



**Hertford College**  
UNIVERSITY OF OXFORD

# **Bye-laws**

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## GENERAL PROVISIONS

- 1.1. These Bye-laws are set in accordance with the powers set out under 5.2.4 of the College Statutes.
- 1.2. In these Bye-laws words importing any gender shall include all other variant gender or gender-neutral terms, where the construction so permits and the Bye-laws do not otherwise provide.

# BYE-LAW 1: GOVERNANCE

## 1. GOVERNING BODY CODE OF PRACTICE

- 1.1. All matters discussed in Governing Body and its committees are confidential to the members of the Governing Body (as defined under Statute 3.2).
- 1.2. The Principal is responsible for Governing Body agenda and papers, and for calling all meetings.
- 1.3. Governing Body meetings shall be held in the third and seventh weeks of each term. No further notice for these meetings shall be required.
- 1.4. Notice of any additional Governing Body meetings shall be provided no less than 21 days before the date of the meeting.
- 1.5. By exception, to deal with urgent matters, an emergency meeting of the Governing Body may be called with no less than forty eight hours notice. In such circumstances, the quorum for such a meeting shall be raised to fifty percent of Governing Body members, and no resolution passed at such a meeting shall be valid unless it is supported by a simple majority of all Governing Body fellows, rather than those present. The meeting shall only deal with the urgent matter, and no further business may be conducted. No such meeting may be used for the purposes of electing or re-electing Fellows. In the case that five or more Governing Body fellows register an objection to the meeting taking place, the meeting shall not proceed.
- 1.6. No important proposal is to be introduced without a supporting paper.
- 1.7. All Governing Body papers should go through the appropriate channels, and be circulated by the Principal's Office. All meetings shall have a draft Agenda circulated at least 3 clear working days before the meeting, with papers received up to that point. Late papers should be delivered to the Principal's Office no later than noon 2 days before the meeting, for circulation that afternoon with the final Agenda. Papers laid on the table will normally not be considered at that meeting, but circulated for the next Governing Body meeting.
- 1.8. Anonymous papers will not be considered.
- 1.9. Amendments to the minutes (apart from typing corrections) should be handed in written form to the chair before the beginning of the meeting.
- 1.10. All remarks should be addressed to the chair.
- 1.11. Committee papers will be assumed to have been read, without need of introduction at the Governing Body meeting, but important or complex issues may be introduced briefly by a member of the committee from which they come.

- 1.12. No vote may be taken on any item marked 'Business of Governing Body', if more than ninety minutes have elapsed since the start of the meeting.
- 1.13. No member may speak twice on the same item of business except for purposes of reply, clarification or the correction of errors of fact.
- 1.14. Items marked 'W' will not normally be discussed unless a member of Governing Body requests that it should be.
- 1.15. Governing Body members unable to attend meetings of Governing Body are required to send apologies in writing stating the reason for their absence, and may also register a proxy vote with the meeting chair. In the case of proxy votes, this must state precisely the pre-tabled resolution(s) that it may be set against, and may not be provided for any more general application or for resolutions not set out precisely in papers circulated in advance of the meeting.
- 1.16. Should a member of Governing Body have an interest in a matter under discussion s/he may speak and answer questions before withdrawing to allow further discussion and any vote that may be required.
- 1.17. College Officers reporting to Governing Body may be required to withdraw in order that their reports may be considered.
- 1.18. The Bursar shall provide Governing Body with an account on the discharge of his office.
- 1.19. The JCR and MCR Presidents, as well as the Registrar, The Domestic Bursar and the Deputy Bursar, shall be invited to attend meetings of Governing Body.
- 1.20. Governing Body shall conduct business according to three categories as follows (but may chose, at the discretion of the Chair to dispense with one or more categories at any one meeting if there is no such business to attend to):
  - 1.20.(a) Unreserved (also known as Open) Business, which all members may attend and participate in.
  - 1.20.(b) Reserved Business, which shall be restricted to Governing Body and invited College staff only.
  - 1.20.(c) Special Reserved Business, which shall be restricted to Governing Body Members only.
- 1.21. Ordinarily, voting on any matters will only take place under Reserved or Special Reserved Business.

## **2. COLLEGE COMMITTEES**

- 2.1. Governing Body shall be supported, directly or indirectly, by two categories of College Committee:
  - 2.1.(a) Reporting Committees, which provide oversight for a designated area of governance, and report directly to Governing Body
  - 2.1.(b) Advisory Committees, which either support the work of Major Committees on specific specialist functions within their remit (including on a delegated basis), or assist a College Officer in the conduct of their duties.
- 2.2. There shall be the following Reporting Committees
  - 2.2.(a) Academic Committee
  - 2.2.(b) Domus Committee
  - 2.2.(c) General Purposes Committee
  - 2.2.(d) Treasury Committee
  - 2.2.(e) Development Committee
  - 2.2.(f) Welfare & Wellbeing Committee
  - 2.2.(g) Joint Committee
  - 2.2.(h) Remuneration Committee
  - 2.2.(i) Honorary Fellowships Committee
  - 2.2.(j) Statutes Review Committee
- 2.3. There shall be the following Advisory Committees (Relevant Reporting Committee / College Officer indicated alongside):
  - 2.3.(a) Consultative Committee (Bursar)
  - 2.3.(b) Investment Advisory Committee (Treasury Committee)
  - 2.3.(c) Chapel Committee (Domus Committee)
  - 2.3.(d) Library Committee (Academic Committee)
  - 2.3.(e) Kitchen & Buttery Committee (Domus Committee)
  - 2.3.(f) Works of Art Committee (Fellow Archivist)
  - 2.3.(g) Student Support Committee (Academic Committee)
  - 2.3.(h) Equality & Diversity Committee (Equality & Diversity Officer)

- 2.4. The following provisions shall apply to all Committees:
- 2.4.(a) Governing Body shall from time to time approve the Composition and Terms of Reference for College Committees and these are set out in appendices to these Bye-laws.
  - 2.4.(b) Any member of Governing Body shall be entitled to attend any Committee meeting.
  - 2.4.(c) All Committees must keep minutes and should also record those present and apologies for absence in their minutes.
  - 2.4.(d) All Committee minutes shall be provided to Governing Body as part of the next available set of meeting papers. In the case of the Student Support Committee, this will be restricted to a summary of the nature and amounts of awards made, and shall not contain information that allows identification of individual students. However, appropriate records of individual awards shall be kept by the Committee, and shall be available to any member of Governing Body to examine upon request.
  - 2.4.(e) The designated Chair shall be responsible for approving agendas, minutes and other relevant papers and for communicating them to Governing Body, relevant Major Committees or College Officers as appropriate, and in accordance with its Terms of Reference.
  - 2.4.(f) The Chair shall appoint a Secretary to prepare the Committee's papers, and a minute-taker.
  - 2.4.(g) Where Committee terms of reference indicate the normal frequency of meetings the Chair shall have the power to convene additional meetings as required.
  - 2.4.(h) Committee members elected by Governing Body shall normally serve for a term of three years and not be eligible for immediate re-election.
  - 2.4.(i) Committees shall conduct business according to three categories as follows (but may choose, at the discretion of the Chair to dispense with one or more categories at any one meeting if there is no such business to attend to):
    - 2.4.i.(i) Unreserved (also known as Open) Business, which all members may attend and participate in.
    - 2.4.i.(ii) Reserved Business, which shall be restricted to Governing Body members and any members of staff who are invited (by virtue of the Bye-laws) to attend meetings of the Governing Body, only.
    - 2.4.i.(iii) Special Reserved Business, which shall be restricted to Governing Body Members only.

- 2.5. The following additional provisions shall apply to all Reporting Committees:
- 2.5.(a) Reporting Committees shall report to Governing Body, and submit all minutes to the next available meeting of such for ratification of decisions proposed.
  - 2.5.(b) The designated Chair shall be the Principal unless otherwise specified.
  - 2.5.(c) In the absence of the designated Chair this role shall be taken by the longest-serving member of the Committee who is not an Officer reporting to it.
  - 2.5.(d) Unless specified otherwise, only Governing Body members shall have a vote for any business conducted.
  - 2.5.(e) Committees may take decisions via email, providing that:
    - 2.5.e.(i) At least fifty percent of the members entitled to vote provide approval for the decision, AND
    - 2.5.e.(ii) No objection to an email decision is received (by the Committee Chair) from any member entitled to vote.
  - 2.5.(f) Wherever a Committee recommends expenditure outside the limits of the current budget, such recommendations must be passed to Treasury Committee in the first instance.
  - 2.5.(g) If a Committee is divided upon a recommendation, this should be reported to Governing Body.
  - 2.5.(h) Except in the case of email decisions, which are covered elsewhere, a quorum of fifty percent of voting members shall be required to be present in order that a Committee may take decisions or make formal recommendations to Governing Body.
  - 2.5.(i) The Principal shall have the power to suspend Committee membership in the case of members who are on leave, and appoint an alternate member for the duration of the suspension. Where an alternate is not appointed, the Committee quorum shall be reduced correspondingly for the period of suspension.
- 2.1. The following additional provisions shall apply to all Advisory Committees:
- 2.1.(a) Wherever a Committee recommends or requests expenditure, this shall be managed through the relevant Reporting Committee or College Officer to which it reports.
  - 2.1.(b) All minutes shall be provided to the relevant Reporting Committee's Convener, or College Officer, as soon as possible after the meeting.
  - 2.1.(c) Voting will not be applicable in such Committees. It shall be the responsibility of the Committee Chair to ensure representation of the view / range of views expressed by the Committee to the relevant Reporting Committee or College Officer through the recorded minutes.



### **3. COLLEGE OFFICERS**

- 3.1. In accordance with Statute 5.2.3, the Governing Body shall appoint the following College Officers:
  - 3.1.(a) Principal
  - 3.1.(b) Vice-principal (in the circumstances required by the Statutes)
  - 3.1.(c) Senior Tutor
  - 3.1.(d) Dean
  - 3.1.(e) Bursar
  - 3.1.(f) Tutor for graduates
  - 3.1.(g) Student Conduct Officer
  - 3.1.(h) Investment Bursar
  - 3.1.(i) Dean of Degrees
  - 3.1.(j) Tutor for Equality & Diversity
  - 3.1.(k) Fellow Librarian
  - 3.1.(l) Fellow Archivist
  - 3.1.(m) Development Director
- 3.2. College Officers shall be responsible to the Governing Body for the proper performance of their duties.
- 3.3. The duties of College Officers are set out as appendices, with the exception of the Principal, Vice Principal, Bursar and Development Director, whose duties are covered elsewhere.
- 3.4. With the exception of the Principal, Vice Principal, Bursar and Development Director, College Officers will normally serve a term of four years and no more than two terms of four years.

### **4. ACADEMIC VISITORS**

Governing body may appoint Academic Visitors, normally for periods of up to one year at a time. Academic Visitors will enjoy full membership of the SCR for the duration of their appointment, and shared office space will be made available for their use. No other benefits will be provided, and no remuneration of any kind will be made.

# BYE-LAW 2: THE FELLOWS

## 1. CLASSES OF FELLOWSHIP

The Fellowships in the College shall be of the following classes:

- 1.1. Official Fellowships
- 1.2. Professorial Fellowships
- 1.3. Senior or Junior Research Fellowships
- 1.4. Honorary Fellowships
- 1.5. Emeritus Fellowships
- 1.6. Supernumerary Fellowships
- 1.7. Foundation Fellowships
- 1.8. Visiting Fellowships

## 2. ELECTIONS

Elections to Fellowships shall be made in the manner following unless otherwise provided:

- 2.1. The number of Fellowships, and the rights, privileges, and duties of Fellows shall be as the Governing Body may determine;
- 2.2. Elections to a Fellowship shall be made at a meeting of the Governing Body and by the votes of not less than two thirds of the total number of the Governing Body members, and with the consent of the Principal;
  - 2.2.(a) Any member of Governing Body may instead vote on such an election by providing notice in writing to the Principal prior to the meeting.
  - 2.2.(b) Any failure to register a vote provided in writing shall not invalidate the Governing Body decision where it is received less than 6 hours ahead of such a meeting.
  - 2.2.(c) An email communication from a Governing Body member's recognised College or University email account shall be treated as having been delivered in writing.
- 2.3. Re-election to a Fellowship shall be by a majority of those present and voting at a meeting of the Governing Body, and shall be subject to the same provisions for votes cast in writing as set out in clause 2.2;
- 2.4. Notice of any proposed election or re-election to a Fellowship shall be given at a Governing Body meeting that precedes the meeting at which the election takes place.

- 2.5. Such a notice shall provide:
  - 2.5.(a) The details of the candidate, and the class of fellowship to which it is proposed they are elected, and
  - 2.5.(b) All necessary particulars and other information in support of the proposal, if these have not be provided previously, and
  - 2.5.(c) Where notice is provided under clause **Error! Reference source not found.**, the date of the Governing Body meeting at which it is proposed the election or re-election will be made.
- 2.6. A Fellow may be re-elected only to a Fellowship of the same class as that to which he was last elected or re-elected; but this sub-clause of this Bye-law shall not prevent a Fellow from being proposed for election to any other class of Fellowship;
- 2.7. Unless the Governing Body otherwise declare, the duties of a Fellow shall remain after his re-election as they were before;
- 2.8. No election shall be held if immediately after such election the number of Fellows holding their Fellowship under clause 3.1.(a) of this Bye-law would be equal to half or less than half of the membership of the Governing Body, unless the Governing Body waives this provision by the votes of not less than two thirds of its total number. For the purposes of this sub-clause of this Bye-law a person who at the time of the coming into force of these Bye-laws holds an Official Fellowship with a tutorship in the College shall be deemed to hold his Fellowship under clause 3.1.(a) of this Bye-law.

### **3. OFFICIAL FELLOWSHIPS**

- 3.1. Official Fellowships shall be tenable by those elected:
  - 3.1.(a) To discharge the tutorial responsibilities of the College, or
  - 3.1.(b) As Officers of the College not holding a Fellowship in any other capacity.
- 3.2. Before proceeding to the election of an Official Fellow to discharge tutorial responsibilities within the College, the Governing Body shall in every case consult the appropriate Faculty or Department.
- 3.3. Every Official Fellow shall be elected for a period not exceeding five years in the first instance, and may be re-elected.
- 3.4. An Official Fellow's normal place of work shall be within the University during the usual College Terms, but the Governing Body may in case of sickness, sabbatical leave, or for any other sufficient cause dispense with the presence of an Official Fellow for such period as it thinks proper.
- 3.5. The Governing Body may from time to time grant an Official Fellow dispensation from tutorial and administrative duties for any reason approved by it and for periods not

exceeding one year at a time upon such terms as to the reduction of his stipend and allowances during such dispensation as may appear to it to be reasonable.

