spite of any certificate by the College Doctors to the contrary.

² The level of performance required is to be determined in accordance with the College's *Policy on Academic Standing and Performance*, having due regard to the circumstances that necessitate the student's intermitting in accordance with this *Policy on Suspension*.

For the avoidance of doubt, it is not a ground of appeal under this provision that the condition in question should not have been imposed. It is also not a ground of appeal that any certification of the College Doctors as to the Student's fitness to study was incorrect or incorrectly formed. The Student exercises the right of appeal under this provision by giving notice of appeal in writing to the Master within 7 days of the Student's being given notice under 3.5 above of his or her failure to meet the condition.

4.5 *Constitution of Suspension Appeal Committee.* An appeal under 4.2, 4.3, or 4.4 above is to be heard by a Suspension Appeal Committee (SAC) constituted by the Master specifically to hear the appeal. Any determinations or consequences appealed against are stayed pending determination of the appeal.

4.6 *Membership.* An SAC will comprise:

- (a) one Fellow of the College of suitable seniority and experience, who is a Member of Governing Body holding an academic post, and who will chair the SAC; and
- (b) two further senior members of the College holding academic posts (who need not be members of the Governing Body).

4.7 *Disqualification.* The following shall not be eligible to serve on an SAC:

- (a) The Master, the Senior Tutor, the Dean, or the Welfare Fellow;
- (b) Any person who has served as a designated tutor to the Student as defined in 2.2 of the College's Academic Disciplinary Procedure;
- (c) Any person who has taught the Student (in tutorials or in any other capacity where reporting on individual progress was required or expected);
- (d) Any person who was a member of Academic Committee in the period during which the Student's suspension was under consideration, whether or not participating in such consideration;
- (e) Any person who has served on an SAC, or a Disciplinary Panel or Appeal Committee under the College's Academic Disciplinary Procedure, or on any similar panel under another policy or procedure of the College, in another case involving the same student.

If sufficient SAC members not disqualified under these headings cannot be found from within the College then the Master shall have the option of substituting one or more members from another

College or other Colleges of the University of Oxford who do meet these conditions, and who (apart from the fact that they are members of another College, not of University College) fall under the descriptions in 4.6 above.

- 4.8 *Secretary of SAC.* The SAC shall be assisted by the Academic Registrar (or another senior administrative employee of the College enlisted by the Master) who will act as Secretary to the SAC ('the Secretary').
- 4.9 *Objections to membership.* Within 48 hours of the constitution of the SAC, the Student will be given notice by the Secretary of the identities of its members, and will have 24 hours from the time of being given that notice to object to the appointment of one or more of them, stating the grounds for doing so. The Master will appoint an alternative member or members of the SAC within 72 hours of the objection being made if, in the Master's view, the Student's grounds for objecting are reasonable ones.
- 4.10 *Representation of Academic Committee before SAC.* Within 4 days of the constitution of the SAC (or of its reconstitution if required under 4.9 above) Academic Committee is to nominate a person ('the TC Representative') to make a case, before the SAC, in favour of the position taken by the College. The TC Representative may be the Senior Tutor or any member of Academic Committee.
- 4.11 *Date of hearing.* Within 7 days of the constitution of the SAC (or of its reconstitution if required under 4.9 above), the Secretary shall fix a date for an SAC hearing. The hearing is to take place no later than one calendar month after the constitution (or reconstitution) of the SAC. Subject to that one month limit, the date should be fixed in consultation with the Student, the TC Representative, and the members of the Panel.
- 4.12 *Hearing details.* At least 7 days before the hearing the Secretary will:
- (a) write to the SAC members, the Student and the TC Representative to confirm the date, time and location of the hearing;
 - (b) provide the SAC members, the Student, and the TC Representative with a bundle containing copies of any relevant documents, including (but not limited to) the application for suspension of status if any, the supporting evidence if any, any relevant correspondence between the Senior Tutor and the Student, any record or note of any certification by or opinion of the College Doctors, the minute of any relevant meeting of the Academic Committee, and any collection or other exercise which was sat by the Student in an attempt to meet the academic condition as to return, complete or together with any mark or comment thereon by any marker.

