

**STATUTES**  
**OF**  
**JESUS COLLEGE**  
**IN THE**  
**UNIVERSITY OF CAMBRIDGE**

**In force from 1 October 2011,  
with amendments effective from  
12 February 2013**

**2013**

The Statutes were made by the Society on 29 November 2010 and approved by Her Majesty in Council on 7 April 2011. They came into force on 1 October 2011. Minor amendments were made on 11 June 2012 and approved (with immediate effect) on 12 February 2013.

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STATUTES OF THE COLLEGE OF THE BLESSED VIRGIN MARY SAINT JOHN THE EVANGELIST AND THE GLORIOUS VIRGIN SAINT RADEGUND WITHIN THE CITY AND UNIVERSITY OF CAMBRIDGE COMMONLY CALLED JESUS COLLEGE IN THE UNIVERSITY OF CAMBRIDGE.

WHEREAS in virtue of a Charter granted by King Henry VII in the year of Our Lord one thousand four hundred and ninety-six the College of the Blessed Virgin Mary Saint John the Evangelist and the Glorious Virgin Saint Radegund within the City and University of Cambridge commonly called Jesus College in the University of Cambridge was founded by John Alcock, Bishop of Ely,

NOW WE the Master or Keeper and Fellows of Jesus College in the University of Cambridge (being the Society thereof) at a meeting specially summoned for the purpose and held on the twenty-ninth day of November in the year of Our Lord two thousand and ten do hereby in pursuance of the powers given to us by the seventh and eighth sections of the Universities of Oxford and Cambridge Act 1923 and by the votes of not less than two-thirds of the number of persons present and voting make the Statutes following (notice of the proposed Statutes having been given to the University) for our said College.

# **Statute I**

## **The Constitution of the College**

1. The College of the Blessed Virgin Mary Saint John the Evangelist and the Glorious Virgin St Radegund within the City and University of Cambridge commonly called Jesus College in the University of Cambridge is sufficiently described as “Jesus College, Cambridge”.
2. The College is a place of education, religion, learning and research.
3. The Master (Statute IV) and all the Fellows (Statute VII) constitute the Society (Statute II). The Society is the Governing Body of the College for the purposes of the Oxford and Cambridge Act 1923.
4. The Membership of the College consists of the Society and the Students (Statute X) together with the Emeritus Fellows (Statute VIII), the Honorary Fellows (Statute IX) and those admitted by the Council (Statute XI).
5. The Council (Statute III) has, except as otherwise provided by these Statutes, control and management of all the affairs of the College.
6. The Bishop of Ely is the Visitor of the College.

## Statute II

### The Society

1. It is the duty of the Society to enact (Statute XXV) and interpret (Statute XXVI) Statutes for the College and, as provided for in these Statutes, to elect:
  - (a) certain Members of the Council (Statute III);
  - (b) the Master (Statute IV);
  - (c) the Vice-Master (Statute V);
  - (d) the President (Statute VI); and
  - (e) Honorary Fellows (Statute IX).
2. The Society meets, except as otherwise provided in these Statutes, whenever summoned by the Master and at such time and place within the College as is specified in the notice summoning the meeting. In particular, the Master must summon a meeting:
  - (a) at least once in each Full Term; and
  - (b) in addition, within four days of receiving a requisition for a meeting signed by at least three Fellows and stating the reason for which they wish a meeting to be called. Such a meeting must be held not more than thirty days after the receipt of the requisition.
3. Except as otherwise provided in these Statutes, each notice summoning a meeting of the Society must:
  - (a) be sent in writing to each Fellow and each Emeritus Fellow not fewer than four (or, in the case of a meeting to be held out of Full Term, not fewer than ten) days before the meeting; and
  - (b) specify the business to be considered at the meeting.
4. Except as otherwise provided in these Statutes, at a meeting of the Society:
  - (a) the Master, if present, presides. If the Master is not present the President presides;
  - (b) no business may be transacted unless at least half the Fellows, other than whose request for leave has been granted by the Council or the University, are present in person; and

- (c) no resolution may be carried unless a majority of those present and entitled to vote concur except that if the votes are equally divided the person presiding may give a second or casting vote.
5. An Emeritus Fellow has the right to be present and to speak but not to vote at meetings of the Society.
  6. Save as otherwise provided in these Statutes, the Society determines the procedures and practice for its meetings.
  7. The Society may receive and once a year may require reports from College Officers on matters concerning their responsibilities within the College.
  8. The Council must submit to the Society for information and discussion a copy of the official accounts as submitted to the University together with such explanatory information as it thinks will be helpful. The Society may elect from its members two or more Fellow Auditors to assist it in the interpretation of the accounts and of any issues raised by them.

## **Statute III**

### **The Council**

1. The Members of the Council are:
  - (a) the Master, the President, the Senior Tutor, and the Bursar;
  - (b) twelve Fellows or Emeritus Fellows; and
  - (c) four Student Members.
  
2.
  - (a) Four Fellows or Emeritus Fellows are elected annually at a meeting of the Society and hold office for a term of three years. No Fellow or Emeritus Fellow, having served for three years, may serve again until one year has elapsed unless the Society decides otherwise; and
  - (b) Student Members of the Council are elected and, except as otherwise provided in this Statute, serve for the term and subject to the conditions specified in Regulations.
  
3. A Member of the Council ceases to hold office:
  - (a) if she or he is disqualified from being a charity trustee;
  - (b) in the case of a Member under Section 1(b) or (c), if she or he fails to comply with any Regulation governing attendance;
  - (c) in the case of a Fellow, if she or he:
    - (i) ceases to be a Fellow and does not become an Emeritus Fellow;  
or
    - (ii) has a request for leave granted by the Council or the University for more than one Term in any calendar year or any academical year in which case the Fellow ceases to be a Member of the Council with effect from the beginning of the first Full Term of the leave; and
  - (d) in the case of a Student Member of the Council, if she or he ceases to be a Student Member of the College.
  
4. Every vacancy of membership under Section 1(b) or (c) other than where a term of office has expired is to be filled as soon as convenient. The person selected serves on the Council for the remainder of the term of office of the Member who occasioned the vacancy.

5. The Council meets whenever summoned by the Master, at such time and place within the College as is specified in the notice summoning the meeting. In particular, the Master must summon a meeting:
  - (a) at least twice in each Full Term, and
  - (b) in addition, within four days of receiving a requisition for a meeting signed by at least six Fellows or six Members of the Council and stating the reason for which they wish a meeting to be called. The meeting summoned must take place within ten days of the date on which the summons is issued and the notice summoning the meeting must state the reason for which the meeting is called.
  
6. At a meeting of the Council:
  - (a) no business may be determined unless at least seven Members under Section 1(b) are present; if one or more Member under Section 1(b) has had a request for leave for that Term granted by the College or the University the number to determine business is six;
  - (b) business may be determined in the absence of the Student Members through failure of election or from any other cause;
  - (c) except as otherwise provided in these Statutes a resolution is carried if a majority of those present concur. If the votes are equally divided the person presiding may give a second or casting vote; and
  - (d) the Council may, if not less than two-thirds of those present concur by resolution of which not fewer than fourteen days' written notice has been given to it, the Society and the Emeritus Fellows, make or amend Regulations. Regulations are to be read with and have the same force as these Statutes, provided that they are not inconsistent with these Statutes or the Statutes of the University.
  
