

*At the Court at Buckingham Palace*

**THE 7<sup>th</sup> DAY OF FEBRUARY 1989**

**PRESENT,**

**THE QUEEN'S MOST EXCELLENT MAJESTY  
IN COUNCIL**

**WHEREAS** the Governing Body of Selwyn College, in the University of Cambridge, did under the provisions of the Universities of Oxford and Cambridge Act 1923, on the 31<sup>st</sup> day of May 1988 make new College Statutes, as set out in the Schedule to this Order:

**AND WHEREAS** the said Statutes have been submitted to Her Majesty in Council and notice of their having been so submitted has been published in the London Gazette, and the said Statutes have also been laid before both Houses of Parliament in accordance with the directions contained in the said Act and no Petition or Address against the same has been presented:

**NOW, THEREFORE**, Her Majesty, having taken the said Statutes into consideration, is pleased by and with the advice of Her Privy Council, to declare, and doth hereby declare Her approval of the same.

*G.I. de Deney*

And further

*At the Court at Buckingham Palace*

**THE 26<sup>th</sup> DAY OF JULY 1995**

**PRESENT,**

**THE QUEEN'S MOST EXCELLENT MAJESTY  
IN COUNCIL**

**WHEREAS** the University Commissioners, in exercise of the powers conferred on them by section 204 of the Education Reform Act 1988 (a), and having undertaken consultations as required by section 206 of the said Act, have duly made modifications, as set out in the Schedule to this Order, to the Statutes of Selwyn College, Cambridge.

**AND WHEREAS** the said modifications have been submitted to Her Majesty in Council for approval:

**NOW, THEREFORE**, Her Majesty, having taken the said modifications into consideration, is pleased, by virtue and in exercise of powers conferred by the said section 204 or otherwise in Her Majesty vested, by and with the advice of Her Privy Council, to approve the same.

*N.N. Nicholls*  
*Clerk to the Privy Council*

## SCHEDULE

### STATUTES

1. The name ~~and corporate title~~ of the College:
  1. — ~~The Objects~~ The Visitor.
2. ~~The Members~~ of the College:
  3. The Visitor
  4. The members of the College
3. ~~5.~~ The Governing Body:
  4. ~~6.~~ The College Council
  5. ~~7.~~ The powers and functions of the Council and the Governing Body ~~and the College Council~~.
  6. ~~8.~~ The College Meeting:
    2. — ~~The election of the Head of House~~.
7. ~~9.~~ The Head of House:
  3. — ~~The removal of the Head of House~~.
8. ~~10.~~ The Deputy Head of House:
9. ~~11.~~ The election of Governing Body Fellows:
10. ~~12.~~ The removal of Emeritus Fellows:
  4. — ~~The admission of a Fellow elect~~.
  5. — ~~The Fellows~~
  6. — ~~The rights and privileges of the Fellows~~.
11. ~~13.~~ Honorary Fellows:
  7. — ~~Visiting Fellows~~.
14. The Fellow Benefactors
12. ~~15.~~ The Scholars and Exhibitioners:
13. ~~16.~~ The Officers of the College:
  8. — ~~Superannuation schemes~~.
  9. — ~~The Senior Tutor and the Tutors~~.
  10. — ~~The Dean~~.
14. ~~17.~~ The Board of Discipline:
15. ~~18.~~ The College Chapel:
16. ~~19.~~ The Dean of Chapel:
  11. — ~~The Chaplain~~.
  12. — ~~The Bursar~~.
17. ~~20.~~ The admission of students:
18. ~~21.~~ The investment and application of capital ~~moneys~~ monies
19. ~~22.~~ The accounts and audit:
20. ~~23.~~ The power to accept endowments:
21. ~~24.~~ Leave of absence:
22. ~~25.~~ The ~~common seal~~ Common Seal
  13. — ~~The conduct of meetings~~.
26. Meetings
23. ~~27.~~ Changes of Statute:
24. ~~28.~~ The interpretation of these Statutes:
25. ~~29.~~ The Statutes Committee:
26. ~~30.~~ Contraventions of ~~the~~ these Statutes:
27. ~~31.~~ The date of these Statutes; the repeal of previous Statutes; the Charter; transitional provisions:

14.—Academic Staff

Part I—Construction and Interpretation

Part II—Redundancy

Part III—Discipline, Dismissal and Removal from Office

Part IV—Removal for Incapacity on Medical Grounds Part

V—Appeals

Part VI—Grievance Procedures

Part VII—Removal of the Head of House from Office

STATUTES TO REVISE THE ~~STATUTE~~STATUTES OF SELWYN COLLEGE IN THE UNIVERSITY OF CAMBRIDGE, WHICH AMENDING STATUTES HAVING BEEN DULY MADE AT A MEETING OF THE GOVERNING BODY OF THE SAID COLLEGE, SPECIALLY SUMMONED FOR THE PURPOSE AND HELD ON THE THIRTY FIRST DAY OF MAY, 1988, AND PASSED AT SUCH MEETING BY THE VOTES OF NOT LESS THAN TWO-THIRDS OF THE NUMBER OF PERSONS PRESENT AND VOTING, AND NOTICE THEREOF HAVING BEEN GIVEN TO THE UNIVERSITY, ARE NOW SUBMITTED FOR THE APPROVAL OF HER MAJESTY IN COUNCIL.

We, the Governing Body of Selwyn College in the University of Cambridge, do hereby, in pursuance of the power vested in us by section 7(2) of the Universities of Oxford and Cambridge Act, 1923, revise and amend the Statutes of the said College in the manner following, that is to say:-

## **PREAMBLE**

Selwyn College was founded in 1882 in memory of George Augustus Selwyn, Bishop successively of New Zealand and of Lichfield, on land in the parish of St. Giles, purchased from the Master, Fellows and Scholars of Corpus Christi College, with the object of providing a University education for young men in a College in Cambridge conducted in accordance with the principles of the Church of England.

It was incorporated by Royal Charter dated 13 September 1882 under the name of the Master and Council of Selwyn College. The Charter of Incorporation provided that the said Master and Council should have full power from time to time, with the consent of the Visitor of the College, to make and also to alter or vary statutes termed "Charter Statutes" touching all matters whatsoever relating to the College, so as such statutes should not be repugnant to the laws of the Realm, or the general design and spirit of the foundation of the said College. The Charter of Incorporation further provided that all such statutes, when reduced into writing, and after the Common Seal of the College should have been affixed thereto, should be binding upon all persons thereof. The Charter of Incorporation and the power of making "Charter Statutes" thereunder were modified by statutes made by the University of Cambridge Commissioners dated 26 March 1926, under the provisions of the Universities of Oxford and Cambridge Act 1923, which statutes were termed "Privy Council Statutes" and made subject to alteration from time to time in accordance with the eleventh of the said statutes.

Under the Universities of Oxford and Cambridge Act 1923, the Governing Body of a College has power to alter the statutes of a College. The Selwyn College Cambridge Act 1988, which was enacted on 15 March 1988, amends the Universities of Oxford and Cambridge Act 1923, so as to provide that the Governing Body of Selwyn College for the purpose of altering the statutes is the Head and all Fellows, not the Master and Council as originally provided for, and makes further provision for the government of the College.

The Charter of Incorporation and the Privy Council Statutes as heretofore altered have been further amended by these statutes, which were approved by Her Majesty in Council on 7th February 1989 (hereinafter called the "date of operation").

## STATUTE 1

### **Of the ~~Name and Corporate Title~~name of the College**

The ~~name of the~~ corporation created by the Royal Charter ~~of Incorporation~~ dated 13 September 1882 shall ~~continue to be called Selwyn College Cambridge. Its corporate title shall henceforth be~~ “The Head, Fellows and Scholars of Selwyn College”. ~~It shall also be known as “Selwyn College Cambridge”.~~

## STATUTE 2

### **Of the Objects of the College**

~~The College’s Objects are, for the benefit of the public, to provide a college in the University of Cambridge as a place of education, religion, learning and research. The College has power to do anything which is permitted in law and is in accordance with these Statutes, and which is calculated to further its Objects or is conducive or incidental to doing so.~~

## STATUTE 3

### **Of the Visitor**

The Visitor of the College shall be the Archbishop of Canterbury. The Visitor shall have ~~final jurisdiction over the internal affairs of the College, including the interpretation, enforcement only those powers, duties and application of the Charter, the functions which are expressly conferred on him or her by these Statutes and any Rules or by Regulations made under them.~~

## STATUTE 3

### **Of the Members of the College**

~~The members of the College shall be the Head of House, the Fellows, the scholars, those students in residence who have been admitted under Statute 29, and such other persons as the College Council shall by Regulation determine.~~

## STATUTE 4

### **Of the members of the College**

~~The members of the College shall be the Head of House, the Fellows, the Scholars, those students who have been admitted under Statute 20, and such other persons as may be determined by Regulations. For the purposes of these Statutes, the Fellows of the College shall be the Governing Body Fellows (as defined in Statute 11) and the Emeritus Fellows (as defined in Statute 12).~~

## STATUTE 5

### **Of the Governing Body**

1. Subject to Statute ~~33~~24 on leave of absence, the Governing Body shall consist of:

(a) the Head of House;

(b) all Governing Body Fellows ~~holding under any of the Titles A, B, C; and D, and three~~  
(c) four junior members;

except that for the transaction of reserved business (as defined in Statute ~~35~~26(5)) the Governing Body shall consist of the Head of House and all Governing Body Fellows ~~holding under Titles A, B, C and D~~ only.