- 4.13. *Assistance and representation.* The Student shall also be informed by the Secretary that he or she is entitled to be represented or accompanied at the SAC hearing by one other person. Except with the special leave of the Chair of the SAC, this person ('the Friend') must be a member or employee of the College. Cases for the granting of special leave include but are not limited to those in which no suitable member or employee of the College is available to assist, or in which the Student has reasonable grounds to wish his or her situation to remain unknown to those members or employees of the College who are available to assist. However an SAC will not allow legal or other professional representation for the Student. At least 72 hours before the hearing the Student shall inform the Secretary of the identity his or her Friend, if any, indicating whether the Friend will be a representing or merely an accompanying Friend. It is the responsibility of the Student to inform his or her Friend, if any, of the arrangements for the hearing. If a Friend is speaking on behalf of the Student, the Student will surrender the right to speak on his or her own behalf, except as a witness. Unless the Chair of the SAC agrees that exceptional circumstances prevent it, the Student must attend the hearing for the appeal to be heard, and must be ready to appear as a witness at the SAC's request. This is so even if the Student has asked a Friend to speak on his or her behalf.
- 4.14. *Additional evidence.* Because the grounds of appeal under this PoS do not generally raise disputed questions of fact, it is not normally expected that witnesses or additional documentary evidence will need to be brought before the SAC. However, there may be rare cases in which such evidence will be relevant. In such cases, the rules under sections 7.12 to 7.15 of the College's Academic Disciplinary Procedure shall have effect (with references to the SAC substituting for references to the ADAC).
- 4.15. *Regulation of procedure.* Subject to the above, the SAC has the power (having regard to the requirements of natural justice) to regulate the procedures governing preparations for the hearing, and the hearing itself, including the order in which representations are to be heard, so as to ensure that the process is fair and reasonable and, so far as possible in view of the gravity of the situation, informal and flexible.
- 4.16. *Making of decision by SAC.* When the SAC members consider their findings and recommendations, each shall be given the opportunity to present and discuss his or her impressions and conclusions regarding the issues and the hearing. The SAC will attempt to reach a unanimous conclusion regarding its findings and recommendations. If a unanimous conclusion cannot be reached, a motion for a decision may be made by any SAC member other than the Chair. The success or failure of any motion shall be determined by simple majority vote. The SAC will not take account of any information or documents which were not available to the Student or which were not available to the TC Representative at or before the hearing.
- 4.17. *Notification of decision by SAC.* The decision of the SAC is announced by notice in writing to the Master, the Student, and the TC Representative. The decision will not be announced until at least

the next working day after the hearing. The SAC may however take up to five days after the hearing to reach and to announce a decision. Within ten days of the hearing, the SAC will produce a written report setting out their findings and recommendations, and the reasons for them. In case of a majority decision, the decision and the reasons shall be those of the majority. No dissenting opinion will be presented.

4.18 *Possible disposals by SAC on appeal against determination of Academic Committee.* Having heard an appeal under 4.2, 4.3, or 4.4 above, the SAC may, at its discretion

- (a) confirm the determination of the Academic Committee; or
- (b) remit the case for further consideration under this PoS by the Academic Committee; or
- (c) substitute for the determination of the Academic Committee any determination that the Academic Committee would have been entitled to make under this PoS.

4.19 *Possible disposals by SAC on appeal upon a student's failure to satisfy condition as to return.* Having heard an appeal under 4.4 above, the SAC may, at its discretion

- (a) confirm that the student concerned has ceased to be a member of the College; or
- (b) allow the student concerned to remain a member of College and to return into residence subject to such conditions as the SAC may prescribe; or
- (c) allow the student concerned to remain a member of College and to return into residence subject to such conditions as the Academic Committee may prescribe (the case having been remitted by the SAC to the Academic Committee for that purpose only); or
- (d) remit the case to the Governing Body for consideration under its prerogative of mercy.

For the avoidance of doubt, conditions imposed under (b) or (c) above are not restricted to conditions that could have been imposed under 2.11 above, and may include further academic conditions. Before setting any conditions under (b) or (c) above, the SAC or the Academic Committee (as the case may be) is expected to take advice from those involved in the teaching of the student (whether in College or elsewhere) and from those involved in the organisation or administration of such teaching (as appropriate) to establish the workability of the proposed conditions.

