

**ST HILDA'S COLLEGE
OXFORD**

STATUTES

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STATUTE I. THE GOVERNING BODY

1. The Governing Body shall consist of the Principal, the Official and Professorial Fellows, the Beale Fellows and such Research and Supernumerary Fellows as may from time to time be elected to the Governing Body under the provisions of Statute III, 3 below.
2. The Principal when she is present shall preside at meetings of the Governing Body. In her absence, the Vice-Principal shall preside and in the absence of both Principal and Vice-Principal the Senior Official Fellow present shall preside. The Quorum shall be not less than a third of the members of the Governing Body who are entitled to vote.
3. Every meeting of the Governing Body shall be one of three kinds:
 - (i) **Stated General Meeting.** One Stated General Meeting shall be held in each of the three University terms in each year on a date fixed by by-law. The Governing Body may by resolution adjourn a meeting to a date specified in such resolution provided that not less than five days' notice of such date shall be given to all members not present at the adjourned meeting.
 - (ii) **Special General Meeting.** The Principal or in her absence the Vice-Principal or in the absence of both the Senior Official Fellow in residence may at any time convene a Special General Meeting by giving not less than seven days' notice of such meeting if held during full term or fourteen days' notice of a meeting held out of full term. She shall similarly do so at the request of not less than three of the members of the Governing Body. Any business which, under these Statutes or under any by-law of the College in force for the time being, is directed to be transacted at a Stated General Meeting may be transacted at a Special General Meeting but no business shall be transacted of which notice shall not have been given to members with the notice convening the meeting.
 - (iii) **Ordinary Meeting.** Ordinary Meetings may be convened at any time by the Principal or in her absence by the Vice-Principal or in the absence of both by the Senior Official Fellow in residence. No business shall be transacted or powers exercised which under these Statutes or under any other enactment or resolution of the Governing Body ought to be transacted or exercised by the Governing Body at a Stated or Special General Meeting.
4. The Governing Body shall elect the Principal and Fellows and shall appoint such other officers as it may from time to time find necessary. Such elections and appointments shall be made at a Stated or Special General Meeting.
5. The Principal and every Fellow who is a member of the Governing Body shall upon the occasion of her first attendance at a Stated General Meeting of the Governing Body sign a book containing a declaration that she has read and will observe the Statutes of the College.
6. The Governing Body may delegate to committees such of its powers as it may think fit, except the election of the Principal and Fellows and the appointment of College Officers, provided that such committees are appointed at a Stated or Special General Meeting of the Governing Body and that the majority of members of each committee shall be members of the Governing Body. The Principal shall be ex officio a member of each committee.

Statute I

7. The Governing Body at a Stated or Special General Meeting may make such by-laws and regulations as it thinks fit for the conduct of its business, for the administration of the College and for the admission, education and discipline of members of the College *in statu pupillari* and may alter or repeal such by-laws or regulations provided that no such by-law or regulation shall be valid which is inconsistent with the Charter of Incorporation or with these Statutes or with the Statutes of the University. Every undergraduate, graduate or other student not being a Fellow or Officer of a College of the University or otherwise subject to Statute X shall be deemed to be *in statu pupillari* as long as she is recognised by the Governing Body as pursuing or being under engagement to pursue studies under its direction whether within the University or elsewhere.

8. Every member of the Governing Body entitled to vote shall have one vote only at meetings of the Governing Body except that in case of an equality of votes the Principal or whoever is presiding shall have a second or casting vote. All votes shall be given personally and not by proxy. Except as hereinafter provided all questions shall be decided by the vote of the simple majority of those present and voting.

9. The Governing Body shall provide for the safe custody of the Common Seal of the College which shall be affixed to any instrument requiring the Common Seal in the presence of two members of the Governing Body but shall not be so affixed except in pursuance of an express resolution of the Governing Body.

10. Contracts on behalf of the College may be made as follows:

(i) a contract which if made between private persons would be by law required to be in writing, and if made according to English law to be by deed, may be made on behalf of the College in writing under the Common Seal of the College;

(ii) a contract which if made between private persons would be by law required to be in writing signed by the parties to be charged therewith, may be made on behalf of the College in writing signed by any person acting under its authority;

(iii) a contract which if made between private persons would by law be valid although made by parol only, and not reduced into writing, may be made by parol on behalf of the College by any person acting under its authority, express or implied;

(iv) a contract made according to this Statute may be varied or discharged in the same manner in which it is authorised by this Statute to be made.

Last amended 14.2.01

STATUTE II. THE PRINCIPAL

1. The Principal shall be elected by the members of the Governing Body who are entitled to vote. The Principal shall be a person fit in the judgement of the Governing Body to preside over the College and to uphold and maintain its objects. She shall possess such qualifications as are or may from time to time be laid down by the by-laws of the College.
2.
 - (i) When the Principalship is about to fall vacant by superannuation the Principal shall give notice of this at the Stated General Meeting of the Trinity Term of the academic year preceding the year of her retirement. The Vice-Principal or in her absence the Senior Official Fellow in residence shall with not less than four weeks' notice given in writing summon a meeting of the Governing Body, exclusive of the Principal for the election of a Principal not earlier than the first nor later than the fourth week of the succeeding term, which meeting may be adjourned from time to time provided that an election shall be made within one year of the notice of vacancy.
 - (ii) If the Principal announces her intention to resign her office as provided in clause 5 of this Statute an election shall be made by the same procedure not more than one year from the date on which she has given notice of such resignation.
 - (iii) If a vacancy occurs in the office of Principal through death or any cause other than those specified in (i) or (ii) above the Vice-Principal or in her absence the Senior Official Fellow in residence shall summon a meeting of the Governing Body to appoint a date for a meeting to elect a Principal. This date shall be not more than eight weeks from the occurrence of the vacancy except that when such vacancy shall occur in the long vacation the meeting shall be held not earlier than the first nor later than the fourth week of the succeeding Michaelmas Term. At least four weeks' notice in writing shall be sent to each Fellow individually. Immediate notice of adjournment of a meeting to elect a Principal shall be given in writing to each Fellow not present at an adjourned meeting.
3. At the meeting for the election of a Principal the votes of the Fellows shall be given in writing and may be given for any person whose name has been proposed and seconded at the meeting provided that no name may be voted on which has not been proposed to each Fellow in writing not less than seven days previously. The person elected must have received an absolute majority of the votes cast.
4. In the event of the Fellows failing to elect a Principal within the time specified in clause 2 above the Visitor shall have power to appoint a Principal.
5. The Principal shall hold office from the day after the retirement of her predecessor or from the day of her election, whichever shall be the later. So long as she fulfils her statutory duties she shall continue to hold office until the thirty-first day of July after she attains the age of sixty-seven years. If she attains the age of sixty-seven on the thirty-first day of July she shall vacate her office on that day. If the Principal should wish to resign her office before she reaches the statutory age she shall give such notice as may be specified in the by-laws.
6. The Principal shall exercise general supervision over the conduct, administration and educational work of the College and shall perform such duties as are or may be from time to time required by the University in virtue of her office.