7. There are reserved areas of business of the Council. Student Members of the Council may not receive papers, be present or vote in relation to any such business. Reserved areas of business are:
  - (a) the election, appointment, promotion, removal or any matters affecting the personal position or remuneration of any Member of the Society or Emeritus Fellow or of any person employed or appointed by the College;
  - (b) the admission of individual persons to Membership of the College, their removal from the College, their academic assessment or any matters affecting their personal position and the making to such persons of any awards, grants or prizes;

- (c) the ecclesiastical patronage of the College; and
- (d) such further business (including matters the disclosure of which in the opinion of the Master would, or would be likely to, prejudice the financial interests of the College or any other person) as the Master may in her or his discretion from time to time declare to be reserved, the declaration of the Master to be final.

## Statute IV

### The Master

#### A. Election and Admission of the Master

1. The Society shall elect a Master.
2. The President must call a meeting of the Society within fourteen days of her or his learning that the Mastership is vacant, and may do so not more than eighteen calendar months before she or he knows that a vacancy will occur.
3. At that meeting the Society:
  - (a) may set a date for the election of a Master. The date chosen for an election may not be fewer than thirty days after the meeting at which it is agreed on and not more than twelve calendar months before a vacancy; and
  - (b) must appoint a Fellow to preside over all further business in relation to the election of a Master other than that under Section 5 of this Statute. This Fellow must then immediately give notice to each Fellow and Emeritus Fellow of the vacancy and the date for the election of the new Master.
4. Except as otherwise provided in these Statutes, a meeting of the Society may determine the procedure and practice for the election of the Master.
5. The election and admission of the Master takes place in the following manner:
  - (a) on the day chosen for an election the Fellows assemble in the Chapel at noon;
  - (b) no vote may be cast for any person unless before the commencement of the assembly five Fellows have given written notice to every Member of the Society proposing that candidate for election to the Mastership. Such notice must also specify the term for which she or he is to hold office;
  - (c) a round of voting:
    - (i) takes place only when at least half of the Fellows are present; and

- (ii) is complete when each Fellow present has had the opportunity to cast her or his vote;
  - (d) no Fellow may vote unless she or he has on that day first made the following declaration to the assembled Fellows: “In the vote or votes I am about to give I will disregard all personal considerations whatsoever and have regard only to the welfare of the College”;
  - (e) all votes are given in order of seniority, in writing and in the form "I, A.B., choose C.D. to be Master of this College". The senior and junior of the Fellows present count the votes and the senior of the Fellows present then announces:
    - (i) the name of the person who, having received a majority of the votes of that round, is elected Master; or
    - (ii) if no person has received such a majority of votes in that round the number of votes cast for each person; and
  - (f) there may be no more than four rounds of voting on any one day. If no person has been elected as Master after the fourth round of voting, the Fellows assembled must, by majority vote, set another date for the election.
6. The person elected, or, in the event that Statute IV.A.7 applies, appointed, will on the earliest convenient and permissible date be admitted to the Mastership by the President.
  7. The Visitor must nominate and appoint a suitable person to be Master if within:
    - (a) one year from the date of the vacancy a Master be not duly elected; or
    - (b) eighteen calendar months from the date of the vacancy a Master be not duly admitted.
  8. The Master elected or appointed must, on her or his admission, make and subscribe the following declaration:
 

“Ego N. in Magistratum hujus Collegii electa [*vel* electus] [*vel* nominata/nominatus] omnes Ordinationes et Statuta hujus Collegii quatenus me concernunt aut concernere poterunt fideliter servabo et ab aliis dicti Collegii Sociis Scholaribus atque aliis Studentibus quatenus eos concernunt quantum in me est observari faciam. Omnia et singula dicti Collegii bona et negotia fideliter et ad dicti Collegii commodum et utilitatem quantum potero utiliter ac bene et fideliter administrabo dispensabo et procurabo necnon ab aliis sic administrari dispensari et procurari faciam, et si quod residuum sive incrementum fuerit ad dicti

Collegii utilitatem conservabo et faciam fideliter conservari. Jura libertates privilegia et possessiones quascunque ipsius Collegii manu tenebo pro posse et defendam et sic manu teneri et defendi faciam. Bona dicti Collegii mobilia et immobilia quovismodo non alienabo, nec absque consensu majoris partis omnium Sociorum qui in Consilio Collegii locum obtinent impignerabo vel hypothecabo, nec ea aut eorum aliquod sive aliqua alienare volenti consensum vel assensum quovismodo directe vel indirecte praestabo. Delinquentes quoscunque personarum vel patriae acceptatione omnique amore invidia odio et favore (quantum humana fragilitas sinet) postpositis et praetermissis juxta Statutorum exigentiam puniam et corrigam ac sic puniri et corrigi faciam. Haec omnia me observaturam [*vel* observaturum] polliceor et ita do fidem.”

## **B. Duties and Stipend of the Master**

1. The Master will reside in the Master’s Lodge or, if she or he so requests and the Society consents, in the University, during two thirds at least of each Full Term and altogether during one hundred and eighty days at least in each academical year, unless she or he is absent with the consent of the Council.
2. The Master:
  - (a) exercises a general superintendence over the affairs of the College; and
  - (b) except where these Statutes provide otherwise, summons, and when present, presides, at all meetings of the Society and of the Council and, save as may otherwise be determined by the Council, of any other body or committee established by these Statutes or the Council of which she or he is a Member.
3. The Master receives such stipend and allowances on such terms and subject to such conditions as the Council determines.

## **C. Retirement and Resignation of the Master**

1. The Master retires on the earlier of:
  - (a) the last day of the term of office specified by the Society at the time of her or his election;
  - (b) the last day of the tenth academical year after her or his admission to the Mastership (provided that if admitted to the Mastership at the commencement of, or within one month after the commencement of,

an academical year, that year must be treated as if it were the first after her or his admission).

2. The Society may extend the Master's term of office for a period not exceeding one year if:
  - (a) it appears to it that there would be an interval of more than three months between the retirement of the Master and the admission of her or his successor;
  - (b) at least two thirds of the Fellows are present and voting; and
  - (c) a majority of the Fellows present vote in favour.
3. The Master may at any time resign by giving written notice to the President.
4. The Master on resignation or retirement becomes (without necessity for election or admission as a Fellow):
  - (a) if on that date she or he has not reached the College Retirement Age, a Fellow of Class B; or
  - (b) if on that date she or he has reached the College Retirement Age, an Emeritus Fellow.

#### **D. Suspension from Office**

1. The Council may suspend the Master from office for not more than three months for:
  - (a) temporary unfitness or incapacity; or
  - (b) suspected unfitness, incapacity or grave neglect of duty,

provided that before doing so the Council has made known to the Master the nature and substance of the grounds for the proposed suspension and afforded her or him reasonable opportunity to make representations to the Council.
2. If the reason for the suspension is temporary unfitness or incapacity, the Council:
  - (a) must review it at each subsequent Council meeting after again affording the Master reasonable opportunity to make representations; and

- (b) may renew it for not more than four consecutive periods of not more than three months each.
- 3. If the reason for the suspension is suspected unfitness, incapacity or grave neglect of duty the Council must proceed as rapidly as reasonably practical either to seek the removal of the Master from office under Statute XXVIII, to suspend the Master under Section 1(a) of this Part of this Statute or to terminate, by resolution, the suspension.