- 3.6. An Official Fellow elected or last re-elected under clause 3.1.(a) of this Bye-law and who at that time also held, or was in the process of being appointed to hold, a University teaching post shall vacate his Fellowship upon ceasing to hold such post.
- 3.7. An Official Fellow elected or last re-elected under clause 3.1.(b) of this Bye-law shall vacate his Fellowship on ceasing to hold the qualifying Office.

#### **4. PROFESSORIAL FELLOWSHIPS**

- 4.1. Professorial Fellowships shall be tenable by
  - 4.1.(a) University Professors;
  - 4.1.(b) Persons holding University posts, which are declared by any University Statute or Decree to qualify the holder for such.
- 4.2. The holder of any Professorship allocated to the College shall thereby be a Professorial Fellow of the College. In all other cases persons shall be elected to Professorial Fellowships under the provisions of clauses 2.2, 2.4, and 2.8 of this Bye-law.
- 4.3. A Professorial Fellow shall hold his Fellowship, subject to clauses 11 and 12 of this Bye-law, for as long as he holds his qualifying post.

#### **5. RESEARCH FELLOWSHIPS**

- 5.1. Research Fellowships shall be of two classes:
  - 5.1.(a) Senior Research Fellowships and
  - 5.1.(b) Junior Research Fellowships,and shall be tenable by persons who are likely to do valuable research in the College or the University or, with the consent of the Governing Body, elsewhere.
- 5.2. Every Senior Research Fellow shall be elected for a period not exceeding five years in the first instance and may be re-elected for such further period or periods as the Governing Body may determine, but no such re-election may be for a longer period than ten years at a time.
- 5.3. A Senior Research Fellow may be elected a member of Governing Body for any portion of his Fellowship at a meeting of Governing Body and by the votes of not less than two thirds of the total number of Fellows.
- 5.4. Every Junior Research Fellow may be elected for a period not exceeding three years in the first instance and may be re-elected for such period or periods as shall, when added to the period of his first appointment not exceed six years in all.

- 5.5. A Junior Research Fellow may be elected a member of Governing Body for any portion of his Fellowship at a meeting of Governing Body and by the votes of not less than two thirds of the total number of Fellows.
- 5.6. For the purposes of clause 2.6 of this Bye-law, Senior and Junior Research Fellowships shall be treated as being of different classes.

## **6. SUPERNUMERARY FELLOWSHIPS**

- 6.1. Supernumerary Fellowships shall be tenable by:
  - 6.1.(a) Persons appointed by the University to hold administrative or academic posts within the University or to perform some definite work on behalf of the University;
  - 6.1.(b) Persons whose services as a Fellow would, in the opinion of the Governing Body, be of advantage to the College as a place of education and learning.
- 6.2. Every Supernumerary Fellow shall be elected for a period not exceeding five years in the first instance and may be re-elected for such period or periods as the Governing Body may determine, but no such re-election may be for a longer period than ten years at a time.
- 6.3. Clause 2 of this Bye-law, except sub-clause 2.8 thereof, shall apply to the election and re-election of Supernumerary Fellows.

## **7. EMERITUS FELLOWSHIPS**

- 7.1. The Governing Body may elect to Emeritus Fellowships persons who have vacated Fellowships in the College other than Junior Research Fellowships.
- 7.2. The tenure of Emeritus Fellows shall be as determined by the Governing Body from time to time, save that no election or re-election shall be made without notice thereof otherwise than at a meeting of the Governing Body.
- 7.3. Unless otherwise expressly stated, references to Fellows or Fellowships in these Bye-laws shall not include Emeritus Fellows or Fellowships.
- 7.4. Clause 2 of this Bye-law, except sub-clause 2.8 thereof, shall apply to the election and re-election of Emeritus Fellows.

## **8. HONORARY FELLOWSHIPS**

- 8.1. The Governing Body may elect distinguished persons to Honorary Fellowships in the College.
- 8.2. The tenure of Honorary Fellowships and the mode of election thereto shall be as determined by the Governing Body from time to time, save that no election or re-election shall be made without notice or otherwise than at a meeting of the Governing Body.

- 8.3. Unless otherwise expressly stated, references to Fellows or Fellowships in these Bye-laws shall not include Honorary Fellows or Fellowships.
- 8.4. Clause 2 of this Bye-law, except sub-clause 2.8 thereof, shall apply to the election and re-election of Honorary Fellows.

## **9. FOUNDATION FELLOWSHIPS**

- 9.1. The Governing Body may elect significant benefactors of the College to Foundation Fellowships.
- 9.2. The tenure of Foundation Fellowships and the mode of election thereto shall be as determined by the Governing Body from time to time, save that no election or re-election shall be made without notice or otherwise than at a meeting of the Governing Body, and that in all cases the intended tenure shall be confirmed at the time of election or re-election.
- 9.3. Unless otherwise expressly stated, references to Fellows or Fellowships in these Bye-laws shall not include Foundation Fellows or Fellowships.
- 9.4. Clause 2 of this Bye-law, except sub-clause 2.8 thereof, shall apply to the election and re-election of Foundation Fellows.

## **10. VISITING FELLOWSHIPS**

- 10.1. The Governing Body may elect to Visiting Fellowships distinguished academic persons who are engaged in academic pursuits in the University of Oxford or elsewhere.
- 10.2. The election to a Visiting Fellowship including the terms thereof shall be by majority of those present and voting at a meeting of Governing Body.
- 10.3. Unless otherwise expressly stated, references to Fellows or Fellowships in these Bye-laws shall not include Visiting Fellows or Fellowships.
- 10.4. Clause 2 of this Bye-law, except sub-clause 2.8 thereof, shall apply to the election and re-election of Visiting Fellows.

## **11. VACATION OF FELLOWSHIPS**

- 11.1. A Fellow shall vacate his Fellowship on becoming the Principal of the College and no Fellowship shall be tenable with a Headship or Fellowship (other than an Honorary or Emeritus Fellowship) in any other College, Hall or Society within the University.
- 11.2. Subject to the right of appeal to the Visitor as provided by the Statutes, a Fellow, including an Emeritus Fellow, Visiting Fellow or Honorary Fellow, may be deprived of his Fellowship by a declaration of the votes of not less than two thirds of the total number of the Governing Body that he has failed to observe his responsibilities to the College or is guilty of conduct rendering him unfit to remain a Fellow; and an Official or Research Fellow may be deprived of his Fellowship by a similar declaration that he is engaging in

an occupation likely to interfere with the proper discharge of his duties to the College, or that he has failed to discharge such duties. Provided that, subject to the provisions of clause 7(a) of the Appendix Part 1 of the Statutes, nothing in this clause shall apply to the removal of any member of the academic staff to whom clause 7(a) of the Appendix Part 1 of the Statutes applies.

- 11.3. Where any person has been elected or last re-elected to a Fellowship under clause 3.1.(b) of this Bye-law by virtue of holding a College Office, clauses 11.1 and 11.2 of this Bye-law shall apply to that Office in like manner as to his Fellowship.

## **12. REMUNERATION OF FELLOWS**

- 12.1. Every Official Fellow and Research Fellow shall be entitled to receive such annual stipend and allowances as recommended from time to time by the Remuneration Committee and approved by the Governing Body, and any Fellow may receive such additional grants, if any, as the Governing Body may think fit.
- 12.2. No stipend or allowances shall be payable in respect of his Fellowship to any Professorial or Supernumerary Fellow, but holders of such Fellowships shall be eligible to receive the stipend and allowances attached thereto during their tenure of a College Office, and a Professorial Fellow elected under clause 4.1(b) of this Bye-law who assists in discharging the tutorial responsibilities of the College may be paid in respect of such assistance such stipend and allowances, including a housing allowance, as the Governing Body may determine.
- 12.3. The Governing Body Shall:
- 12.3.(a) Assign rooms in College free of rent, rates and taxes to every Official Fellow and Research Fellow, and may if it thinks fit assign rooms, on such terms as it thinks appropriate.
- 12.3.(b) Make a housing allowance to any Official or Research Fellow who does not reside in the College.
- 12.3.(c) Maintain a common table of which the Principal and every Fellow of the College shall be entitled to partake without charge.
- 12.4. Honorary, Foundation Fellows and Emeritus Fellows shall have no entitlements under this Bye-law, but may enjoy such privileges and advantages as the Governing Body shall from time to time determine, save that no stipend shall be payable to Honorary, Foundation and Emeritus Fellows as such.

## BYE-LAW 3: THE PRINCIPAL

### **1. IN ADDITION TO THE PROVISIONS SET OUT IN THE STATUTES, THE FOLLOWING SHALL APPLY TO THE POSITION OF PRINCIPAL:**

- 1.1. The Principal shall reside in the Principal's Lodgings for not less than six weeks in every term and for a total of not less than eight calendar months of each year unless dispensation has been granted in advance by the Governing Body.
- 1.2. Subject to the provisions of the Statutes and any decision of the remuneration committee of the College, the Principal shall be entitled to such annual stipend as the Governing Body and the Remuneration Committee shall from time to time determine.
- 1.3. The Principal shall be entitled to the use of his lodgings free of rent, rates and taxes. The College shall be responsible for structural repairs and external decoration of the Principal's lodgings.
- 1.4. The Principal may receive such allowances, including allowances for the internal decoration of his lodgings, as the Governing Body may think fit.



# BYE-LAW 4: CONFLICTS OF INTEREST

## 1. INTRODUCTION: MANAGING CONFLICTS OF INTEREST

- 1.1. The Charity Commission recommends that all charities have a policy on how they will deal with any conflicts of interest to which charity trustees may be subject as a result of their involvement in the work and decision-making processes of the charity. All Fellows are in a fiduciary relationship with the College and so must act wholly and exclusively in the interests of the College in relation to their involvement in management and governance matters.
- 1.2. This Bye-law shall apply to committees, working parties and other bodies constituted by the Governing Body.
- 1.3. This Bye-law applies to the Principal as it applies to Fellows.
- 1.4. The Bye-law follows recommendations published by the Charity Commission. The following extracts are indicative of the general nature of the issue:
  - 1.4.(a) A conflict of interest is any situation in which a trustee's personal interests, or interests which they owe to another body, and those of the charity arise simultaneously or appear to clash.
  - 1.4.(b) We recognise that it is inevitable that conflicts of interest occur. The issue is not the integrity of the trustee concerned, but the management of any potential to profit from a person's position as trustee, or for a trustee to be influenced by conflicting loyalties.
  - 1.4.(c) It is the potential, rather than the actual, benefit from which the conflict of interest arises which requires authority. In order to avoid a breach of trust and to ensure transparency, authority is required where there is a possibility of benefit. This will avoid accusations of impropriety, which could in turn have a damaging effect on the charity's reputation.
  - 1.4.(d) If the benefit from which the conflict of interest arises is not authorised by the charity's governing document, trustees will need to apply to the Commission for the necessary authority.
  - 1.4.(e) All trustees need to be alert to possible conflicts of interest which they might have and to how they can minimise their effects. A key aspect of minimising the effects of conflicts of interest is to be open and transparent about such situations when they arise. We recommend that all trustees advise their charity of any actual or potential conflicts of interest of which they are aware, as soon as they arise.
- 1.5. All those to whom this Bye-law applies have an obligation to be acquainted with all relevant Charity Commission guidance.

- 1.6. Conflicts of interest are managed in five main ways:
  - 1.6.(a) The payment of remuneration or provision of benefits to Fellows is subject to recommendations from the Remuneration Committee.
  - 1.6.(b) Provision of other financial benefits to Fellows is restricted.
  - 1.6.(c) There is a register of Fellows' material interests.
  - 1.6.(d) Every Fellow having a material interest shall declare that at any meeting in which it relates to the business under discussion.
  - 1.6.(e) Provision is made for Fellows to absent themselves (or not vote) where they have a material interest.
  - 1.6.(f) The Code applies to committee meetings in addition to College meetings.

## **2. CONFLICTS OF INTEREST STATEMENTS**

- 2.1. The following persons shall be required to complete a Conflict of Interest Statement (CIS):
  - 2.1.(a) Members of Governing Body
  - 2.1.(b) Members of Committees of the Governing Body
  - 2.1.(c) Members of the Board of Directors of all companies in which the College holds a majority of the shares
  - 2.1.(d) Such other persons as the Governing Body shall require to complete a CIS
- 2.2. A person required to complete a CIS shall do so within one month of his/her appointment and at the end of each financial year of the College. The Statement shall (1) confirm reading and acceptance of the Bye-law and notes thereto; (2) list potential conflicts of interest (see 8 and 9 below); (3) agree to complete a revised Statement if further need arise. In the absence of declared conflicts of interest, the Statement may be made electronically by simple reply to an email.

## **3. TO DECLARE**

- 3.1. Any Fellow who has a material interest in any matter of business before the Governing Body shall declare the interest at the beginning of each meeting at which that business is under consideration (or before the discussion of that business). There is no need to declare an interest which is overt on the agenda (such as a re-election) or which appears on the register of interests, although Governing Body may be reminded of this at the outset of the meeting.

#### **4. MEANING OF MATERIAL INTEREST**

- 4.1. A material interest is any matter which may influence the judgment of the person possessing it, or may reasonably appear to be capable of influencing that person's judgment, so that the judgment may not be exercised wholly and exclusively in the interests of the College. A Fellow whose partner or close family members may benefit from any matter of business has a material interest.

#### **5. WITHDRAWAL FROM MEETING**

- 5.1. If a material interest is declared, then the Fellow declaring it shall withdraw from any meeting, or part of it, at which the business is under consideration, and shall not speak on the matter, unless the Governing Body shall have resolved to the contrary, but in no case shall the Fellow vote on the matter.

#### **6. RECORDING IN THE MINUTES**

- 6.1. Where a Fellow declares an interest, that fact shall be recorded in the minutes of the meeting. Any resolution of the Governing Body under paragraph 5 above allowing the Fellow not to withdraw shall be recorded in the minutes of the meeting.

#### **7. EXCLUDED INTERESTS**

- 7.1. Paragraphs 3 to 6 do not apply to excluded interests. An interest is an excluded interest if:
- 7.1.(a) it is an interest which arises from the holding of (1) a Tutorship and other Tutors have a similar interest, or (2) a position held by four or more Fellows;
  - 7.1.(b) it is an interest arising from membership of a Faculty or Department in the University, or the holding of an office or position in the University, where the other members of the Faculty or Department or the other persons holding such an office or position in the University, as the case may be, have a similar interest (this also applies to interests of partners and close family members, provided that they have been entered on the register of interests);
  - 7.1.(c) it is an interest arising from membership of (or from being a director of) a subsidiary company of the College.
  - 7.1.(d) it is an interest which arises from a general review of College stipends or benefits;

#### **8. REGISTER OF INTERESTS**

- 8.1. Fellows shall register their material interests with the Principal's office, the information being recorded in a register kept for the purpose. Fellows shall notify the Principal's office of any new material interest occurring whenever such new material interest occurs. The register shall include a statement of membership of any Faculty or

Department in the University, and the holding of any office or position in the University (excluding merely part-time offices). The register of interests shall be available for inspection in the Principal's office by any Fellow.