2. ~~The junior members referred to in section 1 shall be the President and Treasurer of the Middle Combination Room, and the President and Treasurer of the Junior Combination Room.~~

~~3.~~ For the purpose of making and amending the ~~statutes~~Statutes of the College the Governing Body shall be constituted as required by the Oxford and Cambridge Act 1923 (as amended by the Selwyn College Cambridge Act 1988), or such other legislation as is currently in force.

~~1. The junior members referred to in section 1. shall be the President of the Middle Combination Room, and the President and Treasurer of the Junior Combination Room. The President of the Middle Combination Room shall be a resident student member of the College, and the President and Treasurer of the Junior Combination Room shall be resident student members of the College who are undergraduates.~~

~~2. For the purpose of electing Junior Members of the Governing Body, the Middle~~

~~Combination Room shall consist of those resident student members of the College who have Ordinary or Honours Degrees or are affiliated students, excluding Fellows of the College, and the Junior Combination Room shall consist of all other resident student members. The election of Junior Members of the Governing Body shall take place according to a system approved by the Governing Body.~~

~~3. The Head of House may invite any person to be present at any meeting of the Governing Body but without vote.~~

~~2.4. A meeting~~Meetings of the Governing Body shall be held at such intervals as the ~~Governing Body~~Council shall ~~by Regulation~~ determine, provided that:

- (a) there shall ~~always~~ be at least one meeting ~~in every Michaelmas Term for the election of the College Council, of the Governing Body in each University term;~~
- (b) the Head of House shall summon a meeting whenever requested to do so by ~~any six members~~a minimum of ten percent of the Governing Body, ~~Fellows; and~~
- (c) the Head of House may summon a meeting whenever there is sufficient business.

~~3.5. Except where these statutes otherwise provide, The quorum for meetings of the Governing Body shall be competent to transact a minimum of half its business if there are present at least ten members, but not otherwise. For the purposes of calculating the quorum, Statute 26(7) will be applied in respect of those members on leave of absence.~~

~~4.6. The Governing Body shall elect one of its members to be Secretary. The Secretary shall serve for such period as is specified at the time of his or her election or re-election, but in any event shall cease to hold office on ceasing to be a member of the Governing Body. The Secretary shall receive such emoluments as the College Council~~Remuneration Committee shall from time to time determine.

~~7. The conduct of meetings of the Governing Body shall be as set out in Regulations.~~

## STATUTE 6

### STATUTE 5

#### **Of the ~~College Council~~**

~~1. The College Council shall consist of:~~

- ~~(a) the Head of House;~~
- ~~(b) the Deputy, Head of House;~~
- ~~(c) the Senior Tutor ~~and~~;~~
- ~~(d) the Bursar;~~
- ~~(e) eight Governing Body Fellows elected by the Governing Body Fellows in accordance with Regulations; and~~
- ~~(f) four junior members;~~

~~except that for the transaction of reserved business (as defined in Statute 26(5)) the Council shall consist of the members of the Council in categories (a) to (e) above only, being the senior members of the Governing Body elected by the Council.~~

~~2. The senior members of the Governing Body in accordance with Council shall be the charity trustees of the College as defined by section 2 of this statute; and (except for the conduct of reserved business as defined in Statute 35) the three 177 of the Charities Act 2011, or as from time to time amended or replaced with legislative provision to similar effect.~~

~~3. The junior members referred to in Statute 4(3) section 1 shall be the President and Treasurer of the Middle Combination Room, and the President and Treasurer of the Junior Combination Room.~~

~~1. (a) Not later than the Division The term of the Michaelmas Term the Head office of House shall invite senior members of the Governing Body to make nominations for the College elected Council.~~

~~(b) A candidate may be nominated and seconded by other members of the Governing Body, provided he or she consents to stand. Alternatively, a member of the Governing Body may nominate himself or herself by notifying the Head of House that he or she wishes to be a candidate. To be valid a nomination must be received by the Head not later than seven days before the election, except where they are elected to fill a casual vacancy, in which case they shall serve from the date on which the casual vacancy takes effect and until the end of the term of all nominations.~~

~~(c) If the number of nominations exceeds the number of vacancies the election shall take place according to a system laid down in Regulations by the Governing Body; provided that it shall always be by secret ballot, and no Fellow shall be entitled to cast more votes than any other.~~

4. which they have been elected. Members elected to the ~~College~~ Council shall take office on the first day of January following their election ~~and shall hold office for four years~~, except where they are elected to fill a casual vacancy, in which case they shall serve from the date on which the casual vacancy takes effect.

5. Elected members of the Council may be elected for a maximum of two consecutive terms of office of four years, such that the maximum consecutive period of service is two full terms of four years each, plus any preceding contiguous period resulting from serving to fill a casual vacancy. A period of two years must elapse after two consecutive full terms as an elected member of the Council before that individual is eligible for re-election. A member of the Governing Body shall be eligible for election to the Council notwithstanding that his or her membership of the Governing Body is due to expire before the expiry of the relevant Council term of office. If elected, he or she shall serve until the date on which his or her membership of the Governing Body expires.

~~(a) An~~ The Governing Body shall have power by Regulation to fix the period (if any) which must elapse between the end of one period of service as an elected member of the College Council and the beginning of the next ~~election.~~

~~(d) If an elected member of the College Council shall~~

~~(i) — become an ex officio member; or~~

~~5.6. of the Council shall cease to be a member of the Governing Body; or~~ Council if:

~~take~~

~~(a) he or she is disqualified from acting as a charity trustee;~~

~~(b) he or she ceases to be a Governing Body Fellow;~~

~~(b)(c) he or she takes a leave of absence for in accordance with Statute 24 of more than a single University Term;~~

~~(d) he or she is absent without permission from three consecutive meetings of the Council;~~

~~(e) he or she gives notice in writing to the College that he or she wishes to resign as a member of the Council, in which case he or she ceases to be a member of the Council from the effective date of such resignation; or~~

~~(f) the Governing Body determines that he or she is not discharging the duties of a charity trustee, such a determination to be made only after due consideration and provided that the member concerned must be permitted to make representations to the Governing Body in relation to such removal.~~

7. If one or more of the eight elected members of the Council ceases to be a member by virtue of one of section 6(a) to (f) above, an election shall be held according to the procedure set out in Regulations, except that the election shall be held forthwith. Where the Council member or members has or have been removed from office under section 6(f) above, then he, she or they shall not be eligible to stand for re-election.

When

~~he or she will~~ elected members of the Council take a leave of absence of more than a single University term their membership of Council shall cease to be an elected member of the College Council in accordance with section 6(c) above, and an election shall be held according to the procedure set out in paragraphs (b) and

~~7.8.~~ (e) of this Statute Regulations to fill any casual vacancy so occurring. In other cases, the Council shall replace them by temporarily co-opting other Governing Body Fellows. When ex-officio members of the College Council take leave of absence for one or more Terms, and when elected members take leave of absence for a single Term of any period, the College Council shall replace them temporarily by co-opting other senior members of the Governing Body person undertaking the ex-officio member's duties during the period of leave. Persons co-opted under this provision these provisions shall be in the same position as elected members for as long as they are co-opted.