## Statute V

### The Vice-Master

1. Subject to the following provisions of this Statute, the Society may elect one of its number to act in the Master's place as Vice-Master if:
  - (a) the Mastership is vacant;
  - (b) the Master has been suspended from office pursuant to Statute IV.D.1;
  - (c) with the consent of the Council the Master is or is expected to be absent; or
  - (d) the Master is for any other reason unable to perform the duties of her or his office.
2. The President may summon a meeting of the Society to discuss and vote on any matter concerning the election to or termination of the office of Vice-Master. The President must summon such a meeting to take place within 30 days of receiving a request to do so from either the Master or at least three Fellows.
3. The Vice-Master:
  - (a) exercises and performs all the functions and duties and has all the powers and authorities of the Master (except the right of occupying the Master's Lodge);
  - (b) receives such stipend as the Council determines; and
  - (c) is bound to residence in the University for the same periods and is liable to be suspended or removed from office under Statute XXVIII for the same causes and in like manner as the Master.
4. The Vice-Mastership terminates:
  - (a) if she or he ceases to be a Fellow;
  - (b) on her or his resignation by written notice to the President;
  - (c) if elected under Section 1(a) of this Statute when the vacancy in the Mastership terminates;
  - (d) if elected under Section 1(b) of this Statute and the relevant suspension of the Master lapses or is otherwise terminated; or

- (e) if elected under Section 1(c) when the absence of the Master terminates; and
- (f) if elected under Section 1(d) of this Statute and the Society resolves that the Master is able to resume the duties of the Mastership;

and the person holding it continues in her or his Fellowship unless the condition in Section 4(a) is satisfied.

5. If the condition in either Section 4(d), 4(e) or 4(f) of this Statute is satisfied the Master resumes the duties of the Mastership.

## Statute VI

### The President

1. There shall be a President who is a Fellow of the College.
2. The President is elected at a meeting of the Society for such period not exceeding one year as may be specified by the Society at the time of her or his election. Subject to Section 3 of this Statute, the President is eligible for re-election for a similar period or periods.
3. If the President:
  - (a) vacates her or his Fellowship;
  - (b) fails to be in residence in the University during two thirds at least of each Full Term and altogether during one hundred and eighty days at least in each academical year, unless with the consent of the Society;
  - (c) in the opinion of the Society fails satisfactorily to perform the duties of her or his office;
  - (d) is elected Vice-Master; or
  - (e) resigns by written notice to the Master;she or he ceases to be President and another of the Fellows must be elected President for the remainder of her or his term.
4. The President must perform the duties specified in these Statutes and such other duties as the Society may specify.
5. If any condition under Statute V.1 is satisfied and neither the Master nor a Vice-Master is present, the President:
  - (a) exercises and performs all the functions and duties and has all the powers and authorities of the Master (except the right of occupying the Master's Lodge);
  - (b) receives such stipend as the Council determines; and
  - (c) is bound to residence in the University for the same periods and is liable to be suspended or removed from office under Statute XXVIII for the same causes and in like manner as the Master.

## Statute VII

### The Fellows

#### A. General

1. All Fellows are elected and hold their Fellowships in one of the classes set out in Parts B to D of this Statute.
2. Every Fellowship:
  - (a) commences upon the admission of the Fellow;
  - (b) continues until the date upon which the Fellow vacates it in accordance with these Statutes and the terms of her or his election;
  - (c) carries the rights, stipends (if any), allowances (if any), entitlements and duties as may be determined by Regulations.

The Council may grant a Fellow's request for leave upon such terms as it deems fit.

3. The Members of Council are the electors to all Fellowships. In electing a Fellow they must disregard all personal considerations whatsoever and have regard only to the welfare of the College as a place of education, religion, learning and research.
4. The election of a person to a Fellowship requires:
  - (a) at least:
    - (i) ten days' notice to the Council if the election is within Full Term; or
    - (ii) fourteen days' notice to the Council and the presence of eleven Fellows if the election is outside of Full Term; and
  - (b) the concurrence of a majority of those present, unless the election is to a Fellowship under Class B when two thirds of those present must concur; and
  - (c) that the date of commencement and the term and conditions of tenure (if any) of a Fellowship be decided at the same time and by the same vote.
5. No person may hold a Fellowship in the College concurrently with the Mastership of the College.

## **B. Fellowships of Class A**

1. Fellowships of Class A are held by persons who are elected on condition of engaging in such work as the Council may require on behalf of the College. If a Fellow holds a University appointment the amount of work required may not exceed the amount permitted by the conditions of tenure of her or his University appointment.
2. Every Fellow of Class A is elected in the first instance for a period not exceeding five years and is eligible for re-election for periods not exceeding five years.
3. A Fellow of Class A vacates her or his Fellowship if she or he ceases:
  - (a) to do the work specified by the Council;
  - (b) to be employed as a member of the Academic Staff under Statute XXVIII; or
  - (c) to hold any office, whether in the College or the University, which it was specified at the time of appointment that the Fellow must hold during the course of the Fellowship, but is eligible for re-election to a Fellowship in this Class or to a Fellowship in Class B.

## **C. Fellowships of Class B**

Fellowships of Class B are held by persons so entitled under Statute IV.C.4(a) or whom the Council decides it to be in the interests of the College to elect, and terminate not later than the day on which the Fellow reaches the College Retirement Age.

## **D. Fellowships of Class C**

1. Fellowships of Class C are held on condition that the Fellow:
  - (i) resides in the University during the Michaelmas, Lent and Easter Full Terms unless excused by the Council;
  - (ii) devotes herself or himself to research or to a course of study approved by the Council as a preparation for research; and
  - (iii) does not undertake any paid work other than work the Council allows her or him to undertake.
2. A Fellow of Class C is elected in the first instance for not more than three years but may be re-elected for one or more periods provided that the

aggregate period for which she or he holds the Fellowship does not exceed six years.

3. The Council has power, with the Fellow's consent, to suspend the tenure of her or his Fellowship of Class C upon such terms as it thinks fit.

#### **E. The Admission of Fellows**

1. Every person elected to a Fellowship will be admitted by the Master at the earliest convenient and permissible date and has any rights, duties and privileges of a Fellow from the date of her or his admission. Admission is not required where the person elected already holds a Fellowship of the College and has been elected to a Fellowship of another class.
2. Prior to their admission all Fellows must make a solemn declaration in the following words:

“Ego N. polliceor quod omnia et singula Statuta et Ordinationes hujus Collegii absque omni cavillatione aut mala vel sinistra interpretatione quatenus ipsa me concernunt inviolabiliter tenebo et observabo et quantum in me erit ab aliis teneri et observari faciam. Magistro et Praesidenti aliisque superioribus meis in licitis et honestis obedientiam et reverentiam debitam impendam. Monitionibus eorundem Magistri et Praesidentis pro tempore existentium decretisque correctionibus et punctionibus quibuscunque eorundem juxta et secundum formam Statutorum humiliter parebo. Item quod fidelis ero ac diligens in quocunque officio ad quod me in hoc Collegio deputari contigerit et quatenus bona hujus Collegii ratione dicti officii administravero de iisdem justum et fidelem computum juxta formam Statutorum reddam et praestabo. Haec omnia me observaturam [*vel observaturum*] polliceor et ita do fidem.”

#### **F. Residence and Commons**

A Fellow is entitled to dine without charge in Hall and enjoy without charge the use of such rooms in the College as may be assigned by the Council so long as those rooms are, in the opinion of Council, needed for the performance of her or his duties as a Fellow or College or University officer. A Fellow provided with rooms beyond such needs may be required to pay such charges in respect of her or his use thereof as the Council may determine.

#### **G. The Suspension and Removal of Fellows of Classes B and C**

1. The Council may suspend a Fellow of Class B or C for suspected unfitness, incapacity or grave neglect of duty, for no more than three

months and the Council must then proceed as rapidly as reasonably practical either to seek the removal of the Fellow under Section G.2 of this Statute or to lift the suspension.