4.20 *Finality and further appeals.* The decision of the SAC is final and not open to further appeal within the College. By convention, the Governing Body of the College does not interfere with it. The finality of the SAC's determination is without prejudice to the right of the Student to make appeals or other

applications to bodies outside the College, in particular to the Conference of Colleges Appeal Tribunal (CCAT),³ or to the Office of the Independent Adjudicator (OIA).⁴ The Senior Tutor will issue to the Student a Certificate of Completion of Procedures once all in-College remedies have been exhausted.

- 4.21 *University's Fitness to Study Panel.* The college reserves the right, in exceptional circumstances not envisaged in the preparation of this policy, to refer cases for advice to the University's Fitness to Study Panel. There is no right of individual appeal or petition to this panel, which exists only to give additional advice to colleges and departments in rare and difficult cases.

³ For more details, see <https://weblearn.ox.ac.uk/portal/hierarchy/colleges/confcoll>

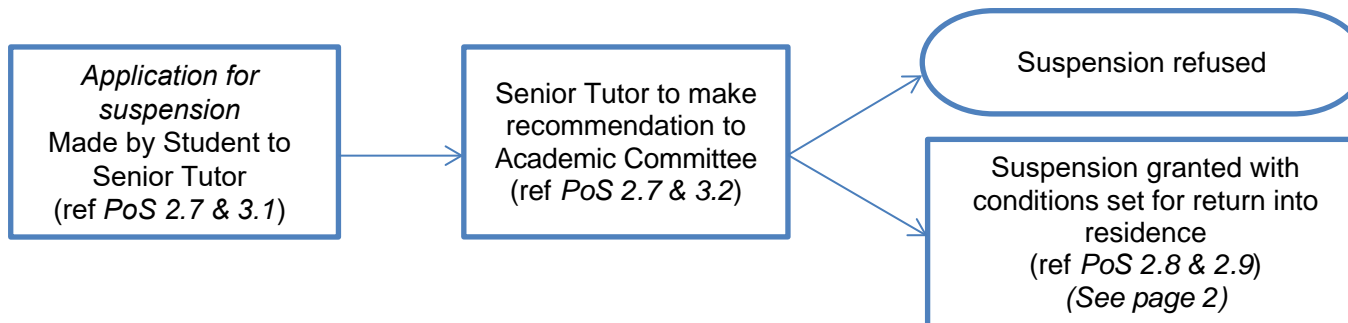
⁴ For more details, see <http://www.oiahe.org.uk/>



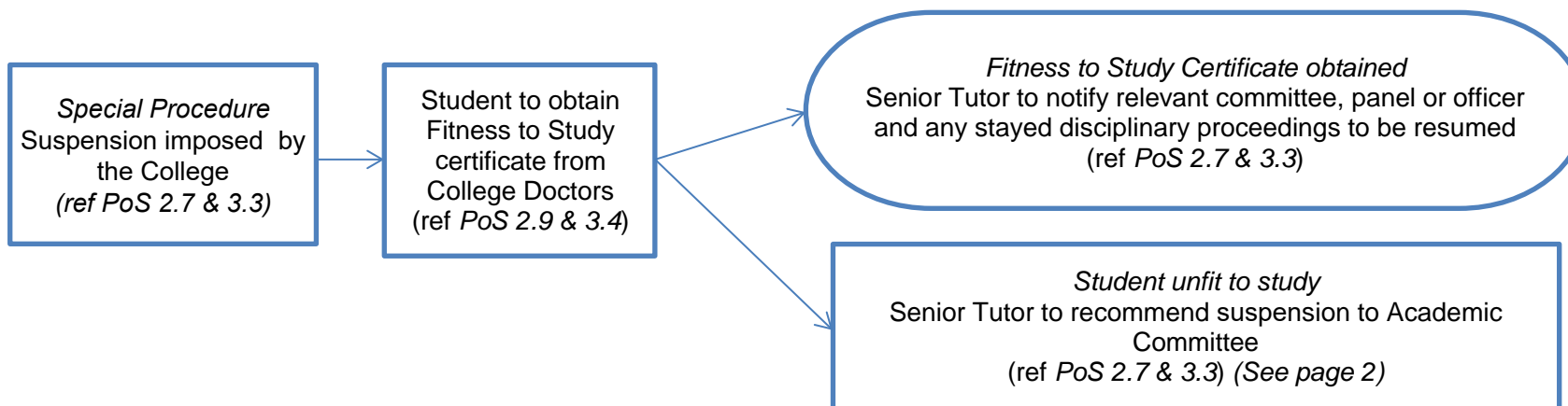
Flowchart of Student Suspension Process

To be read in conjunction with the
Policy on Suspension and
Policy on Academic Standing and Academic Performance

