

GREEN TEMPLETON COLLEGE REGULATIONS

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Amended: 29th November 2012, regarding student membership of Standing Committees.

Amended: 24th October, 2013, following approval at Governing Body: to include a Research Fellow member of the General Purposes Committee; merger of the Library and Information sub-committees; upgrading of the regulations relating to Student Discipline, including Fitness to Study Policy and Procedures.

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Amended: 19th June 2016, updated to reflect changes to the terms of office of Barclay Fellows.

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1. Conduct of business at Governing Body and Committee meetings

1.01 Frequency and duration

- a) In accordance with Statute 3.1, the Governing Body shall meet at least once each term.
- b) A meeting of the Governing Body may also be held in the Long Vacation on a date to be determined by the Governing Body.

1.02 The Chair

- a) Pursuant to Statute 3.1, The Principal shall be Chair of the Governing Body.
- b) In accordance with the Statute, in his or her absence, the Vice-Principal or, failing him or her, a member of the Governing Body elected for the purpose at the meeting, shall take the Chair.

1.03 Quorum

The quorum for a meeting of the Governing Body shall be at least forty per cent of the members, adjusted for the number on official leave of absence.

1.04 Order of business

- a) The order of ordinary business shall normally be as follows:
 - i. Minutes, to be taken as read and confirmed unless objection is raised (the Minutes shall be headed accordingly);
 - ii. Main agenda, including themed discussion and reports of Committees;
 - iii. Reserved Business;
 - iv. Appendix – matters for note.
- b) The order of reserved business (i.e. business from which Fellows who are not members of the Governing Body and all non-Fellows are excluded) shall be as follows:
 - i. Minutes, if any, to be taken as read and confirmed unless objection is raised;
 - ii. Reserved business.

1.05 Rules of debate

- a) No motion, or amendment to a motion, shall be discussed or put to the vote unless it has been proposed and seconded.
- b) Any member of the Governing Body may make a proposal about an item of business not currently under discussion, or ask the Principal any question relating to the business of the College.

- c) If an item of business arises in which a member of the Governing Body has a personal interest or involvement, the member concerned shall declare that interest or involvement and at the Chair's discretion shall then withdraw for that item.

1.06 Voting procedures

- a) In accordance with Statute 3.2, unless otherwise provided by Statute or Regulation, decisions taken at any meeting of Governing Body shall be made by a simple majority of those present and voting.
- b) Voting shall normally be by show of hands, unless either the Chair or any member shall request a written ballot.
- c) No motion for the suspension of a Regulation shall be carried unless at least two-thirds of the members present vote for it.
- d) Pursuant to Statute 2.3, no change in Regulations shall be carried unless supported by a majority of at least two-thirds of those present and voting, and no change to any Special Regulations made under the authority of that Statute shall be carried unless supported by at least 80% of those present and voting.
- e) Decisions of the Governing Body may, at the request of a two-thirds majority of those present at a meeting of the Governing Body, be made subject to ratification outside the meeting by an electronic vote (Regulation 1.11) open to all members of the Governing Body.

1.07 Definition of Reserved Business

- a) Reserved Business should only be considered for issues that are considered to be particularly confidential.
- b) Reserved business shall be dealt with in strict confidence. It shall include the following:
 - i. Elections to the Fellowship;
 - ii. The appointment of College officers;
 - iii. The appointment and employment of College Staff;
 - iv. Matters relating to the above;
 - v. Any matter affecting a named individual;
 - vi. Other items at the discretion of the Chair of the meeting.
- c) Reserved business shall also include any item which two-thirds of the Fellows present shall ask to be placed on the list of reserved business.

1.08 Minutes of meetings

- a) In accordance with Regulation 3.10, the Secretary of the Governing Body shall be responsible for the production of Minutes of all meetings of the Governing Body.
- b) Minutes shall provide a full and accurate record of the proceedings of the Governing Body.
- c) Minutes shall be circulated to all members of the Governing Body.
- d) They shall normally be issued not less than ten days after the meeting.

1.09 Calling of Extraordinary meetings

- a) On matters of urgency and importance the Principal may, at his or her discretion, and subject to not less than seven days notice, call a special meeting of the Governing Body whenever necessary.
- b) The Principal shall also summon a Special Meeting of the Governing Body if so requested by twenty per cent of the membership of the Governing Body.

1.10 Means of electing Associate members of Governing Body

- a) Pursuant to Statute 2.2 (d) an election shall take place annually to elect four associate members of the Governing Body;
- b) Two associate members shall be elected by the Student members of the College from among their own number and two by the Research Fellows from among their own number;
- c) Associate members shall be elected in Michaelmas Term. Student members shall hold office until 31 October in the year following their election. Research Fellows shall hold office until 31 October in the second year following their election;
- d) If any associate member resigns or leaves the college, a by-election shall be held as soon as practicable, and in any event within two months, of a person to serve for the remainder of the period of office of the person concerned;
- e) If any associate member fails to attend two Governing Body meetings in succession, or is known to be unable to attend Governing Body meetings, it shall be open to the Governing Body to declare a vacancy.

1.11 Decision-making by inquorate Governing Body Meetings

- a) The Secretary of the Governing Body will circulate electronically any decisions (together with the associated draft Minutes) made provisionally by an inquorate Governing Body Meeting to all Governing Body members by the Wednesday following the Meeting.
- b) An electronic voting system, with appropriate security, will be established so that GB members may vote anonymously using three responses (yes, no, abstain). Responses will be expected within three working days of the vote being called, and majorities will be those currently in operation under Regulation 1.1.6.
- c) Votes will be counted by the Secretary of the Governing Body or, in his or her absence, by the Principal, and one other GB member. GB members will be informed of the outcome of the vote within one working day of the close of voting; decisions will take effect from this date.
- d) A summary of the outcome of the process will be incorporated into the Minutes of the relevant GB Meeting.

2. Committees of the Governing Body

2.01 The Standing Committees of the Governing Body

The Standing Committees of Governing Body shall include, but not be limited to, the following:

- a) Academic Committee
 - i. Medical Teaching Subcommittee
- b) Building Committee
 - i. Art, Decoration & Furnishing Subcommittee
- c) College Life Committee
- d) Development Committee
 - i. Annual Fund Subcommittee
- e) Fellowship Committee
- f) General Purposes Committee
 - i. Library & Information Services Subcommittee
- g) Human Resources Committee
- h) Investment Committee
- i) Remuneration Committee
- j) Risk and Scrutiny Committee
- k) Student Welfare Committee

2.02 General Provisions: Elections to Standing Committees and Terms of Office for Committee membership

- a) Elections of members of the Governing Body to Standing Committees shall be held annually during Trinity Term, and shall take effect from 1 September in the succeeding Michaelmas Term.
- b) Two elected members of the General Purposes Committee shall change each year.
- c) Members of the Governing Body on other Standing Committees shall, unless there is specific reference to the contrary, serve for two years and shall be re-eligible, but there should normally be some change of membership each year.
- d) Elections of Research/Junior Research Fellows and Student Members shall take place in Michaelmas Term to take up office from 1 November in that term and members shall serve for one year.
- e) A person who is a member of a Committee ex officio shall serve on that Committee for the period during which he or she holds such qualifying office.
- f) A Standing Committee shall have power to co-opt up to two persons at a time for a period not exceeding one year.
- g) A Standing Committee has the right to invite any member of the Governing Body to attend and speak to any issue.
- h) A member of the Governing Body who is not a member of a Standing Committee (other than the Remuneration Committee or the Risk and Scrutiny Committee) may, at the discretion of the Chair of that Committee, attend as an observer, except when confidential business is being discussed.

- i) It shall be for each Committee to determine the frequency of its meetings, provided always that:
 - i. The Academic Committee, the Fellowship Committee, the Human Resources Committee and the Student Welfare Committee shall meet at least once in each term;
 - ii. The General Purposes Committee shall meet once a month except in August;
 - iii. The Investment Committee, the Remuneration Committee and the Risk and Scrutiny Committee shall, in accordance with Regulations 2.12, 2.13 and 2.14, meet at least once a year.
- j) Meetings of College Committees shall at all times seek to ensure that the conduct of their business follows best practice, as enunciated from time to time in relevant (e.g., Charity Commission) guidance.
- k) Meetings shall be summoned by the Chair of the Committee concerned.
- l) Committees shall be subject to the following requirements as to the quorum for any meeting:
 - i. Academic Committee: five members;
 - ii. Building Committee: five members;
 - iii. College Life Committee: six members, of whom at least one shall be a Fellow and one a student;
 - iv. Fellowship Committee: five members, including at least three elected members;
 - v. General Purposes Committee: 50% plus one;
 - vi. Human Resources Committee: three members including at least one elected member and the staff representative;
 - vii. Investment Committee: three members, including at least one of those appointed by virtue of their experience of investment matters;
 - viii. Remuneration Committee: three members;
 - ix. Risk and Scrutiny Committee: three members.

2.03 Chairs

- a) The Principal shall be an ex officio member of all Standing Committees except the Remuneration and Risk and Scrutiny Committees and shall be ex officio Chair of the Academic Committee, the Building Committee, the Fellowship Committee, and General Purposes Committee.
- b) Other Standing Committees shall, subject to any more detailed provisions regarding individual committees, elect their own chair.

2.04 Academic Committee

- a) The composition of the Academic Committee shall be as follows:

Principal (1)

Vice-Principal (2)

Senior Tutor (3)

Academic Tutor (Chair) (4)

Tutor for Admissions (5)

The Chair of the Medical Teaching Subcommittee (6)

Two members of the Governing Body (7,8)

One Research/Junior Research Fellow (9)

Two student members nominated by the GCR, including one member of the GCR Committee (10,11)

The Academic Registrar, as Secretary (12)

b) Its terms of reference shall be as follows:

- i. To arrange a programme of academic activities for the College within a budget approved by the Governing Body;
- ii. To consider proposals for College-based research and other academic activities;
- iii. To consider and make grants to students for purposes of elective study and other academic purposes;
- iv. To receive reports from the Medical Teaching Subcommittee;
- v. To receive reports relating to the execution of student support and scholarship policies and consider proposals for new or changed policies, with the Senior Tutor and Academic Registrar undertaking the execution of the policies according to procedures established since the foundation of the College;
- vi. To have responsibility for the College advisor system;
- vii. To discuss and make recommendations to the Governing Body on any academic matters in which the College may have an interest (excepting those concerning individual appointments and elections);
- viii. To make recommendations on major questions of admissions policy, including the numbers to be admitted annually and other issues affecting the general composition and balance of the student body, and reporting annually on the advice of the Tutor for Admissions.

In the performance of its functions under (iii), (iv), and (vii) the Committee may ask for business to be regarded as 'reserved' and conducted in the absence of student members. Fellows with supervisory responsibilities who are not on the Committee may be invited to attend *ad hoc*.

Medical Teaching Subcommittee

- a) There shall be a Medical Teaching Subcommittee of the Academic Committee with membership and terms of reference as set out below.
- b) The composition of the Subcommittee shall be as follows:

Senior Doll Tutorial Fellow (Chair) (1)

Two student members from each of Year 4, Year 5, Year 6 (2,3,4,5,6,7)

Up to four Doll Tutorial Fellows (including the Doll Tutorial Fellow for graduate entry students) (8,9,10,11)

Senior Tutor (12)

Two members of Governing Body (13,14)

c) Its terms of reference shall be as follows:

- i. To monitor and advise on the clinical medicine teaching programme (standard course and graduate entry) at the College with respect to course content, teaching methods, student feedback, and teaching resources (including the equipment library, and relevant generic college facilities);
- ii. To advise the Academic Committee of any important issues concerning College-based medical education, in particular those that may have resource implications;
- iii. To recommend policy regarding the appointment of Teaching Associates on the teaching programme (including terms of service, recruitment and retention);
- iv. To carry out any other business referred to it by the Academic Committee;
- v. To report all minutes of its meetings to Academic Committee.

The Committee shall meet at least three times a year.

2.05 Building Committee

a) The composition of the Building Committee shall be as follows

Principal (Chair) (1)

Vice-Principal (2)

Bursar (3)

Domestic Bursar (4)

Four members of the Governing Body (5,6,7,8)

Two members external to Governing Body appointed for their expertise relevant to the work of the Committee (9,10)

Two student members nominated by the GCR, including one member of the GCR Committee (11,12)

b) Its terms of reference shall be as follows:

- i. To make recommendations on the College's programme for all building work, for the execution of building projects, and for maintaining the College's buildings in a satisfactory condition;

- ii. To make recommendations in regard to proposed building projects, about the accommodation to be provided, the design, planning and elevations, and estimates of cost;
- iii. To receive reports from the Art, Decoration and Furnishing Subcommittee;
- iv. To make recommendations to the General Purposes Committee concerning the acquisition and allocation of sites;
- v. To prepare annually for the second meeting of the Governing Body in Hilary Term an estimate of expenditure to be incurred on building projects, repairs and maintenance, fittings, etc.

Art, Decoration & Furnishing Subcommittee

- a) There shall be an Art, Decoration & Furnishing Subcommittee of the Building Committee with membership and terms of reference as follows:
- b) The composition of the Subcommittee shall be as follows:

Three members of Governing Body (1,2,3)

Domestic Bursar (4)

One student member of the GCR Committee (5)

Two members external to the College appointed for their expertise (6,7)

- c) Its terms of reference shall be as follows:
 - i. To consider the acquisition, conservation and display of art works and furniture for the College;
 - ii. To consider the choice and maintenance of décor for the College and advise on these matters;
 - iii. To advise the Building Committee on issues pertinent to art, decoration and furnishings in the College with particular reference to any putative costs;
 - iv. To report all minutes of its meetings to the Building Committee.