2. The Society may remove a Fellow of Class B or C, known henceforth as the Fellow concerned, from her or his Fellowship after having received a report from a panel of inquiry substantiating the charges against that Fellow if two thirds of those present vote to remove her or him. No vote may be cast on a resolution to remove the Fellow by a person who was a member of the panel or who has been absent from any meeting or part of any meeting at which the report from the panel of inquiry has been considered.
3. A panel of inquiry:
  - (a) may be established by either:
    - (i) the Council, in which case no Member of the Council may be a member of the panel of inquiry; or
    - (ii) the Master, who may do so on her or his own initiative and must do so if she or he receives a written request from five Fellows;
  - (b) may only investigate a charge that the Fellow concerned has acted in a way which renders her or him unfit to remain a Fellow; and
  - (c) will consist of seven Fellows, five of whom must concur for the report to substantiate the charge.
4. When the panel of inquiry has been established:
  - (a) on the initiative of the Master, she or he may not be present or vote at any meeting at which the report from the panel is received or voted upon;
  - (b) on the request of five Fellows, those Fellows may not be members of the panel, and may not be present, vote or count towards the number of Fellows needed for business to be transacted at any meeting of the Society at which the report from the panel is received or voted upon.
5. The Fellow concerned:
  - (a) has the right to make her or his defence to the panel of inquiry;
  - (b) must be sent a copy of the report or reports made by the panel of inquiry in accordance with Sections G.1 and G.2 of this Statute not fewer than seven days before the meeting of the Society at which the report or reports are to be taken into consideration.

- (c) is entitled to comment, either orally or in writing, to the meeting of the Society which receives or comments on the report from the panel of inquiry, provided that such comment refers only to evidence that had been adduced before the panel; and
  - (d) if she or he so desires be represented before the panel of inquiry or before the Society by any person of her or his choosing.
  - (e) is entitled, within a period of two months from the date on which notice of such removal was given to her or him, to appeal to the Visitor who may after due inquiry:
    - (i) dismiss the appeal and declare her or his Fellowship vacated or
    - (ii) allow the appeal and declare the removal to have been void. In such a case the Fellow is entitled to receive such sums by way of stipend for any office held or otherwise as she or he would have been entitled to receive had the Society not voted to remove her or him.
6. The Master and the Council each has power to forbid a Fellow in respect of whom a meeting of the Society or the Council has been summoned or a panel of inquiry been established pursuant to this Statute to enter on or remain within the precincts of the College pending the final determination of her or his case.
7. Nothing in this Part of this Statute applies to any Fellow to whom Statute XXVIII applies.

## Statute VIII

### Emeritus Fellows

1. Every person who has
  - (a) held a Fellowship for twenty years whether continuously or not; or
  - (b) been Master of the College; and

vacates her or his Fellowship on or after reaching the age of sixty becomes an Emeritus Fellow.
2. Council may elect into an Emeritus Fellowship any other Fellow who has vacated her or his Fellowship if she or he is eligible to hold a pension consistent with the provisions of a superannuation scheme for Universities, if:
  - (a) for an election within Full Term, ten days' notice has been given;
  - (b) for an election outside Full Term, fourteen days' notice has been given and fourteen Fellows are present.
3. An Emeritus Fellow:
  - (a) holds her or his Fellowship for life although she or he may be suspended or removed in accordance with the provisions of Statute VII.G;
  - (b) enjoys the privileges of a Fellow;
  - (c) has the right to be present and to speak but not to vote at meetings of the Society (Statute II.5); and
  - (d) is eligible to serve as an elected Member of the Council (Statute III.1(b)).

## **Statute IX**

### **Honorary Fellows**

1. The Society may elect any person who is of distinguished merit to an Honorary Fellowship and may terminate the tenure of an Honorary Fellowship at a meeting summoned and conducted in accordance with Statute II except that:
  - (a) at least ten days notice of the meeting must be given;
  - (b) at least two thirds of the Fellows must be present (other than those whose requests for leave have been granted by the College or the University); and
  - (c) two thirds of those present and entitled to vote must concur.
2. An Honorary Fellow possesses no voice or authority in the College but she or he enjoys such privileges as the Council may determine.

## **Statute X**

### **Student Members**

1. The Council has power to admit any person to pursue a course of study or research in the University as a Student Member of the College provided that she or he is qualified to be matriculated as a Member of the University.
2. This power may be delegated to the Master, Senior Tutor or a Tutor.
3. Every Student Member must comply with the Statutes, Ordinances and Regulations of the University, as well as with the Statutes and Regulations of the College.

## **Statute XI**

### **Other Members**

The Council may admit as Members of the College persons not pursuing a course of study or research in the University and:

- (a) when it appears appropriate, confer on them any title prescribed by Regulation;
- (b) determine the period and conditions of their membership;
- (c) determine which privileges, if any, they may enjoy provided that no such Member possesses any voice or authority in the College; and
- (d) terminate such membership at any time.

## **Statute XII**

### **College Officers**

#### **A. General**

1. There are the following College Officers: the Senior Tutor, the Bursar, a Dean of Chapel or Chaplain or Chaplains, a Tutor or Tutors for Graduate Students, the Praelector, the Librarian, the Dean of College, the Fellows' Steward and such other Tutors, Directors of Studies and Lecturers as may be appointed by the Council.
2. No person may hold the offices of Senior Tutor, Bursar, Dean of Chapel, Dean of College or Fellows' Steward, unless she or he is a Fellow. The office of Tutor may be held only by a Fellow unless Regulations provide otherwise.
3. Except as otherwise provided in these Statutes College Officers are appointed by the Council with such tenure, duties, residence requirements, stipends and allowances (if any) as the Council may determine. Unless otherwise specified by these Statutes or the Council, a College Officer retires at the end of the academical year in which she or he reaches the College Retirement Age.
4. The Council may grant a request for leave with or without stipend and allowances to any College Officer on such terms as the Council may determine. The Council may appoint, on such terms as it deems fit, a deputy to discharge the duties of a College Officer granted leave.
5. Regulations may determine procedures for the suspension or removal from office of any College Officer. These procedures are without prejudice to the application of Statute XXVIII.
6. The Council may create any other offices it considers necessary for the more efficient management of the College. Sections 3 to 5 of this Part apply to such offices.

#### **B. The Senior Tutor**

1. It is the duty of the Senior Tutor, in conformity with the Council's resolutions and under its supervision, to manage the tutorial, educational and pastoral work of the College.

2. The Senior Tutor oversees the work of any other Tutors, and of the Directors of Studies and Lecturers of the College.
3. The Senior Tutor must ensure that:
  - (a) every undergraduate Member of the College has a Director of Studies; and
  - (b) on every night on which Student Members are resident in College there is a Tutor at a place from which in the Senior Tutor's opinion she or he may conveniently be summoned and attend in College.

### **C. The Bursar**

1. It is the duty of the Bursar, in conformity with the Council's resolutions and under its supervision, to manage the finances and investments of the College, to keep, and to arrange for, the audit of the College's accounts (Statute XIX), to appoint and dismiss those (not being members of the College) employed by it, to superintend the construction and maintenance of the College's buildings, to raise loans and give financial undertakings on behalf of the College, and to have charge of the legal and financial affairs of the College.
2. The Council must prescribe the conditions under which expenditure may be incurred by the Bursar and the extent to which control may be exercised by her or him and on its behalf over the expenditure of all College Officers.