Statute II

7. The Principal shall be responsible for the discipline of the members of the College *in statu pupillari* subject to the by-laws or such other regulations as the Governing Body may make, provided that no name of a member shall be removed from the College books except by decision of the Governing Body. Such decisions shall be final except for Scholars and Exhibitioners as provided in Statute VI, 6 below.

8. The Principal shall reside in the College unless she is dispensed from this requirement by the Governing Body, in which case she shall be required to reside in such other place as the Governing Body may from time to time agree to be consistent with the due performance of her duties. She shall reside in the College or such other place agreed as aforesaid for not less than nine calendar months in the academic year, including not less than six weeks in each full term, unless special leave of absence for illness or other reasonable cause shall be granted by the Governing Body.

9. The Principal shall be entitled to such salary as the Governing Body may from time to time determine together with the use of the Principal's Lodging (or such other lodging as may be provided by the College in case of temporary emergency) free of rent, charges and property taxes: and she shall receive such other emoluments allowances and services as the Governing Body may from time to time determine.

10. The Principal shall not hold any office or appointment which, in the opinion of the Governing Body, is inconsistent with the proper performance of her duties.

11. Notification of the election of a Principal shall be made to the Visitor by letter under the Seal of the College as soon as may be after her appointment.

Last amended 14.2.07

STATUTE III. THE FELLOWS

1. The Fellowships which may be held in the College may be of the following seven classes namely:
 - (i) Official Fellowships, which shall be held by all those appointed to Tutorships, subject to the provisions laid down in Statute IV, 5(i), and by such other administrators employed by the College as the Governing Body may determine.
 - (ii) Beale Fellowships, which shall be held by those appointed to non-renewable 5-year Tutorships, subject to the provisions laid down in Statute IV, 5(iv).
 - (iii) Professorial Fellowships, which shall be held by virtue of their office by the holders of any Professorships allocated to the College by Council in accordance with the Statutes, Decrees and Regulations of the University and which may be held by the holders of Readerships in the University or of any other University office declared by a Statute or Degree of the University to qualify its holder for a Professorial Fellowship.
 - (iv) Research Fellowships, to which the Governing Body may elect persons who in its opinion are likely to do valuable work in some branch of Letters or Science and who shall undertake to pursue some courses of higher study or research to the satisfaction of the Governing Body.
 - (v) Supernumerary Fellowships, to which the Governing Body may elect:
 - (a) persons who have at some time held Fellowships in the College;
 - (b) persons who are engaged in teaching or research or administration within the University of Oxford and who are members of Congregation;
 - (c) persons who have achieved distinction in their profession outside the University.
 - (vi) Emeritus Fellowships, to which the Governing Body may elect former Fellows who have held their Fellowships for at least fifteen years.
 - (vii) Honorary Fellowships to which the Governing Body may elect distinguished persons.
2. The conditions of the tenure of Fellowships in classes (iv) and (v) above shall be determined by the Governing Body at the time of election.
3. Official, Beale and Professorial Fellows shall be members of the Governing Body in virtue of their Fellowships. Research and Supernumerary Fellows shall not be members of the Governing Body in virtue of their Fellowships but the Governing Body may elect a Research or Supernumerary Fellow to the Governing Body for such a period and on such terms and conditions as it may determine at the time of election. The number of such Fellows elected shall not exceed one-quarter of the Official and Beale Fellows.

Statute III

4. The emoluments if any of each Official or Beale Fellowship over and above those of the Office constituting the Fellow's qualification and the emoluments of each Research Fellowship shall be determined by the Governing Body. No pecuniary emoluments shall be attached to a Professorial Fellowship, a Supernumerary Fellowship, an Emeritus Fellowship or an Honorary Fellowship, but the Governing Body may at its discretion assign to a Professorial Fellow, a Supernumerary Fellow, an Emeritus Fellow or an Honorary Fellow such privileges as regards free board, service and residence as it thinks fit.

5. Every Fellow shall be entitled to such leave of absence and to such salary during absence as may from time to time be laid down in the by-laws. The Governing Body may postpone the granting of such leave if in its judgement the interests of the College so require.

6. (i) Any Fellow other than an Honorary Fellow who shall accept a Fellowship other than an Honorary Fellowship in another College within the University or who shall be elected to the office of head of a college shall vacate her Fellowship.

(ii) An Official or Beale Fellow or a Professorial Fellow shall vacate her Fellowship on ceasing to hold the office in respect of which she was elected.

7. The Visitor shall have power at any time to terminate the appointment of a Fellow on the ground of serious misconduct or neglect of duty or mental or physical incapacity or other grave cause after due enquiry held upon the petition of two-thirds of the Governing Body present and voting at a meeting specially called with notice of the business to be transacted thereat, at which meeting the Fellow shall have the right to appear in her own defence. The Principal upon the receipt of a requisition signed by not fewer than three members of the Governing Body entitled to vote shall be bound to call such a meeting giving not less than fourteen days' notice. Provided that, subject to the provisions of clause 7 (i) of Statute XI, nothing in this clause shall apply to any member of the academic staff to whom Statute XI applies.

8. Every Fellow who has received or is entitled to supplicate for the degree of BA or is otherwise entitled to proceed to the degree of MA shall proceed to the degree of MA within one year of the earliest date at which she is permitted by the Statutes of the University to do so, unless a special dispensation for a further limited period is granted by the Governing Body.