2.06 College Life Committee

- a) The composition of the Common Room Liaison Committee shall be as follows:

Vice Principal (1)

Bursar (2) (Secretary)

Domestic Bursar (3)

President of the GCR (4)

Treasurer of the GCR (5)

Two members of Governing Body appointed by Governing Body (6, 7), including the Chair

One member of the Research Fellowship elected by the Research Fellowship (8)

An Emeritus Fellow nominated by the Vice Principal (9)

A member of the Common Room nominated by the Bursar (10)

One other student member nominated by the GCR (11)

One member of the hospitality staff (12)

One staff representative (13)

The Committee shall have the right to co-opt other members of the College to help with time limited projects.

b) Its terms of reference shall be as follows:

- i. To maintain an overview of College communal life – as expressed through, for example, College cultural and sporting activities (other than those organised and promoted by the Academic Committee), charitable initiatives, and “Domus” discussion dinners;
- ii. To make recommendations on Common Room membership, and Radcliffe Common Room membership (to the Fellowship Committee), and Visiting Common Room membership (to the Principal);
- iii. To advise on the planning and delivery of College events, such as the Foundation Dinner and Garden Party;
- iv. To monitor and advise on the Annual Ball;
- v. To receive an annual report from the College Wine Committee;
- vi. To carry out any other inquiries or functions that may be requested by the General Purposes Committee and/or Governing Body at any time.

2.07 Development Committee

a) The composition of the Development Committee shall be as follows:

Principal (1)

Development Director in attendance (2)

Academic Tutor (3)

Bursar (4)

Three members of Governing Body (5,6,7)

Up to three persons, appointed by the Governing Body in recognition of their experience and skills in development (8,9,10)

Two student members nominated by the GCR, including one member of the GCR Committee (11,12)

- b) Its terms of reference shall be as follows:
- i. To advise the Governing Body on issues pertinent to the College's development needs and strategies, including
 - External and internal communication
 - Profile, public and press relations, promotion
 - Appeals and fundraising
 - Alumni relations
 - ii. To monitor and review the work of the Development Office in support of (i) and with particular reference to:
 - Identification of funding priorities
 - Annual giving and legacies
 - Donor research
 - Management of donor relations
 - Major gift approaches
 - iii. To carry out any specific tasks relevant to development or fund-raising referred to it by the General Purposes Committee.

Annual Fund subcommittee

- a) The composition of the Annual Fund subcommittee shall be as follows:

Vice-Principal (Chair) (1)

One member of Governing Body (2)

Senior Tutor (3)

Domestic Bursar (4)

Director of Development (5)

Academic Registrar (6)

One student member nominated by the GCR (7)

- b) Its terms of reference shall be as follows:
- i. To oversee policy for the Annual Fund
 - ii. To receive bids for Annual Fund awards according to the guidelines
 - iii. To meet annually for disbursement of Annual Fund awards

2.08 Fellowship Committee

- a) The composition of the Fellowship Committee shall be as follows:

Principal (Chair) (1)

Vice-Principal (2)

Senior Tutor (3)

Six members of the Governing Body, to include at least one member of the Medical Sciences Division and one member of the Faculty of Management (4,5,6,7,8,9)

- b) Its terms of reference shall be as follows:

- i. To recommend to the Governing Body the names of persons who might be considered suitable for election to fill vacancies in the Fellowship;
- ii. To consider invitations to bid for association with entitled posts, and the appointment of college representatives on University selection committees and electoral boards;
- iii. To consider invitations to offer Fellowships to named holders of senior University appointments;
- iv. To make recommendations to the Governing Body on the renewal of Fellowships;
- v. To participate, as and when required to do so by Regulation, in disciplinary matters relating to individual fellows;
- vi. To make recommendations to the Governing Body on the appointment of
 - Visiting Fellows
 - Senior Research and Research Fellows
 - Associate Fellows
 - Junior Research Fellows
 - Research Associates.
- vii. To recommend persons for election as Emeritus and Honorary Fellows;
- viii. To recommend to Academic Committee the membership of selection panels for Junior Research Fellowships.

2.09 General Purposes Committee

- a) The composition of the General Purposes Committee shall be as follows:

Principal (Chair) (1)

Vice-Principal (2)

Dean (3)

Senior Tutor (4)

Bursar (5)

Domestic Bursar (6)

Chairs of the following Committees: Academic, Building, College Life, Human Resources, Development, Fellowship, Remuneration, Investment, and Student Welfare as requested by the Chair of GPC (7- 15)

Six other members of the Governing Body, elected by the Governing Body with a view to maintaining subject balance, and to include two Barclay Fellows (16-21)

A member from among the Research Fellows (22)

The President and Vice President (Welfare) of the GCR. (23,24)

Academic Registrar in attendance (25)

b) No elected member of the Committee shall serve for more than seven consecutive years.

c) The Committee shall have terms of reference as follows:

- i. to consider on behalf of the Governing Body all material, practical and operational matters affecting the running of the College;
- ii. to consider the remits, membership and functioning of the Standing Committees of the Governing Body and make recommendations to the Governing Body should the Committee consider any changes desirable;
- iii. to consider all questions affecting the College's budget; to receive a draft for each annual budget from the College Officers in Hilary Term of the preceding academic year; and then to recommend a budget to the Governing Body;
- iv. to scrutinize monthly management accounts supplied by the College Officers;
- v. to consider appropriate strategic and planning documents and report on these to the Governing Body;
- vi. to monitor and review operational performance against objectives and outcomes identified in the budgets and plans;
- vii. to receive reports from the Library and Information Services Subcommittee;
- viii. to act on behalf of the Governing Body with respect to capital expenditures within such limits as may be agreed by the Governing Body from time to time;
- ix. to consider all appeals made to the College: to administer such funds as may be made available by the Governing Body for support of charitable causes either within Oxford or for educational and humanitarian purposes elsewhere; and to report to the Governing Body; provided always that in no case shall funding or support be made available for any activity which would be detrimental to the College's overall commitment, under Statute 1.3, to the support of advanced study, learning, education and research; and
- x. to review annually in Hilary Term the Standing Orders of the Governing Body and the general arrangements for the conduct of its business.

d) The formal powers of the General Purposes Committee for each academic year will always be ratified at the last Governing Body meeting of the previous year;

- e) The formal powers of the General Purposes Committee may be reviewed during the year at the request of the Risk and Scrutiny Committee;
- f) The Committee shall meet once a month except in August;
- g) In the performance of its functions, the Committee may ask for business to be regarded as 'reserved', and conducted in the absence of student members.

The Library & Information Services Subcommittee

- a) The composition of the Library and Information Services Subcommittee shall be as follows:

Three members of the Governing Body (1,2,3)

Bursar (4)

Head of Library and Information Services (5)

Librarian (6)

IT manager (7)

Communications Manager (8)

One Research Fellow (9)

Three student members nominated by the GCR, representing the broad academic interests of the student body (10,11,12)

Two external members with expertise in IT (13,14)

- b) It shall have the following terms of reference:

- i. To advise the General Purposes Committee on policy and practice within the College on library and information retrieval, and on computing and IT, and in particular:
- ii. To advise on library catalogue and information retrieval facilities;
- iii. To advise the General Purposes Committee on the use of computers within the college, including such matters as the choice of hard and soft-ware, computer networking and security, and the provision of capital and recurrent funds for computing;
- iv. To administer the library and IT provision within a budget approved by the General Purposes Committee;
- v. To oversee the stewardship of special collections entrusted to the College;
- vi. To be responsible for appointing Computing Scholars;
- vii. To be responsible for College website policy;
- viii. To be responsible for College Communications
- ix. To advise the General Purposes Committee and the Academic Committee on library policy with regard to purchasing and holdings;
- x. To recommend to the Building Committee the allocation of accommodation and related facilities for library, information and computing purposes;

- xi. To monitor the performance of library and information systems arrangements within the College;
- xii. To report to the General Purposes Committee at such times as appropriate; to meet at least once a term and to report to the Governing Body at its second stated meeting in Trinity Term on the general position of library and information systems arrangements within the College.

2.10 Human Resources Committee

- a) The Human Resources Committee shall have the following composition:

Principal (1)

Bursar (2)

Domestic Bursar (3)

HR Manager In attendance (4)

Two members of the Governing Body (5,6)

An elected Staff Representative (7)

The Academic Registrar shall attend meetings of the Committee as required.

- b) Its terms of reference shall be as follows:

- i. To consider and formulate College policy in respect of the employment of all staff whose appointments lie outside the purview of the Fellowship Committee;
- ii. To monitor and advise the General Purposes Committee on compliance with developing policy in personnel and employment matters both within the Collegiate University and nationally;
- iii. To consider all aspects of the conditions of service of such staff, including scales of payment, grading and pensions, staff relations, health and welfare; and to conduct an annual review of staff grades.
- iv. To consider disciplinary matters referred to the Committee by the Bursar or Academic Registrar at their discretion, consider all cases involving the threat of dismissal where the member of staff concerned has been in post for more than one year, and to confirm under powers delegated to either the Principal or the Bursar (with subsequent report to the Committee) action taken by the officers in other dismissal proceedings;
- v. To advise the General Purposes Committee on any other Human Resources issues as required;
- vi. To consider where appropriate complaints or appeals made by members of staff under the provisions of their letters of appointment;
- vii. In the performance of its functions, the Committee may ask for business to be regarded as 'reserved' and conducted in the absence of the staff representative.

2.11 Investment Committee

- a) The composition of the Investment Committee shall be as follows

Principal (1)

Bursar (2)

Three members appointed by the Governing Body, one of whom shall be a Barclay Fellow, and at least two of whom shall possess relevant experience. (3,4,5)

GCR Treasurer (6)

College Accountant in attendance (7)

- b) Its terms of reference shall be as follows:

- i. To make recommendations to the General Purposes Committee on investment strategy;
- ii. Subject to reporting at least once a year to the General Purposes Committee (normally at the second meeting of Trinity Term) to arrange for the investment of all funds and endowments of the College in such investments (including property and land) as it shall think fit within the strategic parameters recommended by the Investment Committee and approved by the Governing Body;
- iii. To monitor the performance of the College's investments;
- iv. To recommend to the General Purposes Committee the investment advisors whom the College shall employ: these advisors shall come up for reconsideration at the end of the Hilary Term each year;
- v. To advise the General Purposes Committee on the purchase or sale of property for investment purposes, working with the Buildings Committee to make recommendations on the acquisition or disposal of sites for the use of the college and to arrange for the purchase or sale of property (both functional and investment) where agreement in principle has been given by the Governing Body.

2.12 Remuneration Committee

- a) The composition of the Remuneration Committee shall be as follows:

- i. The Committee shall have a minimum of five members, at least one of whom shall be a Barclay Fellow. Membership shall include the Chair of the Human Resources Committee ex officio.
- ii. No-one for whom the College is his or her principal employer may serve on the Committee.

- b) its terms of reference shall be as follows:

- i. The Committee shall advise the Governing Body on the remuneration of the Principal, College Officers and such other staff of the College as the Governing Body may specify from time to time. No member of the Committee shall be involved in any decision as to his or her own remuneration.

- ii. The Committee shall keep the College's policy for the remuneration of academic staff and officers under review and advise the Governing Body on any modification of that policy with a view to the more effective achievement of its objective. The objective of the College's policy for the remuneration of academic staff and officers shall be to ensure that academic staff and officers of the College are provided with appropriate incentives for retention purposes and to encourage enhanced performance and are, in a fair and responsible manner, rewarded for their individual contributions to the success of the College.
 - iii. In reviewing this policy and in setting the remuneration of any employee of the College, the Committee shall:
 - consider such internal and external information as may be relevant and specific proposals made by the Governing Body;
 - consult where appropriate with the University and with other colleges in the University; and
 - be sensitive to the remuneration and other employment conditions throughout the University.
 - iv. The Committee shall keep under review, and advise the Governing Body on the financial benefits provided to Governing Body Fellows.
 - v. The Committee shall determine the policy for and scope of pension arrangements, termination payments and compensation commitments for academic staff and officers of the College. The Committee shall seek to ensure that contractual terms on termination, and any payments made, are fair to the individual and the College.
 - vi. The Committee shall develop and, subject to its approval by the Governing Body, implement a policy for authorising claims for expenses from the academic staff and officers of the College.
- c) Reporting Responsibilities
- i. The Committee Chair shall report formally to the Governing Body on its proceedings at the following Governing Body Meeting on all matters within its duties and responsibilities.
 - ii. The Committee shall make whatever recommendation to the Governing Body it deems appropriate on any area within its remit where action or improvement is needed.
- d) Expenditure

In connection with its duties the Committee is authorised, subject to such limits as expense, any legal or other professional advice including the advice of independent remuneration consultants, to secure the attendance of external advisors at its meetings if it considers this necessary and to obtain reliable, up-to-date information about remuneration in other institutions. The Committee shall have full authority to commission any reports or surveys which it deems necessary to help it fulfil its obligations.