~~(e) A member of the Governing Body shall be eligible for election to the Council notwithstanding that his or her Fellowship is due to expire within four years of the date upon which he or she would take office if elected.~~

~~(f) The first election to the College Council shall take place as soon as is practicable after these statutes come into force. Two of the members elected on this occasion shall serve for four years, two for three years, two for two years, and two for one year. After their election, the candidates shall draw lots among themselves to decide who shall serve for what period. Paragraph (e) above shall apply to all the members who are so elected to serve for two years or more, but not to those who are so elected to serve for one year only.~~

~~8.9.~~ A meeting of the College Council shall be summoned by the Head of House whenever he or she considers that there is sufficient business, or whenever any four members of the Council (of whom at least one must be a charity trustee of the College) so request, or whenever any six members of the Governing Body so request under Statute 6(6); provided that there shall be at least three meetings each Term University term and not less no fewer than two in the Long Vacation.

~~9.10.~~ Save as provided otherwise by these Statutes The quorum for meetings of the College Council shall be competent to transact a minimum of two-thirds of its business if there are present at least eight senior members, but not otherwise who are charity trustees of the College.

~~10.11.~~ The College Council shall elect a Governing Body Fellow to be Secretary who shall. The Secretary shall serve for such period as is specified at the time of his or her election or re-election, but in any event shall cease to hold office for such period as it shall specify on ceasing to be a member of the Governing Body. The Secretary shall perform such duties and receive such emoluments as the Council Remuneration Committee shall from time to time determine. The Secretary may be, but need not be, a member of the Council. If he or she is not a member of the Council, the Secretary shall not have a vote.

~~11.12.~~ Subject to the sections of Statute 35(8) (personal interest); 26 on conflict of interests, any Fellow who is a member of the Governing Body Fellow shall have the right to attend meetings of the Council, but without the right to speak or vote and provided that such rights of attendance do not extend to those parts of meetings at which reserved business is to be discussed.

13. The conduct of meetings of the Council shall be as set out in Regulations.

## STATUTE 7

~~2. The College Council may co-opt any member of the Governing Body for a particular purpose. That member shall have the right to speak, but not (except provided by Statute 12(7) on the election of Fellows) to vote.~~

## STATUTE 6

**Of the powers and functions of the Governing Body Council and the College Council**  
~~The Governing Body~~

1. The Council may exercise any of the powers vested in the College by law, and shall ~~have~~ be responsible for the general control and management of the College as a place of ~~religion~~, education, religion, learning and research, except:-;

(a) in so far as these Statutes grant powers and impose duties upon ~~the College or upon other~~ bodies or persons; and

(i) ~~in so far as the Governing Body shall delegate its powers and duties are reserved to the College Council.~~

(b) ~~The Governing Body may delegate to the College Council its powers and duties over general categories of business by making Regulations, when such powers and duties shall be exercisable by the Council and not by the Governing Body for (whether under these Statutes or otherwise) as long as the Regulations remain in force. The Governing Body may also delegate specific items of business to the Council from time to time, provided that the following matters shall not be delegated: the ultimate authority in the government of the College.~~

(ii) ~~making regulations for elections to the College Council (Statute 5);~~

(iii) ~~election and removal of the Deputy Head of House (Statute 11);~~

(ii) ~~removal of Fellows (Statute 13);~~

(iii) ~~election and removal of Honorary Fellows (Statute 17);~~

(iv) ~~the changing and interpretation of Statutes (Statutes 36 and 37).~~

2. ~~The College Council shall have such powers and duties as are conferred upon it by these Statutes, together with such of the powers and duties of the Governing Body as the Governing Body shall delegate to it.~~

2. ~~The Governing Body and the College~~ The Council shall have power to delegate any matter over which it has jurisdiction to a committee. In the case of the College Council, this power shall include the power to sub-delegate business delegated to it by the Governing Body. In either case, the committee may include persons who are not members of the parent body, provided that all such committees of the Council shall include at least one senior member of the Council. The terms of reference of committees shall be set out in Regulations.

3. ~~The Governing Body and There shall be a Remuneration Committee of the College Council shall have power to make Regulations for the purpose of ordering their own procedure and for the management. The majority of the College generally.~~

4. ~~The Head of House shall call a special meeting of the Council if any six members of the Remuneration Committee, and a majority of the members present and voting at meetings, shall be independent of the Governing Body. The Remuneration Committee shall be empowered to make binding decisions on the remuneration and emoluments of the Master and Governing Body request this by written notice. Any six members of the Fellows, except that the initial remuneration and emoluments of the Master and Governing Body may require the Council to consider a specific item of business at such a meeting, or Fellows at an ordinary meeting, by giving written notice to the Head of House. Such right selection shall not prejudice any other rights of members of be determined by the Governing Body to make representations to Remuneration Committee, and except that the Council which are conferred by these Statutes or by Regulations.~~

may reduce

5. ~~The Governing Body shall be entitled at any meeting:~~

(i) ~~to pass resolutions criticising the College Council for its handling of any matter;~~

(ii) ~~to withdraw its delegation of any matter or class of matter of Governing~~

~~Body business from remuneration decisions of the College Council;~~

~~(iii) — at a special meeting called under Statute 4(6)(ii) it shall in addition be entitled to remove from office the eight elected senior members of the Council.~~

Remuneration Committee,

~~6. If the eight elected senior members of the Council are so removed there shall be a fresh election. Statute 5(2) shall govern the election, except that the election shall be held forthwith, and the Council members who were removed from office shall~~

~~be eligible to stand for re election, and those who are elected shall take office immediately and shall serve for periods laid down in Statute 5(2)(i).~~

3. ~~If a special meeting of the Governing Body is called to discuss the College Council's handling of any particular matter, the College Council shall not proceed further in that matter until that meeting has been held; but no decision at such a meeting shall render invalid any decision which the College Council had validly made before that meeting was called not increase them.~~

4. The ~~College~~ Council shall not:

- ~~(a) sell or purchase any land;~~
- ~~(b) embark on any scheme of capital expenditure beyond any financial limit laid down from time to time in Regulations by the Governing Body;~~
- ~~(c) make any gift or grant; or~~
- ~~(d) borrow money (whether or not on a secured basis).~~

~~(i) — in each case in excess of any financial limit laid down from time to time in Regulations by the Governing Body,~~

~~without having given at least twenty eight days' two weeks' notice to the Governing Body, provided that no. Any failure to observe this section of this Statute shall not render any transaction invalid as against any person who does not know of it and who deals with the College Council in good faith.~~

5. ~~The Council shall have power to make and amend Regulations for the purpose of ordering their own procedure, the procedure of the Governing Body, and for the management of the College, provided that any new Regulations and amendments to existing Regulations for the purpose of ordering the procedure of the Council, or the procedure of the Governing Body, are also approved by a resolution passed by a simple majority of those members of the Governing Body present and entitled to vote at a meeting of the Governing Body. In the event of any doubt as to whether a Regulation is concerned with Council ordering their own procedure, ordering the procedure of the Governing Body, or for the management of the College, the final decision on this will be taken by the Governing Body.~~

6. ~~The following matters are reserved to the Governing Body in accordance with these Statutes:~~

- ~~(a) making Regulations for elections to the Council (Statute 6);~~
- ~~(b) election and removal of members of the Council (Statute 6);~~
- ~~(c) election, terms and conditions and removal of the Head of House (Statute 9);~~
- ~~(d) election and removal of the Deputy Head of House (Statute 10);~~
- ~~(e) removal of Governing Body Fellows (Statute 11);~~
- ~~(f) removal of Emeritus Fellows (Statute 12);~~
- ~~(g) election and removal of Honorary Fellows (Statute 13);~~
- ~~(h) election and removal of Fellow Benefactors (Statute 14);~~
- ~~(i) the changing, interpretation and contravention of Statutes (Statutes 27, 28 and 30).~~

7. ~~The Governing Body shall be entitled to pass resolutions requesting the Council to take or refrain from taking certain action.~~

## **STATUTE 8**

## **STATUTE 7**

### **Of the College Meeting**

- ~~1. At a convenient date in each year, the Head of House shall invite all Governing Body and Emeritus Fellows to a College Meeting to receive the report of the Auditors of the plate and of the pictures, The conduct and of such other property as the Governing Body may have directed particular record to be kept, and to pass the Combination Room Accounts. The same Meeting shall nominate to the Governing Body two Auditors of the plate and common goods, and appoint business of a Secretary of the Combination Room, for the ensuing year.~~

~~The Head of House may, with the consent of the Governing Body, summon the College Meeting at other times to discuss such amenities of the College as concern all Fellows, shall be as set out in Regulations.~~