Last amended 14.2.07

STATUTE IV. OFFICERS OF THE COLLEGE

- 1 The College Officers shall be the Vice-Principal, Tutors and such others as the Governing Body may from time to time determine.
 - 2 The Governing Body shall appoint a Vice-Principal from among the Official or Professorial Fellows for such a period as it may decide at the time of appointment and at such a stipend as it may then and from time to time determine. She shall undertake such duties as the Governing Body may from time to time determine.
 - 3 The Vice-Principal shall in the absence of the Principal or during the Principal's incapacity through illness be charged with all the powers and duties of the Principal except when otherwise provided by the Governing Body.
 - 4 The Vice-Principal shall reside in the College during the usual College terms unless the Governing Body shall have given special leave of absence to reside elsewhere.
 - 5
 - (i) A Tutor (other than a tutor holding a Beale Fellowship) shall be appointed by the Governing Body for an initial period of not more than five years and thereafter for successive periods of five years (or in the final period for such shorter period as shall be necessary to comply with 5 (ii) below) provided that the Governing Body shall (other than in the case of normal retirement) give not less than six calendar months' notice to any Tutor whom it decides not to re-appoint at the end of any period for which such Tutor has been appointed. A Tutor shall have the right to appear in her own defence at the meeting considering the termination of her appointment.
 - (ii) A Tutor appointed before 1 October 1987 shall vacate her Tutorship on the thirtieth day of September after she shall attain the age of sixty-seven years; provided that:
 - (a) any Tutor whose sixty-seventh birthday falls on the thirtieth day of September shall vacate her Tutorship on that day; and
 - (b) any Tutor appointed before the first day of October 1979 and whose birthday falls in August or September shall vacate her Tutorship on the thirty-first day of July following her sixty-seventh birthday.
- Subject to (iii) below, a Tutor appointed on or after 1 October 1987 shall vacate her Tutorship on the thirtieth day of September after she shall attain the age of sixty-five years; provided that any Tutor whose sixty-fifth birthday falls on the thirtieth day of September shall vacate her Tutorship on that day.
- (iii) A Tutor holding a linked university appointment who is entitled under the statutes of the University to hold that appointment until at least her sixty-seventh birthday shall vacate her college appointment on the date of retirement from her employment with the University.
 - (iv) The Governing Body shall not extend by re-election a Beale Fellowship, but this shall be without prejudice to its power to elect the holder of such a Fellowship to an Official or Research Fellowship.

Statute IV

(v) The Governing Body may appoint Administrative Officers under such conditions as to duties, tenure and stipend as it may determine at the time of appointment.

6 When contemplating a tutorial appointment the Governing Body shall communicate with the Board of each Faculty concerned.

7 Every Tutor shall reside in the College during the usual College terms unless the Governing Body shall have given leave of absence or leave to reside elsewhere. She shall be entitled to board, service and residence in the College free of rent and rates during the usual College terms and also during vacations except when in the judgement of the Governing Body this is impracticable. A Tutor who has been given leave to reside outside the College walls may be assigned such allowances in lieu of board, service and residence as the Governing Body may determine.

8 Every Tutor shall be responsible for the direction and teaching of the pupils assigned to her.

9 Any College Officer may hold more than one College office.

10 The College Officers shall assist the Principal in the maintenance of discipline.

11 If a disagreement arises between the Principal and a College Officer about the Officer's official duties the matter shall be referred to the Governing Body, whose decision shall be final; except that a Fellow shall have the right, under the provisions of Statute X 7, to appeal to the Visitor.

12 The Stipends of College Officers shall be determined from time to time by the Governing Body.

Last amended 18.6.03

STATUTE V. SUPERANNUATION

1 The College shall co-operate in the Federated Superannuation System for Universities, and the Governing Body shall have authority to exercise all such powers as belong to an institution co-operating in the said System.

2 The Principal and each Tutor, Lecturer and Administrative Officer shall conform to the rules for the time being of the Federated Superannuation System for Universities and the Governing Body shall give effect to such rules in its by-laws.

3 Notwithstanding the foregoing provisions of this Statute the Governing Body may appoint a day of accession to the Universities Superannuation Scheme ("the New Scheme") in order that the Federated Superannuation System for Universities may be replaced in whole or in part by the New Scheme and upon such terms whether transitional or otherwise as the Governing Body may decide. From the date of such accession the Principal and each Tutor Lecturer and administrative officer to whom the provisions of the New Scheme shall apply shall conform to the provisions and rules of the New Scheme to the extent that such provisions and rules may be applicable to her circumstances and the Governing Body shall have authority to exercise all such powers as may belong to an Institution participating in the New Scheme.

Last amended 10.6.81

STATUTE VI. SCHOLARS AND EXHIBITIONERS

1. The Governing Body may elect to a Scholarship or Exhibition any undergraduate of the College who has in its judgement sufficiently distinguished herself academically. Such Scholarships and Exhibitions shall be tenable for a stated period of not less than one year, beginning and terminating upon such dates as the Governing Body shall decide.
2. If a Scholar or Exhibitioner neglects her studies, the Governing Body may deprive her at any time of her Scholarship or Exhibition provided that the Scholar or Exhibitioner shall have the right of appeal to the Visitor against any such act of the Governing Body and his decision shall be final.
3. The emoluments of Scholarships and Exhibitions shall be determined from time to time by the Governing Body in its absolute discretion, except in the case of any Scholarship or Exhibition which the Governing Body may accept (or may have accepted) subject to special conditions.
4. The emoluments of Scholarships and Exhibitions not provided by Trust Funds or other special endowments shall be assigned from the revenues of the College.
5. No Scholar or Exhibitioner shall be entitled to receive the emoluments attached to her Scholarship or Exhibition in any term in which she shall not have resided for the period required by the University Statutes; provided that in case of illness or other sufficient cause the Governing Body may dispense with the residence of a Scholar or Exhibitioner upon such terms as to the payment to her of the emoluments as it may in its absolute discretion deem proper.
6. The Governing Body shall have power to establish graduate studentships or scholarships upon such terms and conditions as it may determine.

Last amended 14.2.01

STATUTE VII. FINANCE

1 The Governing Body shall cause proper records of account to be kept which give a true and fair view of the financial affairs of the College and explain its transactions. The accounts of the College shall be audited annually by a person who is eligible for appointment as a company auditor under the legislation currently in force. The audited accounts, together with a Financial Report from the senior financial officer of the College, shall be presented to the Governing Body at the first Stated General Meeting after the end of the Financial Year.

2 The Governing Body shall in every year cause to be prepared and delivered to the Registrar of the University for publication such information relative to the accounts of the College as may be prescribed from time to time by any Statute of the University in force for the time being.