2.13 Risk and Scrutiny Committee

- a) The composition of the Risk and Scrutiny Committee shall be as follows:

- i. Five members at least one of whom shall be a Barclay Fellow. None of the members shall be a holder of a College office or serve on the General Purposes Committee.
- b) Its Terms of Reference shall be as follows:
 - i. To review the effectiveness of the financial and other internal controls systems of the College;
 - ii. To review the College's policies and procedures relating to the preparation and presentation of accounts, and capital and other financial commitments; and to make recommendations as appropriate to the General Purposes Committee;
 - iii. To report on the audit of the annual accounts and on other matters within its terms of reference, as required;
 - iv. To receive and report on the Auditors' management letters;
 - v. To consider strategic matters in relation to the management of risk in College affairs;
 - vi. To report on the performance of the General Purposes Committee, and other matters as the Governing Body may from time to time identify;
 - vii. To call for any investigation that it considers necessary.

The Committee reports directly to the Governing Body.

2.14 Student Welfare Committee

- a) The Student Welfare Committee shall have the following composition:

Dean (Chair) (1)

Senior Tutor (2)

Three Fellows (3,4,5)

Three student members nominated by the GCR, including GCR Vice President (Welfare) (6,7,8)

Junior Dean (9)

Domestic Bursar (10)

Student Administrator in attendance (11)

- b) It shall have terms of reference as follows:
 - i. To consider and advise the General Purposes Committee on policy matters relating to Student Welfare.
 - ii. To consider individual cases as need arises according to policy agreed by the General Purposes Committee and subject to such overall financial provision as the General Purposes Committee may from time to time approve for the purpose.
 - iii. To report annually to the General Purposes Committee on relevant policy issues and on aggregate provision made.
 - iv. Details of all individual cases shall be treated in strict confidence.

2.15 Ad hoc or Special Committees of Governing Body

- c) In addition to the Standing Committees, Special Committees to advise on any particular matter may be set up as required at the discretion of the Governing Body, their composition and terms of reference (including the power to co-opt) being determined ad hoc, provided that either the Chair or secretary shall be a member of the Governing Body.

3. Officers of the College and other Post-holders

3.01 The Officers of the College

Subject to the provisions of Statute 5, the Officers of the College shall include, but not be limited to, the following:

- a) Principal
- b) Vice-Principal
- c) Senior Tutor
- d) Academic Tutor
- e) Tutor for Admissions
- f) Bursar
- g) Dean
- h) Secretary to the Governing Body

3.02 Elections and Terms of Appointment

- a) As specified in Statute 2.3(e) Governing Body has the power to appoint such College Officers as it may from time to time think fit (who shall be responsible to the Governing Body for the proper performance of their duties and who may not hold more than one office concurrently, except for any unexpected transition period arising and limited to one month unless otherwise agreed by GB).
- b) Elections to College Offices shall take place at the meeting of Governing Body in Trinity Term and they shall take up office from 1 September following.
- c) Tenure of the offices of Vice-Principal, Senior Tutor, Academic Tutor, Tutor for Admissions, and Dean shall normally be for three years; they shall be eligible for reappointment to the same office for a second period of three years.
- d) Remuneration for any of the College Officers shall be determined by Governing Body upon receipt of advice by the Remuneration Committee.
- e) In any case of a conflict of interest on the part of a designated Officer of the College, and in particular where an Officer of the College is designated to perform any duties or exercise any powers under Statute 10 or under Regulation 11 or Regulation 12 and that Officer is involved in the matter in question, the Governing Body shall appoint an alternate to act in place of the Officer concerned. The exercise of this function shall normally be delegated to the Principal (or in the case of the Principal, to the Vice- Principal). A person who has an actual or apparent interest in the outcome of any case under Statute 10, Regulation 11 or

Regulation 12, which includes but is not limited to, the fact that he or she has participated in any decision against which an appeal is being made, shall declare it to the Principal (or in the case of the Principal, to the Vice-Principal). The Principal (or in the case of the Principal the Vice-Principal) shall decide any issues as to whether the person has an actual or apparent interest and shall appoint substitutes as necessary.

3.03 The Principal

- a) As specified in Statute 6, the Principal of the College shall promote the best interests of the College as a place of advanced study, learning, education and research.
- b) The Principal shall chair meetings of the Governing Body and such of its standing committees as may be specified in Regulation 2.
- c) The process for election of the Principal shall be determined by the Governing Body, subject always to the provisions of Statute 6 and Regulation 7, below.

3.04 Vice-Principal

- a) The Vice-Principal will deputise for the Principal, by prior arrangement, in presiding at such functions as College dinners and degree lunches.
- b) The Vice-Principal will deputise for the Principal, by prior arrangement, in chairing meetings of Governing Body or its subcommittees.
- c) The Vice-Principal is a member *ex officio* of the following standing committees of the Governing Body: Academic Committee, Building Committee, Fellowship Committee, General Purposes Committee.
- d) Under the terms of Statute 6, the Vice-Principal will (unless he or she is a candidate) supervise the process for the election of a Principal.
- e) The Vice-Principal may by prior arrangement be asked by the Principal and the Governing Body to discharge other responsibilities as the need arises.

3.05 Senior Tutor

- a) The Senior Tutor is responsible for the academic progress and well-being of the College's students. This includes responsibility for the induction of Freshers, the College Advisor system and procedures, and liaison with the Proctors' office.
- b) The Senior Tutor is also responsible for ensuring that the College is acting in accordance with the University's current guidance on provision for graduate students.
- c) The Senior Tutor is a member *ex officio* of the following standing committees of the Governing Body: Academic Committee; Fellowship Committee; General Purposes Committee, Student Welfare Committee.
- d) The Senior Tutor represents the College on the Conference of Colleges Senior Tutors' Committee.

3.06 Academic Tutor

- a) The Academic Tutor is responsible for organising a series of academic activities in College during the academic year.
- b) These activities include named public lectures and lecture series; academic seminars; research student events, and other activities as recommended by the Academic Committee.
- c) The Academic Tutor is *ex officio* a member of Academic Committee and the Development Committee. He or she shall be consulted by the Chair of the Academic Committee in drawing up the agenda for meetings and in implementing decisions by the Committee.

3.07 Tutor for Admissions

- a) The Tutor for Admissions is responsible for implementing College policy on admissions and for overseeing the admissions process.
- b) The Tutor for Admissions represents the College on the Conference of Colleges Graduate Committee.
- c) The Tutor for Admissions is *ex officio* a member of the Academic Committee.

3.08 Bursar

- a) Pursuant to Statute 9.1, the Bursar is generally responsible, under the Principal and the Governing Body, for the financial affairs and the business and domestic administration of the College, and for all staff and personnel matters and for the financial well-being of the College.
- b) The Bursar is *ex officio* a member of the Building Committee, the Common Room Liaison Committee, the Development Committee, the General Purposes Committee, the Library & Information Services Subcommittee, the Human Resources Committee, the Investment Committee.
- c) The Bursar will serve as secretary of the Remuneration Committee and the Risk and Scrutiny Committee
- d) The Bursar will represent the College on the Conference of Colleges Committee of Estates Bursars.

3.09 Dean

- a) The Dean is responsible for welfare and discipline in the student body, ensuring that the College's policies on welfare and discipline are being observed, and reacting to individual cases as these arise.
- b) The Dean is *ex officio* Chair of the Student Welfare Committee.

3.10 Secretary to the Governing Body

- a) The Secretary to the Governing Body is a member of Governing Body responsible for ensuring that there is a proper record of Governing Body meetings and that the meetings are conducted in accordance with the Statutes and Regulations.
- b) The Secretary to the Governing Body liaises with the Principal, the other officers listed in Regulation 3.1, in preparing the Agenda for Governing Body meetings.
- c) The Secretary to the Governing Body ensures that a proper record is kept of attendance at each Governing Body meeting.
- d) The Secretary to the Governing Body writes the Minutes of meetings of Governing Body; ensures that any changes to the Minutes approved at Governing Body are recorded; maintains a formal record in the form of signed copies of the Minutes; ensures that appropriate materials are available for the conduct of elections in Governing Body meetings; acts as a teller in any ballots at Governing Body meetings; and advises the Principal regarding Governing Body regulations and procedures.

3.11 Other post-holders

- a) The Governing Body may appoint other individuals, at its discretion, to fulfil such other responsibilities as may from time to time be required.
- b) These additional post-holders shall include, but not be limited to the following.
- c) Dean of Degrees
 - i. The Dean of Degrees is responsible for overseeing the relationship between the College and the University in respect of its ceremonial aspects and for representing the College at matriculation and degree ceremonies.
 - ii. A Deputy Dean of Degrees presents candidates at matriculation and degree ceremonies when the Dean of Degrees is unavailable.
 - iii. The period of appointment as Dean of Degrees shall be three years, and a retiring Dean of Degrees shall be eligible for reappointment.
- d) Pastoral Advisor
 - i. The Governing Body shall appoint a Pastoral Advisor who shall be available to all members of the College as a source of advice on individual matters of conscience and/or concern.
 - ii. The period of appointment of the Pastoral Advisor shall be three years and a retiring advisor shall be eligible for reappointment.

4. Elections to Governing Body Fellowships [Official Fellows and Barclay Fellows]

4.01 Definitions and Scope

- a) These regulations cover elections to Governing Body Fellowships under the following circumstances:
 - i. upon recommendation by the Fellowship Committee for new Governing Body Fellowships
 - ii. upon recommendation by the Fellowship Committee for Governing Body Fellowships associated with university posts;
 - iii. upon recommendation by the Fellowship Committee for Governing Body Fellowships in response to invitations by the university for bids for posts or for persons appointed to posts;
 - iv. upon consideration of Fellowships allocated to the college by the roster system.
- b) In electing members to Governing Body or in bidding for newly entitled posts, Governing Body shall seek to ensure that its Fellowship reflects the College's commitment to management studies, medical sciences, social sciences and other subject areas as approved by Governing Body from time to time.

4.02 Eligibility for election to Governing Body

- a) As specified in Statute 4.2(a), Official Fellows shall be persons who hold academic posts in the University or, at the discretion of the Governing Body, other persons.
- b) Holders of academic posts are those appointed, under the provisions of the University Statutes, to professorships, and university lectureships. Official fellowships may also be held by any other individuals whose offices either entitle them, under University Regulations, to hold fellowships or qualify them to hold professorial fellowships in colleges or societies. Other persons who would be considered by Governing Body for election would be holders of other posts in the University, in academic departments, or in the College, who in the opinion of Governing Body would enhance the intellectual, pastoral and administrative capacities of the College.
- c) As specified in Statute 4.2(b) Barclay Fellows shall be persons who are or have been active in the fields of business, government, education, the professions or public affairs.

4.03 Process of elections to Governing Body

- a) In relation to elections under 4.1 (ii)-(iv) above, the Fellowship Committee will consider requests from the University for college associations for particular posts or individuals appointed to positions within the University.
- b) In cases where university posts are associated with College fellowships the College shall be represented on the Selection Committee by two members of Governing Body.
- c) Elections to Official fellowships shall normally be for a seven-year period or until the point of retirement whichever is sooner, provided that in any case where a Fellowship is associated with a University post carrying an initial period of office, the Fellowship shall also be subject

to satisfactory discharge of the responsibilities of a fellow during that initial period and shall be subject to review in the context of the reappointment process.

- d) Elections to Barclay Fellowships shall be for a five-year period, normally renewable for a further five-year period, but not normally renewable thereafter.
- e) The fellowship shall undertake a periodic review of the fellowship in which inter alia it shall consider the needs of any subject areas as specified in Regulation 4.i (b).

4.04 Procedure for Renewal

- a) Upon completion of a seven-year term and/or of an initial period of office, Governing Body fellows shall be eligible for re-election. Re-election will be considered after a recommendation by the Fellowship Committee and upon receipt of an up to date CV.
- b) Re-elections to Official Fellowships shall normally be for a seven-year period or until the point of retirement whichever is sooner.

5. Responsibilities of Governing Body Fellows

5.01 Fellows' Responsibilities

It shall be the responsibility of Fellows, under the Principal, to assist in the academic activities and governance of the college. Such responsibilities would typically include the following:

- a) Attendance at Governing Body meetings
- b) Membership of at least one of the Committees and Subcommittees of Governing Body;
- c) Serving as College Advisors for graduate students allocated by the Senior Tutor.

Governing Body Fellows shall in addition be encouraged to involve themselves in the social life of the College through such activities, for example, as:

- a) Attendance at lectures and participation in academic seminars and Domus Evenings arranged in the College;
- b) Attendance at lunches and dinners, including entertainment of College advisees;
- c) Attendance at social and cultural events held in the College.

Governing Body Fellows will be eligible for election as a College Officer.

5.02 Election of a Proctor or Assessor.

Eligibility to vote for a Proctor or Assessor under the provisions of the University Statutes shall be restricted to fellows of the college on the Governing Body and other fellows not on the Governing Body who are members of Congregation (and not members of the governing body of another college or society).

5.03 Conditions attaching to Fellowships

- a) Fellows elected by virtue of appointment to a University post shall normally vacate their Fellowship on vacating the qualifying post, save that the Governing Body may approve a new qualifying post in place of the old and deem the Fellow not to have vacated his or her Fellowship;
- b) Any Fellow who is granted leave of absence from his or her University post shall be granted leave by the Governing Body for such time as he or she has been dispensed from discharging the duties of his office. Any other application by a Fellow for leave of absence involving more than six weeks of Full Term shall require the approval of the Governing Body. Where any Fellow is absent on leave from the University under this clause his or her responsibilities to the College under 5.1. shall likewise be suspended;
- c) A Governing Body Fellowship may not be held in conjunction with the headship or a fellowship of any other college or society of the University.
- d) If in the opinion of the Governing Body a Fellow is unable or unwilling to carry out the duties of a Fellow as laid down by these or any other Regulations passed by the Governing Body, or shall have been guilty of conduct unbecoming a Fellow, or of a breach of the College's disciplinary code, the Principal shall, on his or her own initiative, or at the request of

three members of the Governing Body, consider the matter. If it appears to the Principal to be minor he or she may deal with it informally. If it appears to the Principal to be more serious, the procedures laid down in the Appendix to Statute 10 shall apply.