### **D. Dean of Chapel and Chaplains**

1. The Council may elect a suitable person in Holy Orders to be the Dean of Chapel.
2. The Dean of Chapel is responsible for:
  - (a) ensuring that Divine Service is celebrated according to the Liturgy of the Church of England in the College Chapel daily during the period of residence required of Student Members of the College and at such other times as are determined by the Council in accordance with the provisions of Section 6 of the Universities Tests Act 1871; and
  - (b) the religious instruction of the Student Members of the College belonging to the Church of England.

3. The Dean of Chapel has charge of all books, ecclesiastical vestments, ornaments and all other chattels whatsoever which have been set apart and appropriated to Divine Service.
4. In any vacancy in the office of Dean of Chapel the Council must ensure that a Chaplain in Holy Orders discharges the responsibilities of the Dean of Chapel.

**E. Dean of College**

Subject to these Statutes and to such Regulations as the Council may make, it is the duty of the Dean of College to regulate the conduct and discipline of Student Members of the College. She or he may impose such penalties and restrictions on persons found to have contravened those Regulations as may therein be provided.

## **Statute XIII**

### **The Educational Board**

1. There is an Educational Board consisting of the Master, the Senior Tutor, the Tutors and the Directors of Studies (being Fellows of the College) and such other persons as the Council may appoint.
2. It is the duty of the Educational Board:
  - (a) to keep under review and make to the Council recommendations on the educational work of the College including the academic progress and performance of Student Members of the College;
  - (b) to make recommendations to Council concerning the award of Scholarships, Exhibitions, Prizes and Bursaries; and
  - (c) to exercise such other powers as are conferred on the Board by these Statutes and by any Regulations.
3. No business may be transacted at a meeting of the Educational Board unless twelve members who are Fellows are present.
4. The Board has power to delegate to a committee the power to determine any specified business or class of business.

## **Statute XIV**

### **The Conduct of Student Members of the College**

1. Student Members of the College must:
  - (a) apply themselves diligently to their studies;
  - (b) pay such fees and other charges as the Council may determine;
  - (c) comply with these Statutes, with the Regulations made by the Council and with instructions given by the Officers of the College in the performance of their duties;
  - (d) not do anything intended to disrupt or impede the activities and functions of the College or to hinder the Officers and employees of the College in the discharge of their duties; and
  - (e) not intentionally or recklessly damage or deface or knowingly misappropriate any property of the College or of any Member, employee of or visitor to the College.
  
2. No Student Member of the College may be required to go out of residence either temporarily or permanently unless a Review Committee confirms a recommendation to do so, and
  - (a) if the recommendation relates to any failure in an examination or failure to be classed in an examination, it has been made by the Educational Board. The Review Committee must first afford the person concerned the opportunity of being heard in her or his own defence and if she or he so desires of being represented by any Member of the College of her or his choosing; or
  - (b) if the recommendation relates to the contravention of paragraphs (b) - (e) of Section 1 of this Statute:
    - (i) it has been made by a majority of the Tutors or of the Master and Tutors. They must first afford the person concerned the opportunity of being heard in her or his own defence and if she or he so desires of being represented by any Member of the College of her or his choosing; and
    - (ii) the Master and the Council each have power to forbid any Student Member of the College charged with contravening any of the above provisions from entering or remaining within the precincts of the College pending the determination of her or his case by a Review Committee.

3. A Review Committee consists of five members, chosen by the Master from a panel composed of the Master and of nine Fellows appointed annually by the Council after consulting the Student Members of Council. The Council must make Regulations to define those consultations and to govern the proceedings of Review Committees.
4. No person who has taken part in the consideration or making of the recommendation which is to be reviewed may sit as a member of a Review Committee.
5. The Council may make Regulations, subject to such conditions as may be specified therein, to provide that a recommendation made under Section 2(b) of this Statute be:
  - (a) made by a Committee composed of the Tutors, or of the Master and some of the Tutors, and not more than four Student Members of the College; and
  - (b) confirmed by a Review Committee composed of three Fellows selected in the manner prescribed in Section 3 of this Statute and two Student Members of the College;
6. Except as otherwise provided in Section 2 of this Statute such restrictions or penalties as may appear proper may be imposed in accordance with Regulations made by the Council on any Student Member of the College who has contravened Section 1 of this Statute.
7. The Council may require the Praelector to refuse to present for any degree, diploma or certificate awarded by the University any Member of the College who has failed to pay the fees and charges due under these Statutes.
8. No appeal lies to the Visitor from any recommendation or decision made under this Statute.

## **Statute XV**

### **The Endowments and Revenues of the College**

#### **A. The Power to Acquire Manage and Dispose of Property**

1. The Council has power to acquire charge manage and dispose of any property to which this Part applies in such manner and upon such terms as the Council in its discretion thinks fit and is entitled to exercise any power and may enter into and may carry out any transaction in relation to such property which an individual of full legal capacity, holding or acquiring such property for her or his own benefit, could exercise, enter into or carry out.
2. The powers conferred under Section A.1 and the powers to invest and expend property conferred by Sections B.1 and C.1 of this Statute extend to the following property:
  - (a) all property of the College which is not held on any specific trust, and
  - (b) any property comprised within an endowment, benefaction or trust for purposes connected with the College of which the College is the trustee.
3. In this Statute and in Statute XVI:
  - (a) “fund” means a particular endowment, benefaction or trust which includes any property of the kind referred to in Section A.2(b);
  - (b) “property” includes money, securities, shares, stocks, funds, goods, things in action, land and every description of property wherever situated whether involving liability or not and also obligations and every description of interest, whether present or future or vested or contingent, arising out of, or incidental to, property; and
  - (c) “property of the College” means any property of the kind referred to in Section A.2(a).

#### **B. The Power to Invest**

The property to which this Statute applies and the proceeds of any disposition thereof may be invested by the Council upon or in such other property as the Council in its discretion thinks fit and the Council may exercise any power to invest and transpose the investments of such property and may enter into and may carry out any transaction in relation thereto which an individual of full legal capacity investing or transposing

investments of property for her or his own benefit could exercise enter into or carry out.

### **C. The Power to Expend**

1. The Council may appropriate for expenditure so much of the fair value of the property to which this Statute applies as in its discretion it considers is prudent in all the circumstances having regard to the total return achieved and reasonably to be expected in the long term of the property of the College or, as the case may be, of the Funds to which this Statute applies.
2. Any appropriation by the Council under paragraph (1) of this Part must in the case of property of the College be made for the purposes of the College and in the case of a Fund must be made for the purposes of that Fund.
3. Any reference in these Statutes or in any Regulations made by the Council to the income or revenues of the College or of any Fund must include the total sums appropriated in accordance with paragraph (1) of this Part.
4. In this Part of 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; and
  - (b) “total return” means return in terms of both income, whether received or accrued, and capital appreciation, whether realised or unrealised.

### **D. The Power to Accept Endowments**

The Council has power to accept endowments for any purposes in furtherance of the interests of the College as a place of education, religion, learning and research and to make Regulations giving effect to wishes or suggestions of donors recorded in writing (whether so expressed as to create a trust or not) regarding the application of such endowments and regarding any place or emolument to be supported thereby even though the Regulations may be inconsistent with the provisions of the Statutes of the College provided always that no such Regulation may derogate from any obligation imposed on the College by the Statutes of the University.

### **E. The University Levy**

The College must pay annually to the University the sum authorized by the Statutes of the University to be levied from the College but so much of the sum so to be paid as can be levied in respect of the income of any Fund may be charged on the income of such fund if the Council so determines.