3 The application of the revenues of the College under the provisions and to the purpose of these Statutes shall be subject to any Statute or Statutes made for the University under the powers of the Universities of Oxford and Cambridge Act, 1877, and the Universities of Oxford and Cambridge Act, 1923, for enabling or requiring the colleges to make contributions out of their revenues for University purposes, and for the payment of charges imposed thereby.

Last amended 14.2.01

STATUTE VIII. POWER OF INVESTMENT

1. Subject in the case of specific trusts to the provisions of the relevant trust instrument any moneys forming part of the corporate funds of the College may be invested in or upon such securities, shares, stocks, funds, derivatives or other investments (including land) in any part of the world and whether involving liability or not as the Governing Body shall in its absolute discretion (acting as a prudent investor) think fit. The Governing Body shall not be required to evaluate investment and management decisions concerning individual assets in isolation, but shall consider the objects and purposes of the College in formulating an overall investment strategy with suitable risk and return objectives. Subject to these considerations, the Governing Body shall be empowered to invest and transmute the investment of such funds in the same unrestricted manner as if it were the beneficial owner thereof.

2. The Governing Body shall appoint an Investment Committee consisting of at least three members, the majority of whom at any one time shall be members of the Governing Body, which shall decide the investment strategy, arrange for the investment of funds in accordance with that strategy, and monitor the performance of any Investment Manager appointed under this Statute. Unless the Committee includes one member with relevant experience and qualifications, the Governing Body shall appoint a suitably qualified person as Investment Manager to carry out on behalf of the College the duties prescribed by this Statute on such terms as (subject to and in accordance with this Statute) the Governing Body shall think fit.

3. A person (which expression in this Statute includes a person, persons, firm or company) shall be suitably qualified to be Investment Manager if she shows to the satisfaction of the Governing Body that:

(a) she (or, in the case of a subsidiary company whose obligations under the relevant terms of appointment will be guaranteed by the parent company, that parent company) has at least fifteen years experience in the City of London (or other appropriate financial centre in the United Kingdom) of investment business; and

(b) is entitled to carry on investment business in accordance with the Financial Services Act 1986 (or other relevant legislation replacing that Act).

4. The Governing Body may pay reasonable and proper remuneration to an Investment Manager appointed and acting in accordance with this Statute.

5. The Governing Body may delegate to an Investment Manager appointed and acting in accordance with this Statute power at her discretion (but always in accordance with this Statute and the terms of her appointment) to buy and sell investments held on behalf of the College; and such delegation may permit those investments to be held by a nominee.

6. The terms of appointment of any Investment Manager shall be in writing and shall:

(a) specify the relevant investment policy of the College and the scope of the Investment Manager's discretion; and

(b) require the Investment Manager to comply with the terms of her appointment and with these Statutes, the relevant University Statutes and the general law (including any provision relating to the keeping and supply of records and accounts); and

(c) prohibit the Investment Manager from sub-delegating or assigning her appointment; and

Statute VIII

- (d) specify the amount and/or method of calculation of the Investment Manager's remuneration; and
- (e) entitle the Governing Body to terminate the appointment at any time on reasonable notice; and
- (f) specify the other circumstances in which the appointment may be terminated by either party and (subject to earlier termination) its maximum duration which shall not exceed three years on any one occasion (but subject if so specified to renewal from time to time by mutual agreement); and
- (g) specify the relevant advisory, reporting and accounting procedures; and
- (h) state whether or not the investments may be held on behalf of the College in the name of a nominee and (if so) on what basis and by whom.

7. The Governing Body shall take reasonable steps (and if necessary shall take appropriate advice) to satisfy itself when making any such appointment that its terms are in accordance with best practice at the relevant time. In particular (to ensure that the Governing Body always has adequate information as to and appropriate control over the investment, funds or other assets of whatever nature to which the appointment relates) the Investment Manager shall be required:

- (a) to review and report in writing to the Investment Committee quarterly on the College's investment policy and the performance of and the future prospects for the College's investments, and to give any relevant advice; and
- (b) to report to the Investment Committee at once on any significant change since the last such review and report which may in her view require early attention by the Governing Body; and
- (c) to report to the Investment Committee on every transaction within fourteen days of its execution; and
- (d) to account to the College quarterly.

8. The College Seal shall not be affixed to any document by the Investment Manager and this Statute shall not affect Statute I.

9. In this Statute words importing the feminine shall include the masculine.

Added to Statutes 16.10.96

STATUTE IX. EXPENDITURE POWERS

1. This Statute shall apply to the following funds, namely
 - (a) all funds and endowments of the College which are not held on any specific trust;
 - (b) any endowment, benefaction or trust for purposes connected with the College
 - (i) which was created by an instrument which came into operation not less than 60 years before 1 January 2001; or
 - (ii) of which the College is the Trustee or Governing Body and has consented to the provisions of this clause.
2. In this Statute
 - (a) “fair value” means the amount at which an asset could be exchanged in an arm’s length transaction between informed and willing parties, other than in a forced or liquidation sale;
 - (b) “total return” means return in terms of both income, whether received or accrued, and capital appreciation, whether realised or unrealised.
3. The Governing Body may appropriate for expenditure for the purposes of a fund to which this Statute applies so much of the fair value of the particular fund as is prudent in all the circumstances having regard to the total return achieved and reasonably to be expected in the long term of the funds of the College to which this Statute applies.
4. Any reference in these Statutes to the revenues of the College shall include the total sums appropriated in accordance with clause 3 of this Statute.

Last amended 13.6.01

STATUTE X. THE VISITOR

1 The Governing Body may elect as Visitor of the College any person who holds or has held high judicial or ecclesiastical office or is a Member of Her Majesty's Privy Council.

2 When the office of Visitor becomes vacant or in the event of a Visitor giving notice of his or her intention to resign the Principal shall summon a meeting of the Governing Body for the election of a Visitor. Such meeting shall be held with not less than four weeks' notice in writing at a date not more than eight weeks from the occurrence of the vacancy. Such meeting may be adjourned from time to time provided that an election is made within six months of the vacancy. Immediate notice of adjournment shall be given in writing to every Fellow not present. The Visitor shall be elected by a simple majority of those present and voting.

3 If at a Special General Meeting of the Governing Body it is the opinion of not less than two-thirds of the members of the Governing Body present and voting that the Visitor is incapable of discharging the duties laid on him or her by these Statutes the Governing Body may report their opinion in this regard to the Chancellor of the University and he or her may if he thinks fit declare the office of Visitor to be vacant. On the receipt of such declaration from the Chancellor the University the Governing Body shall proceed to the election of a new Visitor.