- e) Fellows shall be entitled to partake without charge of the Common Table at such times and with such frequency as the Governing Body may from time to time determine.

6. Categories of Senior Members

6.01 Classes of Fellowships

Pursuant to Statute 4.2, there shall, in addition to the Governing Body Fellowships (Official and Barclay Fellows) provided for under Regulation 4, be the following classes of Fellowships at the College:

- (1) Radcliffe Fellows
- (2) Honorary Fellows
- (3) Emeritus Fellows
- (4) Governing Body Fellows
- (5) Senior Research Fellows
- (6) Research Fellows
- (7) Junior Research Fellows
- (8) Associate Fellows
- (9) Associate Members
- (10) Radcliffe Common Room Members
- (11) Common Room Members

6.02 Radcliffe Fellows

Are persons who have contributed significantly to the development of the College. Election by the Governing Body is for life. College facilities are made available at the discretion of the Principal.

6.03 Honorary Fellows

Are normally persons who have led the College and its predecessor institutions and/or persons of outstanding distinction who have rendered the College significant service. Election by the Governing Body is for life. College facilities include access to the Common Table without charge. Honorary Fellows may be asked to take on College duties such as advising students (and attending collections).

6.04 Emeritus Fellows

Are normally former Fellows of the College who have served as Governing Body and/or Senior Research Fellows for at least ten years. Election by the Governing Body is for life. College facilities include access to the Common Table without charge. Emeritus Fellows may volunteer to take on

College duties such as advising students (and attending collections) and serving on Committees of the Governing Body.

6.05 Governing Body Fellows

Are members of the Governing Body, elected by the Governing Body and trustees of the College as a registered charity. GB Fellows include the Barclay Fellows. Election is for seven years, and is renewable. College facilities include access to the Common Table without charge. Governing Body Fellows are expected to act as trustees of the charity (including by attending meetings), to play an active role in the social and intellectual life of the College, to serve on Committees and to undertake College duties including advising students (and attending collections).

6.06 Senior Research Fellows

Are elected by the Governing Body, and should demonstrate a research record of the highest order, comparable in distinction with that expected of professors appointed at Oxford and other major research universities. Election is for seven years, and is renewable. College facilities include access to the Common Table without charge. Senior Research Fellows are expected to play an active role in the social and intellectual life of the College, to serve on Committees and to undertake College duties including advising students (and attending collections). The Governing Body may also elect Visiting Senior Research Fellows for specified periods up to seven years.

6.07 Research Fellows

Are elected by the Governing Body, and should engage in independent research of a very high calibre, at a level that appropriately reflects the current stage of their academic careers. Election is normally for three or four years, and is renewable. College facilities include access to the Common Table without charge. Research Fellows are expected to play an active role in the social and intellectual life of the College, to serve on Committees and to undertake College duties including advising students (and attending collections). The Governing Body may also elect Visiting Research Fellows for specified periods up to four years.

6.08 Junior Research Fellows

Have stipendiary posts within the College for fixed terms (normally three years). Access to College facilities is on a pay-as-you go basis.

6.09 Associate Fellows

Are appointed by the Governing Body to help it meet its objective by drawing on a measure of seniority and distinction in the different communities the College wishes to engage with (e.g., the professions, business, not for profit, public affairs) or by undertaking particular, including remunerated, tasks. These include the Joan and Richard Doll Fellows, who contribute to medical

teaching. A Senior Doll Fellow is elected as a Governing Body Fellow on the same basis as other Governing Body Fellows (Regulation 4). Election is for three years, and is renewable. Access to College facilities is on a pay-as-you go basis. The Governing Body may also elect Visiting Associate Fellows for specified periods. Associate and Visiting Associate Fellows may be asked to undertake College duties including advising students (and attending collections).

6.10 Associate Members

Are appointed by the Governing Body in recognition of temporary association with the College in support of its academic objectives. They include sub-categories such as: (i) Clinical Teaching Associates; or (ii) Research Associates (including members of the Reuters institute for the Study of Journalism). Access to College facilities is on a pay-as-you go basis. Research Associates will also pay a fee (normally covered by their Department or Institute).

6.11 Radcliffe Common Room Members

Are members of the Common Room, appointed for life, in recognition of their significant role in the foundation and establishment of the College and its predecessors. Election by the Governing Body is for life. College facilities include access to the Common Table without charge.

6.12 Common Room Members

Are persons with interests consistent with the activities of the College and are appointed by the Governing Body on the recommendation of the College Life Committee, which is also responsible for capping the number of members (including Radcliffe Common Room members). All applications must be sponsored by two GB Fellows. Election is for three years, renewable. An annual subscription is levied and access to College facilities is as determined by the Governing Body on a pay-as-you go basis. Common Room Members and Radcliffe Common Room Members may be asked to undertake College duties including advising students. Other rights and responsibilities are as set from time to time by the Governing Body.

7. Election of Principal

7.01 The Principalship

Subject to the requirements of the Statutes, the Principal shall exercise a general supervision over all the affairs of the College and the well-being of its members and over the education and welfare of its student members. He or she shall see that the Statutes and Regulations of the College are observed and that all the members of the College perform the duties pertaining to their respective offices or positions. The election of the Principal is vested in the members of the Governing Body who perform that function according to Statute 6 and to these Regulations.

7.02 Procedures for election

- (a) Subject always to the requirements of the Statute, the Governing Body shall at the appropriate time appoint a Selection Panel for the appointment of a Principal. The Selection Panel shall comprise not fewer than six and not more than nine members of the Governing Body.
- (b) The Selection Panel should advertise the position of Principal and consider applications in response to such advertisement. The Selection Panel may also take such measures as it deems appropriate to invite applications for the position.
- (c) The Selection Panel shall conduct such formal or informal interviews with individuals who have applied for the position as it deems fit and shall then present to Governing Body a short list of potential candidates.
- (d) The short listed candidates shall be invited to address members of Governing Body in support of their applications and meet members of Governing Body at a dinner.
- (e) As specified in Statute 6 the Principal shall be elected by the Governing Body at a meeting convened in accordance with the Statute.

7.03 Role of Vice-Principal in the process of election

Pursuant to Statute 6, the election of a Principal shall be supervised by the Vice-Principal (unless he or she is a candidate, in which case the election shall be supervised by a Fellow elected by the Governing Body from among their number excluding any candidate).

7.04 Process for determining terms and conditions of appointment and remuneration

The Principal shall hold office on such terms and conditions as shall be determined by Governing Body upon receipt of advice by the Remuneration Committee.

8. The Common Room

8.01 Categories of Membership

The Common Room comprises the following categories of membership:

- (a) The Principal and Fellows of the College (Regulation 4) and Senior Members (Regulation 6).
- (b) Students of the College.
- (c) Elected Members of Common Room, including Radcliffe Common Room Members (Regulation 6.12).
- (d) Honorary Fellows of Common Room.
- (e) Visiting members of Common Room (elected for up to one year with possible extension for one further year).

8.02 Temporary Members

Temporary membership for up to one year is open to anyone at the discretion of the Common Room Committee if proposed by one Fellow. (If membership is required for six months or less the Principal may sanction membership). An extension for a further year is possible. The number of Temporary members shall be limited to twelve at any time.

9. The College Seal

9.01 Custody of Seal

The Bursar shall be responsible for the custody of the Seal of the College.

9.02 Authority for Affixing of the Seal

- a) The Seal may be affixed to any transfer, dividend, mandate or other document relating to investment with the authority of the Principal and the Bursar;
- b) In the absence of either or both of these officers, any two other College officers may act.
- c) The Seal shall not be affixed to any other document except with the authority of the Governing Body.

9.03 Records

A record of all documents to which the Seal is attached, together with the names of those present at the sealing thereof, shall be made in a Register kept by the Principal for that purpose. The register shall be available for inspection by any member of the Governing Body at any reasonable time.

10. Definitions in the context of discipline and the holding of positions

For the purpose of Regulations 10 to 19 the following expressions shall carry the following meanings:

- a) "Banning" by the College means withdrawal of the right of access to specified premises or facilities of the College for a fixed period or pending the fulfilment of certain conditions.
- b) "College Doctor" means any medically qualified member of the practice of which the doctor nominated by the College from time to time as the College Doctor is a member, or any other doctor to whom the Student may be referred by the Dean or by such doctor.
- c) "Expulsion" by the College means permanent loss of membership of the College.
- d) "Fitness to Study" means a Student's fitness:
 1. to commence a distinct course of academic study; or
 2. to continue with his or her current course of academic study; or
 3. to return to his or her current or another course of academic study;and his or her ability to meet:
 4. the reasonable academic requirements of the course or programme; and
 5. the reasonable social and behavioural requirements of a Student (whether resident in the College or not) without his or her physical, mental, emotional or psychological health or state having an unacceptably deleterious impact on the health, safety and/or welfare of Students and/or University or College staff.
- e) "Harassment" means unwanted and unwarranted conduct towards another person which has the purpose or effect of:
 1. violating that other person's dignity; or
 2. creating an intimidating, hostile, degrading, humiliating or offensive environment for that other person.
- f) "Illness" includes any mental or physical condition which renders a Student unfit for academic work.
- g) "In a College context" means:
 1. on College premises;
 2. in the course of any College activity within or outside Oxford, whether academic, sporting, social, cultural or other;
 3. in the course of any activity within or outside Oxford, whether academic, sporting, social, cultural or other, where the individual might be reasonably deemed to be representing the College either formally or informally.
- h) "Scholar" means the holder of any academic award or bursary made by or under the authority of the Governing Body.
- i) "Student" has the meaning given to that expression in Statute 7.
- j) "Suspension" by the College means withdrawal of the right of access to all of the premises or facilities of the College for a fixed period or pending the fulfilment of certain conditions.
- k) "Working Day" means a day on which the College Office is open for business.

11. The Disciplinary Code

No member of the College, no employee of the College, and no other person using College premises or facilities, shall in a College context intentionally or recklessly:

- a) disrupt or attempt to disrupt teaching, study or research, or the administrative, social or other activities of the College;
- b) disrupt or attempt to disrupt the lawful exercise of the freedom of speech of members, Students or employees at the College, or of visiting speakers;
- c) obstruct any employee or agent of the College in the performance of his or her duties;
- d) damage or deface any property of the College or of any member or employee of the College, or knowingly misappropriate such property;
- e) occupy, use or attempt to occupy any property or facilities of the College except as may be authorised by the College authorities;
- f) forge or falsify (expressly or by implication) any University certificate or document, or knowingly make false statements concerning standing or results obtained in examinations;
- g) engage in any activity likely to cause injury or to impair safety;
- h) engage in violent, disorderly, threatening or offensive behaviour or language;
- i) engage in the harassment of any member, visitor, employee or agent of the College;
- j) engage in any fraudulent or dishonest behaviour in relation to the College or the holding of any College office;
- k) refuse to disclose his or her name or any 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;
- l) use, offer, sell or give to any person any drugs the possession of which is illegal;
- m) engage in conduct in breach of the Statutes and Regulations of either the University or the College;
- n) act in such a way as to impair the interests or reputation of the College.

12. Scholars

- a) Any Scholar who is elected to a place on the foundation of any other college or who, without the written permission of the Governing Body, ceases.
- b) A Scholar may be deprived of all or part of his or her award for any breach of the Disciplinary Code (see Regulation 11), or for failure to satisfy the Governing Body as to the quality of his or her application to or performance of his or her academic duties. Any Scholar thus deprived may appeal to the Visitor under the Statutes.

13. Staff

- a) The Governing Body shall appoint such non-academic and support staff as it considers necessary for the proper management of the College's affairs, and shall determine their conditions of service in accordance with the requirements of the Statutes and Regulations.
- b) In the discharge of its duties in this regard the Governing Body shall be advised by the Human Resources Committee established under Regulation 2.
- c) Details of the conditions of employment of College staff, and of the disciplinary and grievance procedures which apply to them, shall be set out in a Staff Handbook. The Handbook shall be reviewed regularly by the Human Resources Committee in the light of developing policy and best practice both within the collegiate University and nationally.

14. Application of Statute 10

- a) Statute 10 applies to the Officers listed in Regulation 3.1(a) to (h), and to the following categories of Fellow:
 - 1. Official Fellows;
 - 2. Barclay Fellows;
 - 3. Senior Research Fellows;
 - 4. Junior Research Fellows; and
 - 5. Research Fellows.
- b) Holders of the following classes of Fellowship (“Non-statutory Fellowships”) are not subject to Statute 10:
 - 1. Honorary Fellowships;
 - 2. Emeritus Fellowships;
 - 3. Visiting Fellowships;
 - 4. Research Fellowships; and
 - 5. Associate Fellowships.