- 8.2. Any position as a shareholder, company director or charity trustee shall not constitute a material interest for the purposes of paragraph 8.1 unless there is a reasonable possibility that the company or charity may be engaged in any business, appeal, or transaction involving the College. [Note 3]

## **9. DOUBTS AS TO MEANING OF MATERIAL INTEREST**

- 9.1. If there is doubt whether a declared interest is material the Governing Body shall determine it in the absence of the Fellow or Fellows concerned, after hearing his or her views, and the Governing Body's decision shall be final.

## **10. BENEFITS TO FELLOWS**

- 10.1. No direct or indirect financial gain or benefit shall be provided for any Fellow. This does not apply to payments or benefits authorised by the Statutes, Bye-laws, by the Fellow's contract of employment or authorised by Governing Body.

## **11. REMUNERATION AND BENEFITS FOR PERSONS CONNECTED WITH FELLOWS**

- 11.1. Remuneration and benefits may be provided for persons connected with Fellows if:
- 11.1.(a) they are for tasks generally undertaken by persons unconnected with the College (examples being out-College tuition, examining and participation in selection of students); or
  - 11.1.(b) they are approved by the Governing Body; or
  - 11.1.(c) the requirements of s 73A of the Charities Act 2006 are otherwise satisfied.
- 11.2. Connected persons shall include family, relatives or business partners, as well as businesses in which a Fellow has an interest through ownership or influence. The term includes a Fellow's spouse or unmarried or civil partner, children, siblings, grandchildren and grandparents, as well as businesses where a trustee or family member holds at least one-fifth of the shareholding or voting rights.

# BYE-LAW 5: THE STUDENT DISCIPLINARY CODE

## 1. DEFINITIONS

For the purposes of this Bye-law, save where the context otherwise requires, the following words shall have the following meanings:

- 1.1. The term 'Junior Member' shall mean any person other than a Fellow admitted to the College to pursue and pursuing a course of study approved by the University.
- 1.2. 'Expulsion' shall mean the permanent loss of membership of the College and the University.
- 1.3. 'Banning' shall mean a withdrawal of the right of access to specified premises or facilities of the College either for a fixed period or for a fixed minimum period and pending the fulfilment of specified conditions.
- 1.4. 'Rustication' shall mean a withdrawal of the right of access to all of the premises and facilities of the College either for a fixed period or for a fixed minimum period and pending the fulfilment of specified conditions.
- 1.5. 'Suspension' shall mean a withdrawal of a right of access as in 3.3 or 3.4 above where action is taken as an interim measure pending further investigation. Such withdrawal shall be either for a fixed period or for a fixed minimum period and pending the fulfilment of specified conditions.
- 1.6. 'Harassment' shall mean a course of unwarranted behaviour such as to cause and as may reasonably be expected to cause such distress or annoyance as seriously to disrupt the work or substantially to reduce the quality of life of another person.
- 1.7. 'Non-academic delinquency' shall mean conduct in breach of the provisions set out in II below (the Disciplinary Code).
- 1.8. 'Academic delinquency' shall mean unsatisfactory academic performance by a Junior Member, and shall include failure to pass the First Public Examination within the time and at the standard prescribed by the College rules and unsatisfactory performance in College Collections.
- 1.9. 'Day' shall mean a full working day (Monday to Friday) and shall exclude Saturday, Sunday, a bank holiday, Good Friday or Christmas Day.
- 1.10. 'In writing' shall include any communication contained in a letter or facsimile or e-mail.

## 2. DISCIPLINARY CODE

No Junior Member of the College shall:

- 2.1. commit any act of misconduct. Misconduct shall be defined as:
  - 2.1.(a) improper interference, in its broadest sense, with the functioning or activities of the College or those who work, study or are accommodated in the College; and/or
  - 2.1.(b) any activity or failure to act in a way, which otherwise damages the College or its reputation, or those who work, study or are accommodated in the College.

The following paragraphs elaborate this general principle, but not so as to derogate from the generality of the above, and are acts of misconduct:

- 2.2. Disrupt or attempt to disrupt teaching or study or research or the administrative, sporting, social or other activities of the College, or the exercise of the freedom of speech by members, employees or agents of the College and by visiting speakers, or obstruct or attempt to obstruct any employee or agent of the College in the performance of his duties;
- 2.3. Damage or deface or attempt to damage or deface any property of the College or of any member, employee or agent of the College, or knowingly take or attempt to take such property without consent;
- 2.4. Occupy or use or attempt to occupy or use any property or facilities of the College except as may be authorised by the College authorities concerned;
- 2.5. Forge or falsify expressly or impliedly any College certificate or document, or make false statements concerning standing or results obtained in examinations;
- 2.6. Engage in any activity likely to cause injury or to impair safety, including in particular any conduct in breach of the College rules relating to precautions against fire;
- 2.7. Engage in violent, indecent, disorderly, threatening or offensive behaviour or in threatening or offensive language directed towards members, employees or agents of the College or members of the public, or engage in the harassment of any such person;
- 2.8. Engage in any fraudulent or dishonest behaviour in relation to the College;
- 2.9. Refuse to disclose his name and other relevant details to an officer, employee or agent of the College in circumstances where it is reasonable to require such information to be given;
- 2.10. Use or offer, sell or give to any person drugs, the possession or use of which is illegal;
- 2.11. Engage in conduct in breach of the Statutes and Regulations of the University published from time to time;

- 2.12. Engage in conduct resulting in conviction for a criminal offence or a caution for a criminal offence issued by a police officer.
- 2.13. Engage in conduct in breach of such College rules set out in Information for Members or otherwise notified to Junior Members by the Governing Body as may be in force from time to time;
- 2.14. Engage in any other conduct which is gravely detrimental to the interests of the College.

### **3. DISCIPLINARY PROCEDURES IN CASES OF NON-ACADEMIC DELINQUENCY**

#### **Preliminary stages of the disciplinary procedure**

- 3.1. The disciplinary procedure may be initiated by any member, employee or agent of the College, who believes that a Junior Member has breached the Disciplinary Code. This person shall refer the matter to the Student Conduct Officer or Junior Dean as soon as reasonably possible after the occurrence of the alleged breach, naming the Junior Member concerned and giving details of the alleged breach.
- 3.2. Where the seriousness of an alleged breach of the Disciplinary Code justifies it, the Student Conduct Officer, or in his absence the Principal, Dean or Bursar, shall have the authority to suspend the Junior Member with immediate effect, for as long as the disciplinary procedure is in operation, or for such time as the Student Conduct Officer (or Principal, Dean or Bursar) considers appropriate. The suspension of a student shall be a neutral act and the suspension itself shall have no bearing on any later decision.

#### **Breaches also contravening other University, College or criminal codes**

- 3.3. Either:
  - 3.3.(a) Where an alleged breach of the Disciplinary Code constitutes in the opinion of the Student Conduct Officer a sufficiently serious criminal offence, the Student Conduct Officer shall decide having regard to all the relevant circumstances whether to refer the matter to the Police and Proctors, and where a Junior Member is subject to criminal proceedings arising out of the alleged breach of the Disciplinary Code, the Student Conduct Officer shall not normally proceed with the case, unless the Student Conduct Officer considers there are circumstances which require the case to proceed.
  - 3.3.(b) Where an alleged breach of the Disciplinary Code constitutes in the opinion of the Student Conduct Officer a sufficiently serious University offence, the Student Conduct Officer shall normally refer the matter to the Proctors, and where a Junior Member is subject to University disciplinary proceedings arising out of the alleged breach of the Disciplinary Code, the Student Conduct Officer shall not normally proceed with the case unless the Student

Conduct Officer considers there are circumstances which require the case to proceed.

- 3.4. Either:
- 3.4.(a) If an alleged breach of the Disciplinary Code referred to the Police under 3.3(a) above is not proceeded with as a criminal matter by the prosecuting authorities, the Student Conduct Officer shall then deal with the matter as though it had not been referred to the Police.
  - 3.4.(b) If an alleged breach of the Disciplinary Code referred to the Proctors under 3.3(b) above is not proceeded with by the University authorities, the Student Conduct Officer shall then deal with the matter as though it had not been referred to the Proctors.
- 3.5. If the complaint relates to activity which falls within the College's Code of Practice on Harassment, whether or not it constitutes 'harassment' for the purpose of this bye law, the Student Conduct Officer shall consider whether the complaint should more appropriately be dealt with under the informal procedures set out in the Code. If he takes the view that the complaint should not be so dealt with he shall deal with the matter under the following procedure.

**Disciplinary proceedings before the Student Conduct Officer or Junior Dean**

- 3.6. Following receipt of the report of the alleged breach, the Student Conduct Officer or Junior Dean shall require the Junior Member concerned to attend for interview before him at a time and place stipulated, and shall provide the Junior Member(s) with at least two days' notice of the interview. The notification of the interview shall give particulars of the alleged breach of the Disciplinary Code and if possible the allegations to be set out in writing.
- 3.7. At the interview, the Student Conduct Officer or Junior Dean shall explain to the Junior Member that he can:
- 3.7.(a) admit the alleged breach, in which case the Student Conduct Officer or Junior Dean shall elicit only such information about the breach as is relevant to penalty;
  - 3.7.(b) deny the alleged breach and continue with the interview as an investigation into whether the alleged breach is established, which may be adjourned if either the Student Conduct Officer or Junior Dean or the Junior Member reasonably requires evidence in relation to the alleged breach to be provided by other persons.
  - 3.7.(c) elect to end the interview and take the matter immediately to a Disciplinary Committee.



3.8.

- 3.8.(a) At any stage of the disciplinary procedure, the Student Conduct Officer (but not the Junior Dean) may refer the matter to a Disciplinary Committee.
- 3.8.(b) At the close of the interview the Student Conduct Officer or Junior Dean may either:
  - 3.8.b.(i) take no further action; or
  - 3.8.b.(ii) if the breach has been established or admitted, and after hearing any mitigation, impose a penalty within the range set out in 5 below.
- 3.8.(c) In case (ii), the Junior Member may appeal to the Appeal Committee against a finding of breach and/or the penalty imposed.
- 3.8.(d) The Student Conduct Officer or Junior Dean shall in all cases take an adequate written note of the proceedings at the interview and of any evidence presented, sufficient for the use of the Appeal Committee in the event of an appeal under 3.8 (c) above. A note-taker may be employed at the discretion of the Student Conduct Officer.

**Disciplinary Proceedings before a Disciplinary Committee**

- 3.9. A Disciplinary Committee shall consist of three members of the Governing Body, who shall be nominated by the Student Conduct Officer, or in his absence the Principal, or in their joint absence the Bursar. The chairman of the Committee shall be the senior member of the Governing Body present.
- 3.10. The Student Conduct Officer shall appoint an Investigating Officer. The Investigating Officer shall ordinarily be a member of the College but may be any person who the Student Conduct Officer in his sole discretion shall decide to appoint. The Investigating Officer shall:
  - 3.10.(a) carry out any investigations as are considered necessary;
  - 3.10.(b) collect any further documents as are considered necessary;
  - 3.10.(c) prepare a written statement of the particulars of misconduct:
- 3.11. The Committee Chairman shall arrange a hearing as soon as practicable after receiving the Investigating Officer's report. At least 7 days before the appointed hearing date, the Investigating Officer shall cause to be sent to the Junior Member concerned and to members of the Disciplinary Committee:
  - 3.11.(a) a copy of the Disciplinary Bye-law ;
  - 3.11.(b) any relevant documents;
  - 3.11.(c) the names of any witnesses who will give written or oral evidence; and where possible copies of their written witness statements;

- 3.11.(d) a written statement of the particulars of misconduct.
- 3.12. At least 5 days before the hearing the Junior Member shall provide to the Committee and to the Investigating Officer:
  - 3.12.(a) copies of any documents that the Junior Member intends to rely upon; and,
  - 3.12.(b) the names of any witnesses whom the Junior Member would like to give written or oral evidence and where possible copies of their written witness statements.
- 3.13. No other documents may be presented at the hearing or further witnesses called unless the Committee decides it is fair and reasonable to do so.
- 3.14. The hearing shall be in private. The Committee may appoint a Legal Adviser to attend and/or advise on procedure but who shall take no part in the decision making process. A note-taker may be employed at the discretion of the Committee.
- 3.15. During the Hearing:
  - 3.15.(a) the procedure at the hearing shall, be determined at the discretion of the Committee;
  - 3.15.(b) the Junior Member may be assisted by one representative.
  - 3.15.(c) the allegation shall be presented to the Committee by the Investigating Officer or such other person as the Investigating Officer may designate;
  - 3.15.(d) the Investigating Officer may call as witnesses persons who can give relevant evidence. The Junior Member or the Junior Member's representative may question the witnesses and, if so, the Investigating Officer may ask further questions;
  - 3.15.(e) The Junior Member or the Junior Member's representative may call as witnesses persons who can give relevant evidence. The Investigating Officer may question the witnesses and if so, the Junior Member or the Junior Member's representative may ask further questions;
  - 3.15.(f) if a witness is likely to be in distress, the Committee may permit the witness to be accompanied by any person. If the witness is a vulnerable witness then the Committee may allow that witness to give evidence behind screens or make such other arrangements as appropriate;
  - 3.15.(g) The Investigating Officer may question the Junior Member when the Junior Member gives evidence;
  - 3.15.(h) The Investigating Officer and the Junior Member or the Junior Member's representative may make formal submissions to the Committee;

- 3.15.(i) Prior to making the decision, the Committee shall give the Junior Member the opportunity to make written representations in mitigation of any penalty which may be imposed if the allegation is upheld.
- 3.16. After the hearing, the Committee may either
  - 3.16.(a) take no further action; or
  - 3.16.(b) If the breach has been established or admitted, and after hearing any mitigation, impose a penalty within the range set out in 5.3 below; or
  - 3.16.(c) if the breach has been established or admitted and after hearing any mitigation the Committee is of the opinion that a penalty in the range 5.4 below is merited, make a recommendation as to penalty for consideration by the Governing Body.

The Committee shall make arrangements for the decision to be given to the Junior Member either orally (in which case it shall be confirmed in writing) or in writing within 5 days of the date of the conclusion of the hearing. The written communication to the Junior Member shall set out the misconduct, the decision, the reasons for the decision and any penalty imposed.