## STATUTE 9 Of the Head of House

- ~~2. No resolution shall be put at a College Meeting unless notice thereof has been given to the Fellows at least three days before the meeting.~~
- ~~3. Neither the Governing Body nor the College Council shall be bound to accept nominations or recommendations made by the College Meeting.~~
- ~~4. The Head may invite any College Officer who is not a Fellow to be present without vote at a College Meeting.~~

## STATUTE 8

### Of the Election of the Head of House

1. The Head of House shall be elected by the Governing Body Fellows ~~under Titles A, B, C and D,~~ (hereinafter referred to as “the electors<sup>22</sup>”), which shall include those electors on leave of absence in accordance with Statute 24.
2. They shall elect that person whom they believe most suitable to exercise the functions of the Head of the College as a place of ~~religion,~~ education, religion, learning and research, and whom they believe will respect the Anglican tradition of the College.
3. The convenor of the electors shall be the Deputy Head of House, unless he or she is unable or unwilling in which case it shall be the most senior elector of the electors present who is able and willing to act. The Deputy Head of House shall also be the chairman chair of the electors, unless he or she is unable or unwilling, or is or becomes a candidate for the office, in which case the electors shall choose one of their number who is not a candidate to act as chairman chair.
4. The quorum for a meeting of the electors shall be two-thirds of the electors, except that for the purposes of calculating the quorum, Statute 26(7) shall be applied in respect of those electors on leave of absence.
5. Where the date of the ~~Head's~~ Head of House's retirement is known, or when the Head of House has announced in advance the date ~~of~~ his or her resignation in advance shall take effect, a successor shall, if possible, be pre-elected.
6. In such a case, the convenor shall call a preliminary meeting of the electors, to be held on a date not earlier than twelve months before the date on which the retirement or resignation of the present Head of House will ~~resign or retire~~ take effect, and of which at least fourteen days' notice shall be given. The purpose of the preliminary meeting shall be to fix a date for a further meeting, the “election meeting<sup>22</sup>” to elect a Head of House. In order to achieve its purpose, the preliminary meeting may be adjourned to dates agreed by the electors as often as is necessary, and the date of the election meeting may be fixed at any adjourned session.
7. If the Headship falls vacant at a time when the process of electing a successor has not yet begun, a preliminary meeting of the electors shall be held under the rules laid down in the previous section of this Statute, except that the minimum period of notice for such a meeting shall be seven days instead of fourteen, subject to which the meeting may be held on any convenient date.
8. The date for the election meeting shall be not less than fourteen days nor more than thirty days from the date upon which the date of the election meeting is decided. Notice of the election meeting shall be given to all electors.
9. Any two electors present at the election meeting may nominate a person for election as Head of House, provided they have first obtained his or her consent. No person shall be elected without having received the votes of two-thirds of the electors present. Voting shall be by ballot. The chairman chair and the most senior of the other electors present, not being a candidate for election, shall count the votes; and if any

person shall obtain the requisite number of votes, the ~~chairman~~ shall thereupon declare him or her to be Head-elect.

10. If, at an election meeting, no candidate secures enough votes to be elected, the meeting shall be adjourned after fixing a date for a meeting not less than seven days later. Notice of the adjourned election meeting shall be given to all electors.

11. The process set out at section 9 shall be followed at the adjourned election meeting and at any further adjournments until a candidate has secured the requisite majority.

- ~~11.~~12. If, after the office of Head of House has been vacant for twelve months, no person has been elected, the power of the electors to fill that vacancy shall cease and the power to appoint shall ~~develop~~ devolve upon the Visitor. But where an election is made and then becomes void under ~~Section 14~~ section 15 of this Statute, the power to appoint shall not be transferred to the Visitor until twelve months from when the election became void, if that is later.

~~1.~~—The ~~chairman~~ of the electors shall inform the Head-elect of his or her election, and if he or she accepts the office, notice of the election and acceptance shall forthwith be certified to the Visitor under the seal of the College. The Visitor, by himself or a deputy appointed by him, shall then admit the Head-elect to the office as soon as possible. In the case of a pre-election, this shall be done as soon as possible after the retirement or resignation of the previous Head of House has ~~retired or resigned~~ taken effect. The Head-

~~12.13.~~ 13. ~~of House-~~elect shall not enter upon the duties or enjoy the emoluments of office before being duly admitted.

~~13.14.~~ 14. A person elected or appointed to be Head of House shall be admitted in the College Chapel, after having read aloud and signed in the presence of such Fellows as may attend, the following declaration:

*"I A.B., elected (or appointed) Master ~~(or Mistress)~~ of Selwyn College declare that I will faithfully perform the duties of the office, observe the Statutes and Regulations of the College, respect the Anglican tradition of the College, and in all things endeavour to promote the honour and well-being of the College as a place of ~~religion,~~ education, religion, learning and research."*

~~14.15.~~ 15. The election of a Head-elect shall become void if, before admission, he or she declines the office, or retracts acceptance having accepted, or dies, or if, ~~before she or he is admitted,~~ the Visitor, acting at the request of two-thirds of the electors, after making due inquiry rules in his or her discretion that for some good reason the election shall be annulled. If an election becomes void a new election shall then be held. Sections ~~21~~ 21 to ~~14~~ 14 of this Statute shall apply to the conduct of this election, except that the minimum period of notice for any meeting of the electors shall then be reduced to seven days.

#### ~~STATUTE 9~~ ~~Of the Head of House~~

#### ~~If~~ Powers and duties of the Head of House

~~15.16.~~ 16. The Head of House ~~is a man he~~ shall be called the Master; ~~if a woman she shall be called the~~ Mistress.

~~16.17.~~ 17. It shall be the duty of the Head of House to protect and further the interests of the College in the University and elsewhere; to exercise a general superintendence over the affairs of the College; to see that these Statutes are duly observed; and in cases not provided for by these Statutes or by Regulations or by decisions of the Governing Body or the ~~College~~ Council, to make such provision for the good government of the College as he or she shall think fit.

18. Subject to any directions or limitations imposed by the Council, the Head of House shall have power to delegate any powers and duties to any person or committee.

19. The Head of House shall hold office for such period and on such terms and conditions as the Governing Body shall determine, except in relation to those matters falling within the remit of the Remuneration Committee.

20. The Head of House shall be entitled to such ~~stipendremuneration~~ and ~~allowances in money, goods or services~~ other benefits as the ~~Electors~~ Governing Body shall determine at the time of his or her election: ~~in accordance with Regulations.~~ Thereafter ~~both stipend and allowances may~~ such remuneration and other benefits will be ~~varied~~ reviewed by the ~~College Council from time~~ Remuneration Committee in accordance with Regulations, ~~subject to time; provided that the stipend~~ terms of Statute 7(3).

~~17.21.~~ 21. The Head of House shall ~~not be reduced during~~ required, as is customary and for the Head's ~~tenure~~ proper performance of office ~~without his or her consent~~ given duties, to reside in ~~writing the~~ Lodge.

~~1. The Head of House shall be entitled to the exclusive use of the Lodge free of rent and rates during tenure of the office if he or she chooses to reside there.~~

~~2. At the time of the election the Electors shall determine the distance from the College within which the Head of House shall ordinarily reside, and if he or she chooses not to make his or her home in the Lodge, the Head shall reside within that distance. They shall also determine at the time of the election how long in each Term and each calendar year he or she must (unless on leave) reside within that distance. With the Head's consent, both the distance and the time may be varied thereafter by the Governing Body.~~

~~18.22.~~ The Head of House shall not hold any other College office ~~except, where he or she is a clerk in holy orders, that of Dean of Chapel.~~ He or she may continue to hold such other offices, employments and public responsibilities (in the University or elsewhere) as the Electors may determine at the time of his or her election. ~~Except when on leave, the Head shall not acquire or hold any other~~The Head of House shall not acquire or hold any other time-consuming office, employment or public responsibility that would materially affect his or her ability to perform his or her role in the College without the consent of the Council, which shall not be unreasonably withheld.