15. Non-Statutory Fellowships: Disciplinary procedure

- a) The Fellowship Committee shall elect a subcommittee ad hoc to determine if a breach of the Disciplinary Code has been committed by the holder of a Non-Statutory Fellowship.
- b) The subcommittee shall require in writing that the holder of the Non-Statutory Fellowship concerned and any witnesses attend for a hearing at a time and place specified, normally subject to ten Working Days' notice. Such notice shall state the details of the alleged breach of the Code. At the hearing, the holder may be assisted by a third person who shall be a member of College or a member of Congregation. The holder may make a statement to the subcommittee explaining his or her case. Both the holder and the subcommittee shall have the right to call witnesses to the hearing and the right, through the Chair, to question witnesses. The holder and the subcommittee shall give one Working Day's notice to each other of the names of any witnesses. The subcommittee shall provide copies of all documentation (including a copy of the Disciplinary Code) and evidence to the holder not less than five Working Days before the date of the hearing.
- c) The Principal shall appoint an Officer of the College to act as clerk to the subcommittee for the purposes of formulating the charges, making any administrative arrangements for such matters as the summoning of witnesses and the production of documents, and keeping a record of the hearing. The appointed clerk will have no part in the Committee's decision.
- d) If any person required to attend such a hearing before the subcommittee fails to appear, the subcommittee may at its discretion adjourn the proceedings. If the holder of the Non-Statutory Fellowship fails to appear, the subcommittee may deal with the case in his or her absence, if satisfied that proper notice has been given.
- e) The Chair shall explain the procedure to be followed at the hearing, and shall read out the complaint of the alleged breach of the Disciplinary Code by the holder of the Non-Statutory Fellowship.
- f) The subcommittee shall ensure that a full and accurate record is compiled of all the evidence considered and of the determination made.
- g) At the conclusion of the hearing, the subcommittee shall determine whether any breach of the Disciplinary Code has been established. If the subcommittee is satisfied that the holder of the Non-Statutory Fellowship is guilty of the breach with which he or she is charged, it may, separately, or in combination:
 1. order the holder of the Non-Statutory Fellowship to pay compensation to any person suffering injury, damage or loss as a result of the holder's conduct;
 2. deprive the holder of his or her Non-Statutory Fellowship.
- h) The subcommittee shall inform the holder of the Non-Statutory Fellowship in writing as soon as is practicable of its determination, and remind the holder of his or her right of appeal as described below.
- i) The holder of the Non-Statutory Fellowship has the right of appeal in writing to a full meeting of the Fellowship Committee, chaired by the Principal, or in his or her absence, the Vice-Principal or a member appointed to take the Chair. Any member of the Fellowship Committee who has previously been involved in the investigation into or the hearing of the case shall not be a party to deliberation or decision in the appeal procedure. A majority decision by the Fellowship Committee will be final. Procedures in this hearing will follow similar lines to those set out above for the subcommittee.

- j) The holder of the Non-Statutory Fellowship shall inform the Principal in writing of his or her intention to exercise the right of appeal within five Working Days of receipt of the determination of the subcommittee.
- k) Any findings of a breach of the Disciplinary Code shall be based on the balance of probabilities.
- l) The holder of the Non-Statutory Fellowship may waive at any stage all or any of his or her rights under the foregoing procedure.
- m) Any time limit contained in this procedure may be extended at the discretion of the subcommittee or the Committee, as appropriate.

16. Students: Discipline

16.01 Criminal Offences

In the event that a Student has been convicted of a criminal offence of such seriousness that an immediate term of imprisonment might have been imposed (whether or not such a sentence was in fact imposed) the Disciplinary Committee shall have the power, after hearing any representation which the Student may wish to make, to expel the Student or to impose such lesser penalty as it shall see fit. The Student will have a right of appeal to the College's Appeals Panel.

16.02 University Offences

- a) In the event that a Student is expelled by the University, such expulsion shall apply to the College also, subject to a right of appeal to the College's Appeals Panel. The grounds of appeal shall be limited to the application of that penalty to the Student's use of College premises and facilities.
- b) In the event that a Student is disciplined by the University for conduct in breach of College and/or University Statutes or Regulations, a penalty imposed by the University of suspension or rustication (rustication by the University being treated for this purpose as suspension), shall apply also to College premises and facilities, subject to a right of appeal to the College's Appeals Panel. The grounds of appeal shall be limited to the application of that penalty to the Student's use of College premises and facilities.

16.03 Initial College Procedures

- a) The Dean's role is to deal with allegations pertaining to less serious breaches of the Disciplinary Code. Breaches that might reasonably be considered serious breaches should be referred to the Disciplinary Committee. In such cases, the Dean's role is to investigate the case and provide the evidence for the Disciplinary Committee hearing. In the case of less serious breaches, the Dean's role is to investigate, establish whether a breach has in fact taken place, and, where it has, to apply penalties and/or require compensation as appropriate.
- b) The College's disciplinary procedure may be initiated by the Dean or by any other member of the College or its staff who has good reason to believe that a Student has breached the Disciplinary Code. This person (the complainant) shall refer the matter to the Dean as soon as reasonably possible after the occurrence of the alleged breach, naming the Student concerned and giving details of the alleged breach.
- c) As soon as practicable after the Disciplinary Procedure has been initiated, and normally within two Working Days, the Dean shall inform the Student's College Adviser of the nature of the alleged offence and of the steps which have been taken.
- d) When an alleged breach of the Disciplinary Code involves a Student resident in College or in other College premises, the Dean shall have the authority (where the seriousness of the alleged breach justifies it) to suspend the Student from residence or from use of College facilities, if necessary with immediate effect, for as long as the disciplinary procedure is in operation. The Student may, by giving notice to the Dean, appeal a suspension lasting in

excess of seven days to a panel of three members of the Governing Body appointed by the Principal, and none of whom shall be involved in subsequent stages of the Disciplinary or Appeals processes. A suspension of seven days or fewer may not be appealed.

- e) Where an alleged breach of the Disciplinary Code constitutes in the opinion of the Dean a sufficiently serious criminal offence, the Dean shall immediately refer the matter to the Police; and where the Student is subject to criminal proceedings arising out of the alleged breach of the Code, the Dean shall not normally proceed with the case other than to suspend the Student from residence, or from use of College facilities if appropriate. The Student may appeal such suspension as set out above.
- f) If the alleged breach is not proceeded with as a criminal matter by the prosecuting authorities, the Dean shall consult with the Police and prosecuting authorities before determining whether the alleged breach should be dealt with as a disciplinary offence or in some other way.
- g) Where an alleged breach of the Disciplinary Code is in the opinion of the Dean the result of a medical condition from which the Student is suffering, the Dean shall refer the case to the Medical Committee for consideration under either or both of this Regulation and Regulation 17. The Dean shall suspend his or her proceedings until such time as the Medical Committee completes its proceedings.
- h) Where an alleged breach of the Disciplinary Code constitutes in the opinion of the Dean an activity which falls within the College's Student Anti-Bullying and Harassment Policy, whether or not it constitutes harassment for the purpose of this Regulation, the Dean shall consider whether the complaint should more appropriately be dealt with under the procedures set out in the Policy. If the Dean takes the view that the alleged breach should not be so dealt with, the Dean shall deal with the matter under this Regulation.
- i) The Dean shall, normally within two Working Days after receiving the report of the alleged breach, require in writing the Student concerned to attend for interview before him or her at a time and place stipulated, and shall normally provide the Student with two Working Days' notice of the interview. The notification of the interview shall give particulars of the alleged breach of the Disciplinary Code. The Student interviewed may be assisted by another student. If the Student charged fails to appear, the Dean may deal with his or her case in his or her absence, if satisfied that proper notice has been given.
- j) At the interview, the Dean shall explain to the Student interviewed that he or she can:
 - 1. admit the alleged breach and continue with the interview;
 - 2. deny the alleged breach and continue with the interview as an investigative process, which may be adjourned if either the Dean or the Student reasonably requires evidence in relation to the alleged breach to be provided by other persons.

If the Student opts for (1), the Dean shall elicit all information about the breach relevant to any penalty which may be imposed.

If the Student opts for (2), the Dean shall investigate whether the alleged breach is established.

- k) At any stage of the interview, the Dean may, if he or she considers it appropriate in all the circumstances, refer the matter to the Disciplinary Committee.
- l) At the close of the interview, the Dean may, dependent on its nature and outcome:

1. take no further action; or
 2. if the breach has not been admitted, determine that a breach has been established and, after hearing any mitigation, impose a penalty from those listed in (m) below; or
 3. if the breach has been admitted, after hearing any mitigation, impose a penalty from those listed in (m) below; or
 4. refer the matter to the Disciplinary Committee.
- m) If the Dean is satisfied that a Student is guilty of the breach with which he or she is charged, the Dean may, separately or in any combination:
1. formally admonish the Student, confirming this in writing;
 2. impose a fine not exceeding £70 or such other maximum amount as may be determined from time to time by the Governing Body;
 3. order the Student to pay compensation to any person or body suffering injury, damage or loss as a result of the Student's conduct;
 4. impose an order banning the Student from specified premises or facilities for such period or on such terms as the Dean thinks fit, such ban not to exceed one Full Term without review;
 5. suspend the Student for a period not exceeding one Full Term.
- n) The Dean may, instead of exercising his or her powers under (l) above, give the Student a written warning as to his or her future conduct. The Dean shall keep a record of the warning. Subject to good conduct the warning will be spent after one year and removed from the Student's record. If the condition of good conduct is not met, the warning will remain on the Student's record.
- o) If the Dean considers in any case that his or her powers under (m) above are insufficient to meet the gravity of the breach of which he or she finds the Student guilty, the Dean may refer the case to the Disciplinary Committee and invite it to make such decision as it thinks appropriate. The Dean may state to the Committee what penalty would in his or her opinion be appropriate and give reasons for that opinion.
- p) In the case of (m) above details of the breach established and/or penalty imposed shall be entered on an appropriate record and signed by the Dean and the Student. One copy of the record shall be retained by the Dean and one given to the Student. A copy will be placed on the Student's record.
- q) In the case of (k)(2) or (3) above, the Student may appeal to the Disciplinary Committee against a finding of breach and/or against any of the penalties imposed. He or she shall inform the Dean of his or her intention to exercise the right of appeal within three Working Days after receipt of the Dean's determination.
- r) Any time limit contained in this Regulation may be extended at the discretion of the Dean.

16.04 Disciplinary Committee

- a) The Disciplinary Committee shall consist of the Vice-Principal, the Senior Tutor, the Tutor for Admissions, two persons appointed by the Principal from the Governing Body, and the Graduate Common Room Committee's Vice-President for Welfare. A sitting of the Committee shall be sufficiently constituted (always provided that (b) and (c) below are

- observed) by three members, one of whom shall be one of the College Officers specified above, who will take the Chair (in the order Vice-Principal, Senior Tutor, Tutor for Admissions);
- b) No person who has an actual or apparent interest in the outcome of the case before the Disciplinary Committee (because for example, he or she was the complainant or he or she has participated in any decision against which an appeal is being brought), and no person who may reasonably be considered to possess prior knowledge of the circumstances of the case (such as to give rise to a perception of bias), may be a member of the Disciplinary Committee considering the case. In the event that this requirement disqualifies any ex officio member of the Disciplinary Committee, the Principal shall have discretion to appoint a substitute. In the event that the Vice-President for Welfare is so disqualified, the Principal shall appoint the Graduate Common Room's Female Welfare Officer or Male Welfare Officer as a substitute. In the event that they are also so disqualified, the Principal shall have discretion to appoint another Student who is not in any way disqualified.
 - c) Membership of the Disciplinary Committee shall be chosen in a way which is consistent with the equality policies of the College and in particular so that there is at least one member of each sex.
 - d) The Disciplinary Committee will be informed by the Dean:
 - 1. where there is a reference under Regulation 16.3(k), of the particulars of the alleged breach of the Disciplinary Code;
 - 2. where there is an appeal under Regulation 16.3(q), of the particulars of the breach and of the penalty imposed;
 - 3. in either event, of the name or names of the Student(s) involved and of any known witnesses;
 - 4. if the Dean so chooses, where there is a reference under Regulation 16.3(o), of the penalty thought appropriate, together with reasons for that penalty.
 - e) Within a maximum of five Working Days after the reference or appeal the Disciplinary Committee shall require in writing the Student concerned and witnesses to attend for a hearing at a time and place stipulated, normally with not less than five Working Days' notice. In the case of a reference such notice shall state the details of the alleged breach of the Disciplinary Code. The Disciplinary Committee shall provide copies of all documentation (including a copy of the Disciplinary Code) and evidence to the holder not less than five Working Days before the date of the hearing. The Student may be assisted at the hearing by a third party: the Student shall give the Disciplinary Committee at least one Working Day's notice in advance of the hearing if the person providing such assistance is legally qualified (and the Committee may then invite a solicitor or barrister to assist the Committee at the hearing).
 - f) Both the Student and the Disciplinary Committee shall have the right to call witnesses to the hearing and the right, through the Chair, to question witnesses.
 - g) The notice under (e) above shall state the membership of the Disciplinary Committee. The Student shall have the right to challenge the membership by stating to the Committee in writing and in advance of the hearing the reasons why it is inappropriate for the person or persons concerned to hear the case. The Principal shall determine whether the reasons given by the Student are sufficient justification to change the membership. If the Principal does so determine, a new and final written notice shall be issued which may prescribe a

different date and time for the hearing. The membership of the Committee proposed in this final notice may not be challenged. Where a challenge has been made, the facts and their outcomes shall be recorded in the report of the Committee's hearing.