## **F. The Power to Donate**

The Council may contribute to any organisation which either has a connection with a locality in which the College owns property or patronage or has among its objects the promotion of education, religion, learning or research or the welfare of Members of the College.

## Statute XVI

### Funds

The Council may by Regulation provide for the maintenance and control of any fund. However, no payment may be made to any Student Member unless the Council holds it to be justified by her or his financial circumstances except for payments made:

- (a) as a Scholarship, Exhibition or prize for success in any examination or competition of the College or University;
- (b) for services rendered;
- (c) out of any trust fund which must, either expressly or by necessary implication, be paid without reference to financial circumstances. Such payments may be made provided that:
  - (i) the donor's direction is legally binding on the College;
  - (ii) regulations made by any legally competent authority other than the College so require; or
  - (iii) reference to financial circumstances is clearly incompatible with the objects of the trust.

## **Statute XVII**

### **College Fees and Charges**

The Council has power to determine the fees and charges due from Members of the College and the charges to be paid for rents, meals and services by Members of the College and others. Such fees and charges are collected by the Bursar and paid into such accounts as the Council specifies.

## **Statute XVIII**

### **Superannuation Schemes and Pensions**

1. The College must participate in the Universities' Superannuation Scheme and in addition or as an alternative may participate in other pension schemes. The Council may in its discretion supplement the retirement benefits of a Master, Fellow or College Officer in accordance with the rules applied from time to time by the University to supplement the pensions of University Officers.
2. The Council may make provision for the administration of superannuation and pension arrangements for the employees of the College, provided that insofar as such provision relates to a particular scheme it is compatible with the constitution and rules of such scheme.

## **Statute XIX**

### **College Accounts**

1. The College accounts must be kept and audited in such manner as may be prescribed by the Statutes of the University.
2. The accounts must be closed each year at such date as the Council may determine, not earlier than 30 June and not later than 30 September, and must then be audited forthwith. The Council must appoint for that purpose professionally qualified auditors who are independent of the College. The audited accounts must be presented to the Council by a date to be determined by Regulation.
3. Each year, on or before the date and in the form and with the certificate(s) prescribed by the Statutes of the University, the Council must ensure that a statement of the College accounts is sent to the appropriate authority in the University.
4. It is the duty of a Fellow Auditor to report to the Society and to the Council on any matter concerning the College accounts, or the finances of the College, which the Fellow Auditor considers necessary or desirable to bring to their attention. A Fellow Auditor must have access to all such documents as the Fellow Auditor may request in connection with her or his function.

## **Statute XX**

### **The Common Seal**

1. The Bursar is responsible for the safe custody of the Common Seal and the muniments of the College.
2. The Common Seal may not be affixed to any deed instrument or other document except in pursuance of a resolution of the Council. Such resolution may either refer to a specific deed instrument or document, or in general terms authorise the sealing and delivery of any class or classes of documents; it may also apply retrospectively.
3. Council may determine by Regulation the manner of affixing the Common Seal.

## **Statute XXI**

### **The Commemoration of Benefactors**

On a day at an hour to be fixed by the Council the College shall in every year assemble in the Chapel and according to the accustomed form of service there shall be distinguished commendation of the Founder and all others whose benefits to the College are conspicuous.

## **Statute XXII**

### **The Presentation to Benefices**

It is the duty of the Council to make presentation to the several Benefices in the patronage of the College.

## **Statute XXIII**

### **The Foundation of Mr Rustat**

1. Candidates for Scholarships and Exhibitions on the Foundation of Mr Tobias Rustat must be the children of clergymen ordained according to the rites of the Church of England preference being given, all other things being equal, to those who are orphans provided that such candidates have received a competent education.
2. The Scholars and Exhibitioners on the Foundation of Mr Rustat are called Rustat Scholars and Exhibitioners and are elected by the Council on such conditions and in such manner and receive such emoluments as the Council shall by Regulation determine.
3. The Master of Jesus College, the Vice-Chancellor of the University, the Provost of King's College and the Master of Trinity College for the respective time being continue as heretofore to be Visitors of this Foundation.
4. The duty of the Visitors is to audit all accounts connected with this Foundation but the accounts must also be audited by a professional auditor together with the other College accounts in the manner prescribed in Statute XIX.
5. The Bursar of the College is the Bursar of this Foundation, receives all profits and makes all payments connected with it and annually presents the Accounts of the Foundation.
6. The Council has power, after meeting the payments for Scholarships and Exhibitions, to apply any surplus funds in accordance with Regulations to assist the children of Clergymen ordained according to the rites of the Church of England by making grants:
  - (a) to such Student Members of the College; and
  - (b) in respect of those attending schools.

## **Statute XXIV**

### **The Somerville and Chapman Scholarships**

The Trustees have power, upon the recommendation of the Council after meeting any payments for the Somerville Scholarship arising under the Will of John Somerville and the Chapman Scholarships arising under the Will of William Thomas Chapman, to apply any surplus by way of:

- (a) awarding grants at Loughborough Grammar School and/or Loughborough High School;
- (b) providing for other educational purposes at Loughborough Grammar School and/or Loughborough High School;

or in the event of failure of both (a) and (b):

- (c) making grants to Student Members of the College.

The sums available under (a) and (b) above must be split between Loughborough Grammar School and Loughborough High School in the proportions agreed by the Headteachers of those schools before 1 October in each year and in default of such agreement in any year pro rata to the number of pupils in each of the two schools at the beginning of that school year.

## Statute XXV

### The Alteration of Statutes

1. These Statutes are subject to alteration from time to time by Statutes made pursuant to Sections 7 and 8 of the Universities of Oxford and Cambridge Act 1923.
2. Any proposal to alter the Statutes must be made in writing and be sent to all the Fellows and Emeritus Fellows at least fourteen days before the first meeting of the Society at which it is to be discussed.
3. To enact a proposal to amend the Statutes the proposal must pass two votes:
  - (a) at meetings of the Society separate from each other and from the meeting at which the proposal was first presented;
  - (b) the second vote must be at least one month (exclusive of any University vacation) after notice, including the content of the proposal to be voted upon, has been sent to the Vice-Chancellor of the University; and
  - (c) at each vote at least half the Fellows must be present and voting and at the second vote at least two thirds of those present must vote in favour.

## Statute XXVI

### Interpretation

1. In these Statutes and any Regulations made under them:

the word “Fellow” means a person holding a Fellowship under Statute VII or under the Statutes heretofore in force and does not include Emeritus Fellows, Honorary Fellows, or any person admitted under Statute XI;

the “seniority” of Fellows, where relevant, is determined by the date of their admission, and in the case of two or more Fellows having been admitted on the same day, by reference to the order of their election. Except as otherwise specified in these Statutes, at any time when the Statutes require the President to act and she or he is unable, through absence or illness, to do so, the Senior Fellow present acts in her or his place;

the “College Retirement Age” means such age, if any, as may be specified for this purpose in Regulations;

the word “Officer” means an Officer appointed under Statute XII.1;

the words “Student Member” means all resident Members of the College (not being Fellows) who are pursuing a course of study or research in the University; and

the words “Junior Member” of the College are equivalent to “Student Member”, and the words “Senior Member” refer to any Fellow, Emeritus Fellow or Honorary Fellow.

2. For the purposes of these Statutes notice is deemed to be given to a person if it is sent to that person at the College unless she or he has in writing requested the Bursar to address notices to her or him at some other address in the United Kingdom in which case notice is deemed to have been given to her or him if it is posted to her or him at that address.
3. If any question arises in regard to the interpretation of these Statutes or any of them it is decided by the Council. If the Council decides such a question, it must notify the Society and the Emeritus Fellows within fourteen days. There is a right of appeal to the Society if three or more Fellows dissent from the decision. There is a further right of appeal to the Visitor if three or more Fellows dissent from the decision of the Society and the Visitor may confirm, revise or reverse the decision of the Society.