4 The Visitor may whenever he shall think fit visit the College and exercise at any such visitation all powers lawfully belonging to his office and may also at any time make enquiries and require an answer in writing upon any matter relative to the due observance of these Statutes.

5 If any question shall arise upon which the Governing Body is unable to agree, depending wholly or in part upon the construction to be placed upon any of these Statutes, the Governing Body or not less than one-third of its members entitled to vote may submit the same to the Visitor and the Visitor shall thereupon declare the true construction of the Statutes with reference to the case submitted to him or her.

6 The Visitor may either on his or her own motion or on the complaint of not less than one-third of the members of the Governing Body disallow any by-law or resolution of the Governing Body which is in his or her judgement repugnant to the Charter or the Statutes of the College.

7 The Principal or any Fellow of the College if aggrieved by any act of the Governing Body, or any Scholar or Exhibitioner of the College deprived of her scholarship or exhibition, may appeal to the Visitor and the Visitor shall adjudicate on the appeal and may confirm, reverse or vary the act or decision as he or she deems just.

8 Any decision given by the Visitor under these Statutes shall be binding upon the College and upon the Principal and every Fellow thereof and upon every person affected by these Statutes.

9 In accordance with the provisions of the Education Reform Act 1988, nothing in these Statutes shall enable or require the Visitor:

- (i) to hear any appeal or determine any dispute relating to a member of the academic staff to whom Statute XI applies which concerns the member's appointment or employment or the termination of that appointment or employment; or

Statute X

- (ii) to disallow or annul any by-law made under or having effect for the purposes of Statute XI.

Last amended 14.2.01

STATUTE XI. ACADEMIC STAFF

PART I. CONSTRUCTION APPLICATION AND INTERPRETATION

1. This Statute and any by-law made under this Statute shall be construed in every case to give effect to the following guiding principles, that is to say:
 - (i) to ensure that members of the academic staff of the College have freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their jobs or privileges;
 - (ii) to enable the College to provide education, to promote learning, and to engage in research efficiently and economically; and
 - (iii) to apply the principles of justice and fairness.
2. No provision in Part II, Part III, Part IV or Part VII shall enable any member of the academic staff to be dismissed unless the reason for the dismissal may in the circumstances (including the size and administrative resources of the College) reasonably be treated as a sufficient reason for dismissal.
3.
 - (i) This Statute shall apply:
 - (a) to any person holding a College Office designated by the Governing Body as one to which this Statute applies;
 - (b) to any person employed by the College to carry out teaching or research save for those holding appointments which have been excluded by the Governing Body from the scope of this Statute on the ground that the duties in that regard are only of a limited nature; and
 - (c) to the Principal, to the extent and in the manner set out in Part VII of this Statute.
 - (ii) In this Statute any reference to "a member of the academic staff" is a reference to a person to whom this Statute applies.
4. In this Statute "dismiss" and "dismissal" mean dismissal of a member of the academic staff and:
 - (i) include remove or, as the case may be, removal from office; and
 - (ii) in relation to employment under a contract, shall be construed in accordance with section 55 of the Employment Protection (Consolidation) Act 1978.
5.
 - (i) For the purposes of this Statute "good cause" in relation to the dismissal or removal from office or place of a member of the academic staff, being in any case a reason which is related to conduct or to capability or qualifications for performing work of the kind which the member of the academic staff concerned was appointed or employed to do, means:

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- (a) conviction for an offence which may be deemed by an Academic Disciplinary Committee appointed under Part III to be such as to render the person convicted unfit for the performance of the duties of the office or employment as a member of the academic staff; or
 - (b) conduct of an immoral, scandalous or disgraceful nature incompatible with the duties of the office or employment; or
 - (c) conduct constituting failure or persistent refusal or neglect or inability to perform the duties or comply with the conditions of office or employment; or
 - (d) wilful disruption of the activities of the College; or
 - (e) wilful disobedience of any of the Statutes or by-laws of the College in force for the time being; or
 - (f) physical or mental incapacity established under Part IV.
- (ii) In this clause:
- (a) "capability", in relation to such a member, means capability assessed by reference to skill, aptitude, health or any other physical or mental quality; and
 - (b) "qualifications", in relation to such a member, means any degree, diploma or other academic, technical or professional qualification relevant to the office or position held by that member.
6. For the purposes of this Statute dismissal shall be taken to be a dismissal by reason of redundancy if it is attributable wholly or mainly to:
- (i) the fact that the College has ceased, or intends to cease, to carry on the activity for the purposes of which the person concerned was appointed or employed or has ceased, or intends to cease, to carry on that activity in the place in which the person concerned worked; or
 - (ii) the fact that the requirements of that activity for members of the academic staff of the College to carry out work of a particular kind in that place have ceased or diminished or are expected to cease or diminish.
7. (i) In any case of conflict, the provisions of this Statute shall prevail over those of any other Statute of the College in force on the date on which the instrument making these modifications was approved under subsection (9) of section 204 of the Education Reform Act 1988, and over those of any by-law, and the provisions of any by-law made under this Statute shall prevail over those of any by-law made under such other Statutes:

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

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

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

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

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

(iv) In any case where an officer of the College or any person is designated to perform any duties or exercise any powers under this Statute, and that officer or person is herself involved in the matter in question, the Governing Body may appoint an alternate to act in her place under procedures prescribed by-laws made under this Statute.

(v) Nothing in any other Statute shall enable the Governing Body to delegate its power to reach a decision under clause 10 (ii).

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

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

(viii) Words importing the feminine shall include the masculine and, unless the context otherwise requires, words in the singular shall include the plural and words in the plural shall include the singular.