- h) The Chair shall appoint a person to act as clerk to the Disciplinary Committee for the purpose of making any administrative arrangements, for such matters as the summoning of witnesses and the production of documents, and for the keeping of a record of the hearing as prescribed below.
- i) If penalty only is in issue, the Disciplinary Committee shall follow (so far as appropriate) the procedure set out in (e) above. In these cases the notice shall state the details of the penalty imposed.
- j) If any person required to attend such a hearing before the Disciplinary Committee fails to make an appearance the Committee may, at its discretion, adjourn the proceedings.
- k) If the Student charged fails to appear, the Committee may deal with his or her case in his or her absence, if satisfied that proper notice has been given. Failure by another Student to attend when summoned to appear before the Committee as a witness shall, unless after enquiry the Committee is satisfied that there was reasonable cause for such failure, be treated as an offence under the Disciplinary Code.
- l) At the hearing the Chair shall explain the procedure to be followed and shall read out, in the case of a reference, the complaint of alleged breach of the Disciplinary Code against the Student; and in the case of an appeal, the finding of breach and/or the penalty imposed against which the appeal is directed.
- m) The Chair shall appoint one Officer, Fellow, or Senior Manager of the College to put the case against the Student. This person shall not have been involved in the investigation of the case or be in any way interested in its outcome, nor shall he or she have any part in deciding the case.
- n) At the hearing, the Disciplinary Committee shall ensure that a full and accurate record is compiled of all evidence considered and of the determination made.
- o) If, in the course of such a hearing, the Disciplinary Committee is given the names of additional potential witnesses whose evidence it considers may be significant, it shall follow, so far as appropriate, the procedure referred to in (e) above so as to arrange their attendance.
- p) If the Dean has not previously referred the case to the Medical Committee, the Disciplinary Committee may refer the case to that Committee. The Disciplinary Committee shall then suspend its proceedings until such time as the Medical Committee completes its proceedings.
- q) At the conclusion of the hearing the Disciplinary Committee shall determine whether any breach of the Disciplinary Code has been established, taking into account any representations made by or on behalf of the Student. If the Committee is satisfied that a Student is guilty of the breach with which he or she is charged, or in any case remitted to it under Regulation 16.3(o), the Disciplinary Committee may, separately or in any combination:
 - 1. formally admonish the Student;
 - 2. give the Student a written warning as to his or her future conduct;
 - 3. impose a fine of such amount as it thinks fit;

4. order the Student to pay compensation to any person or body suffering injury, damage or loss as a result of the Student's conduct;
5. impose an order banning the Student from specified premises or facilities for such period or on such terms as it thinks fit;
6. suspend the Student for such time as it thinks fit;
7. expel the Student;
8. deprive a Scholar of all or part of his or her award or bursary.

In the case of (2) above, the Dean shall keep a record of the warning. Subject to good conduct the warning will be spent after one year and removed from the Student's record. If the condition of good conduct is not met, the warning will remain on the Student's record.

- r) Details of the breach established and/or penalty imposed shall be entered on an appropriate record and signed by the Dean and the Student. One copy of the record shall be retained by the Dean and one given to the Student. A copy will be placed on the Student's record.
- s) The Committee shall inform the Student of its determination in writing as soon as is practicable and in any case within five Working Days, and (in the relevant cases) remind the Student of his or her right of appeal.
- t) Any findings by the Dean or a Disciplinary Committee of a breach of the Disciplinary Code shall be based on a balance of probabilities.
- u) Any time limit contained in this Regulation may be extended at the discretion of the Disciplinary Committee.
- v) All members of the Disciplinary Committee will be expected to maintain confidentiality in relation to its proceedings and discussions.

17. Students: Fitness to Study

17.01 Context

The University has established a common framework across departments/faculties and colleges for cases where questions arise as to whether a Student is fit to study, or to return to study after a period of leave, on account of medical, psychological, or emotional problems. Most such cases are dealt with under colleges' own procedures, but there is also a University Fitness to Study Panel to which serious and difficult fitness to study cases can be referred if all other procedures at college or University level have been exhausted or are inappropriate.

The University's Fitness to Study Policy from time to time may be found in the University's Regulations, which are available at www.admin.ox.ac.uk/statutes/regulations/76-0812.shtml.

17.02 Responsibility

- a) Whilst the Dean has primary responsibility for operating the procedures in this policy, the Dean may request other Officers such as the Senior Tutor to undertake parts of the procedure, and will in any event consult with the Senior Tutor on the academic issues involved. In the event that the Dean is unavailable to oversee a particular case, he/she or the Principal may nominate another Officer to operate the policy.
- b) The College Doctor has the primary role in advising whether or not a student is fit to study or to return to study with or without supervisory conditions attached. The Medical Committee's role is to deal with disciplinary cases where there is a medical element and to make final decisions about a student's fitness to study.

17.03 Normal Procedure

- a) Any member of the College or employee of the College may raise concerns about a Student's health with a Junior Dean, College Nurse or the Dean. If the Junior Dean or the College Nurse considers the concerns sufficiently serious, he or she shall alert the Senior Tutor and Dean. Likewise, any member of the College or College employee who learns of health concerns from a Student's department or faculty shall alert the Senior Tutor and Dean. One of those Officers will arrange to meet with the Student as soon as practically possible. Where appropriate those Officers will encourage the Student to take medical advice, specifically to see the College Doctor if he/she has not already been consulted. The Officers will also liaise with the Student's department or faculty, subject to the requirements of confidentiality.
- b) In consultation, the Officers, the Student, the department or faculty, and the College Doctor and any other appropriately qualified experts will seek to agree a course of action in the best interests of the Student and the College. Where it is agreed that the Student should seek a suspension from his or her studies, the Student will make the relevant application with the College's support. Where it is agreed that the Student has a health problem but it is agreed that he or she should continue their studies for the time being, then the Dean and/or the

Senior Tutor may ask the College Doctor, Nurse and/or the Junior Dean to monitor the situation in conjunction with the Student for a specified period.

17.04 Special Procedures

- a) In the event that:
 - 1. a disciplinary case is referred to the Medical Committee under either Regulation 16.3(g) or 16.4(p); or
 - 2. the Dean judges that a Student is suffering from a serious problem arising from ill health and the Dean notifies the Committee accordingly;

the Medical Committee shall write to the Student requiring him or her to make contact with the College Doctor for the purpose of obtaining a certificate of fitness to study, to be communicated direct to the Committee by the Doctor. The letter to the Student shall state the grounds for setting such a requirement, and shall specify a reasonable time (not exceeding two weeks) for the Student to obtain the certificate.

- b) Within two Working Days after receipt of certification, the Chair of the Medical Committee shall convene the Committee in order to consider the case.
- c) In the event that the Medical Committee's subsequent decision on the case is contrary to the view of the Student's department or faculty, i.e. the Medical Committee concludes that the Student is not fit to study whereas the department believes he or she is fit to study or vice-versa, the Dean will communicate the Medical Committee's decision to the department or faculty; and invite it to invoke the University's Fitness to Study Panel. In the event that the department or faculty does not take up this option, the Dean in consultation with the Medical Committee may either invoke the University's Fitness to Study Panel or implement the Medical Committee's decision.
- d) Where the Student's case is referred to the University's Fitness to Study Panel, once the Panel has concluded its recommendation the Dean shall bring that recommendation to the Medical Committee for a final decision; and then communicate such decision to the Student within three Working Days. In the event that a suspension is to be imposed the Dean shall make timely arrangements for it to take effect.
- e) If a Student is certified unfit to study by the College Doctor a suspension may be imposed upon the Student by the Medical Committee, with or without the Student's consent.
- f) If it is concluded that the Student is not unfit to study, any stayed disciplinary proceedings will be resumed.

17.05 Failure to attend a medical assessment

If a Student who has been referred to the College Doctor under the Special Procedures fails to attend for an assessment of fitness to study as required then that will be treated as a case in which the Student was certified unfit to study by the College Doctor.

17.06 Conditions of return

- a) Following a suspension where a Student has been found to be unfit to study, the College will require the certification of fitness to study as a condition of return. Where certification is required this can only be made by the College Doctor who may seek or rely on such further professional opinions as the College Doctor in his or her professional judgement sees fit.
- b) If in the College Doctor's professional judgement certification of fitness to study requires attendance at the College Doctor's surgery, such attendance shall form part of the relevant condition as to return.
- c) When a certification of fitness to study is required as a condition of the return of the Student it is the Student's responsibility to consult the College Doctor(s) for the purpose of certification no earlier than 4 weeks in advance of the first day of the Full Term in which the Student is anticipated to return, or such earlier date as the Dean may approve where a visa is required.

17.07 Failure to meet conditions for return

- a) Where the College Doctor certifies fitness to study at the end of a period of suspension, but adds that the fitness to study of the Student is to be kept under review, or that the Student is fit to study under medical supervision, or that the Student is fit to study only while taking prescribed medication, the College may at the stage of return set conditions to be satisfied by the Student after return which match those specified by the College Doctor's certificate.
- b) If the Student fails to meet any such conditions set by the College, then the Medical Committee may determine that the Student thereupon be expelled without any further hearing.

17.08 Communication procedures

- a) Content of communication from the College Doctor
 1. Where the College Doctor provides the Dean with an opinion, that opinion will include such detail of the Student's medical or medically-related conditions as are necessary, in the view of the College Doctor, in order to assist the College in determining whether or not to suspend.
 2. Where the College Doctor provides the Dean with a certificate of fitness to study, the certificate shall state:
 - i. whether in the view of the College Doctor, the Student is or is not fit to continue with or resume his or her studies at the date of certification; and
 - ii. whether that view is informed by the direct observations of the College Doctor or by material assembled from other sources, or by both methods together; and
 - iii. where the Student is not certified fit to study, the main medical explanation or explanations for that being the case, in the briefest terms; or

- iv. where the Student is certified fit to study, any proviso to the effect that in the opinion of the College Doctor continuing review of the situation is required or continuing treatment or medication is required, or any similar proviso which will enable the College to set suitable conditions to be met by the Student after his or her return to College.

b) Doctor-Patient confidentiality

In cases where the College Doctor is to communicate any matter to the Dean or other College Officer, the Student will be required to grant to the College Doctor a limited waiver of doctor-patient confidentiality for that sole purpose.

The College undertakes to preserve the confidentiality of any matter communicated by the College Doctor. If the Student does not grant a waiver then the Student is subject to the same consequences as those which apply to failure to consult the College Doctor when so required.

c) Parties involved in waiver of confidentiality

1. The parties involved in the waiver of confidentiality should in the first instance be limited to the Dean, the Senior Tutor, the Academic Registrar and the Student Administrator. The communication in each case should remain between the College Doctor and these parties.
2. Any decision to involve other members of the College should be made when the Dean has grave concerns about the safety or well-being of other members of the College. In such cases the Junior Dean(s) shall be informed, together with any other parties whom it is deemed appropriate to involve.

18. Medical Committee

18.01 Role

Where a case is referred for disciplinary reasons, the Committee's role is to obtain all relevant medical evidence and to advise the Dean and/or Disciplinary Committee as to the part that evidence may have played in the alleged offence and to make recommendations that may assist the Disciplinary Committee in concluding its investigation and deciding upon any penalties or conditions to be applied. Where a case is referred for fitness to study reasons, the Committee's role is to obtain all relevant medical information, to decide whether the Student is fit to study, to make directions as appropriate, and to make decisions, including the setting of conditions, on a student's fitness to return to study.

18.02 Confidentiality

All those concerned in implementing this Regulation shall respect the need for strict medical confidentiality.

18.03 Membership

- a) The Medical Committee shall be made up of three members, all of whom shall be medically qualified. Both sexes should be represented. The Governing Body shall appoint one Governing Body Fellow to serve as Chair for a three year term, which will be renewable for future terms. Other members of the Committee shall be appointed by the Principal on behalf of the Governing Body (in consultation with the Chair of the Committee as and when required).
- b) No person who has an actual or apparent interest in the outcome of the case before the Medical Committee, and no person who may reasonably be considered to possess prior knowledge of the circumstances of the case (such as to give rise to a perception of bias), may be a member of the Committee considering the case. In the event that this requirement disqualifies the Chair of the Committee, the Principal shall have discretion to appoint a substitute.

18.04 Procedure

- a) The Chair shall appoint a person to act as clerk to the Medical Committee for the purpose of making any administrative arrangements and keeping a record of the hearing.
- b) The Medical Committee shall assemble the necessary information in relation to the case referred to it, and shall consider the relevance of the medical information to the circumstances of the case. The Committee will formulate a decision or advice according to what is required by the Regulation under which the reference was made. Any disciplinary process will have been stayed for the duration of the Committee's process.
- c) The Medical Committee may request whatever further information it deems necessary to its deliberations, and at any stage it may suspend its consideration of the case pending provision of that information. Where the Committee requires the Student to attend for

further specialist medical assessment, the cost will be borne by the College. The Committee shall consider such assessments and information, together with any assessments from doctors nominated by the Student.

- d) The Medical Committee shall invite the Student to attend where possible. The Student may be assisted by a third party, or where the Student is unable to attend the third party may attend in his or her place. The Student shall give the Committee at least one Working Day's notice in advance of the hearing if the third party or the person providing such assistance is legally qualified (and the Committee may then invite a solicitor or barrister to assist the Committee at the hearing).
- e) In the event that the Student fails to attend or to make representations, the Medical Committee may proceed in his or her absence.
- f) In the event that the Student refuses to co-operate with the Dean or the Medical Committee, or to attend for the purposes of an independent medical examination, he or she may be suspended by the Dean (in consultation with the Committee) or expelled by the Committee.