~~time-consuming office, employment or public responsibility without the consent of the College Council, which shall not be unreasonably withheld.~~

~~19.23. The Head of House may at any time resign by giving notice to the Council in accordance with the terms and conditions determined by the Governing Body at the time of his or her election, or such notice period as is agreed by the Council.~~

~~20.24. A Head of House who was under the age of sixty at the time of election shall vacate office at the end of the academical year in which he or she attains the age of sixty-seven. A Head of House who was over sixty at the date of election shall do so at the end of the seventh complete academical year after admission to office, or at the end of the academical year in which he or she attains the age of ~~seventy~~<sup>seventy</sup>, whichever is the earlier. (No person shall be elected Head of House who is over the age of ~~seventy~~<sup>seventy</sup>.)~~

~~A former~~***Termination or removal of the Head of House***

~~25. The holding of the office of Head of House shall terminate and the office shall become vacant upon any of the following:~~

- ~~(a) retirement or resignation by the Head of House;~~
- ~~(b) expiry, without renewal, of a limited period of election to the office;~~
- ~~(c) the removal of the Head of House in accordance with sections 26-34.~~

~~26. The Head of House may be removed from office by the Governing Body for any of the follow reasons:~~

- ~~(a) gross misconduct;~~
- ~~(b) lack of capability or qualifications for performing the role of Head of House, including poor performance or incapacity on medical grounds;~~
- ~~(c) contravention of law if the office were to continue;~~
- ~~(d) any other reason which the Governing Body believes is sufficiently serious to justify removal.~~

~~27. If no less than twenty-five per cent of the Governing Body Fellows make a complaint to the Deputy Head of House seeking the removal of the Head of House from office for one of the reasons set out in section 26, the Deputy Head of House shall refer such a complaint to the Governing Body, exclusive of the Head of House.~~

~~28. If the Governing Body resolves by a simple majority that the complaint does not raise a prima facie case, or that it is trivial or invalid or unjustified, they may determine that no further action shall be taken upon it.~~

~~29. If the Governing Body, on material presented, resolves by a simple majority that the complaint raises a prima facie case which could, if proved, justify the removal of the Head of House from office, they shall appoint a Tribunal to hear and determine the matter. A Tribunal shall consist of three persons who are not Fellows of the College and are not employed by the College, as follows:~~

- ~~become a Fellow~~(a) one person who holds, or has held, judicial office, or who is a barrister or solicitor of at least ten years' standing, who shall be Chair; and
- ~~(b) two other persons.~~

~~30. The Tribunal shall consider the complaint in accordance with the procedure set out in Regulations.~~

~~31. The Tribunal shall send its decision on the complaint, together with its findings of fact and the reasons for its decision, to the Deputy Head of House.~~

~~32. If the Tribunal finds that the complaint justifies removal of the Head of House, the Deputy Head of House is empowered to convene a meeting of the Governing Body, exclusive of the Head of House, provided that a minimum of fourteen days' notice of the meeting is given. The Governing Body may by a resolution approved by two-thirds at least of those members of the Governing Body present and eligible to vote at the meeting, dismiss the Head of House.~~

33. The Head of House may institute an appeal against his or her dismissal by serving on the Deputy Head of House a notice in writing setting out the grounds of the appeal within the time limit set out in the notice of dismissal, the minimum period of which must be fourteen days.

~~21.34.~~ An appeal commenced under Statute 15(1)(E)(iv), but not otherwise section 33 shall be heard in accordance with the procedure set out in Regulations.

#### **STATUTE 10—REPEALED STATUTE 11**

##### **Of the Deputy Head of House**

1. The Governing Body shall elect a Fellow from among its members to be Deputy Head of House. ~~If a man he, who shall be called the Vice-Master, if a woman she shall. The Deputy Head of House must continue to be called the Vice-Mistress~~ Governing Body Fellow throughout his or her term of office.

2. The Deputy Head of House shall be elected for a period not exceeding five years at any one time, but shall be eligible for re-election. The Deputy Head of House may serve for a maximum of two consecutive terms of five years. A vacancy in the office of Deputy Head of House shall be filled forthwith.

3. A candidate to be Deputy Head of House shall be eligible for election notwithstanding that his or her membership of the Governing Body is due to expire within five years of the date upon which he or she would take office if elected. If so elected, he or she shall serve until the date on which his or her membership of the Governing Body expires.

~~3.4.~~ Neither the Senior Tutor nor the Bursar shall be eligible for the office of Deputy Head of House.

4.5. The Deputy Head of House shall have power to perform all the duties of the Head of House when that office is vacant and also when the Head of House is absent.

5.6. The ~~Governing Body~~ Council may, with his or her consent, assign other duties to the Deputy Head of House.

6.7. Statute 2016 shall apply to the Deputy; ~~except that it shall not be necessary for the Head to nominate him or her, and the Deputy's removal from office under section 3 and Head of House save that the Deputy Head of House's temporary replacement during leave of absence under section 86 shall be matters a matter~~ for the Governing Body rather than the ~~College~~ Council.

#### **STATUTE 12**

##### **Of the Election of Fellows**

~~1.—A Fellow shall be elected by the College Council on the nomination of the Head of House.~~

~~2.—Except where the expedited procedure for the election of a Fellow contained in Statute 12(8) is used, the Head of House shall not proceed to nominate a person for election to a Fellowship unless he or she has given eleven clear days' notice to each senior member of the Governing Body of his or her intention to do so.~~

~~3.—Subject to the provisions of Statute 12(8) that person shall be held elected as a Fellow who shall have received the votes of two-thirds at least of the members of the College Council present and voting (including co-opted members) provided that at least eight votes were recorded in his or her favour.~~

~~4. Every member of the College Council (including co-opted members) shall vote for that person whom he or she judges best qualified to promote the interests of the College as a place of religion, education, learning and research.~~

~~12.7. The Head of House shall, before nominating for election to a Fellowship, read aloud to the Council section 4 of this Statute Governing Body.~~

~~5. When electing a Fellow, the Council shall declare the Title under which he or she is elected in accordance with the provisions of Statute 15(1), specify (subject to Statute 15(5) below) the tenure of the Fellowship, and name a date on which the election shall take effect.~~

~~6. Where the Head of House proposes to nominate a person for election as a teaching or research Fellow, the Council shall co-opt such members of the Governing Body as it shall declare to have special knowledge of the relevant area of scholarship. Such co-opted members shall be entitled to be present at the meeting of the Council while the relevant business is transacted and to speak and vote thereat. But no Fellow shall be so co-opted who will have ceased to be a Fellow before the person under consideration will have been admitted as a Fellow if he or she is elected.~~

~~7. As an alternative to the procedure in sections 2 and 3 of this Statute, the Council may adopt an expedited procedure for the election of Fellows. This procedure may only be used where the Governing Body has by resolution:~~

~~(i) identified an area of scholarship in which the College has need of a Fellow and indicated that speed is required to make an election; and~~

~~(ii) authorised the College Council to use the expedited procedure for such an election.~~

~~8. Where the expedited election procedure is used no notice of intention to nominate shall be required to be given to members of the Governing Body, but at least three days' notice in writing of intention to nominate shall be given by the Head of House to all Senior members of the Council (including members co-opted under section 7 of this Statute).~~

~~9. Election on the expedited procedure shall require the unanimous vote of all Council members present and voting, and at least eight votes recorded in favour of the nominee.~~

~~10. The provisions of sections 4, 5 and 6 of this Statute shall apply to elections of the expedited procedure.~~

~~11. Notwithstanding sections 2, 3, 4, 5, 6, 8, 9 and 10 of this Statute, the College Council may re-elect a person who already holds a Fellowship to a further period of tenure by a simple majority and without any special notice being given.~~

## **STATUTE 13**

### **Of the removal of Fellows**

~~1. If the Governing Body are satisfied that there is cause of sufficient gravity for so doing, it may, by a resolution approved by two-thirds at least of the Governing Body deprive a Fellow present and eligible to vote, remove the Deputy Head of House from his or her Fellowship office, or to suspend him or her therefrom. Before voting to remove the Deputy Head of House from his or her office, or to suspend a Fellow or to deprive him or her of his or her Fellowship therefrom, the Governing Body shall first inform him or her of any matter~~

~~against that Fellow the stated reason and give him or her the opportunity to answer the case for removal from office, in person if he or she so desires. Provided that it shall not be necessary to inform that Fellow if his or her physical disability or any other irremovable cause makes it impossible to communicate with him or her.~~

~~7.8. A Fellow who has been suspended or . Removal or suspension from the office of Deputy Head of House shall not of itself cause the Fellow to be deprived of his or her Fellowship shall be entitled within thirty days to appeal to the Visitor, who shall have power to confirm, vary or reverse the decision of the Governing Body, and whose decision shall be final.~~Governing Body Fellowship.