In each case the appeal must be made within a period of three weeks of the resolution dissented from.

## **Statute XXVII**

### **The Repeal of Former Statutes**

1. These Statutes come into force on 1 October 2011 and on that day all Statutes of the College in force immediately before that day cease to have effect. It is the duty of the Bursar to provide a copy of the Statutes to all Fellows and Emeritus Fellows on that date and to every Fellow and Emeritus Fellow on her or his election thereafter.
2. Every person holding a Fellowship under the Statutes repealed by Section 1 of this Statute is to be regarded as having been elected to a Fellowship of Class A of Statute VII of these Statutes, unless her or his election under the Statutes repealed had been to a Fellowship:
  - (a) of Class i and she or he had not been elected on condition of her or his undertaking work on behalf of the College, or of Class iii, when she or he is to be regarded as having been elected to a Fellowship of Class B of Statute VII; or
  - (b) of Class iv when she or he is to be regarded as having been elected to a Fellowship of Class C of Statute VII.

## **Statute XXVIII**

### **Redundancy, Dismissal, Disciplinary and Grievance Procedures**

#### **Part 1: General**

##### **1. Application**

- (a) This Statute applies to:
  - (i) Fellows of Class A;
  - (ii) any other member of the College employed by it to carry out teaching or research as defined by Regulation; and
  - (iii) the Master, to the extent and in the manner set out in Part VII,and in this Statute all references to “academic staff” refer only to such persons.
- (b) A Fellow of Class C is not a person employed by the College to carry out teaching or research.
- (c) Nothing in any appointment made, or contract entered into, is to be construed as overriding or excluding any provision made by this Statute concerning a member of the academic staff; provided that this:
  - (i) does not affect the validity of any compromise agreement made under section 203 of the Employment Rights Act 1996, or any agreement or waiver of rights permitted by law generally; and
  - (ii) does not preclude any member of the academic staff agreeing to terminate her or his office or employment by the College on whatever terms may be agreed.
- (d) Parts II to V of this Statute do not apply to:
  - (i) the dismissal of a member of the academic staff from any secondary office or employment, provided that dismissal from a primary office or employment is not in contemplation, or
  - (ii) the dismissal of a member of the academic staff from a post which has duties of a limited nature.
- (e) The Council may prescribe by Regulation a procedure for dealing with removal from a secondary office or employment and removal from a post with duties of a limited nature, before its prescribed or normal termination date, which must include provision for a hearing and an appeal.

## 2. General principles of construction and application

- (a) This Statute and any Regulation made under this Statute must be applied and construed in every case to give effect to the following guiding principles:
  - (i) to ensure that members of the academic staff 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.
- (b) A reference to a statute or statutory provision is a reference to it as it is in force for the time being, taking account of any amendment, extension or re-enactment and includes any subordinate legislation for the time being in force made under it.

## 3. Dismissal

- (a) For the purposes of this Statute, 'dismiss' includes removal from a Fellowship; related expressions must be interpreted accordingly. In relation to employment under a contract, the terms must be construed in accordance with section 95 of the Employment Rights Act 1996.
- (b) A member of the academic staff may be dismissed if that dismissal is for a reason set out in section 98 of the Employment Rights Act 1996.
- (c) When dismissing a member of the academic staff the College must comply with the following provisions when dismissing for the reasons set out below:
  - (i) by reason of redundancy in accordance with Part II of this Statute;
  - (ii) for disciplinary or capability reasons in accordance with Part III of this Statute;
  - (iii) for incapacity on health grounds in accordance with Part IV of this Statute; and
  - (iv) on other grounds, including, but not limited to, retirement, the non-renewal of a fixed-term appointment or the non-confirmation of appointment at the end of an initial probationary period, in accordance with Part V of this Statute.

4. Hearing, appeal and grievance panels
  - (a) A panel established for the purposes of this Statute comprises three persons, none of whom have had any involvement with the matter that would make her or his participation as a member of the panel unfair.
  - (b) The Council may by Regulation provide rules for the conduct of panels. Such rules may make provision for a panel to continue its consideration of a matter notwithstanding a reduction in its membership.
  - (c) A panel established for the purposes of this Statute must conduct a hearing into the matter before it. At any hearing, the member of the academic staff concerned is entitled to be accompanied by a representative or another person of her or his choosing.
  - (d) A panel established for the purposes of this Statute must give a reasoned decision to the member of the academic staff concerned and to the Council.

## **Part II: Redundancy**

5. Application
  - (a) Nothing in this Part prejudices, alters or affects any rights, powers or duties of the College or apply in relation to a person unless:
    - (i) her or his appointment was made, or her or his contract of employment was entered into, on or after the twentieth day of November 1987; or
    - (ii) she or he was promoted on or after that date.
  - (b) For the purposes of this Section in relation to a person, a reference to an appointment made or a contract entered into on or after the twentieth day of November 1987 or to promotion on or after that date is to be construed in accordance with subsections (3) to (6) of section 204 of the Education Reform Act 1988.
6. Definition of 'redundancy'

For the purposes of this Statute dismissal is taken to be dismissal by reason of redundancy if the dismissal is wholly or mainly attributable to

- (a) the fact that the College has ceased or intends to cease to carry on the activity for the purposes of which the member of the academic staff was appointed or employed by the College, or

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

7. Procedure for dismissal by reason of redundancy

The Council must prescribe by Regulation a procedure for dismissing members of the academic staff on grounds of redundancy. The procedure must provide for an initial stage of consultation at the end of which the Council must resolve whether or not to proceed with a reduction of staff by reason of redundancy. The procedure must provide, after such resolution:

- (a) for a process which is fair and which allows each member of the academic staff concerned, having been informed of the selection criteria it is proposed to use, to make representations on her or his behalf; and
- (b) for giving each member of the academic staff dismissed under this Part notice of dismissal and for informing her or him of the reasons for it.

8. Appeal against dismissal by reason of redundancy

- (a) The procedure prescribed under Section 7 of this Statute must provide for an appeal to a panel by a member of the academic staff who has been given notice of dismissal under this Part.
- (b) The appeal panel is entitled to review all aspects of the matter other than the resolution of the Council to proceed with a reduction of staff by reason of redundancy.
- (c) The appeal panel has power to reach a final decision on the appeal, or to remit the matter back for further consideration.

**Part III: Disciplinary Procedures**

9. Grounds for disciplinary action

- (a) For the purposes of this Statute, disciplinary action means action taken by the College for a reason which is related to the conduct or capability or qualifications for performing work of the kind which the member of the academic staff was appointed or employed to do. Without prejudice to the generality of the foregoing, this may include but is not limited to action taken by the College for the following matters:

- (i) conviction for an offence such as to render the person convicted unfit for the performance of her or his duties as a member of the academic staff;
  - (ii) conduct incompatible with those duties;
  - (iii) conduct constituting failure or persistent refusal or neglect or inability to perform those duties or comply with the conditions attaching to them, or
  - (iv) physical or mental incapacity.
- (b) In this Section:
- (i) ‘capability’ means capability assessed by reference to skill, aptitude, health, or any other physical or mental quality; and
  - (ii) ‘qualifications’ means any degree, diploma, or other academic, technical, or professional qualification relevant to the duties of the member of the academic staff.