18.05 Recommendations and Decisions

- a) Where a case is referred under Regulations 16.3(g) or 16.4(p), the Medical Committee shall make a recommendation in relation to the medical considerations pertaining to the alleged disciplinary offence. This recommendation shall address the role of any medical condition(s) of the Student in giving rise to the alleged offence, and the extent to which the medical condition(s) constitutes mitigation of the offence. The Committee may add reference to any further considerations arising from its examination of the case.
- b) Where a case is referred under Regulation 17.4(a)(2), the Medical Committee shall make a decision as to the Student's fitness to study. The Committee may, having considered the evidence, expel the Student; suspend the Student for an indefinite period, whether or not subject to condition; or make such lesser order as it thinks fit. Its decision should include details of the duration of any suspension it may recommend, any course of treatment it deems appropriate, any process of monitoring it considers necessary, any conditions of return to study, and any contingencies it considers prudent to specify (e.g. what action the College should take should there be recurrences of the Student's medical condition).
- c) Where a case is referred both on disciplinary and fitness to study grounds, the Medical Committee may make decisions in relation to the fitness to study reference. It may make recommendations to the Disciplinary Committee in relation to the disciplinary reference.
- d) At each stage of the process, the Chair of the Medical Committee together with the Dean shall ensure that any decisions, provisional or final, are fully communicated to the Student as soon as possible and within three Working Days at most.

18.06 Appeal

The Student may not appeal against the Medical Committee's professional judgement and consequent decision(s), except in the event that the Student is expelled. If the Student has reason to believe that the Committee has not followed the procedures laid down in this Regulation, or in the case where the Student has been expelled, the Student may appeal to the Appeals Panel under Regulation 19.

19. Appeals Panel

- a) A Student shall, subject to paragraph 19.2, have the right of appeal against the finding of the Disciplinary Committee and/or any of the penalties (1) to (7) imposed under Regulation 16.4(q); and against any penalty imposed in cases referred by the Dean under Regulations 16.3(o). The decision of the Disciplinary Committee shall be final in cases appealed by Students under Regulation 16.3(q), and in relation to penalty (8) under Regulation 16.4(q) where a Scholar's right of appeal is governed by Regulation 12.2. A Student has certain rights of appeal under Regulations 16.2 and under Regulation 18.6 against decisions of the Medical Committee.
- b) An appeal may only proceed if either or both of the following conditions apply:
 1. that the Disciplinary Committee or the Dean were guilty of significant procedural error in the handling of the alleged breach;
 2. that there is new evidence which was not available to the Disciplinary Committee or Dean or evidence which, for good substantiated reasons, was not put to the Disciplinary Committee or Dean at the relevant time.
- c) The Student shall inform the Dean of his or her intention to exercise a right of appeal within five Working Days after receipt of the determination of the Disciplinary Committee or (as the case may be) University or the Medical Committee. The Dean shall determine if one or both of the appeal conditions in paragraph 19.2 applies, except in the case of an appeal from the Dean's decision, in which case another College Officer of appropriate rank shall take the Dean's decision. The appeal shall be made to an Appeals Panel consisting of the Principal (who will take the Chair), one other member of the Governing Body, the President of the Graduate Common Room or their nominee, and one legally qualified member of the College or of Congregation who shall be appointed by the Principal consistent with Regulation 16.4(b) and (c); except that if the President of the Graduate Common Room is disqualified from membership of the Panel the Principal shall have discretion to appoint any other Student as a substitute.
- d) Within a maximum of five Working Days after the reference, the Appeals Panel shall require in writing the Student concerned and any necessary witnesses to attend for a hearing at a time and place stipulated, normally with five Working Days' notice. In the case of an appeal under Regulation 16, such notice shall state the details of the alleged breach of the Disciplinary Code and any penalty imposed.
- e) The notice under Regulation 19.4 shall state the membership of the Appeals Panel. The Student shall have the right to challenge the membership of the Panel by stating in writing and in advance of the hearing the reasons why it is inappropriate for the person or persons concerned to hear the case. The Principal shall determine whether the reasons given by the Student are sufficient justification to change the membership. If the Principal does so determine, a new and final written notice shall be issued which may prescribe a different date and time for the hearing. The membership of the Appeals Panel proposed in this final notice may not be challenged. Where a challenge has been made, the facts and their outcomes shall be recorded in the report of the Panel's hearing.
- f) Both the Student and the Appeals Panel shall have the right to call witnesses (in the case of an appeal where paragraph 19.2.2 applies) to the hearing and the right, through the Chair, to question witnesses.

- g) The Principal shall appoint a person to act as clerk to the Appeals Panel for the purpose of making any administrative arrangements, for such matters as the summoning of witnesses and the production of documents, and for the keeping of a record of the hearing as prescribed below.
- h) If any person required to attend such a hearing before the Appeals Panel fails to make an appearance, the Panel may, at its discretion, adjourn the proceedings.
- i) If the Student charged fails to appear, the Panel may deal with his or her case in his or her absence, if satisfied that proper notice has been given. Failure by another Student to attend when summoned to appear before the Appeals Panel as a witness shall, unless after enquiry the Panel is satisfied that there was reasonable cause for such failure, be treated as an offence under the Disciplinary Code.
- j) At the hearing, the Chair shall explain the procedure to be followed and (in the case of appeals under Regulation 16) shall read out the complaint against the Student of alleged breach of the Disciplinary Code and the finding of breach and/or the penalty imposed against which the appeal is directed.
- k) The Student may represent him or herself, or be represented by a third party; the Student shall give the Panel at least one Working Day's notice in advance of the hearing if the third party is legally qualified.
- l) The Student (or his or her representative) shall be responsible for preparing and presenting a case against the determination of the Disciplinary or Medical Committee. The Chair of the relevant Committee (or, if he or she is unable to act, another member of the relevant Committee) shall be responsible for preparing and presenting an argument in favour of the Committee's decision.
- m) If, in the course of such a hearing, the Appeals Panel is given the names of additional potential witnesses whose evidence it considers may be significant, it shall follow, so far as appropriate, the procedure referred to in Regulation 19.3, so as to arrange their attendance.
- n) At the hearing, the Appeals Panel shall ensure that a full and accurate record is compiled of all evidence considered and of the determination made.
- o) At the conclusion of the hearing, the Appeals Panel shall determine the matter, taking into account any representations made by or on behalf of the Student.
- p) If, in the case of an appeal under Regulation 16, the Appeals Panel is satisfied that a Student is guilty of the breach with which he or she is charged, the Panel may:
 - 1. uphold the penalties imposed by the Dean or Disciplinary Committee; or
 - 2. revise the penalties imposed by the Dean or Disciplinary Committee, in accordance with the penalties outlined in Regulation 16.4(q)(1)-(7).
- q) If the Appeals Panel is not satisfied that a Student is guilty of the breach with which he or she is charged, the Panel may:
 - 1. overturn the determination of the breach and rescind the penalties imposed by the Dean or Disciplinary Committee; or
 - 2. make a new determination regarding the breach and revise the penalties imposed by the Dean or Disciplinary Committee, in accordance with the penalties outlined in Regulation 16.4(q)(1)-(7).
- r) The Appeal Panel may, in a case where it considers there has been significant procedural error under paragraphs 19.2.1 or 19.2.2 remit the case for determination by a differently-constituted Disciplinary Committee or College Officer other than the Dean.

- s) The Appeals Panel shall inform the Student in writing of its determination within five Working Days of the hearing.
- t) Details of the Appeals Panel's determination shall be entered on an appropriate record and signed by the Chair of the Panel and the Student. The Chair shall provide one copy of the record to the Dean and give another copy to the Student. A copy shall be placed in the student's file in the College Office. The determination shall state that it constitutes a completion of procedures letter for the purposes of further reference to the Office of the Independent Adjudicator (see 19.24 below).
- u) Any findings by the Appeals Panel shall be based on a balance of probabilities.
- v) Any time limit contained in this procedure may be extended at the discretion of the Appeals Panel, as appropriate.
- w) All members of the Appeals Panel will be expected to maintain confidentiality in relation to its proceedings and discussions.
- x) In the event that the Student is dissatisfied with the outcome of an Appeal, he or she may take their case to the Office of the Independent Adjudicator.

Appendix to the Regulations

Discipline, Dismissal and Removal from Office

- a) Subject to the Statutes and to any provision to the contrary in this Regulation an Academic Disciplinary Committee set up under the authority of the Appendix to the Statutes shall have power to regulate its own proceedings.
- b) The Governing Body shall inform the person charged by written notice that the Academic Disciplinary Committee has been appointed. The notice shall include the names of the members of the Academic Disciplinary Committee and shall enclose a copy of the relevant Statutes and Regulations.
- c) The Committee shall appoint its own Chair, who may, subject to the Statutes and to these Regulations, make such directions as he or she considers necessary for the fair conduct of the hearing, including, but not limited to, directions as to hearing date(s), whether at the request of either party or otherwise of the Chair's own motion. The Chair shall set time limits for each stage, bearing in mind the object of ensuring that any charge is heard and determined as expeditiously as is reasonably practicable. The Chair may also remit matters to the Principal for further consideration and has power to join further parties to the case if the Chair considers it appropriate to do so upon notice to the parties of such joinder. If the Chair considers it appropriate in all the circumstances of the case he or she may request the Principal to consider the suspension of the person charged
- d) The Committee shall be quorate at any time provided that at least two members including the Chair are present, and in the event of any vote of the Committee being tied, the Chair shall have a casting vote.
- e) The Committee shall be entitled to appoint a secretary to support it in discharging its function at any time and to take notes of evidence at any hearing. The secretary shall be present throughout the hearing and shall ensure that a full and accurate record is kept of all the evidence presented.
- f) The person formulating the charge may include a firm of solicitors or any person instructed to act on that person's behalf and shall hereafter be known as the 'prosecutor.'
- g) The person charged shall notify the prosecutor of any representative he or she has appointed to act for him/her and any communications shall be addressed to the person charged and to any representative so appointed. Any fees or expenses payable to the representative shall be at the charge of the person accused.
- h) At least [14 days] before the date set for the hearing, the prosecutor shall forward the following to the Committee, the person charged, his or her representative, and any other parties to the hearing:
 - i. The charge(s);
 - ii. Copies of any documents specified or referred to in the charge(s);
 - iii. A list of witnesses to be called by the prosecutor;
 - iv. Copies of statements containing the witnesses' evidence.
- i) At least seven days before the date set for the hearing, the person charged shall forward to the prosecutor copies of any documents on which he or she wishes to rely, a list of his or her witnesses and copies of their statements of evidence. The prosecutor shall ensure that copies of all these are prepared and forwarded to the Committee as soon as practicable.

- j) The jurisdiction and power of the Committee shall not be restricted by the fact that the person charged has been or is liable to be prosecuted in a court of law in respect of any act or conduct which is the subject of proceedings before the Committee. The Committee may postpone or adjourn a hearing, if it considers it appropriate, to enable a prosecution to be undertaken.
- k) Subject to the consent of the Committee, both prosecutor and the person charged may introduce new evidence at the hearing save that in the case of the prosecutor such new evidence shall not be admitted except for good reason. In the event that new evidence is admitted, the other party shall have the right to an adjournment to allow time to consider the evidence and its effect on the case and may then submit further evidence in response, provided that the Committee consents, such consent not to be unreasonably withheld.
- l) The Committee may proceed with the hearing in the absence of any party, but shall not do so in the absence of the person charged unless it is satisfied that it is reasonable to do so in all the circumstances of the case or unless the person charged agrees or so requests.
- m) Subject to the right of the person charged, his or her representative and the prosecutor to be present throughout the hearing, the Committee may decide whether to admit any persons to or to exclude them from the hearing or any part of it.
- n) Each party to the proceedings shall be entitled to give evidence at the hearing, to make an opening statement, to call witnesses, and to question any witness. Closing statements may be made by the prosecutor first and then any other parties, with the person accused being given the opportunity to speak last.
- o) Without prejudice to the Committee's general power to regulate its own conduct, it shall specifically have the power to set time and other limits on the evidence to be called for each side consistent with providing a fair opportunity for each party to present its relevant evidence whilst ensuring that the charge is heard and determined as expeditiously as is reasonably practicable. The Committee may adjourn the proceedings from time to time as it sees fit.
- p) It is for the prosecutor to prove the charge or charges. In determining whether any charge has been proved the Committee shall consider the evidence and decide whether on balance it considers that good cause for dismissal within the meaning of the Appendix to the Statute has been proved in respect of each charge before it [apply a civil standard of proof, namely the balance of probabilities.]
- q) If the Committee decides that a charge has been proved it shall give each party an opportunity either orally or in writing at the option of the Committee to address it on the question of penalty and/or mitigation prior to determining any recommendations that it may make to the Principal.
- r) The decision of the Committee shall be recorded in a document in which the Committee's findings of fact, its reasons for the decision and any recommendations as to penalty are contained. The document shall be sent directly by the secretary of the Committee to the person charged and to his or her representative in addition to the other parties specified in the Appendix to the Statute. The person charged shall be notified of his or her right of appeal against the decision or against any recommendation of the Committee as to penalty.
- s) Pursuant to Cl 20 of the Appendix to the Statute, where any charge has been upheld and the Committee has recommended dismissal, the Principal or his or her delegate shall inform and

consult the Governing Body prior to making any decision as to penalty. He or she shall arrange for a Special Meeting of the Governing Body for this purpose and shall keep the person charged informed as to the process. The person charged shall have the right to make further representations to the Principal at this stage.

- t) If, after consulting the Governing Body, the Principal decides to dismiss the person charged he or she may do so forthwith. If the principal decided not to dismiss the actions that may be taken are as set out in the Appendix to the Statute Clause 20(b). Ant warning shall be recorded in writing and shall remain live for two years. In all cases, the Principal's decision shall be communicated to the person charged in writing as well as to the Governing Body.
- u) No decisions as to dismissal or otherwise implementing recommendations of the Committee shall be implemented until after any appeal has been determined under Part (V) of the Appendix to the Statute.