~~2.—Nothing in this Statute, subject to the provisions of Section 6(1) of Statute 41, shall apply to members of the academic staff to whom Statute 41 applies.~~

## **STATUTE 1411** **Of the Admission of a Governing Body Fellows**

### Election of Governing Body Fellows

1. A Governing Body Fellow ~~Elect~~ shall be elected by the Council on the nomination of the Head of House and in accordance with Regulations.
2. As soon after the election of a Governing Body Fellow has taken effect as may be convenient, he or she shall be admitted by the Head of House according to such procedure as may be determined from time to time by the Governing Body Council.
3. At the time of admission, the person elected shall first make and sign the following declaration, the Head and Governing Body Fellows present bearing witness:

*"I ~~A.B.~~ solemnly declare that I will respect the Charter and observe the Statutes of the College, obey the Head of House in the exercise of his (or her) statutory powers, discharge to the best of my ability such business of the College as may be entrusted to me, and endeavour at all times to promote the honour and usefulness of the College as a place of ~~religion, education,~~ religion, learning and research."*

4. Where immediately on the ~~termination~~expiry of his or her Fellowship a Governing Body Fellow continues to be a Governing Body Fellow under the same or another ~~Title~~criterion, no re-admission shall be necessary; but it shall be necessary to admit a former Governing Body Fellow where his or her Fellowship ceased before his or her latest election.

## **STATUTE 15**

### **Of the Fellows**

#### A Criteria by which Governing Body Fellowships are held

- 1.—A Governing Body Fellow shall hold his or her Fellowship ~~under one or other by~~ virtue of the following Titles, that is to say:
  - A. ~~by holding either one of the following College offices in the College: Bursar, Assistant of Bursar, Senior Tutor, Dean of Chapel, Tutor, Chaplain, Lecturer;~~ or by holding any other such other office as the Governing Body Council shall from time to time specify by Regulation;
  - B. ~~Regulations;~~ or by holding a University teaching or administrative office as defined by the Statutes and Ordinances of the University, the office being specified for the purpose of this Statute by the Governing Body at the time of election;
  - C. ~~By election into a Fellowship on the grounds of academic or other distinction;~~
5. By or by election into a Research Fellowship in order to undertake or continue a course of research under such conditions as may be approved by the Governing Body; or on the grounds of academic or other distinction, as determined by the Governing Body.

6. No person shall be elected a Governing Body Fellow after he or she has attained the age of sixty-seven. A Governing Body Fellow shall cease to hold such Fellowship at the end of the academic year in which he or she attains the age of sixty-seven.

7. There shall be set out in Regulations:

- (a) the arrangements for re-appointment, re-election or continuation as a Governing Body Fellow;
- (b) any circumstances in which a Governing Body Fellowship shall cease (other than when it is terminated or removed);
- (c) provisions for resignation from a Governing Body Fellowship.

8. Fellows, including Emeritus Fellows, shall rank in the following order of seniority:

- (a) former Heads of House, by date of office;
- (b) the Deputy Head of House;
- (c) other Fellows, by date of their election.

In the case of a person who is re-elected when he or she already holds a Governing Body Fellowship, his or her seniority shall date from the original election; in the case of a former Governing Body Fellow who no longer holds a Governing Body Fellowship at the time of election, seniority shall date from when he or she is re-elected being then a former Governing Body Fellow, unless the Council otherwise decides.

The Council shall determine the seniority of Governing Body Fellows who are elected on the same date, either at the date of their election, or as soon as possible thereafter.

#### **Termination, removal and suspension of a Governing Body Fellow**

9. A Governing Body Fellowship shall terminate in any of the following circumstances:

- (a) upon the Governing Body Fellow's resignation from the Fellowship;
- (b) if holding a Governing Body Fellowship by reason of being appointed to a College or University office or post, upon the Fellow ceasing to hold and not being reappointed to such office or post;
- (c) upon retirement from the Governing Body at the age of sixty-seven in accordance with section 6; or
- (d) upon removal in accordance with section 10.

10. If the Governing Body is satisfied that there is cause of sufficient gravity for so doing, it may by a resolution approved by two-thirds at least of the Governing Body present and eligible to vote, deprive a Governing Body Fellow of his or her Fellowship, or suspend him or her therefrom. Before voting to deprive a Governing Body Fellow of his or her Fellowship or to suspend him or her therefrom, the Governing Body shall first inform him or her of the stated reason and give him or her the opportunity to answer the case for removal of his or her Fellowship.

#### **Rights and privileges of Governing Body Fellows**

11. Governing Body Fellows shall be entitled to such emoluments and allowances as the Remuneration Committee shall determine, and to such other privileges as the Council shall determine.

12. No member of the Council may receive any stipend, remuneration, allowance or other benefit simply by virtue of being a member of the Council, but Council members are permitted to receive:

- (a) benefits in connection with any trustee indemnity insurance policy;
- (b) the reimbursement of reasonable out-of-pocket expenses actually incurred in running the College;
- (c) such stipend, remuneration, allowance or other benefit in connection with their work for the College as may be approved by the Remuneration Committee.

#### **STATUTE 12**

##### **By reason Of the Emeritus Fellows**

1. An Emeritus Fellow shall hold his or her Fellowship by virtue of anyone of the following criteria:

- (a) by having held a Governing Body Fellowship under any of the foregoing titles criteria in Statute 11(5) for a period of twenty years and having ceased to hold it (otherwise than by removal under Statute 13);

- (b) by having held such a Fellowship for a period of five years and having ceased to hold it on attaining the age of sixty-seven;
- (c) by having held such a Fellowship for a period of ten years and having resigned in order to take premature retirement; provided in this case that the Governing Body resolves that he or she ~~shall remain~~ should become an Emeritus Fellow;
- (d) by having retired or resigned from the office of Head of House;

~~2.—A Fellow shall be entitled to such stipend, if any, as the College Council shall determine from time to time; provided that nothing in this section shall authorise any person to be elected to a stipendiary Fellowship who holds a University office by University Statute is not tenable with such a Fellowship.~~

~~3.—The tenure of a Fellow holding under Title A, Title B, Title C, or Title D shall be determined by the College Council at the time of his or her election or re-election, provided that the period so determined shall not exceed five years, and that, in the case of a Fellow holding under Title D, the total tenure shall not exceed six years.~~

~~4.—A person qualified for a Fellowship under Title E shall not need to be elected or admitted to his or her Fellowship. Subject to the provisions of Statute 13 (on expulsion) he or she shall be entitled to hold was not removed from his or her Fellowship for life.~~

~~2.—If a Fellow holding under Title B ceases to hold the office which qualifies him or her for such Fellowship, he or she shall cease to hold the Fellowship; but if he or she immediately assumes another office which qualifies him or her for a Fellowship under Title B the Governing Body may by resolution declare that he or she may continue to hold his or her Fellowship by virtue of the new office and accordingly under Statute 12 (on election) shall 11(10) and that he or she was not apply removed as~~

~~If a Fellow becomes Head of House he or she shall cease to be a Fellow unless and until he or she acquires a Fellowship by operation of section 1(E)(iv) of this Statute, under Statute 9(26-34).~~

~~3.2. If a Subject to the provisions of section 1, an Emeritus Fellow becomes Head or Fellow (other than an Honorary Fellow) of another College in Cambridge shall be entitled to hold his or her Fellowship shall cease and he or she shall not become a Fellow under Title E for life.~~

~~5.—If a Fellow under Title A, B, C or D becomes Head or a Fellow (other than an Honorary Fellow) at a College in the University of Oxford his or her Fellowship shall cease, and although otherwise qualified he or she shall not thereby become a Fellow under Title E unless the Governing Body so resolves.~~

~~11.—If a Fellow under Title A, B, C or D takes up any full time post outside the University of Cambridge his or her Fellowship shall cease, unless the Governing Body resolves that it shall continue. If it ceases and he or she is otherwise qualified, he or she shall become a Fellow under Title E. Emeritus~~

~~6.—No Fellow shall hold under more than one Title at the same time.~~

~~7.—A Fellow who has communicated his or her resignation of his or her Fellowship in writing to the Head of House and has not withdrawn it shall vacate the Fellowship when his or her resignation has been communicated to the College Council.~~

~~8.—No one shall be elected a Fellow under Title A, B, C or D after he or she has attained the age of sixty seven. A Fellow under Title A, B, C or D shall cease to hold such Fellowship at the end of the academic year in which he or she attains the age of sixty seven.~~

~~9.—Fellows shall rank in the following order of seniority:~~

- ~~(i) — former Heads of House, by date of office;~~
- ~~(ii) — the Deputy Head of House;~~
- ~~(iii) — other Fellows, by date of their election.~~