- 3.17. Before deciding the penalty to be awarded or the recommendations to be made the Committee shall take into account the effect on the Junior Member's ability and eligibility to take an examination or complete a course of work as well as the interests of the College.
- 3.18. In fixing any financial penalties the Committee shall have regard to the Junior Members financial means.
- 3.19. In imposing a penalty on a Junior Member pursuing a course leading to a professional practice the Committee, if appropriate, shall have regard to the relevance of the misconduct in relation to the Junior Members fitness to be professionally registered and the Committee may take advice in this regard.
- 3.20. The Committee shall inform the Junior Member of the right to appeal to the Appeal Committee save in those cases where the Committee make a recommendation to the Governing Body as to Rustication, Expulsion or to deprive the Junior Member of a Scholarship award. In this latter case the Committee shall give the Junior Member no less than five days' notice of its intention, and the right of appeal may not be exercised until after the Governing Body has reached a decision upon the recommendation of the Disciplinary Committee.

#### **Disciplinary proceedings before the Governing Body**

- 3.21. When considering a recommendation made by a Disciplinary Committee, the Governing Body shall have reference to the information recorded under 9.2 below, and to such part or parts of the statements of evidence taken by the Committee as are relevant to penalty. The Junior Member shall have the right to make oral or written

representations for consideration by the Governing Body. The student shall be entitled to be assisted by one representative but shall not be entitled to give evidence or call witnesses as to fact but may call no more than two witnesses as to character.

#### **4. SPECIAL CASES OF CONVICTION AND UNIVERSITY OFFENCES**

4.1. If a Junior Member is either:

4.1.(a) convicted of a criminal offence or receives a caution for a criminal offence issued by a police officer: or

4.1.(b) expelled, suspended or rusticated by the University for conduct which amounts to a breach of the Disciplinary Code;

then the special procedures set out below shall apply in place of the disciplinary procedures in 3 above.

4.2. The findings of fact made by the criminal or University court, (or set out in the caution issued by a police officer) as notified to the College, shall be accepted, and shall not be the subject of further investigation by the College.

4.3. The Junior Member shall be given notice by the Student Conduct Officer, or in his absence by the Principal, or in their joint absence the Bursar, that the Governing Body intends to consider whether a penalty should be imposed for the breach of the Disciplinary Code, at a meeting scheduled to take place not less than three days after the receipt of the notice by the Junior Member.

4.4. The Junior Member shall have the right to make oral representations on the question of penalty for consideration by the Governing Body. The student shall be entitled to be assisted by one representative but shall not be entitled to give evidence or call witnesses as to fact but may call no more than two witnesses as to character.

4.5. The Governing Body shall have full discretion to impose such penalty as it shall think fit, within the range set out by this Bye-law. However, it is the agreed policy of the Governing Body to act congruently with the University in cases falling within 4.1.(b) above, save in wholly exceptional circumstances.

4.6. The Junior Member may appeal to the Appeal Committee against the penalty imposed.

#### **5. PENALTIES IN CASES OF NON-ACADEMIC DELINQUENCY**

5.1. Penalties will not normally be imposed for minor and inadvertent breaches of the Disciplinary Code.

5.2. The Junior Dean shall have the power to impose a fine of up to the limit as the Governing Body shall from time to time decide, which in all cases shall be payable at once unless otherwise agreed in writing by the Junior Dean.

- 5.3. The Student Conduct Officer, Disciplinary Committee and Appeal Committee shall have the power:
- 5.3.(a) To impose a fine which in all cases shall be payable at once unless otherwise agreed in writing by the Student Conduct Officer, Disciplinary Committee or Appeal Committee (as appropriate); and/or
  - 5.3.(b) To require the Junior Member to pay the cost of damage resulting from the breach of the Disciplinary Code, such payment to be made at once unless otherwise agreed in writing by the Student Conduct Officer, Disciplinary Committee or Appeal Committee; and/or
  - 5.3.(c) To confiscate electrical equipment or other property belonging to the Junior Member which constitutes a fire risk on the advice of the Bursar; and/or
  - 5.3.(d) Where the Junior Member has caused serious or persistent disturbance to others, especially late at night, to require him to remove permanently from College premises the source of the disturbance ((eg) musical instruments; stereos; etc.); and/or
  - 5.3.(e) To ban the Junior Member from specified College premises or facilities.
  - 5.3.(f) To withdraw any provision of College accommodation or license to occupy.
  - 5.3.(g) To impose an appropriate sentence of community service.
- 5.4. The Governing Body shall have the power:
- 5.4.(a) To impose any of the penalties listed in 5.3 above (in any combination); and/or
  - 5.4.(b) To rusticate or expel the Junior Member; and/or
  - 5.4.(c) To deprive the Junior Member of any Scholarship award.
  - 5.4.(d) The power to impose a penalty shall include the power to suspend that penalty for a specified period.

## **6. ACADEMIC STANDING & ACCOUNTABILITY**

### 6.1. Good Academic Standing

All Junior Members shall sign a contract with the College undertaking to remain in Good Academic Standing, which shall include:

- 6.1.(a) undertaking all preparatory work set, such as reading or laboratory work;
- 6.1.(b) completion to the best of a student's ability all written work required (essays, problem sheets...) by the appropriate deadline;
- 6.1.(c) punctual attendance at classes, tutorials and other meetings arranged by academic staff;

- 6.1.(d) responding in a timely manner (in term time, within 24 hours) to correspondence with academic staff.
- 6.1.(e) attendance at University lectures and classes relevant to a curriculum and/or designated by academic staff;
- 6.1.(f) sitting of University and internal College examinations ('collections'), and passing those examinations.

Junior Members who do not maintain these standards may be prevented from standing for elected office for University or College societies, or taking on other commitments which are deemed onerous and may detract from their ability to achieve the required standards.

## 6.2. Academic Accountability

Junior Members are at all times accountable to the College for maintaining Good Academic Standing.

The Academic Accountability process is designed to manage actions to ensure Good Academic Standing, and deal with instances where this is not maintained. It is managed as four stages, as set out below. In cases of serious academic misconduct (such as plagiarism) the first two may be dispensed with.

### 6.2.(a) Stage 1: Report

- 6.2.a.(i) If a student is not meeting expectations, the responsible academic staff within the College should discuss these with the student. The student should be informed that this meeting is a 'report' meeting.
- 6.2.a.(ii) A record should be kept of this meeting in which the academic member(s) of staff should explain in what ways the student is not meeting academic expectations, and the student should be invited to present mitigating factors.
- 6.2.a.(iii) The academic member(s) should alert the student to potential sources of help, including welfare support. A report of the discussion, including advice to the student and a note of mitigating factors (if the student's permission has been obtained) should be sent as a record to the student, to the Registrar and to the Senior Tutor. This report will normally be deemed 'spent' after one year.

### 6.2.(b) Stage 2: First Formal Warning

- 6.2.b.(i) If the student continues not to meet expectations, the responsible academic staff should refer the student to the Senior Tutor, who will invite the student to a meeting, which may also be attended by the Registrar and College staff.
- 6.2.b.(ii) The student will have at least 24 hours' notice of this meeting, and may be accompanied to the meeting by another student or other member of the College. The Senior Tutor will set out the reasons for

the meeting and the ways in which the student is not meeting expectations.

- 6.2.b.(iii) The meeting will consider mitigation as above and attempt to address any problems the student has. The Senior Tutor will set out specific expectations for future performance, which may include additional academic tasks, such as sitting a collection, and the timescale in which these should be achieved.
- 6.2.b.(iv) A formal letter or email setting out the reasons for this warning and the expectations that the student must meet will be sent to the student after the meeting. It will be made clear that the student may be placed on probation if those expectations are not met. This warning will normally be deemed 'spent' after one year.

6.2.(c) Stage 3: Probation

- 6.2.c.(i) If the student does not comply with the expectations set out in the First Formal Warning, then the Senior Tutor can place the student on probation.
- 6.2.c.(ii) There is no need for a further meeting, though the student and/or the Senior Tutor may request one, in which case it will follow the procedures set out in 2) above. In cases of serious academic misconduct where no prior meeting has taken place, the Senior Tutor will meet with the student. The fact that a student is now on probation will be communicated to the student by letter or email.
- 6.2.c.(iii) The Senior Tutor will set out in writing what is required of the student, and will explain that failure to meet those expectations may result in suspension, expulsion or retention under specified conditions. Probation will entail setting further expectations and timescales; it may also lead to the setting of appropriate levels of attainment in 'probationary collections'.
- 6.2.c.(iv) Where probationary collections are set they will be double marked, with at least one marker from outside the College. Where there is a discrepancy between the two marks, the mark most favourable to the student must be taken.
- 6.2.c.(v) Notice of at least 2 weeks of term or 4 weeks of vacation must be given so that the student can prepare for the probationary collection(s). If all of the notice period is in the vacation, or if the student is currently suspended, the student shall be entitled to five working days' vacation residence, without charge, in order to use Oxford facilities to prepare for the collection.
- 6.2.c.(vi) Probation will normally be deemed 'spent' after one year.

6.2.(d) Stage 4: Formal Disciplinary Hearing

- 6.2.d.(i) If the terms of probation are not met, the final stage of the process is a formal hearing before a disciplinary panel. The disciplinary panel,

established by the Senior Tutor, shall include no less than three members of Governing Body not previously involved in the case.

- 6.2.d.(ii) The Senior Tutor shall, not less than seven days prior to the sitting of the disciplinary panel, provide to the student (and the disciplinary panel) full written details as to the matters of complaint to be placed before the disciplinary panel.
- 6.2.d.(iii) If the student wishes to place any documents before the disciplinary panel then copies of such documents must be given to the Academic Office for the attention of the Senior Tutor (and the disciplinary panel) not less than two days prior to the sitting of the disciplinary panel.
- 6.2.d.(iv) The student may be assisted by one member of College.
- 6.2.d.(v) The student may call any evidence as to facts or in relation to mitigating circumstances and shall be entitled to make written submissions.
- 6.2.d.(vi) The Chair of the disciplinary panel shall prepare a report for the Governing Body setting out the grounds for action, the evidence presented, the factors taken into account and the decision made. The Chair will also send the report to the student concerned within five days.

### 6.3. Internal appeal

- 6.3.(a) If the student wishes to appeal the decision, he or she must do so within five days of receipt of the report by writing to the Principal setting out their grounds of appeal in detail.
- 6.3.(b) An appeal panel, consisting of no less than three members of Governing Body who have not previously been involved, will be convened by the Principal, and must meet to hear the appeal within 2 weeks of receipt of the appeal.
- 6.3.(c) The appeal panel shall not ordinarily hear further evidence, unless in the view of the appeal panel there is an exceptional reason, when they may exercise their discretion to allow further and new evidence to be admitted. In such circumstances the appeal panel should ensure that the student has adequate time to consider the evidence and provide an opportunity for the student to ask questions of any further witness called.

### 6.4. External appeal

Where the student remains dissatisfied with the outcome of the appeal process, he or she is entitled to place his or her case before the Conference of Colleges Appeal Tribunal.

### 6.5. Complaints Procedure:



- 6.5.(a) Any student who wishes to complain about any academic matter should normally, in the first instance, discuss the matter informally with the relevant member of the College's academic or administrative staff, or (or in addition) with the relevant JCR or MCR representatives. A student who remains dissatisfied with such discussions, or who does not wish to initiate them, may make a formal complaint, in accordance with the following procedures:
- 6.5.(b) Complaints about tuition and other academic or pastoral matters, including academic administration, should be made to the Senior Tutor;
- 6.5.b.(i) If they concern the Senior Tutor, they should be addressed to the Principal.
- 6.5.b.(ii) If they concern the Principal, they should be addressed to the Senior Tutor or the Bursar.
- 6.5.(c) On receiving any complaint made under 2, the officer receiving the complaint shall record that a formal complaint has been made, investigate whether it has foundation, and propose how it may be dealt with. In so doing, the officer shall, if so requested by the complainant, preserve the complainant's anonymity unless that would make investigation impossible. The complainant may be accompanied by a friend or adviser when making the complaint. In making the investigation the officer shall inform any person against whom the complaint is made of the full nature of the complaint, and give such persons opportunity to comment on them and question the complainant.
- 6.5.(d) In cases where the complaint is not initially made to the Principal, and where the complaint does not concern the Principal if the complainant is dissatisfied with the manner in which the officer to whom the complaint was made proposes that the complaint be dealt with, or if the officer proposes to take no action, the complainant may refer the matter to the Principal. In case of such referral, the Principal shall follow the procedures in paragraph 3, but shall, if the complainant so requests, also convene a panel of 2 members of the Governing Body and 2 students (unless the complainant objects to the latter) who have not been involved in the issue, to consider the complaint together with him. The members of the panel must be acceptable to the Principal and to the complainant. The Principal may or may not accept the advice of the panel about how the complaint should be dealt with. If the outcome is not acceptable to the complainant, then the complainant may appeal to the Conference of Colleges Appeal Tribunal.
- 6.5.(e) In cases where the complaint is initially made to the Principal, the Principal shall follow the procedures in paragraph 3, but shall, if the complainant so requests, also convene a panel of 2 members of the Governing Body and 2 students (unless the complainant objects to the latter) who have not been

involved in the issue, to consider the complaint together with him. The members of the panel must be acceptable to the Principal and to the complainant. The Principal may or may not accept the advice of the panel about how the complaint should be dealt with. If the outcome is not acceptable to the complainant, then the complainant may appeal to the Conference of Colleges Appeal Tribunal.

- 6.5.(f) If the complaint concerns the Principal, the officer to whom the complaint is made shall propose how the complaint shall be dealt with, and that proposal shall be followed if acceptable to the Principal and the complainant. If it is not acceptable to the Principal then the Complainant may appeal to the Conference of Colleges appeal Tribunal.

## **7. ILL-HEALTH AND TEMPORARY WITHDRAWAL FROM COURSE**

### **Procedure to be followed in cases of serious ill-health**

- 7.1. Where it appears that a Junior Member is suffering from a serious problem arising from ill-health, the following procedures shall apply.
- 7.2. The Dean, or in his absence the Principal, or in their joint absence the Bursar, shall have the authority to suspend the Junior Member with immediate effect, where it appears that suspension is necessary for the welfare of the Junior Member or for the welfare or protection from harm of others. In taking the decision to suspend, the College doctor, and/or any other relevant medical practitioner, should be consulted where possible.
- 7.3. Any disciplinary proceedings may be adjourned pending investigation of the question of ill-health.
- 7.4. Where it appears that the state of ill-health of the Junior Member is such that it is impossible or unacceptable, either temporarily or permanently, for him to continue as a member of the College, he shall be given notice by the Dean, or in his absence the Principal, or in their joint absence the Bursar, that the Governing Body intends to consider whether he should be expelled or rusticated at a meeting scheduled to take place not less than 7 days after the receipt of the notice by the Junior Member.
- 7.5. The Junior Member shall have the right to be present and make oral representations, including the presentation of medical evidence, for consideration by the Governing Body, or to make written representations. Such written representations must be delivered to the College Office not less than 1 day before the start of the meeting of the Governing Body at which the question is to be discussed.
- 7.6. The Governing Body may at its discretion invite the College doctor and/or any other relevant medical practitioner to be present at its meeting, and shall where possible obtain medical advice on the question prior to reaching its decision. The Junior member may be accompanied by one representative and shall be entitled to ask

questions of any witness or medical practitioner who provides evidence or advice to the Governing Body.