PART II. REDUNDANCY

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

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

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

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

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- (ii) For the purposes of this clause in relation to a person, a reference to an appointment made or a contract entered into on or after 20th November 1987 or to promotion on or after that date shall be construed in accordance with subsections (3) to (6) of section 204 of the Education Reform Act 1988.
- 10.
 - (i) The Governing Body shall be the appropriate body for the purposes of this Part.
 - (ii) This Part applies only where the Governing Body has decided that there should be a reduction in the academic staff:
 - (a) of the College as a whole; or
 - (b) of any area of academic work within the College by way of redundancy.
- 11.
 - (i) Where the Governing Body has reached a decision under clause 10 (ii):
 - (a) it may itself decide to select the requisite members of the academic staff for dismissal by reason of redundancy if such a course satisfies the guiding principles set out in clause 1; or
 - (b) it shall appoint a Redundancy Committee to be constituted in accordance with sub-clause (iii) of this clause to give effect to its decision by such date as it may specify and for that purpose
 - (1) to select and recommend the requisite members of the academic staff for dismissal by reason of redundancy; and
 - (2) to report their recommendations to the Governing Body.
 - (ii) The Governing Body shall either approve any selection recommendation made under sub-clause (1) (b) (i), or shall remit it to the Redundancy Committee for further consideration in accordance with its further directions.
 - (iii) A Redundancy Committee appointed by the Governing Body shall comprise:
 - (a) a Chair;
 - (b) two members chosen from amongst members of the Governing Body to whom this Statute does not apply, Honorary Fellows, Emeritus Fellows and Supernumerary Fellows; and
 - (c) two members chosen from amongst members of the Governing Body to whom this Statute applies and other members of the academic staff.
 - (iv) A member of the academic staff shall not be selected for dismissal under this clause unless she has been afforded a reasonable opportunity to make representations to the Governing Body.

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12. (i) Where the Governing Body has either itself made a selection or has approved a selection recommendation made by the Redundancy Committee under clause 11 (i) it may authorise an officer of the College as its delegate to dismiss any member of the academic staff so selected.
- (ii) Each member of the academic staff selected shall be given separate notice of the selection approved by the Governing Body.
- (iii) Each separate notice shall sufficiently identify the circumstances which have satisfied the Governing Body that the intended dismissal is reasonable and in particular shall include:
- (a) a summary of the action taken by the Governing Body under this Part;
 - (b) an account of the selection processes it has used;
 - (c) a reference to the rights of the person notified to appeal against the notice and to the time within which any such appeal is to be lodged under Part V; and
 - (d) a statement as to when the intended dismissal is to take effect.

PART III. DISCIPLINE, DISMISSAL AND REMOVAL FROM OFFICE

13. (i) If the conduct or performance of a member of the academic staff does not meet acceptable standards, but does not constitute sufficient cause for dismissal, an oral warning may be given by the Principal who shall keep a note of the matter. The member of the academic staff concerned shall be informed of the reason for the warning; that it is the first stage of the disciplinary procedure; and that a right of appeal exists under this clause. An oral warning shall be disregarded for disciplinary purposes after 12 months.
- (ii) If the offence is a serious one, or if a further offence occurs, a written warning may be given by the Principal, who shall keep a copy of the warning. The member of the academic staff concerned shall be informed of the reason for the warning; the improvement required; the time within which that must be achieved; that charges may be instituted under clause 14 of this Statute if there is no satisfactory improvement and that a right of appeal exists under this clause. A written warning shall be disregarded for disciplinary purposes after 2 years.
- (iii) A member of the academic staff who wishes to appeal against a disciplinary warning given under this clause shall inform the Principal within two weeks. A Grievance Committee appointed under Part VI shall hear the appeal and the Committee's decision shall be final.
14. (i) If there has been no satisfactory improvement following a written warning given under clause 13 (i), or in any case where it is alleged that conduct or performance of a member of the academic staff may constitute good cause for dismissal or removal from office, a complaint seeking the institution of charges to be heard by an Academic Disciplinary Committee appointed under clause 15 may be made to the Principal.

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- (ii) To enable the Principal to deal fairly with any complaint brought to her attention under sub-clause (i) she shall institute such enquiries (if any) as appear to her to be necessary.
 - (iii) If it appears to the Principal (whether on receipt of a complaint or otherwise) that there are grounds for believing that the conduct or performance of a member of the academic staff could constitute good cause for dismissal, she shall write to the person concerned inviting comment in writing.
 - (iv) As soon as may be following the comments (if any) or in any event not later than 28 days after they were invited the Principal shall consider the matter in the light of all the available material and may dismiss the matter summarily, or issue an oral or written warning to the person concerned, or determine that the matter be considered by an Academic Disciplinary Committee appointed under clause 15.
15. If the Principal has determined that the matter is to be considered by an Academic Disciplinary Committee, she shall request the Governing Body to appoint such a Committee to hear the charge or charges and to determine whether the conduct or performance of the person charged concerned constitutes good cause for dismissal or otherwise constitutes a serious complaint relating to her appointment or employment, and to make recommendations concerning the action (if any) to be taken as a result of the Committee's findings.
16. (i) An Academic Disciplinary Committee appointed by the Governing Body shall comprise:
- (a) a Chair;
 - (b) one member chosen from amongst members of the Governing Body to whom this Statute does not apply, Honorary Fellows, Emeritus Fellows and Supernumerary Fellows of the College; and
 - (c) one member chosen from amongst members of the Governing Body to whom this Statute applies and other members of the academic staff.
- (ii) In selecting members of the panel for appointment as members of an Academic Disciplinary Committee, the Governing Body shall exclude the person charged, and any person who has been involved in or associated with the making of the complaint or any part of it, or who has been involved in any preliminary hearing or investigation.
17. (i) When an Academic Disciplinary Committee has been appointed, the Governing Body shall instruct a solicitor or other suitable person to formulate the charge or charges and to present, or arrange for the presentation of, the charge or the charges before the Academic Disciplinary Committee.
- (ii) It shall be the duty of the person formulating the charge or charges:
- (a) to forward the charge or charges to the Committee and to the member of the academic staff charged, together with the other documents therein specified and a list of all witnesses the College proposes to call, with statements containing the evidence they are expected to give; and

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

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

- (i) that the person charged is entitled to be represented by another person, whether such person is legally qualified or not, in connection with and at any hearing of charges by an Academic Disciplinary Committee;
- (ii) that a charge shall not be determined without an oral hearing at which the person charged and any person appointed to represent her are entitled to be present;
- (iii) that witnesses may be called, both on behalf of the person charged and by the person presenting the charge, and may be questioned concerning any relevant evidence;
- (iv) that no new witness or documentary evidence may be introduced by the person presenting the charge without the Committee's consent, which shall not be given save for good reason, and that if late introduction is allowed, the member of the academic staff shall be allowed an adjournment sufficient to allow her to consider and respond to the new evidence; and
- (v) that any charge is heard and determined as expeditiously as is reasonably practicable.