Application for Suspension

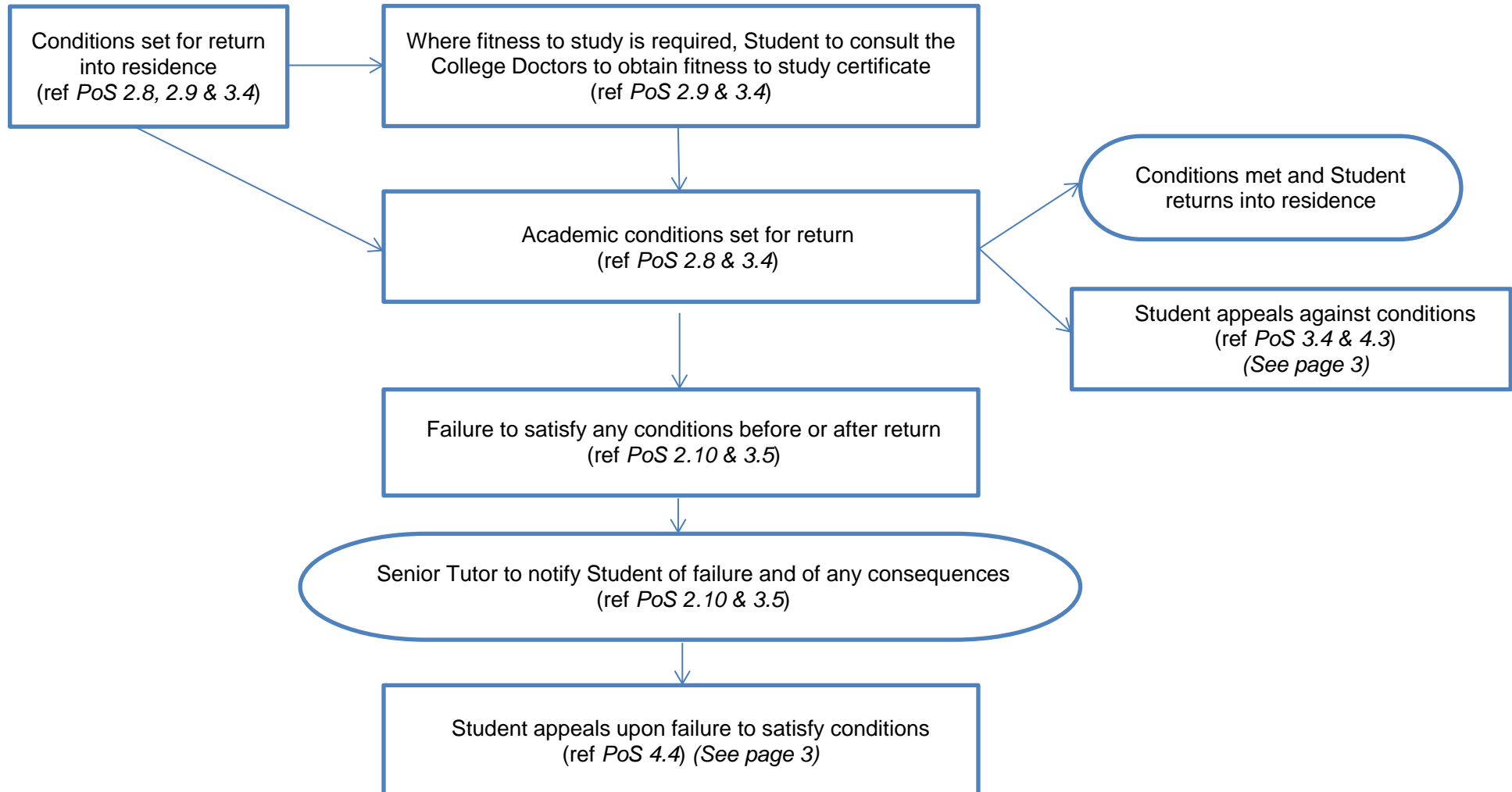


Special Procedure





Suspension Granted: Conditions for Return into Residence



Appeals