- 7.7. If the Governing Body decides that the state of ill-health of the Junior Member is such that it is impossible or unacceptable for him to continue as a member of the College, it may either:
- 7.7.(a) where the state of ill-health is likely to be temporary, rusticate the Junior Member, subject to specified conditions as to his return, unless the Junior Member within 48 hours of receiving notification of this decision accepts, in writing, a grant of permission to withdraw temporarily from his course on the same conditions; or
  - 7.7.(b) where the state of ill-health is likely to be permanent, expel the Junior Member, unless the Junior Member within 48 hours of receiving notification of the decision agrees, in writing, to withdraw permanently from his course.
- 7.8. Regardless of whether he has agreed to withdraw from his course, the Junior Member may appeal to the Appeal Committee against the decision of the Governing Body to expel or rusticate him, and/or against the conditions of rustication. A Junior Member who wishes to exercise this right of appeal shall notify the Senior Tutor and the College Office of his decision to appeal and of his ground(s) of appeal within 14 days of receiving notification of the decision of the Governing Body against which he is appealing.
- 7.9. All those concerned in implementing this section of the Bye-law shall respect the need for strict medical confidentiality. Applications for temporary withdrawal from course

#### Applications for temporary withdrawal from course

- 7.10. Any Junior Member who wishes to withdraw temporarily from his course shall make a written request to do so, such request to be addressed to the Senior Tutor for consideration by the Governing Body at its next meeting.
- 7.11. If the Governing Body grants permission subject to specified conditions as to return, the Junior Member must, within two days of receiving notification of the decision of the Governing Body, accept them in writing. If the Junior Member does not so accept the conditions, the permission to withdraw shall lapse, and the application must be brought again.
- 7.12. The Junior Member shall have no right of appeal against the decision of the Governing Body on his application.

## **8. APPEALS**

- 8.1.
- 8.1.(a) The Appeal Committee shall consist of no less than three members of the Governing Body, (usually the Principal, the Senior Tutor and the Tutor for

Graduates), save that no member of a Disciplinary Committee shall sit on the Appeal Committee in connection with the same matter.

- 8.1.(b) In a case of non-academic delinquency the Junior Member may request that junior members be represented upon the Appeal Committee. If such a request is made, the chairman of the Appeal Committee shall appoint one JCR and one MCR member to the Committee (usually the Presidents of the JCR and the MCR).
- 8.2. Save where otherwise provided, a Junior Member who wishes to exercise any right of appeal conferred by this Bye-law shall notify the Student Conduct Officer (in cases of non-academic delinquency) or the Senior Tutor (in cases of academic delinquency) and the College Office of his decision to appeal and of his ground(s) of appeal within two days of receiving notification of the decision of the Student Conduct Officer, Junior Dean, Disciplinary Committee or Governing Body against which he is appealing.
- 8.3. In a case of non-academic delinquency, the procedures attendant upon an appeal to the Appeal Committee shall be the same as those attendant upon a reference to a Disciplinary Committee, with the following modifications.
  - 8.3.(a) The Appeal Committee shall consider the note of the proceedings before the Student Conduct Officer or Junior Dean or the written reasons of the Disciplinary Committee. Any documents considered by the Student Conduct Officer, Junior Dean, or Disciplinary Committee shall be made available to the Appeal Committee and to the Junior Member.
  - 8.3.(b) The junior member shall be entitled to be assisted by one person.
  - 8.3.(c) The Junior Member may make oral or written representations to the Appeal Committee.
  - 8.3.(d) The Appeal Committee shall not ordinarily hear further evidence, unless in an exceptional case, when in their complete discretion, they decide it shall be admitted. In such circumstances the Appeal Committee shall ensure the Junior member has adequate time to consider the evidence and provide an opportunity for the junior member to ask questions of any further witnesses called.
  - 8.3.(e) The Appeal Committee shall give written reasons for its decision and shall endeavour to provide such written reasons within five full days of the completion of the appeal hearing.
- 8.4. In a case of academic delinquency, the following procedures shall apply.
  - 8.4.(a) Within five days of being notified of the Junior Member's intention to appeal, the Appeal Committee shall give the Junior Member notice of its intention to meet to consider his case at a time and place stipulated, and shall provide the Junior Member with at least two days' notice of the meeting.

- 8.4.(b) The Junior Member shall be entitled to
    - 8.4.b.(i) attend the meeting and be assisted by one person,
    - 8.4.b.(ii) shall have the right to make oral and/or written representations to the Appeal Committee
    - 8.4.b.(iii) to ask questions of any person who provides evidence to the Appeal Committee.
    - 8.4.b.(iv) to have copies of all documents seen by the Appeal Committee unless in an exceptional case the Appeal Committee decide that a document or documents should not be shown to the junior member.
  - 8.4.(c) The Appeal Committee may invite the Junior Member's tutor or tutors to be present at the meeting, and shall where possible seek to ensure at least one of the Junior Member's tutors attends the hearing.
  - 8.4.(d) The Appeal Committee may adjourn the proceedings in order for relevant evidence (including the advice or opinion of the College doctor and/or any other relevant medical practitioner) to be provided or obtained.
- 8.5.
- 8.5.(a) In a case of non-academic delinquency, the Appeal Committee shall have the power to confirm, modify, or reduce any penalty imposed by the Student Conduct Officer, Junior Dean, Disciplinary Committee or Governing Body, save that in modifying the penalty they may only impose a penalty within the range set out in V above.
  - 8.5.(b) In a case of academic delinquency, the Appeal Committee shall have the power to confirm, modify or revoke the decision of the Governing Body appealed from.
- 8.6. Where any Junior Member is required to fulfil specified conditions by a person or body acting under this Bye-law, the Junior Member shall have the right to appeal to the Appeal Committee against a decision that any such condition has not been fulfilled.
- 8.7. The decision of the Appeal Committee shall be final.
- 8.8. The Appeal Committee shall give written reasons for its decision

## **9. GENERAL PROCEDURAL MATTERS**

- 9.1. Any finding of fact in relation to a breach of the Disciplinary Code shall be based upon an application of the civil standard of proof namely the balance of probabilities.
- 9.2. The details of any breach of the Disciplinary Code established or admitted and/or any penalty imposed or recommended shall be entered on an appropriate record and signed by the Student Conduct Officer or Junior Dean, or the chairman of the

- Disciplinary Committee, Appeal Committee or Governing Body (as appropriate). One copy of the record shall be given to the Junior Member as soon as is possible, one lodged with the College Office, and, in the case of decisions by the Disciplinary Committee or the Appeal Committee, and an anonymized summary circulated to the Governing Body. In the case of decisions by the Governing Body, the information contained in the record shall also be entered in the minutes of the relevant Governing Body meeting and duly circulated to the Governing Body.
- 9.3. Receipt of any notice of an interview, disciplinary hearing or other meeting, delivery of written representations or notification of any decision shall be presumed to have occurred at the time at which the document was placed in the appropriate internal pigeon-hole or 2 working days after it was handed in at the College Lodge for posting to an external address, or at the time that an email was sent.
  - 9.4. All notices or other notifications shall be made in writing, which shall include email correspondence.
  - 9.5. The Junior Member may waive at any stage all or any of his rights under the foregoing procedures; nor shall any departure from such procedure invalidate any determination purported to be made thereunder unless in all the circumstances such departure is productive of substantial unfairness to the Junior Member.
  - 9.6. Any time limits contained in the foregoing procedures may be extended at the discretion of the Student Conduct Officer, Junior Dean, Disciplinary Committee, Appeal Committee or Governing Body (as appropriate).
  - 9.7. If any person required or entitled to attend an interview, hearing or other meeting, including the Junior Member concerned, fails to appear, the Student Conduct Officer, Junior Dean, Disciplinary Committee or Appeal Committee (as appropriate) may either adjourn the proceedings or deal with the case in his absence, if satisfied that proper notice has been given and that it is fair to proceed in his absence.

## BYE-LAW 6: THE ACADEMIC DISCIPLINARY COMMITTEE

This Bye-law is made under paragraph 18 of the Statute “Employment law provisions relating to Academic Staff” (the “**Academic Staff Statute**”). It sets out the procedure to be followed in respect of the preparation, hearing and determination of charges by an Academic Disciplinary Committee (“**ADC**”).

### 1. IN THIS BYE-LAW, REFERENCES TO:

- 1.1. paragraphs are to paragraphs of the Academic Staff Statute unless otherwise stated;
- 1.2. the Chairman are to the Chairman of the ADC;
- 1.3. the presenter are to the solicitor or other suitable person instructed by the Governing Body under paragraph 17.

### 2. THE ADC

- 2.1. Subject to the provisions of the Academic Staff Statute, the ADC shall have power to regulate its own proceedings. The ADC may appoint a secretary to support it in discharging its function at any time.

### 3. MATTERS REFERRED TO AN ADC

- 3.1. No charge formulated under paragraph 17 shall be determined without an oral hearing at which the person charged is entitled to be present.
- 3.2. The ADC may direct that the charges against more than one person shall be heard together, due regard being given to the principles of justice and fairness.
- 3.3. The parties to a hearing by the ADC shall be:
  - 3.3.(a) The person charged;
  - 3.3.(b) The presenter; and
  - 3.3.(c) Any person added as a party by the ADC; reference to the person charged shall include, where the context so permits, reference to any such person.
- 3.4. Any person charged shall be entitled, at his or her own expense, to be represented by another person, whether such person is legally qualified or not, in connection with and at any hearing of charges. When a person charged is so represented, references in this Bye-law to the person charged shall include, where the context so permits, that person's representative.
- 3.5. The Chairman may make any direction he or she considers necessary for the fair conduct of the hearing, including but not limited to any directions regarding preparation and the hearing date.

### 4. PREPARATION FOR THE HEARING

- 4.1. After the presenter has, under paragraph 17b, forwarded the charge or charges to the ADC and person charged, the Chairman shall set (having consulted the presenter and person charged), with the intent that any charge is heard and determined as expeditiously as is reasonably practicable:
  - 4.1.(a) the date, time, and place for the hearing; and
  - 4.1.(b) appropriate time limits for each preparatory stage detailed in paragraphs 4.2.(a) to 4.2.(d) below.
- 4.2. Before the hearing:
  - 4.2.(a) The presenter and the person charged shall provide to each other, in chronological order and with an index, copies of any documents upon which they wish the ADC to rely;
  - 4.2.(b) The presenter shall prepare a consolidated, paginated and indexed set of those documents (the “bundle”) and provide a copy of the bundle to the person charged;
  - 4.2.(c) The presenter and the person charged shall provide to each other a list of the witnesses they intend to call and copies of statements containing the witnesses' evidence; and
  - 4.2.(d) The presenter shall provide to the ADC sufficient copies of the bundle and witness statements.

## **5. HEARING**

- 5.1. The hearing of the charge or charges before the ADC shall take place in private and, subject to the following paragraphs 5.2 to 5.3, in accordance with such procedure as the ADC elects to follow.
- 5.2. The presenter and person charged may call witnesses and may put questions, on any relevant evidence, to any witness (including a party) who attends the hearing.
- 5.3. No new witness or documentary evidence may be introduced by the presenter without the consent of the ADC, which shall not be given save for good reason. If late introduction is allowed, the person charged shall be allowed an adjournment sufficient to allow him or her to consider or respond to the new evidence.
- 5.4. Without prejudice to the ADC’s general power to regulate its own conduct, it shall specifically have the power to set limits on the evidence to be called for each side consistent with providing a fair opportunity for each party to present its relevant evidence whilst ensuring that the charges are heard and determined as expeditiously as is reasonably practicable.



## **6. DETERMINATION OF THE CHARGES**

- 6.1. It is for the presenter to prove the charge or charges on the balance of probabilities.
- 6.2. If the ADC decides that any charge has been proved, it shall determine whether the conduct or performance of the person charged constitutes, whether in relation to that charge alone or cumulatively in relation to any other charge, good cause for dismissal (within the meaning of paragraph 5) or a serious complaint relating to his or her appointment or employment.
- 6.3. If the ADC decides that that conduct or performance of the person charged constitutes good cause for dismissal or a serious complaint relating to his or her appointment or employment, it shall give each party an opportunity, either orally or in writing at the option of the ADC, to address it on the question of penalty and/or mitigation prior to making any recommendations on penalty under paragraph 19.
- 6.4. For the avoidance of doubt, the penalties that the ADC may recommend under paragraph 19 are dismissal or removal from office, or any of those listed in paragraph 20b(i) to (vi).
- 6.5. The ADC shall comply with paragraph 19.

# BYE-LAW 7: ACADEMIC STAFF APPEAL PROCEDURE

## 1. GENERAL

- 1.1. This Bye-law is made under paragraph 30 of the Statute “Employment law provisions relating to Academic Staff” (the “**Academic Staff Statute**”). It sets out the procedure to be followed in respect of the preparation, hearing and determination of any appeal instituted under Part V of the Academic Staff Statute. The aim is to ensure that appeals are handled fairly and expeditiously. In this Bye-law, references to paragraphs are to those of the Academic Staff Statute unless otherwise stated.

## 2. THE APPEAL BODY AND APPEAL TRIBUNAL

- 2.1. The person appointed under paragraph 29 to hear an appeal shall be called the Appeal Body. In cases where the person appointed considers that justice and fairness will best be served by sitting as an Appeal Tribunal with two other persons appointed by the Governing Body in accordance with paragraph 29(d), the Appeal Tribunal will usually be chaired by the person appointed.
- 2.2. Subject to the provisions of the Academic Staff Statute, the Appeal Body/the Chair of the Appeal Tribunal shall have power to regulate its own proceedings, including deciding on postponements, adjournments, dismissal of the appeal for want of prosecution and on the correction of accidental errors. The Appeal Body/the Chair of the Appeal Tribunal may appoint a secretary to support it in discharging its function at any time.
- 2.3. Consistent with the general aim of fairness and expeditiousness, the Appeal Body/the Chair of the Appeal Tribunal shall set out such procedures and time scales for compliance in each case as it/s/he considers appropriate having regard to the provisions of the Academic Staff Statute, in particular paragraph 30(b)(iv).