~~In the case of a person who is re-elected when he or she already holds a Fellowship, his or her seniority shall date from the original election; in the case of a former Fellow who no longer holds a Fellowship at the time of election, seniority shall date from when he or she is elected being then a former Fellow, unless the College Council otherwise decides.~~

~~The College Council shall determine the seniority of Fellows who are elected on the same date, either at the date of their election, or as soon as possible thereafter.~~

## **STATUTE 16**

### **Of the Rights and Privileges of the Fellows**

~~4.3. Each Class of Fellows shall be entitled to such privileges, emoluments and allowances as the College Council shall determine. The College Council may add to the privileges of a Fellow holding under any Title, and vary or withdraw such privileges as have been granted. Remuneration Committee shall determine and to such other privileges as the Council shall determine.~~

~~4. An Emeritus Fellow shall not be a Governing Body Fellow.~~

~~5. If the Governing Body is satisfied that there is cause of sufficient gravity for so doing, it may by a resolution approved by two-thirds at least of the Governing Body present and eligible to vote, deprive an Emeritus Fellow of his or her Fellowship, or suspend him or her therefrom. Before voting to deprive an Emeritus Fellow of his or her Fellowship, or to suspend him or her therefrom, the Governing Body shall first inform him or her of the stated reason and give him or her the opportunity to answer the case for removal of his or her Fellowship.~~

## **STATUTE 13**

## **STATUTE 17**

### **Of the Honorary Fellows**

~~1. The Governing Body may elect as an Honorary Fellow any person who is of conspicuous merit or who has done good service to the State College, to the College or to the University, or elsewhere.~~

~~2. A nominationThe procedure for election to an Honorary Fellowship and its conditions shall be as set out in Regulations.~~

~~3. An may be made Honorary Fellow shall not be deemed to be a Fellow, as defined under Statute 4, by any membervirtue of his or her being an Honorary Fellow.~~

~~2.4. If the Governing Body at anyis satisfied that there is cause of its meetings, sufficient gravity for so doing, it may by a resolution approved by two-thirds at least of the Governing Body present and eligible to vote, deprive an Honorary Fellow of his or her title, or suspend him or her therefrom. Before voting to deprive an Honorary Fellow of his or her title, or to suspend him or her therefrom, the Governing Body shall first inform him or her of the stated reason and give him or her the opportunity to answer the case for removal of his or her title.~~

~~1.—The election of an Honorary Fellow shall be by the Governing Body at a meeting held on a date at least thirteen clear days after that at which the nomination was made. Notice of the intention to proceed to the election of an Honorary Fellow~~

~~shall be given by the Head of House to each member of the Governing Body at least thirteen clear days before the date of the meeting.~~

~~2. A person shall be held to be elected to an Honorary Fellowship who shall have received the votes of at least two thirds of the members of the Governing Body.~~

**STATUTE 14**

**Of the Fellow Benefactors**

~~3. The Governing Body may by a like vote terminate the tenure of an Honorary Fellowship.~~

~~4. Subject to elect as a Fellow Benefactor any person who has done good service to section 5 of this Statute, an Honorary Fellowship shall be tenable for life.~~

~~5. Any Honorary Fellow shall enjoy such privileges as the Governing Body may from time to time determine.~~

~~6. An Honorary Fellow shall not for the purposes of these Statutes be deemed a Fellow.~~

## ~~STATUTE 18~~

### ~~Of Visiting Fellows~~

1. ~~The~~ College Council may on the nomination of the Head of House elect to a Visiting Fellowship any person if it considers that he or she is suitable by virtue of benefaction for election and that it will be in the interests the benefit of the College to elect that person and its members.
  1. ~~The election of a Visiting Fellow shall require the votes of at least two thirds of the members of the College Council present and voting, and at least eight votes recorded in his or her favour.~~
  2. ~~The College Council may by a like majority terminate the tenure of a Visiting Fellowship.~~
  3. ~~The Head shall not proceed to nominate a person~~ procedure for election to a Visiting Fellowship ~~except he or she shall have given eleven clear days' notice in writing to each senior member of the Governing Body of intention to do so.~~
2. ~~A Visiting Fellowship shall be held under such as a Fellow Benefactor and its conditions and for such period as the College Council shall determine. A Visiting Fellowship may not be held for more than two consecutive years; but a person who has previously held a Visiting Fellowship for two years may be elected to another Visiting Fellowship at a later date~~ shall be as set out in Regulations.
3. ~~A Visiting Fellow shall have such privileges, emoluments and allowances (if any) as the College Council shall allow; but he or she~~ A Fellow Benefactor shall not be deemed to be a Fellow ~~for the purpose of these Statutes, shall not be a member,~~ as defined under Statute 4, by virtue of his or her being a Fellow Benefactor.
- ~~3.4.~~ If the Governing Body is satisfied that there is cause of sufficient gravity for so doing, it may by a resolution approved by two-thirds at least of the Governing Body, and election shall not automatically entitle him or her to any privileges, emoluments or allowances under Statute 16, present and eligible to vote, deprive a Fellow Benefactor of his or her title, or suspend him or her therefrom. Before voting to deprive a Fellow Benefactor of his or her title, or to suspend him or her therefrom, the Governing Body shall first inform him or her of the stated reason and give him or her the opportunity to answer the case for removal of his or her title.
4. ~~There shall be no admission of Visiting Fellows.~~

## ~~STATUTE 19~~

## ~~STATUTE 15~~

### ~~Of the Scholars and Exhibitioners~~

1. The ~~College~~ Council may elect persons to scholarships and exhibitions. There shall be as many Scholars and Exhibitioners as the ~~College~~ Council shall from time to time determine.
2. The annual value of a Scholarship or an Exhibition or a prize or any other emoluments which may be paid to students shall be such as the ~~College~~ Council shall from time to time determine.
3. The ~~College~~ Council shall determine the tenure of a Scholarship or Exhibition at the time of election of a Scholar or Exhibitioner.
4. Every Scholar-elect shall be admitted to his or her Scholarship by the Head of House according to the procedure laid down by the ~~College~~ Council.
5. The ~~College~~ Council may for sufficient reason suspend or terminate the tenure of a Scholarship or Exhibition. Before doing so, the ~~College~~ Council shall inform the person concerned of the matter against him or her, and shall give him or her the opportunity to explain himself or herself, ~~in person where practicable.~~ He or she shall have the right to appeal within thirty days to the Governing Body, whose decision shall be final.

## ~~STATUTE 16~~

## ~~STATUTE 20~~

## Of the Officers of the College

1. There shall be in the College a Bursar, a Senior Tutor, a Dean ~~of Chapel, a Dean~~, a Praelector, ~~a Librarian, a Chaplain~~ and as many Tutors and Lecturers and other Officers as the ~~College~~ Council may from time to time determine by Regulations.

2. The duties, responsibilities and powers of College Officers shall be as set out in Regulations.

2.3. Any Officers to whom this Statute applies shall be appointed by the ~~College~~ Council on the nomination of the Head of House. The tenure of an Officer shall be fixed by the ~~College~~ Council at the time of appointment or reappointment, provided that the period so determined shall not exceed five years on each occasion.

~~1. If the College Council is satisfied that there is cause of sufficient gravity for so doing, it may, by a resolution approved by two thirds at least of the College Council, remove or suspend a College Officer from office. An Officer who has been suspended or deprived of Office shall be entitled to appeal within thirty days to the Visitor, who may confirm, vary, or reverse the decision of the College Council, and whose decision shall be final. Before voting to remove or suspend a College Officer, the College Council shall first inform him or her of any matter against him or her and give him or her the opportunity to answer the case for his or her removal from office in person, where he or she so desires. Provided that it shall not be necessary to inform the Officer if his or her physical disability or any other irremovable cause makes it impossible to communicate with him or her.~~

4. Subject to what is expressly provided elsewhere in these Statutes, the powers, duties, privileges and A College Officer shall cease to hold their office and the office shall become vacant upon any of the following:

- (a) retirement or resignation by the Officer;
- (b) expiry, without renewal, of the period of election to the office;
- (c) no longer holding a Governing Body Fellowship.

3.5. The emoluments of College Officers appointed under this Statute shall be such as the ~~College Council~~ Remuneration Committee shall determine. ~~They may be varied~~ from time to time.