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

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

20. (i) Where any charge is upheld and the Academic Disciplinary Committee finds good cause and recommends dismissal or removal from office, but in no other case, the Principal shall consult the Governing Body and shall decide whether or not to dismiss the person concerned. If she decides to accept the Academic Disciplinary Committee's recommendation she may forthwith dismiss that person.

(ii) Where any charge is upheld, other than where the Principal has decided under sub-clause (i) to dismiss the person concerned, the action available to the Principal, after consulting the Governing Body (not comprising a greater penalty than that recommended by the Academic Disciplinary Committee) shall be:

- (a) to discuss the issues raised with the person concerned; or
- (b) to advise the person concerned about her future conduct; or

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- (c) to warn the person concerned; or
 - (d) to suspend the person concerned for such period as the Principal shall think fair and reasonable, provided that the suspension shall not extend beyond 3 months after the date on which the Governing Body shall have considered the Academic Disciplinary Committee's decision and provided that no such suspension without pay may be ordered unless the terms of the contract of employment of the member concerned contains provisions expressly entitling the Principal to impose such a penalty; or
 - (e) such further or other action under the person's contract of employment or terms of appointment as appears fair and reasonable in all the circumstances of the case; or
 - (f) any combination of the above.
- 21. (i) The Principal shall be the appropriate officer to exercise the powers conferred by clause 20 but she may appoint a delegate to exercise those powers.
- (ii) Any action taken by the Principal or her delegate shall be confirmed in writing and notified to the Governing Body.

PART IV. REMOVAL FOR INCAPACITY ON MEDICAL GROUNDS

- 22. (i) This Part makes separate provision for the assessment of incapacity on medical grounds as a good cause for dismissal or removal from office.
 - (ii) In this Part references to medical grounds are references to capability assessed by reference to health or any other physical or mental quality.
 - (iii) In this Part the Principal shall be the appropriate officer to perform any duties or exercise any powers, but she may appoint a delegate to act on her behalf.
 - (iv) In this Part references to the member of the academic staff for the purposes of notification, giving consent, agreement, nomination or providing evidence include, in cases where the nature of the alleged disability so requires, a responsible relative or friend or other person with authority to act on behalf of that member in addition to (or instead of) that member.
- 23. (i) Where it appears to the Principal that the removal of a member of the academic staff on medical grounds should be considered, the Principal:
 - (a) shall inform the member accordingly; and
 - (b) shall notify the member in writing that it is proposed to make an application to the member's medical practitioner for a medical report and shall seek the member's consent in writing in accordance with the requirements of the Access to Medical Reports Act 1988.

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

(iii) If the member does not elect to apply for early retirement on medical grounds the Principal may refer the case in confidence, with any medical and other evidence (including any such evidence submitted by the member), to a Medical Board comprising one person nominated by the Governing Body; one person nominated by the member concerned or, in default of the latter nomination, by the Principal; and a medically qualified chair jointly agreed by the Governing Body and the member or, in default of agreement, to be nominated by the President of the Royal College of Physicians.

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

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

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

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

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

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

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

(ii) Any action taken by the Principal shall be confirmed in writing and notified to the Governing Body.

PART V. APPEALS

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

26. (i) This Part applies:

(a) to appeals against any decision of the Governing Body to dismiss in the exercise of its powers under Part II;

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- (b) to appeals arising in any proceedings, or out of any decision reached, under Part III other than appeals against disciplinary warnings under clause 13;
- (c) to appeals against any dismissal otherwise than in pursuance of Part II, Part III, Part IV or Part VII;
- (d) to appeals against any disciplinary decision otherwise than in pursuance of Part III;
- (e) to appeals against any decision reached under Part IV; and
- (f) to appeals against any decision reached under Part VII

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

- (ii) No appeal shall however lie against:
 - (a) a decision of the Governing Body under clause 10 (ii);
 - (b) any finding of fact of an Academic Disciplinary Committee under Part III, or of a Tribunal under Part VII save on legal grounds or save where, with the consent of the person or persons hearing the appeal, fresh evidence is called on behalf of the appellant at that hearing;
 - (c) any medical finding by a Board set up under Part IV clause 23 (iii) save on legal grounds or save where, with the consent of the person or persons appointed, fresh evidence is called on behalf of the appellant at that hearing.
 - (iii) In this Part references to "the person appointed" are references to the person appointed by the Governing Body under clause 29 to hear and determine the relevant appeal.
 - (iv) The parties to an appeal shall be the appellant and the Principal and any other person added as a party at the direction of the person appointed.
27. A member of the academic staff shall institute an appeal by serving on the Principal, within the time allowed under clause 28, notice in writing setting out the grounds of the appeal.
28. (i) A notice of appeal shall be served within 28 days of the date on which the document recording the decision appealed from was sent to the appellant or such longer period, if any, as the person appointed may determine under sub-clause (iii).
- (ii) The Principal shall bring any notice of appeal received (and the date when it was served) to the attention of the Governing Body and shall inform the appellant that she has done so.
 - (iii) Where the notice of appeal was served on the Principal outside the 28 day period the person appointed under clause 29 shall not permit the appeal to proceed unless she considers that justice and fairness so require in the circumstances of the case.

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29. (i) Where an appeal is instituted under this Part the Governing Body shall appoint a person described in sub-clause (ii) to hear and determine that appeal.
- (ii) The persons described in this sub-clause are:
- (a) the person who is the Visitor; or
- (b) persons not employed by the College holding, or having held, judicial office or being barristers or solicitors of at least ten years standing.
- (iii) The person appointed shall sit alone unless she considers that justice and fairness will best be served by sitting with two other persons.
- (iv) The other persons who may sit with the person appointed shall be:
- (a) one member chosen from amongst members of the Governing Body to whom this Statute does not apply, Honorary Fellows, Emeritus Fellows and Supernumerary Fellows; and
- (b) one member chosen from amongst members of the Governing Body to whom this statute applies and other members of the academic staff.
30. (i) The procedure to be followed in respect of the preparation, consolidation, hearing and determination of appeals shall be that set out in by-laws made under this clause.
- (ii) Without prejudice to the generality of the foregoing such by-laws shall ensure:
- (a) that an appellant is entitled to be represented by another person, whether such person is legally qualified or not, in connection with and at any hearing of her appeal;
- (b) that an appeal shall not be determined without an oral hearing at which the appellant and any person appointed by her to represent her are entitled to be present and, with the consent of the person or persons hearing the appeal, to call witnesses;
- (c) that full and sufficient provision is made for postponements, adjournments, dismissal of the appeal for want of prosecution and for the correction of accidental errors; and
- (d) that the person appointed may set appropriate time limits for each stage (including the hearing itself) to the intent that any appeal shall be heard and determined as expeditiously as is reasonably practicable.
- (iii) The person or persons hearing the appeal may allow or dismiss an appeal in whole or in part and, without prejudice to the foregoing, may:
- (a) remit an appeal from a decision under Part II to the Governing Body (or any issue arising in the course of such an appeal) for further consideration as the person or persons hearing the appeal may direct; or