## 3. THE APPEAL

- 3.1. The parties to an appeal are the appellant, the Principal ex officio representing the College, and any other person added as a party at the direction of the Appeal Body/the Chair of the Appeal Tribunal.
- 3.2. The appellant may appoint someone at his/her own cost to represent him/her in relation to his/her appeal. The Principal may appoint someone at College expense to represent him/her as s/he considers reasonable in the interest of the College. Any party appointing a representative should inform the secretary to the Appeal Body/Appeal Tribunal or in cases where no secretary has been appointed the Appeal Body/Chair of the Appeal Tribunal as soon as possible, and provide the name and contact details of the representative.

- 3.3. If for any reason the appellant has not provided detailed grounds of appeal under paragraph 27, or where any aspect of the appeal is unclear, the Appeal Body/ the Chair of the Appeal Tribunal will take such steps as it/s/he consider appropriate or necessary to ensure that the appellant provides his/her grounds in a timely fashion failing which the appeal will be dismissed.

#### **4. PREPARATION FOR THE HEARING**

- 4.1. No appeal shall be determined without an oral hearing, the date and time for which will be set by the Appeal Body/ the Chair of the Appeal Tribunal at its/his/her own discretion but after consultation with the parties. The appellant and Principal and any other party whether in person or through his/her representative shall be entitled to attend but the failure by any party to attend shall not prevent the hearing from proceeding where the Appeal Body/Appeal Tribunal considers that appropriate.
- 4.2. The Appeal Body/the Chair of the Appeal Tribunal will ensure that any documents to be considered by it shall be made available to all parties. These shall usually include any decision appealed from, the documents considered by the body making the decision appealed from and directions for witness or other evidence as the Appeal Body/the Chair of the Appeal Tribunal considers appropriate having regard to the provisions of the Academic Staff Statute, in particular paragraph 30(b)(ii).

#### **5. FRESH EVIDENCE**

- 5.1. In accordance with paragraph 26(b), no appeal shall lie against any finding of fact of an Academic Disciplinary Committee under paragraph 19(a) or any medical finding by a Board set up under paragraph 23(c) save on legal grounds or where (with the consent of the Appeal Body/ the Chair of the Appeal Tribunal) the appellant is permitted to call fresh evidence at the hearing. An appellant seeking such consent shall as soon as possible after sending his/her notice of appeal under paragraph 27 notify the Appeal Body/ the Chair of the Appeal Tribunal that s/he seeks such consent and provide a copy (in the case of documents) or written statement (in the case of witness evidence) of the evidence in question and an explanation of why it was not made available earlier. The Appeal Body/ the Chair of the Appeal Tribunal will not decide the issue without first providing the other party or parties with an opportunity to comment. Where the Appeal Body/the Chair of the Appeal Tribunal consents to the appellant calling fresh evidence, s/he shall make such directions as s/he considers appropriate regarding provision of the evidence to all other parties in advance of the hearing.

#### **6. DISPOSING OF THE APPEAL**

- 6.1. The powers of the Appeal Body/Appeal Tribunal in relation to disposal of the appeal are as set out in paragraph 30(c). In the case of the Appeal Tribunal the Chair shall have the casting vote.

- 6.2. The Appeal Body/Appeal Tribunal shall comply with paragraph 31 of the Academic Staff Statute and the decision of the Appeal Body/Appeal Tribunal is final.

# BYE-LAW 8: EJRA FOR ACADEMIC STAFF

## Part One – Background, rationale and scope of the Employer Justified Retirement Age (EJRA)

### **1. INTRODUCTION**

Hertford College has agreed to maintain a retirement age for academic staff primarily to support the college's mission to sustain excellence in teaching and research and to maintain and develop its historical position as part of a world-class university. The college's EJRA procedures aim to provide a fair and inclusive process through which the college is able to manage the future of academic posts by retirement or retention. The procedures seek to balance the wishes of the individual with the needs of the college by

- 1.1. facilitating the timely discussion of options with a view to identifying possible future arrangements which are acceptable to all parties and
- 1.2. providing a clear decision-making and appeal process which allows account to be taken of all relevant considerations.

The EJRA will operate for an initial period of 10 years from 1 October 2011. The application and outcomes of these arrangements will be reported annually to Governing Body and will be subject to an interim review after five years. These reviews will take into account all relevant considerations, including the continued relevance of the aims set out above, the application of the EJRA and the procedure for exceptional limited continuation, as well as relevant external developments in relation, for example, to pensions and longevity.

### **2. AIMS OF THE EJRA**

The EJRA and its associated procedures are considered to provide a proportionate means of:

- 2.1. safeguarding the high standards of the college in teaching and research;
- 2.2. promoting inter-generational fairness and maintaining opportunities for career progression for those at particular stages of a career, given the importance of having available opportunities for progression across the generations, in order, in particular, to refresh the academic and research staff within the college and to enable them to maintain the collegiate university's position on the international stage;
- 2.3. facilitating succession planning by maintaining predictable retirement dates, especially in relation to the collegiate University's joint appointment system, given the long lead times for making academic appointments, particularly in a university of Oxford's international standing;
- 2.4. promoting equality and diversity, noting that recent recruits are more diverse than the composition of the existing workforce, especially amongst the older age groups of the existing workforce and those who have recently retired;
- 2.5. minimising the impact on staff morale by using a predictable retirement date to manage the need to make efficiencies by retiring staff at the EJRA; and

- 2.6. in the context of the distinctive collegial processes through which the college is governed, avoiding invidious performance management and redundancy procedures to consider the termination of employment at the end of a long career, where the performance of the individual and/or the academic needs of the college have changed.

### **3. SCOPE**

The EJRA applies to all academic staff employed by Hertford College, as defined in the College Statutes (Appendix: Employment law provision relating to academic staff paragraph 3) including (in relation to their college appointments) the holders of joint academic appointments with Oxford university and Stipendiary Lecturers.

- 3.1. All members of academic staff will be deemed, from 1 October 2017, to have a retirement date of 30 September preceding their 69th birthday, which shall be the EJRA.
- 3.2. In cases where, under the college's procedures applying until 30 September 2017, a member of staff had a retirement date set by individual agreement to be other than 30 September preceding their 68th birthday, the retirement date specified in the agreement will continue to apply. Where the specified date is earlier than the EJRA, any request to work beyond the specified date should be referred to the Principal under this procedure and the merits of each case will be considered in the context of the rationale for the original extension.
- 3.3. Unless the terms of any prior agreement to work beyond the EJRA preclude any further extension of employment, a member of staff whose retirement has been set later than the EJRA may apply for a further extension under the procedures set out below.
- 3.4. No provision associated with the EJRA shall affect the right of any employee of the college to retire at a date earlier than that specified under the EJRA, or the benefits to which they are entitled under the relevant pension scheme.
- 3.5. The procedure set out in part two is intended for the consideration of all requests to continue working beyond the EJRA, including those that entail a modification of duties or working pattern after that date.

### **4. CONSIDERATION OF REQUESTS TO WORK BEYOND THE EJRA**

All requests to continue working beyond the EJRA will be considered in the context of the aims of the college in maintaining the EJRA as set out in section 2 above. Applications will be approved only where, having taken account of the considerations set out below, the Governing Body, having received advice from a college panel is convinced that any detriment to the furtherance of aims of the EJRA is offset by a balance of advantage arising from an extension of employment. The relevance of each consideration will depend on the post in question. The college panel and subsequently the governing body as decision-maker will weigh the advantages of continued employment (whether in the same post, or in only one part of a previous appointment, or on different terms and conditions, or on a part-time basis following partial retirement to pension) against the opportunities arising from creating a vacancy or part-vacancy, including the intention of

recruiting someone else, using the vacancy for a different purpose, or leaving the post vacant for a period (whichever may apply).

- 4.1. Is the individual, if extended in employment, expected to make a significant contribution to the college, for example through distinguished scholarship, and would the loss of this contribution be unacceptable to the college and collegiate University?
- 4.2. Would the employee's contribution be very hard to replace given his or her particular skills set and/or the employment market? For example, does the college need, for a defined period, to retain expertise in order to complete a specific project, or to retain skills that are currently in short supply?
- 4.3. How would continued employment, compared with the opportunity arising from a vacancy, fit with the future academic needs of the college over the proposed period (for example, where there is a desire to develop a new field of research or a new course)?
- 4.4. What is the likely impact of continued employment compared with the opportunity arising from a vacancy on the quality of work of the college, for example on its ability to respond to student needs, to meet research aims?
- 4.5. How would any financial commitments or benefits which would accrue from continued employment over the period proposed compare with those which might accrue from the opportunity arising from a vacancy?
- 4.6. What is the likely impact of continued employment compared with the opportunity arising from a vacancy on opportunities for career development and succession planning, bearing in mind recent and expected turnover?
- 4.7. What is the likely impact on the promotion of diversity?
- 4.8. Is the duration of the proposed extension of employment appropriate in terms of the benefits expected to the college?
- 4.9. In the case of a joint appointment, what are the implications of the wishes of the applicant for the joint nature of the post: for example, where the request involves only one part of a joint appointment, has some suitable means been found of managing the future of the joint appointment so as to protect the shared educational interests of the University and college?
- 4.10. Are there relevant personal circumstances that would properly justify exceptional treatment?

### Part Two - The Process

## **5. NOTIFICATION AND DISCUSSIONS**

The college has adopted the following procedure for considering requests from academic staff who are due to retire on or after reaching the EJRA but who wish to extend their employment and are not precluded from so doing under the terms of any individual agreement.

### 5.1. Step One: Notification

- 5.1.(a) The Principal will remind academic staff in writing of their normal retirement date and of the process for requesting continuation in employment beyond that date no later than two years before their retirement date under the EJRA. In the case of joint appointments, this notification will be copied to the relevant head of division and the head of division will also send a letter to the member of staff with reference to their university employment. Where it judges it necessary, the college may decide to give earlier notification.

### 5.2. Step Two – Discussions

- 5.2.(a) Any staff member who wishes to continue in employment beyond the EJRA should first discuss his/her situation informally and in good time with the Senior Tutor. Holders of joint appointments should also consult their head of department and/or division. Similarly, where a contract of any type is held with another body, such as an NHS trust or another college, that other body should also be consulted.
- 5.2.(b) Early exploration of all options is encouraged. In the case of joint appointments, it is possible that the staff member may wish to continue working in only one part of the joint appointment, or one employer might wish to agree continued employment while the other does not. Flexibility in the continuation or variation of contracts should be encouraged, subject to the aims of the EJRA. In this context, a staff member wishing to continue to work might wish to consider a variation or a new contract issued by one employer that would be compatible with retirement from the other part(s) of the joint employment. In such cases, the employers will wish to discuss how their respective interests in the future of the substantive joint appointment should be protected. Such discussions, which could involve consideration of interim arrangements for the joint appointment, will be facilitated if agreement can be reached as to when the two parts of the joint appointment will fall vacant.
- 5.2.(c) These informal discussions, which may take place at any time, will not result in a definitive decision by the college but may help inform any formal request which might subsequently be made by the individual. Such discussions are intended to provide opportunity for the formulation of a request with which all parties will be content.

## **6. SUBMISSION AND CONSIDERATION OF THE REQUEST TO CONTINUE**

### 6.1. Step Three – Request to Continue

- 6.1.(a) If the staff member wishes to continue in employment beyond the EJRA, they should submit their case in writing to the Senior Tutor in good time, setting out the proposed working arrangements and the length of extension requested.



- 6.1.(b) Any request relating to the university part of a joint appointment should be made to the Director of Personnel and Related Services, in accordance with the university's procedures.
  - 6.1.(c) The submission should consist of, and set out clearly:
    - 6.1.c.(i) the request as made by the member of staff, including the proposed working arrangements and the length of extension requested;
    - 6.1.c.(ii) an account, agreed where possible, of how the request relates to the considerations for extensions set out in the college's policy;
    - 6.1.c.(iii) in the case of joint appointments, the views of the division and any other associated employers (e.g. the NHS or another college), including, in particular, comment on any special arrangement which would result in the parts of the joint appointment being treated differently. If, in the case of a joint appointment, a decision has already been made with regard to the university employment, the outcome of this should be included.
  - 6.1.(d) The member of staff should be invited to append to the submission any supporting material he or she may consider appropriate.
  - 6.1.(e) The normal deadline for such requests to reach the Principal is 18 months before the retirement date. Later requests may be considered in exceptional circumstances but only with the agreement of the relevant employers (e.g. division, department, NHS Trust). A delayed deadline will be given in cases where, within the first two years after the introduction of these procedures, it is not possible to give a full two years' notification of retirement.
- 6.2. Step Four - Consideration of request
- 6.2.(a) The college will aim to complete the following steps as soon as possible with a view to making the final decision before the end of Trinity Term, a year before the EJRA retirement date.
  - 6.2.(b) All requests to continue in employment by the college beyond the EJRA, will be considered by a panel appointed and chaired by the Principal. The panel will consist of three members of Academic Committee.
  - 6.2.(c) The panel will assess each request on its own merits in the context of the aims of the EJRA as set out above, and in the light of any exceptional personal circumstances.
  - 6.2.(d) In the case of the consideration of joint appointments, the chair of the panel will liaise with the chair of the equivalent university panel over matters of process, including the relative timings of the work of the two panels and the communication between the panels of their decisions, as may best suit the individual case and allow for issues relating to the joint nature of the post to be addressed.

- 6.2.(e) The panel will consider the request in the light of the considerations set out in section 4 of the policy above, taking due account of the views of the individual staff member, the college, and any others with an interest, which may include the division, department, another college or an NHS Trust, as appropriate. The panel will seek any clarification it deems necessary.
  - 6.2.(f) Where the college and, in the case of a joint appointment, all parties representing the employers support the request to continue beyond the EJRA, the expectation is that the panel will approve that request after having satisfied itself that the aims of the EJRA have been sufficiently addressed.
  - 6.2.(g) Where the college does not support the request for an extension, or, in the case of a joint appointment, where there is a difference of views between the employers, the panel will invite the staff member to a meeting to make his/her request for an extension in person, if they so choose. The college will also be able to present their case and the panel may also call upon the division, department and any other parties as appropriate. Relevant documentation will be provided to all the parties in advance of the date of any meeting of the panel arranged to address the request. The staff member will have the right to be accompanied by a trade union representative or colleague, and such a person shall be allowed to speak on their behalf.
- 6.3. Step Five - The panel makes a recommendation
- 6.3.(a) The panel will make a recommendation to the governing body on the request for extension of employment including the length of time of any such extension.
- 6.4. Step Six - Communication
- 6.4.(a) The panel will inform the individual and, as relevant, the division, the department, and any other employer of its recommendation in writing. The letter will give brief reasons for the recommendation and the length of any extension proposed.
- 6.5. Step Seven - College makes decision
- 6.5.(a) The governing body will then decide whether to accept the panel's recommendation and will notify the individual, division and department, as relevant, of its decision. Members of the appeal panel will not be included in this decision making process.
  - 6.5.(b) Where the request to continue working beyond the EJRA is rejected, the individual will be notified in writing of the right of appeal under the college's statutes.
  - 6.5.(c) Where a decision is taken to extend employment under these procedures beyond the EJRA, the employee will be issued with a fixed-term contract, to

terminate at the date set by the governing body in agreeing to the extension. This contract will state the details of the specific hours, duties, salary and other terms and conditions for the extension. On any occasion when the governing body shall agree an extension to the period of employment in accordance with this procedure, it shall decide whether to permit any further application to be made under this procedure. If so, it shall decide whether any further notification is necessary equivalent to that set out in step 1 above and set an appropriate time limit in place of that set out in step 3 above by which any application shall be made for a further extension.