#### 10. Disciplinary procedures

- (a) The Council must prescribe by Regulation a disciplinary procedure for taking disciplinary action (“the disciplinary procedure”) against members of the academic staff which provides for less serious matters to be dealt with by warnings following a procedure which is fair and which provides for a right of appeal against any warning.
- (b) The disciplinary procedure must provide for more serious matters to be dealt with in a way which includes provision for
  - (i) fair and reasonable time limits for each stage;
  - (ii) the investigation of complaints and the dismissal of those found to be without substance;
  - (iii) suspension on full pay pending an investigation or hearing where that is necessary;
  - (iv) a hearing by a panel, at which the member of the academic staff against whom the complaint has been made, having previously had notice of the complaint, is entitled to be present, to hear the evidence, to call relevant witnesses, and to examine and cross-examine witnesses;
  - (v) the dismissal by the panel of any complaint found to be without substance;
  - (vi) if the panel is so minded, the dismissal by them without penalty of a complaint found to be of substance; and

- (vii) the imposition by the panel of an appropriate penalty or penalties, including a warning, dismissal (with or without notice) or removal from any secondary office or employment.

## 11. Appeals

- (a) A member of the academic staff has a right of appeal against the finding of, or penalty imposed by, a panel constituted under Section 10 of this Statute.
- (b) Such an appeal must be to a fresh panel, having no common membership with the panel which first heard the matter. It must include a hearing by the appeal panel, but that hearing may not take the form of a re-hearing of the evidence, and evidence may only be heard as the appeal panel may determine in accordance with any Regulation made under this Statute.
- (c) In determining an appeal, an appeal panel may substitute for the decision of the panel first hearing the matter any decision that that panel might have made.
- (d) A dismissal of a member of the academic staff by the panel first hearing a matter is effective notwithstanding any appeal against such dismissal, unless either that panel, in giving their decision, or an appeal panel thereafter determines otherwise (subject to such conditions as the respective panel may impose).
- (e) A dismissal or notice of dismissal may be cancelled, withdrawn or modified if an appeal panel decides that the member of the academic staff should not be dismissed or should only be dismissed with notice. The cancellation of a dismissal reinstates the member of the academic staff as if no dismissal had occurred.

## 12. Relationship with Part IV

The Council may by Regulation provide for dealing with a case in progress under this Part where it appears that the conduct or capability of the member of the academic staff concerned may be attributable, wholly or in part, to a medical condition, but any proceedings under this Part are valid notwithstanding that they might have been brought under Part IV of this Statute, and a member of the academic staff may be subject to proceedings and to a penalty, including dismissal, under this Part notwithstanding the fact that her or his conduct or capability may have been attributable, wholly or in part, to a medical condition.

## **Part IV: Incapacity on Health Grounds**

### 13. Dismissal on health grounds

- (a) In this Part references to health grounds are references to capability assessed by reference to health or any other physical or mental quality.
- (b) The Council must prescribe by Regulation a procedure for assessing incapacity on health grounds and for taking appropriate action in relation thereto, which may include dismissal.
- (c) That procedure must include a hearing by a panel and a right of appeal to a fresh panel. Each panel hearing the matter at first instance must include a medically qualified person.

## **Part V: Other Dismissals**

### 14. Non-renewal of a fixed-term appointment

- (a) The Council must prescribe by Regulation a procedure, including appropriate consultation, for a review in each case where a member of the academic staff has been appointed for a fixed term and that fixed term is due to expire. The review must decide whether the Fellowship, office or employment should be allowed to expire without renewal, or should be renewed for a further fixed-term, or should be extended to the College retiring age.
- (b) The review may encompass matters which, in other circumstances, might fall to be dealt with under Parts II, III or IV of this Statute.
- (c) A decision that a Fellowship, office or employment should be allowed to terminate without renewal may not be made unless it is judged to be inexpedient or undesirable to renew or extend the Fellowship, office or employment by reason of one or more of the following considerations:
  - (i) the availability of funding for the Fellowship, office or employment, or the financial situation of the College;
  - (ii) the performance of the member of the academic staff concerned (having regard to any warnings and advice relating to performance that she or he may have been given);
  - (iii) the absence of a need for the office or employment or for the performance of the duties of the Fellowship, office or employment;

- (iv) the nature and character of the Fellowship, office or employment; and
  - (v) the desirability of making the Fellowship, office or employment permanent and filling it through open competition.
- (d) The procedure under this Section must provide that, where it has been decided under subsection (a) of this Section that a Fellowship, office or employment should be allowed to terminate without renewal, the member of the academic staff must be notified of the reasons for that decision, and must be afforded a further review of the matter.

#### 15. Probationary appointments

- (a) The Council must prescribe by Regulation a procedure, including appropriate consultation, for a review in each case where a member of the academic staff has been appointed for an initial probationary period and that period is coming to an end. The review must decide whether the appointment should be confirmed, whether the initial probationary period should be extended, or whether the member of the academic staff should be dismissed at the end of the probationary period.
- (b) The review may encompass matters which, in other circumstances, might be dealt with under Parts II, III or IV of this Statute.
- (c) The procedure under this section must provide that, where it has been decided under subsection (a) of this section that dismissal should take place at the end of a probationary period, the member of the academic staff must be notified of the reasons for that decision, and must be afforded a further review of the matter.

#### 16. Dismissal on other grounds

The Council must prescribe by Regulation one or more procedures for dealing with dismissal on any other ground than those covered by Parts II, III, IV and V of this Statute. The procedure will normally include the right to a hearing by a panel and a right of appeal to a fresh panel.

### **Part VI: Grievance Procedure**

#### 17. Grievance Procedure

- (a) The Council must prescribe by Regulation a procedure for the settlement or redress of the grievances of members of the academic staff which concern their Fellowships or employments, whether related to matters affecting themselves as individuals or to matters

affecting their dealings or relationships with other Members or employees of the College, not being matters for which express provision is made elsewhere in the Statutes.

- (b) The grievance procedure must provide that consideration of a grievance may be deferred if other proceedings under this Statute relevant to the grievance are pending or in progress.
- (c) The grievance procedure must provide for the fair and speedy resolution of grievances, informally wherever possible, and must provide for the person aggrieved to be allowed assistance by an appropriate person at any hearing.
- (d) The grievance procedure must provide for a member of the academic staff who is dissatisfied with the outcome of a complaint to be heard by a panel, unless the complaint has been judged, in accordance with the procedure, as trivial, vexatious or outside the scope of the procedure.

#### **Part VII: Removal of the Master from Office and Dismissal from Employment**

- 18. (a) The Council must prescribe by Regulation a procedure for the removal of the Master from office which provides for:
  - (i) the initial consideration by the Council (exclusive of the Master and the complainant Fellows) of a complaint by any three or more Fellows seeking the dismissal or removal of the Master from office on any ground specified in section 9 of this Statute;
  - (ii) the dismissal by the Council of such complaint if it is of the view that it is not supported by sufficient evidence for removal from office;
  - (iii) otherwise, the appointment by the Council of a panel to hear and determine the matter, which panel must comprise three persons who are not Fellows and are not employed by the College, one of whom holds, or has held, judicial office, or who is a barrister or solicitor of at least ten years' standing, that person to be chairman of the panel;
  - (iv) the removal of the Master from office if the panel decide that there is sufficient reason for such removal; and
  - (v) a right of appeal against a decision of removal from office.
- (b) The Regulations must also provide that any proceedings for removal of the Master for incapacity on health grounds must be conducted in accordance with the Regulations made pursuant to Part IV, provided

that the President performs any duty or exercise any power there assigned to the Master.