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- (b) remit an appeal arising under Part III for re-hearing or reconsideration by the same or by a differently constituted Academic Disciplinary Committee to be appointed under that Part; or
- (c) remit an appeal from a decision under Part IV for further consideration as the person or persons hearing the appeal may direct; or
- (d) remit an appeal by the Principal arising under Part VII for re-hearing or reconsideration by the same or by a differently constituted Tribunal to be appointed under that Part; or
- (e) substitute any lesser alternative penalty that would have been open to the Principal following the finding by the Academic Disciplinary Committee which heard and determined the original charge or charges.

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

PART VI. GRIEVANCE PROCEDURES

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

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

- (i) to matters affecting themselves as individuals; or
- (ii) to matters affecting their personal dealings or relationships with other staff of the College,

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

34. (i) If other remedies have been exhausted the member of the academic staff may raise the matter with the Principal.
- (ii) If it appears to the Principal that the matter has been finally determined under Part III, IV or V or that the grievance is trivial or invalid, she may dismiss it summarily, or take no action upon it. If it so appears to the Principal she shall inform the member and the Governing Body accordingly.
- (iii) If the Principal is satisfied that the subject matter of the grievance could properly be considered with (or form the whole or any part of):
- (a) a complaint under Part III; or
 - (b) a determination under Part IV; or

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- (c) an appeal under Part V

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

(iv) If the Principal does not reject the complaint under sub-clause (ii) or if she does not defer action upon it under sub-clause (iii) she shall decide whether it would be appropriate, having regard to the interests of justice and fairness, for her to seek to dispose of it informally. If she so decides she shall notify the member and proceed accordingly.

35. If the grievance has not been disposed of informally under clause 34(iv), the Principal shall refer the matter to a Grievance Committee for consideration.
36. A Grievance Committee shall comprise three persons appointed by the Governing Body of whom at least two shall be Fellows of the College.
37. The procedure in connection with the consideration and determination of grievances shall be determined in by-laws in such a way as to ensure that the aggrieved person and any person against whom the grievance lies shall have the right to be heard at a hearing and to be accompanied by a friend or representative.
38. The Committee shall inform the Governing Body whether the grievance is or is not well-founded and if it is well-founded the Committee shall make such proposals for the redress of the grievance as it sees fit.

PART VII. REMOVAL OF THE PRINCIPAL FROM OFFICE

39. Any three members of the Governing Body may make complaint to the Vice-Principal seeking the removal of the Principal from office for good cause.
40. The Vice-Principal shall refer such a complaint to the Governing Body, exclusive of the Principal and the members making the complaint. If it appears to the Governing Body on the available material that the complaint does not raise a prima facie case, or that it is trivial or invalid or unjustified it may determine that no further action shall be taken upon it.
41. If it appears to the Governing Body on the available material that the complaint raises a prima facie case and that this case could, if proved, constitute good cause for the removal of the Principal from office, it shall appoint a Tribunal to hear and determine the matter.
42. The Tribunal appointed by the Governing Body shall comprise:
- (i) an independent Chair;
 - (ii) one member chosen from amongst members of Governing Body to whom this Statute does not apply, Honorary Fellows, Emeritus Fellows and Supernumerary Fellows; and

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(iii) one member chosen from amongst members of Governing Body to whom this Statute applies and other members of the academic staff.

43. A charge referred to the Tribunal shall be dealt with in accordance with the procedure prescribed in clauses 17 to 19, provided:

(i) that the Vice-Principal shall perform any duty and exercise any power there assigned to the Principal; and

(ii) that the only recommendation the Tribunal may make is whether or not the Principal should be removed from her office.

44. Where a charge or charges have been upheld and the Tribunal finds good cause and recommends dismissal, but in no other case, the Vice-Principal shall consult the Governing Body and may then dismiss the Principal.

45. Where a complaint is to be referred to a Tribunal under clause 41, the Vice-Principal may, if she considers that the College might otherwise suffer significant harm, suspend the Principal from her duties in all matters relating to the government and discipline of the College without loss of salary.

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

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

Last amended 14.2.07

STATUTE XII. PROVISIONS RELATIVE TO THE UNIVERSITY

- 1 If at any time it appears to the Council of the University that any provisions of these Statutes or of any other Statutes of the College in force for the time being respecting the accounts of the College, or any other provision of such Statutes by the non-observance of which any interest of the University is liable to be prejudicially affected, is not duly observed or that any of the provisions of Statute IV are not duly observed by the College, the Council may submit a representation to the Visitor: and the Visitor shall, upon receiving such representation, inquire into the matter, make such order therein as he or she shall deem just for enforcing the due observance of the said Statute in the matter to which the representation shall relate.
- 2 Before any representation is made under the foregoing provisions, the Vice-Chancellor shall communicate the matter of the proposed representation to the Principal for the information of the Governing Body and when a representation is made shall forthwith send her a copy of it.
3. Every proposal for a change in the Statutes of the College in force for the time being or in the Charter of the College shall be communicated to the Council before it is submitted to Her Majesty in Council, and the Governing Body, in forwarding the draft Statute as amended for the approval of Her Majesty, shall state expressly that it has been so communicated.
4. No Statute made by the Governing Body and affecting the University shall be altered except with the consent of the University.

Last amended 14.2.07

STATUTE XIII. POWER TO ALTER STATUTES

1 The Governing Body may alter these Statutes, or any part thereof, at a Stated or Special General Meeting by the votes of not less than two thirds of those present and voting on the question, pursuant to the provisions of the Universities of Oxford and Cambridge Act, 1923, Section 7.

Last amended 14.2.01

STATUTE XIV. INTERPRETATION

1 In these Statutes, and any By-Laws made under them, words importing the feminine gender shall include the masculine and *vice versa* and, unless the context otherwise requires, words in the singular shall include the plural and words in the plural shall include the singular.

Incorporated 14.2.07