6.6. Step Eight - Appeal

- 6.6.(a) The college shall make arrangements to hear any appeal against a decision made under step 7 in accordance with the College Statutes appeals procedures (Employment Law Provisions Relating to Academic Staff Part V). If as provided for by these procedures, a member of Governing Body may form part of the appeal panel, he/she should not be part of the earlier decision making process. The appeal panel shall inform the college, employee and any other employer, as relevant of this decision.

# ACADEMIC COMMITTEE

## 1. STATUS & COMPOSITION

- 1.1. Classified as a Reporting Committee under the Governance Bye-law, clause 2.1.
- 1.2. Reports to: Governing Body
- 1.3. Convener: The Senior Tutor
- 1.4. Chair: The Principal
- 1.5. Voting Members: The Principal, the Senior Tutor, the Tutor for Graduates, the Fellow Librarian, and three other members of (and elected by) Governing Body.
- 1.6. Non-voting Members: The Registrar, the Director of Visiting Students, the Librarian, one nominated representative from each of the JCR and MCR.

## 2. FREQUENCY OF MEETINGS

- 2.1. Normally two times per term.

## 3. TERMS OF REFERENCE

- 3.1. To receive reports from and to support the Senior Tutor, the Tutor for Graduates, the Registrar, and the Tutor for Visiting Students regarding the performance of their duties.
- 3.2. To have oversight of the academic reputation of the college in all its aspects.
- 3.3. To advise, and report to, Governing Body on all matters relating to academic policy, including:
  - 3.3.(a) The admission, teaching of, and pastoral care for, undergraduates, post-graduates and student visitors.
  - 3.3.(b) University and College examinations and the standards attained by candidates from the College.
  - 3.3.(c) The College's provision of resources for teaching and research.
  - 3.3.(d) The balance of disciplines pursued within the College.
  - 3.3.(e) The appointment and re-appointment of Official Fellows, Senior Research Fellows and Junior Research Fellows, and College Lecturers.
  - 3.3.(f) The approval of sabbatical and other leave.

# DOMUS COMMITTEE

## **4. STATUS & COMPOSITION**

- 4.1. Classified as a Reporting Committee under the Governance Bye-law, clause 2.1.
- 4.2. Reports to: Governing Body
- 4.3. Convener: The Domestic Bursar
- 4.4. Chair: The Principal
- 4.5. Voting Members: The Principal, the Bursar, the Dean, the SCR Steward, the tutor for Equality & Diversity, and two other members of (and elected by) Governing Body .
- 4.6. Non-voting members: The Domestic Bursar, the Head of Catering Services, the Registrar, the Director of Visiting Students, the Chaplain, and the JCR and MCR food and housing representatives.

## **5. FREQUENCY OF MEETINGS**

- 5.1. Normally once per term.

## **6. TERMS OF REFERENCE**

- 6.1. To receive reports from the Bursar on the domestic management of the College and to provide support and assistance to the Bursar in the performance of his duties.
- 6.2. The oversight of the domestic management of the College.
- 6.3. The health, safety and security of the College, staff and students
- 6.4. The provision of medical facilities for students and staff.
- 6.5. The provision of sports facilities and the College gardens.
- 6.6. To receive and make recommendations regarding small charitable donation requests.

# GENERAL PURPOSES COMMITTEE

## **7. STATUS & COMPOSITION**

- 7.1. Classified as a Reporting Committee under the Governance Bye-law, clause 2.1.
- 7.2. Reports to: Governing Body
- 7.3. Convener: The Principal
- 7.4. Chair: The Principal
- 7.5. Voting Members: the Principal, the Bursar, the Senior Tutor, the Dean, the Investment Bursar, the Tutor for Graduates and four other members of (and elected by) Governing Body.

## **8. FREQUENCY OF MEETINGS**

- 8.1. Normally two times per term.

## **9. TERMS OF REFERENCE**

- 9.1. To assist the Principal in the preparation of papers for Governing Body.
- 9.2. To advise the Principal on College business.
- 9.3. To receive reports from, and provide support to, the Principal as representative of the College and its interests within the University and in the wider world and relations with external bodies.
- 9.4. Giving advice on requests for financial support from external organisations (beyond those handled through Domus Committee.
- 9.5. To receive nominations for College Offices and membership of Committees and to present these to Governing Body.

# TREASURY COMMITTEE

## 10. STATUS & COMPOSITION

- 10.1. Classified as a Reporting Committee under the Governance Bye-law, clause 2.1.
- 10.2. Reports to: Governing Body
- 10.3. Convener: The Bursar
- 10.4. Chair: The Principal
- 10.5. Voting Members: the Principal, the Bursar, the Investment Bursar, and four other members of (and elected by) Governing Body.
- 10.6. Non-voting members: the Deputy Bursar.

## 11. FREQUENCY OF MEETINGS

- 11.1. Normally two times per term

## 12. TERMS OF REFERENCE

- 12.1. To receive reports from and provide support and assistance to the Bursar and Investment Bursar in the performance of their duties.
- 12.2. To report annually to Governing Body on the effectiveness and propriety of the College's financial management.
- 12.3. The oversight of the College finances and investments.
- 12.4. To receive the College accounts and present them to Governing Body.
- 12.5. The monitoring of income and expenditure on a regular basis.
- 12.6. The preparation and setting of the College budget.
- 12.7. The terms and conditions of employment of staff.
- 12.8. The monitoring of good practice and economy in the College's activities.
- 12.9. The review of non academic salaries.
- 12.10. The costing of proposals for developments, staff changes etc from other committees.
- 12.11. The risk management assessment of the College's financial activities.
- 12.12. To be informed by the Investment Advisory Committee which will normally meet twice a year.
- 12.13. To receive reports from Hertford College Programmes on the College's trading activities.

# DEVELOPMENT COMMITTEE

## **1. STATUS & COMPOSITION**

- 1.1. Classified as a Reporting Committee under the Governance Bye-law, clause 2.1.
- 1.2. Reports to: Governing Body
- 1.3. Convener: The Development Director
- 1.4. Chair: The Principal
- 1.5. Voting Members: the Principal, the Bursar, the Senior Tutor, the Investment Bursar, the Development Director, and three other members of (and elected by) Governing Body.

## **2. FREQUENCY OF MEETINGS**

- 2.1. Normally once per term

## **3. TERMS OF REFERENCE**

- 3.1. To receive reports from, and provide support to, the Principal in his role of promoting relationships with old members of the College and fund-raising for the College.
- 3.2. To receive reports from, and provide support to, the Director of Development.
- 3.3. To oversee the performance and financial management of the Development Office.
- 3.4. To identify short- and medium-term funding priorities within the framework of the College's strategic plan and in liaison with Academic Committee.
- 3.5. To present an Annual Report to Governing Body



# REMUNERATION COMMITTEE

## **1. STATUS & COMPOSITION**

- 1.1. Classified as a Reporting Committee under the Governance Bye-law, clause 2.1.
- 1.2. Reports to: Governing Body
- 1.3. Convener: The Principal
- 1.4. Chair: A non-member of Governing Body, appointed by the Governing Body
- 1.5. The Committee shall consist of three persons not in receipt of remuneration from the College, of which at least one shall be a non-member of Governing Body and at least one shall be a member of Governing Body.
- 1.6. Members shall be elected by Governing Body for a term of three years and may serve two terms in succession. The Committee shall make annual recommendations to Governing Body as to the Housing and other allowances of Fellows and the stipends of College Officers, having regard to the level of comparable payments elsewhere. Governing Body shall make its determination in the light of these recommendations having regard to the financial means available to the College.
- 1.7. The Principal and the Bursar shall be in attendance.

## **2. FREQUENCY OF MEETINGS**

- 2.1. Normally once per year, but additionally if required.

## **3. TERMS OF REFERENCE**

- 3.1. To consider and make recommendations to Governing Body in respect of Fellows' Stipends and Allowances.

# HONORARY FELLOWSHIPS COMMITTEE

## **1. STATUS & COMPOSITION**

- 1.1. Classified as a Reporting Committee under the Governance Bye-law, clause 2.1.
- 1.2. Reports to: Governing Body
- 1.3. Convener: The Principal
- 1.4. Chair: The Principal
- 1.5. Voting Members: the Principal, the Senior Governing Body Fellow by date of election, and three other members of (and elected by) Governing Body.

## **2. FREQUENCY OF MEETINGS**

- 2.1. As required, and at least once per academic year.

## **3. TERMS OF REFERENCE**

- 3.1. To receive and consider nominations for Honorary Fellowships and non-Governing Body Senior Research Fellowships or other College Offices and to present these to Governing Body.

# WELFARE & WELLBEING COMMITTEE

## 1. STATUS & COMPOSITION

- 1.1. Classified as a Reporting Committee under the Governance Bye-law, clause 2.1.
- 1.2. Reports to: Governing Body
- 1.3. Convener: The Welfare Co-ordinator
- 1.4. Chair: The Dean
- 1.5. Voting Members: the Dean, the Bursar, the Tutor for Equality & Diversity
- 1.6. Non-voting Members: The Chaplain, Director of Visiting Students, the Registrar, the Domestic Bursar, College Nurse, Welfare Coordinator, Lodge manager, Accommodation Officer, Junior Deans, JCR & MCR Welfare Officers, President of the Freshers' Committee (MT and TT only), College GPs, College representatives from DAS and OUCS.

## 2. FREQUENCY OF MEETINGS

- 2.1. Normally one time per term.

## 3. TERMS OF REFERENCE

- 3.1. To receive reports from Junior Deans, JCR Welfare Reps, the Director of Visiting Students, Domestic Bursar, College Nurse, Lodge and external parties.
- 3.2. Oversight of all matters relating to the welfare and wellbeing of Junior members of the College.
- 3.3. To act as a forum to discuss all matters relating to the welfare of Junior members of the College.
- 3.4. To make recommendations to Governing Body relating to welfare and wellbeing policy and relevant codes of practice.

# CONSULTATIVE COMMITTEE

## 1. STATUS & COMPOSITION

- 1.1. Classified as an Advisory Committee under the Governance Bye-law, clause 2.1.
- 1.2. Reports to: The Bursar
- 1.3. Convener: The Domestic Bursar
- 1.4. Chair: The Principal
- 1.5. Consists of The principal, the Bursar, the Domestic Bursar and (Head of Department nominated) representatives from each of the following departments:
  - 1.5.(a) Academic Office
  - 1.5.(b) Development Office
  - 1.5.(c) Bursary
  - 1.5.(d) IT
  - 1.5.(e) International Programmes
  - 1.5.(f) Catering
  - 1.5.(g) Lodge
  - 1.5.(h) Maintenance
  - 1.5.(i) Housekeeping

## 2. FREQUENCY OF MEETINGS

- 2.1. Normally once per term

## 3. TERMS OF REFERENCE

- 3.1. To identify an issues of collective concern to staff and explore ways to respond to these.
- 3.2. To provide a forum for staff to ask questions concerning College policy, operations or plans.
- 3.3. To provide a mechanism to update staff on key changes or developments and seek their input.

# INVESTMENT ADVISORY COMMITTEE

## **4. STATUS & COMPOSITION**

- 4.1. Classified as an Advisory Committee under the Governance Bye-law, clause 2.1.
- 4.2. Reports to: Treasury Committee
- 4.3. Convener: The Investment Bursar
- 4.4. Chair: The Investment Bursar
- 4.5. Consists of The Principal, the Bursar, the Investment Bursar, a further Governing Body Fellow (elected by Governing Body), the College's retained lead Investment Advisors and four external members (who should have an established connection with the College).

## **5. FREQUENCY OF MEETINGS**

- 5.1. At least two times per year.

## **6. TERMS OF REFERENCE**

- 6.1. To advise on the management of the College's investment portfolio.
- 6.2. To recommend, and implement the College's investment practices and policies.
- 6.3. To report to Governing Body on all matters relating to the investment portfolio.

# CHAPEL COMMITTEE

## **7. STATUS & COMPOSITION**

- 7.1. Classified as an Advisory Committee under the Governance Bye-law, clause 2.1.
- 7.2. Reports to: Domus Committee
- 7.3. Convener: The Chaplain
- 7.4. Chair: A Designated GB Fellow
- 7.5. Consists of the Principal, the Chaplain, the Bursar, the Music Tutor, Senior and Junior Organ Scholars, plus two members elected from Governing Body.

## **8. FREQUENCY OF MEETINGS**

- 8.1. Once per term.

## **9. TERMS OF REFERENCE**

- 9.1. To receive reports from the Chaplain and the Organ Scholars on the conduct of their duties.
- 9.2. To provide the Chaplain and Organ Scholars with advice and support in relation to Chapel matters.
- 9.3. To deal with matters relating to the administration of the College's advowson rights.

# LIBRARY COMMITTEE

## **10. STATUS & COMPOSITION**

- 10.1. Classified as an Advisory Committee under the Governance Bye-law, clause 2.1.
- 10.2. Reports to: Academic Committee
- 10.3. Convener: The Librarian
- 10.4. Chair: The Fellow Librarian
- 10.5. Consists of The Fellow Librarian, the Fellow Archivist, Librarian, Archivist, the Bursar, two elected members of Governing Body (or lead subject tutors), and up to two Junior Members nominated by the Librarian

## **11. FREQUENCY OF MEETINGS**

- 11.1. Normally once per term

## **12. TERMS OF REFERENCE**

- 12.1. To receive reports from the Librarian and the Archivist on the conduct of their duties.
- 12.2. To review spend against budget.
- 12.3. To discuss any matters relating to the Library and its usage.
- 12.4. To provide guidance and support to the Librarian and Archivist for new initiatives or requests as appropriate.

# KITCHEN & BUTTERY COMMITTEE

## **13. STATUS & COMPOSITION**

- 13.1. Classified as an Advisory Committee under the Governance Bye-law, clause 2.1.
- 13.2. Reports to: Domus Committee
- 13.3. Convener: The Domestic Bursar
- 13.4. Chair: The Domestic Bursar
- 13.5. Consists of the Domestic Bursar, Catering Manager, Bar Manager, Junior Dean(s), JCR & MCR Presidents, JCR & MCR Bar Reps, JCR and MCR Food Reps.