Medical Board

- a) If after considering all the circumstances of the case the Principal concludes that the removal on medical grounds of the member of academic staff (hereafter the person concerned) should be considered, he or she shall so inform the person concerned. The notification shall be provided in writing and shall be presumed to have reached the person concerned two days after being sent. The Principal shall notify the person concerned that a Medical Board (the Board) is to be set up to consider whether he or she shall be removed from office on medical grounds and shall request the person concerned to nominate someone to sit on the Board. If, within a reasonable time, the person concerned fails to nominate a person who is willing and able to sit on the Board reasonably expeditiously, the Principal shall presume a default and shall him or herself nominate someone to serve.
- b) At the same time as notifying the individual, the Principal shall also convene a special meeting of the Governing Body to consider the matter confidentially and shall request the Governing Body to nominate a member to sit on the board. If possible the member nominated by the Governing Body shall have some experience of the mental or physical incapacity apparently affecting the person concerned.
- c) The Governing Body shall canvass and propose the names of medically qualified people to the person concerned to act as Chair of the Board. For this purpose the Governing Body may seek the advice of the College doctor or any other suitable person on a confidential basis. In the event that agreement cannot be reached between the Governing Body and the person concerned as to the appropriate person to chair the board, the Governing Body shall, in accordance with Clause 23 of the Appendix to the Statute request the President for the time being of the Royal College of Physicians to nominate a Chair.
- d) The Governing Body shall nominate an appropriate person unconnected with the case to act as secretary to the Board.
- e) Where a Medical Board has been appointed to determine a case referred to it under Clause 23 of the Appendix to the Statute, the Chair shall appoint the time, date and place for the hearing and the secretary shall notify all parties in writing. The Board shall have power to adjourn the hearing from time to time as it sees fit.

- f) At least 14 days before the hearing the Principal shall refer whatever relevant evidence he or she has in confidence to the Board and shall make the evidence available to the person concerned and/or any representative he or she has nominated to act for him, except for information for which a medical practitioner has claimed exemption from disclosure under the provisions of Section 7 of the Access to Medical Reports Act 1988.
- g) The Principal shall consider the case and if he or she thinks it necessary may appoint someone to present the case for removal as well as the relevant oral and documentary evidence to the Board. Witnesses may be called by the person presenting the case, in which case copies of their statements shall be made available to the Board and the person concerned at least 14 days prior to the date set for the hearing.
- h) The person concerned shall be entitled to an oral hearing before the matter is determined by the Board. The parties to the hearing shall be the person concerned (including any person appointed to act for or instead of him or her), anyone appointed to present the case for removal and any other party which the board may join at its own discretion. The Secretary to the Board, the person concerned and/or his or her representative and the person presenting the case shall be entitled to remain throughout the hearing; otherwise it shall be for the Board to determine who may be present at any time.
- i) The person concerned shall be entitled to present whatever evidence he or she considers relevant, subject to the overall right of the Board to regulate its own conduct of the hearing. At least 10 days before the hearing, the person concerned shall provide the secretary to the Board with copies of any evidence, including medical evidence, on which he or she wishes to rely. The secretary to the Board shall be responsible for ensuring that copies are made available to Board members and other parties as soon as possible. The person concerned and the person presenting the case for removal may each call expert witnesses whose statements shall first be presented in writing to the other parties.
- j) Any party may produce additional evidence during the hearing subject to the Board's consent and subject to any adjournment that may be required to give the parties time to consider and respond.
- k) Each party to a hearing shall be entitled to give evidence at the hearing, to make opening and closing statements (either personally or through a representative) and to call witnesses and to question any witness concerning any relevant evidence. Subject to the provisions of this Regulation and of the Appendix to the Statute, the Board may regulate its own procedure and shall ensure that the case is heard and determined as expeditiously as is reasonably practicable.
- l) The Board may proceed with the hearing in the absence of any party but shall not do so in the case of the person concerned and/or his or her representative unless it is satisfied that it is reasonable to do so in all the circumstances of the case or the person concerned agrees or so requests. Provided that the Chair remains on the Board throughout, no proceedings of the Board shall be invalid because a member has been unable to continue.
- m) The person presenting the case for removal shall specifically draw the attention of the Board to the provisions of the Disability Discrimination Act 1995 and provide the Board with information as to what adjustments have been considered to avoid the removal of the person concerned from his or her employment, together with information as to cost and effectiveness of the adjustments.

- n) At any stage before making its decision the Board may call for additional information including requiring the person concerned to undergo medical examination by a medical practitioner chosen or agreed by the Board at the College's expense. In the event that the person concerned fails to undergo any medical examination required by the Board, or if the medical evidence is inconclusive, the Board shall exercise its judgment on the basis of the evidence available to it.
- o) The Board's decision shall be recorded in writing and shall contain its findings on the main facts and on the medical evidence available to it as well as its conclusions as to whether the person concerned should be required to resign on medical grounds. The Board shall specifically record the matters it has taken into consideration in determining whether any reasonable adjustments can be made to enable the person concerned to remain in employment. If the Board concludes that the person concerned should be required to retire on medical grounds it shall clearly so state and, in the case where the person concerned is a member of USS confirm that in its opinion he or she is suffering from permanent ill-health or infirmity.
- p) It is the responsibility of the Board secretary to ensure that the Principal and all the parties to the hearing receive a copy of the decision. The decision document, which shall be signed by the Chair, shall be sent to the person concerned as well as his or her representative, except in the case where it is clear that the representative has authority to act in place of the person concerned or in any other case with the consent of the person concerned.
- q) Upon receipt of the Board's decision, the Principal, shall consult the Governing Body prior to making any decision to terminate the employment of the person concerned but in so doing shall, in so far as possible, respect medical confidentiality. He or she shall arrange for a special meeting of the Governing Body for this purpose and shall keep the person concerned and/or his or her representative informed as to the process. Provided he or she acts within [14] days of receiving the decision document, the person concerned shall have the right to make further representations to the Principal at this stage. Prior to making any decision to terminate the employment of the person concerned on medical grounds, and depending on the circumstances of the case, including the length of time taken, the Principal may afford him or her an opportunity to retire on such grounds in accordance with the rules of USS where applicable.
- r) In the event that the Board does not determine that the person concerned should be required to retire on medical grounds, for example, because it is not satisfied that he or she is incapacitated on medical grounds, the Principal shall consider the position and, if he or she so determines, may invoke the Disciplinary Procedures at any stage including requesting the Governing Body to appoint an Academic Disciplinary Committee.
- s) In the event that such a Committee is appointed, it shall proceed in accordance with the procedure established under this Appendix save that any findings of fact made by the Board shall be binding on the Committee.
- t) No decision as to termination or otherwise implementing the conclusion of the Board shall be implemented until after any appeal has been determined under the provisions of these Regulations.

Appeals

- a) A Notice of Appeal against any decision under parts II, III or IV of the Appendix to the Statute must be served on the Principal within 28 days of the decision. The Principal shall bring the fact that an appeal has been made to the attention of the Governing Body and inform the appellant that he or she has done so. If in all the circumstances of the case the Principal in his or her discretion considers it appropriate he or she shall call a special meeting of the Governing Body for the purpose of bringing the appeal to the attention of the Governing Body and in any event will ensure that the appeal is brought to the attention of the Governing Body within 28 days. The Principal shall consider any appropriate action, including suspension, which may be required in relation to the appellant and/or his or her position in the College pending the outcome of the appeal.
- b) The Governing Body shall appoint a person to hear the appeal in accordance with Clause 29 of the Appendix to the Statute who shall be called the Chair, and the two further persons in accordance with Clause 29(d) of the Appendix to the Statute, who shall sit with the Chair if the Chair so decides under the terms of these Regulations.
- c) In the event that the notice of appeal is not served in time in accordance with Clause 28 of the Appendix to the Statute, the Chair shall consider the circumstances of the case including the length and the reason for the delay and the grounds of appeal and shall determine whether justice and fairness require that the appeal shall be permitted to proceed.
- d) The Chair shall consider whether to sit alone or with two other persons. In the event that he or she decides to sit with two other persons they shall be the persons appointed by the Governing Body in accordance with (b) above and the body so constituted shall be referred to as the Appeal Body, which term shall also refer to the Chair in the event that the Chair sits alone.
- e) The Chair shall appoint a date, time and place for the hearing and shall make such other directions or the disposal of the case as appear to him or her appropriate, including the joinder of other parties, and any directions that may be required to clarify the grounds of appeal. The Appeal Body shall have power to adjourn the hearing from time to time as it sees fit.
- f) Notice of the date, time and place and any directions made by the Chair shall be served on all parties to the appeal at least [14 days] before the date appointed and the appellant shall be notified of his or her right at his or her own expense to be represented by another person who may, but need not, be legally qualified. The appellant and any other party shall also be notified of their right to call witnesses with the consent of the Appeal Body.
- g) Any Committee, board or other body shall, if joined as a party to the appeal by the Chair¹ appoint one or more persons either from among their number or otherwise, who may but need not be legally qualified, to prepare and present the response to the appeal, such response to be served on the Appeal Body, the appellant and any other parties at least seven days before the day appointed for the hearing of the appeal.
- h) Any hearing of the appeal may be adjourned or postponed at the discretion of the Chair. The Appeal Body may dismiss the appeal for want of prosecution. However no decision to

¹ As it may be, the Governing Body, Academic Disciplinary Committee or Medical Board. Under Clause 26(d) of the Appendix to the Statute, the parties to the appeal are the appellant and the Principal and any other person added as a party at the direction of the Appeal Body.

dismiss in such circumstances shall be made without first having provided the appellant with an opportunity to make representations whether orally or in writing.

- i) Except as provided in these Regulations, no appeal may be determined without an oral hearing, due notice of which has been served on the appellant and any persons appointed by him or her to represent him or her.
- j) Each party to the hearing shall be entitled to make a statement and to address the Appeal Body. Witnesses may be called with the consent of the Appeal Body. Leave to adduce fresh evidence and/or the calling of witnesses examined at first instance shall only be given if the Appeal Body is satisfied that it is necessary or expedient in the interests of justice.
- k) Subject to the provisions of the Statutes and of these Regulations, the Appeal Body shall determine its own procedure. The Chair may at his or her discretion set time limits at each stage of the proceedings to the intent that any appeal shall be heard and determined as expeditiously as is reasonably practicable having regard to the principles of justice and equity.
- l) In accordance with the provisions of Clause 30 (c) of the Appendix to the Statute the Appeal Body may allow or dismiss an appeal in whole or in part or remit the appeal in such manner and for such purpose as it sees fit within the provisions of Clause 30 (c) of the Appendix to the Statute. In the event that the Appeal Body remits the appeal in accordance with Clause 30(c) (i)-(v) the Chair may set such time limits for further consideration as he or she considers appropriate.
- m) The reasoned decision of the Appeal Body including any decision under Clause 30 (c) shall be recorded in writing and shall be sent to the Principal and to the parties to the appeal.
- n) The Chair may, by an appropriate certificate in writing correct any accidental errors and/or omissions in documents recording the decisions of the Appeal Body.

Grievances

- a) In any case where the complaint has not been disposed of by the Principal or where an appeal is made under Clause 13 (c) of the Appendix to the Statute the Principal shall refer the matter to a Grievance Committee established in accordance with the provisions of Clause 36 of the Appendix to the Statute.
- b) The Committee shall appoint one of its members to act as Chair.
- c) The Principal shall notify the Committee of the nature of the complaint or appeal and shall provide the Committee with copies of any statements or other relevant documents which he or she considers will assist in the fair disposal of the matter.
- d) Any appeal under Clause 13 (c) of the Appendix to the Statute shall be in writing and shall specify with sufficient detail the grounds of appeal and any supporting information.
- e) The Principal shall inform the person concerned that the matter has been referred to the Committee and shall provide the person concerned with copies of the documents which he or she has provided to the Committee.
- f) The Committee shall meet as soon as is reasonably practicable to consider the matter on a preliminary basis. At this stage the Committee may appoint someone to act as secretary or clerk to assist in all aspects of the grievance hearing or appeal and the preparatory steps. The Committee may call for written statements from the person concerned or any other

person and may cause such investigations to be conducted as appear appropriate, if necessary by an independent person specifically appointed for the purpose.

- g) The Committee shall appoint a time and date for the matter to be heard and shall make such arrangements as it thinks fit for the fair and just hearing of the matter. It shall The Committee may appoint its Chair to act on its behalf in all preliminary matters. The Committee shall have power to adjourn the proceedings from time to time as it sees fit.
- h) The matter shall not be disposed of without an oral hearing at which the individual concerned and any person against whom the grievance or appeal lies shall be entitled to be heard and to be accompanied by a friend or representative. Save that the hearing may proceed in the absence of the individual concerned or any other party who fails to attend without reasonable cause.
- i) Provided that due regard is had to the interests of justice and fairness, the conduct of the hearing and any associated matters may be determined by the Committee. In particular, the Committee may determine whether and to what extent oral examination of witnesses shall be permitted, whether any evidence may be taken in the absence of the individual concerned (or the person against whom any complaint is made) and whether and what time limits shall be set for the proceedings.
- j) The reasoned decision of the Committee as to whether the complaint or appeal is well-founded shall be notified in writing to the individual concerned and any person against whom any complaint is made, as well as to the Governing Body. In the event that any part of the grievance or appeal is upheld, the Committee shall also notify the Governing Body of its recommendation as to the proper redress for the individual concerned and any other recommendations as it sees fit.
- k) No appeal lies from the decision and/or recommendation of the Committee.