## **14. FREQUENCY OF MEETINGS**

- 14.1. Normally once per term

## **15. TERMS OF REFERENCE**

- 15.1. To review the provision of catering services for Junior Members.
- 15.2. To discuss suggestions and requests from Junior Members.
- 15.3. To review pricing and product range matters.
- 15.4. To discuss any student welfare problems relating to Bar use, and pass appropriate concerns onto the Welfare and Wellbeing Committee.
- 15.5. To agree any proposals to / requests of Domus Committee with regard to any of the above.



# WORKS OF ART COMMITTEE

## **16. STATUS & COMPOSITION**

- 16.1. Classified as an Advisory Committee under the Governance Bye-law, clause 2.1.
- 16.2. Reports to: The Fellow Archivist
- 16.3. Convener: The Fellow Archivist
- 16.4. Chair: The Fellow Archivist
- 16.5. Consists of The Fellow Archivist, plus two members elected by Governing Body.

## **17. FREQUENCY OF MEETINGS**

- 17.1. Ad hoc.

## **18. TERMS OF REFERENCE**

- 18.1. The Works of Art Committee advises on the college's decor, decoration and artistic possessions.

# STUDENT SUPPORT COMMITTEE

## **19. STATUS & COMPOSITION**

- 19.1. Classified as an Advisory Committee under the Governance Bye-law, clause 2.1.
- 19.2. Reports to: Academic Committee
- 19.3. Convener: The Dean
- 19.4. Chair: The Dean
- 19.5. Consists of the Senior Tutor, the Bursar, the Dean, the Tutor for Graduates, and the Registrar. The Director of Development shall be invited for business relating to support funds matters as per the terms of reference below.

## **20. FREQUENCY OF MEETINGS**

- 20.1. Normally two times per term, but routinely considers requests via correspondence outside of this.

## **21. TERMS OF REFERENCE**

- 21.1. To receive and respond to financial support requests from Junior members.
- 21.2. To administer the various student financial support funds not dealt with directly by other means, ensuring any fund-specific rules are adhered to and applied consistently.
- 21.3. To identify areas of student financial need and work with the Development Director in relation to Alumni support for these.

# EQUALITY & DIVERSITY COMMITTEE

## **22. STATUS & COMPOSITION**

- 22.1. Classified as an Advisory Committee under the Governance Bye-law, clause 2.1.
- 22.2. Reports to: The Tutor for Equality & Diversity
- 22.3. Convener: The Tutor for Equality & Diversity
- 22.4. Chair: The Principal
- 22.5. Consists of the Principal, the Tutor for Equality & Diversity, the Dean, the Bursar, the Senior Tutor, the Tutor for Graduates, the Harassment Officer, the JCR Access Officer, the JCR Equal Opportunities Officer, the JCR Women's Rep, the MCR Equalities Rep, and such other Junior Members as the Convener shall deem appropriate.

## **23. FREQUENCY OF MEETINGS**

- 23.1. Normally once per term

## **24. TERMS OF REFERENCE**

- 24.1. Ensure compliance with public sector equality duty
- 24.2. Ensure timely publication of equality and diversity statements/policies and gender pay reports.
- 24.3. Assess our processes as/when needed
- 24.4. Initiate policy where needed
- 24.5. Appropriate review of cases

# JOINT COMMITTEE

## **25. STATUS & COMPOSITION**

- 25.1. Classified as a Reporting Committee under the Governance Bye-law, clause 2.1.
- 25.2. Reports to: Governing Body
- 25.3. Convener: The Dean
- 25.4. Chair: The Principal
- 25.5. Consists of the Principal, the Dean, the Bursar, the Senior Tutor, the Tutor for Graduates, the Registrar, the Chaplain, the Welfare Coordinator, the JCR and MCR Presidents, Secretaries and Academic Affairs Reps.

## **26. FREQUENCY OF MEETINGS**

- 26.1. Normally twice per term

## **27. TERMS OF REFERENCE**

- 27.1. To provide a forum to discuss and debate College-wide issues between Senior and Junior members.
- 27.2. To make recommendations to Governing Body relating to student matters within College.

# TUTOR FOR GRADUATES

## **1. ROLE PURPOSE**

- 1.1. Oversight of graduate policy and administration

## **2. MAIN RESPONSIBILITIES**

- 2.1. Oversight of, with the Graduate Admissions Secretary, all aspects of college graduate admissions.
- 2.2. Allocate college advisers and supervise the operation of the adviser system.
- 2.3. Organise the election of Senior Scholars.
- 2.4. Conduct, with the Principal, termly Graduate Principal's Collections.
- 2.5. Monitor developments in university graduate policies in so far as they impinge on college interests.
- 2.6. Liaise with the MCR and its officers.
- 2.7. Part of the administrative and pastoral support for individual members of the MCR.
- 2.8. Organise, with the Academic Office, Graduate Freshers', Supervisors' and Leavers' dinners.
- 2.9. Contribute to / drafting the college's publicity material regarding provision for graduates.
- 2.10. Report on graduate matters to the Governing Body.

## **3. SUPPORTED BY**

- 3.1. The Registrar
- 3.2. Admissions Officer

## **4. EX OFFICIO COMMITTEE MEMBERSHIP**

- 4.1. Academic
- 4.2. General Purposes
- 4.3. Student Support

# SENIOR TUTOR

## 1. ROLE PURPOSE

- 1.1. Oversight of undergraduate teaching and learning

## 2. MAIN RESPONSIBILITIES

- 2.1. Oversight of undergraduate learning:
- 2.2. Prepare agendas and supporting papers for Academic Committee.
- 2.3. Oversee the Academic office.
- 2.4. Monitor and approve OxCORT reports.
- 2.5. Liaise with undergraduate representatives.
- 2.6. Implement the academic disciplinary code.
- 2.7. Troubleshoot on undergraduate academic issues including complaints, delinquency and other problems.
- 2.8. Oversee, including student admission, visiting students' programmes.
- 2.9. Termly Principal's collections.
- 2.10. Oversight of undergraduate teaching:
- 2.11. Monitor teaching quality and subject teaching provision.
- 2.12. Liaise about lecturers, stint, buyouts and leave.
- 2.13. Convene appointments panels for Fellowships and stipendiary lectureships.
- 2.14. Prepare bids and other communication with departments and faculties.
- 2.15. 'Quality assurance' liaison and reporting to the University.
- 2.16. Communication with Proctors on undergraduate and graduate examination matters.
- 2.17. Liaise with Tutor for Admissions and Tutor for Graduates on admissions numbers.
- 2.18. Liaison with Senior Tutors' Committee, including attending termly meetings, responding to surveys and other requests for central information, and other duties as asked (e.g. EPSC Review of Modern Languages representative, 2008).
- 2.19. Discuss, formulate through consultation, and implement Academic Policy and Strategic Aims.
- 2.20. Report to Governing Body on academic matters

## 3. SUPERVISORY RESPONSIBILITY FOR

- 3.1. Registrar & Director of Admissions, and all Academic Office Staff

#### **4. EX OFFICIO COMMITTEE MEMBERSHIP**

- 4.1. Academic Committee
- 4.2. Development Committee
- 4.3. General Purposes Committee
- 4.4. Joint Committee
- 4.5. Equality & Diversity Committee
- 4.6. Student Support Committee

# DEAN

## 1. ROLE PURPOSE

- 1.1. Oversight of student welfare

## 2. MAIN RESPONSIBILITIES

- 2.1. Leadership and management of the core Welfare Team, consisting of the Welfare Coordinator, Academic Registrar, Nurse, Chaplain and Junior Deans through regular meetings (bi-weekly) and ad hoc case conferences
- 2.2. Being available to students to discuss their welfare needs and concerns, including signposting to support services in college, the wider university and externally; liaison with the Senior Tutor, Registrar and subject tutors, as well as external services such as the Disability Advisory Service, Counselling Service and the College Doctors, with due regard for the maintenance of appropriate confidentiality
- 2.3. Representing students with welfare needs, who may be involved in disciplinary cases, either in college or the wider university. In particular, this requires close liaison with the Student Conduct Officer
- 2.4. Regular liaison (relationship holding) with other members of college concerned with student welfare, including the Tutor for Women, Tutor for Graduates, Student Conduct Officer, Tutor for Visiting Students, Domestic Manager, Domestic Bursar, Accommodation Officer, Lodge staff, Caretakers, JCR and MCR welfare officers. Liaison with other Staff members as necessary
- 2.5. Drafting, updating, communication and implementation (in collaboration with others where necessary), of college policy relating to student welfare, including those relating to emergency care procedures, confidentiality, harassment, suspension from studies, smoking, noise and alcohol.
- 2.6. Acting as Safeguarding Lead
- 2.7. Recruitment, selection and line management of Junior Deans (one for main site, one for South Oxford and one for North Oxford)
- 2.8. Maintaining appropriate records with due regard to Data Protection
- 2.9. Reporting to Governing Body where necessary on these activities. Being accountable for the actions of the college with respect to student welfare provision both internally and externally
- 2.10. More specific duties:
  - 2.10.(a) Authorisation of student room bookings and other student events involving the consumption of alcohol.



- 2.10.(b) Oversight of welfare induction events of Freshers Week, including the Fresher's Welcome meeting, internal and external welfare inductions and liaison with the Fresher's Committee
- 2.11. Note: The role is such that certain training (including refresher training) may be necessary. This relates to aspects such as safeguarding, PREVENT, First Response, mental health first aid, suicide prevention etc. It is also the case that the work is unpredictable, and can disturb evenings and weekends.

### **3. SUPERVISORY RESPONSIBILITY FOR**

- 3.1. Junior Deans
- 3.2. Welfare Coordinator

### **4. SUPPORTED BY**

- 4.1. Registrar
- 4.2. Chaplain
- 4.3. College Nurse

### **5. EX OFFICIO COMMITTEE MEMBERSHIP**

- 5.1. General Purposes Committee
- 5.2. Joint Committee
- 5.3. Welfare & Wellbeing Committee
- 5.4. Domus Committee
- 5.5. Student Support Committees Committee
- 5.6. Equality & Diversity Committee

# STUDENT CONDUCT OFFICER

## **1. ROLE PURPOSE**

- 1.1. Oversight of student discipline

## **2. MAIN RESPONSIBILITIES**

- 2.1. Implementation of the college Disciplinary Code, in collaboration with the Junior Deans. This may require close liaison with the Dean in cases where student welfare considerations are involved.
- 2.2. Updating of the Disciplinary Code as necessary
- 2.3. Communication with Junior Members on disciplinary issues
- 2.4. Liaison with Disciplinary leads from other colleges, or the Proctors, where necessary
- 2.5. Reporting to Governing Body on disciplinary issues as appropriate
- 2.6. Maintaining appropriate records with due regard to Data Protection

## **3. SUPPORTED BY**

- 3.1. Junior Deans

# INVESTMENT BURSAR

## **1. ROLE PURPOSE**

- 1.1. Oversight of the College's investments

## **2. MAIN RESPONSIBILITIES**

- 2.1. Develop the College's investment strategy (Statement of Investment Principles) in consultation with external advisors
- 2.2. Lead the selection process for the appointment of the Colleges Investment Manager.
- 2.3. Monitor the performance of the Investment Manager against agreed benchmarks and targets
- 2.4. Convene the Investment Advisory Committee (IAC) of external advisors.
- 2.5. Develop income targets in consultation with the Bursar and the IAC
- 2.6. Provide regular reports to Governing Body on the performance of the endowment.

## **3. EX OFFICIO COMMITTEE MEMBERSHIP**

- 3.1. Treasury Committee
- 3.2. Development Committee
- 3.3. General Purposes Committee

# DEAN OF DEGREES

## **1. ROLE PURPOSE**

- 1.1. Presenting members of the College at Matriculation and at Degree Ceremonies.

## **2. MAIN RESPONSIBILITIES**

- 2.1. Supervise annual Matriculation ceremony (2 per year) for all fresher undergraduates and graduates with support from Junior Deans.
- 2.2. Accompany students who are unable to attend the annual event to 8th Week Matriculation ceremonies.
- 2.3. Supervise Degree Days, hosts drinks/lunch for candidates and their guests, ensures all are present and correct, leads the procession to the Sheldonian Theatre, completes the necessary paperwork to confirm attendance.
- 2.4. Organise a rota of Fellows willing to act in place of the Dean of Degrees.
- 2.5. Liaise with the University on changing Degree Day requirements.

## **3. SUPPORTED BY**

- 3.1. Academic Administrator

# TUTOR FOR EQUALITY & DIVERSITY

## **1. ROLE PURPOSE**

- 1.1. Leading the college's statutory and wider responsibilities for inclusion, equality and diversity

## **2. MAIN RESPONSIBILITIES**

- 2.1. Keeps abreast of E&D policy issues and reports to GB.
- 2.2. Represents or ensures representation on University fora/committees
- 2.3. Ensures the academic and HR staff are meeting statutory obligations
- 2.4. Communicates with appropriate student and staff representatives
- 2.5. proposes policy and operational suggestions to the college via GB and appropriate committees
- 2.6. Leads on college's legal responsibilities to report on its activities in this area

## **3. EX OFFICIO COMMITTEE MEMBERSHIP**

- 3.1. Equality and Diversity committee (chair)

# FELLOW LIBRARIAN

## **1. ROLE PURPOSE**

- 1.1. Oversight of the College library and book collections

## **2. MAIN RESPONSIBILITIES**

- 2.1. Ensure books are kept in a safe and secure environment
- 2.2. Recommend and monitor the Library budget.
- 2.3. Recommend improvements to the security or space provision for books and readers
- 2.4. Liaise with tutors and junior members to listen to their feedback on Library matters.
- 2.5. Encourage the use of the Library's collections.
- 2.6. Review the list of serial publications in consultation with fellows and decide on cancellations.
- 2.7. Report to Governing Body on Library matters
- 2.8. Responsibilities cover both the working library, antiquarian books and other book collections.

## **3. SUPERVISORY RESPONSIBILITY FOR**

- 3.1. The College Librarian

## **4. EX OFFICIO COMMITTEE MEMBERSHIP**

- 4.1. Library Committee (Chair)
- 4.2. Academic Committee

# FELLOW ARCHIVIST

## **1. ROLE PURPOSE**

- 1.1. Management of the College archives

## **2. MAIN RESPONSIBILITIES**

- 2.1. Ensure the safety and security of the archives.
- 2.2. Maintain a catalogue of archived materials.
- 2.3. Manage additions to the archives.
- 2.4. Encourage the use of the Library's collections.
- 2.5. Answer archive related enquires.

## **3. EX OFFICIO COMMITTEE MEMBERSHIP**

- 3.1. Library Committee
- 3.2. Works of Art Committee