~~2. The College Council may by Regulation require any College Officer to live within a prescribed distance of the College.~~

~~3. A College Officer who has communicated his or her resignation from Office in writing to the Head of House and has not withdrawn it shall vacate Office when his or her resignation has been communicated to the College Council.~~

~~4. An Officer to whom this Statute applies shall cease to hold Office at the end of the academical year in which he or she attains the age of sixty seven years.~~

4.6. If an Officer to whom this Statute applies is granted leave of absence, the ~~College~~ Council may appoint another person to act in his or her place, for the duration of the leave of absence. The person so appointed shall have all the powers of the Officer for whom he or she is acting.

## **STATUTE 21**

### **Of the Superannuation Scheme**

~~1. The College shall participate in such superannuation scheme or schemes as determined by the College Council from time to time.~~

~~2. The College Council shall make regulations for the administration of its superannuation arrangements, provided that in so far as such regulations relate to the Universities' Superannuation Scheme (U.S.S.) they shall be compatible with the constitution and rules of the U.S.S.~~

**STATUTE 22**

**Of the Senior Tutor and Tutors**

~~1.—Every student member of the College shall be allocated as a pupil to a Tutor.~~

- ~~2.—The allocation shall be made by the Head of House, or such other College Officer as he or she shall, with the approval of the College Council, appoint.~~
- ~~3.—It shall be the duty of a Tutor to look after the welfare of his or her pupils, to advise them in respect of their studies, and to co-operate with the Dean in maintaining discipline among the students of the College.~~
- ~~4.—In carrying out these duties, a Tutor shall have power to impose fines on his or her pupils within the limits laid down by Regulations, and with the concurrence of the Head of House to order their temporary removal from College for a period which does not prevent them from keeping Term.~~

The Senior Tutor shall have such duties as the College Council shall from time to time determine.

#### **STATUTE ~~23~~17**

##### **Of the Dean**

- ~~1.—The Dean shall, in conjunction with the Senior Tutor and Tutors, be responsible to the Governing Body for maintaining good discipline and the observance of College Regulations on the part of the students of the College.~~
- ~~2.—The Dean shall exercise such other oversight of the students of the College and shall perform such other duties in College as the College Council may direct.~~
- ~~3.—Where students have broken College Regulations or otherwise misbehaved, the Dean shall have power to fine within limits laid down by the College Council. He or she may also impose such other minor disciplinary sanctions as may be appropriate, subject to any limitations which the College Council may lay down.~~
- ~~4.—The College Council may assign to a Junior or Assistant Dean such of the Dean's duties as it deems appropriate.~~

#### **STATUTE 24**

##### **Of the Board of Discipline**

There shall be a Board of Discipline. The Board of Discipline shall consider any serious breach of discipline that has allegedly occurred among student members of the College. The composition and has been referred to remit of the Board by the Head of House of Discipline shall be as set out in Regulations.

#### **STATUTE 18**

- ~~1.—The Board of Discipline shall consist of four Fellows chosen for the hearing by the Head of House. The members of the Board shall normally be drawn from the Senior Tutor and the Tutors; but if less than four of these are able and willing to serve, the Head of House may appoint any Fellow. The Senior Tutor, is a member of the Board, shall preside; otherwise it shall be the member of the Board who is the most senior.~~
- ~~2.—The members of the Board shall not include any person on whose complaint the Head of House has referred the matter to the Board, the Tutor of the student concerned, or any person who has agreed to help the student in presenting his or her defence. These persons may address the Board, but must withdraw when the Board is considering the case.~~
- ~~3.—A student of the College whose behaviour has been referred to the Board shall be informed in advance of the matter against him or her; he or she shall be given the opportunity to explain himself or herself, in person where practicable; and in relation to the proceedings he or she shall have, if he or she so desires, the assistance of a person of his or her choice.~~

~~4.—The Board of Discipline may fine, remove from College for a limited period, or expel. A student who is expelled shall have the right to appeal within fourteen days to the College Council, before which he or she shall also have the right to be heard. When hearing such an appeal, the College Council shall sit without any of the members who sat on the Board of Discipline. The Council shall have the power to confirm, vary or reverse the decision of the Board of Discipline. In such a case the decision of the College Council shall, subject to Statute 2, be final. In other cases, the decision of the Board of Discipline shall, subject to Statute 2, be final.~~

#### STATUTE 25

##### **Of the College Chapel**

1. There shall be a College Chapel.
2. Prayers according to the use of the Church of England, or such other order as the Dean of Chapel may ~~allow~~approve, shall be said or sung ~~each morning and evening~~ in the College Chapel during Full Term and on such other days as the Dean of Chapel shall direct.
3. The Holy Communion according to the use of the Church of England, or such other order as the ~~Visitor~~Dean of Chapel may approve, shall be celebrated on all Sundays ~~and Holy Days~~ in Full Term and on such other days as the Dean of Chapel shall direct, and there shall also be said in the Chapel such other services as the Dean of Chapel may think fit.

#### STATUTE 19

#### STATUTE 26

##### **Of the Dean of Chapel**

~~1.—There shall be a Dean of Chapel. The Head of House, if, who shall be a clerk Priest in Anglican orders, ~~shall be.~~ He or she shall be a Governing Body Fellow. The criteria and procedure for the appointment of the Dean of Chapel; unless, at his or her request, and with the approval duties, responsibilities and powers of the Visitor; the Governing Body shall resolve that for the period of the Head's office, another person shall be Dean of Chapel.~~

- ~~1. If the Head is not a clerk in Anglican orders, or if the Governing Body has passed a resolution under section 1 of this Statute, the Dean of Chapel, shall be a Fellow who is a clerk in Anglican orders appointed by the College Council, subject to the approval of the Visitor. He or she may be, but need not be, the Chaplain as set out in Regulations.~~
- ~~2. The Dean of Chapel shall have control over the services in the College Chapel; he or she shall be responsible for the Sacred Vessels, ornaments and books in the College Chapel; his or her consent shall be necessary for any use of the Chapel for purposes other than those expressly authorised by these Statutes and any Regulations made under them; and he or she shall have such other duties and responsibilities as the College Council shall from time to time determine.~~
- ~~3. The Dean of Chapel shall also be the Chaplain and shall perform services in Chapel and carry out such pastoral and other duties as the Council shall from time to time determine.~~

~~3.4.~~ The Dean of Chapel may delegate the direction of the music in Chapel to a suitably qualified person.

~~2.—Section (8) of Statute 20 (deputies during leave of absence) shall apply to the Dean of Chapel. The other provisions of Statute 20 shall apply to an elected Dean of Chapel except where they are inconsistent with the terms of this Statute.~~

## STATUTE 27

### Of the Chaplain

- ~~1. The College Council shall appoint a Chaplain to perform services in Chapel and to carry out such pastoral and other duties as the College Council shall from time to time determine.~~
- ~~2. The Chaplain shall be a clerk in Anglican orders, or, with the approval of the Visitor, some other person whom the Visitor certifies as suitably qualified for the office.~~

~~4.5. The College Council may appoint one or more Assistant or Junior ~~Chaplain~~Chaplains to assist the ~~Chaplain~~Dean of Chapel in his or her duties.~~

## STATUTE 20

## STATUTE 28

### Of the Bursar

~~The Bursar shall, under the direction admission of the College Council, have the care of the property, income and expenditure of the College and shall be responsible for the proper keeping of its accounts. He or she shall superintend the supply of provisions and the domestic establishment of the College and shall, with the approval of the Head of House, appoint and dismiss the servants of the College, agree their conditions of employment and regulate their work.~~students

- ~~1. The College Council may assign to a Steward or Assistant Bursar such of the Bursar's duties as it deems appropriate.~~

## STATUTE 29

### Of the Admission of Students

1. The admission of students for the purpose of education and research shall be in the hands of the ~~College~~ Council, which may delegate these responsibilities to such College Officers as it may determine.
2. No student shall be permitted to ~~come into residence~~become a member of the College until he or she has satisfied such conditions of admission to the University as are prescribed by the University and such other conditions as the ~~College~~ Council may think fit to impose.
3. Subject to the previous section, the ~~College~~ Council shall have power to make Regulations governing the studies of students, their periods of residence, their behaviour whilst in residence, and the conditions (including conditions as to academic performance) upon which they are permitted to reside.
4. The enforcement of ~~College~~ Regulations about academic performance shall be a matter for the ~~College~~ Council, whose decision shall, ~~subject to Statute 2,~~ be final.

## STATUTE 21

## STATUTE 30

### Of the ~~Investment~~investment and ~~Application~~application of ~~Capital Moneys~~capital monies

1. The ~~College~~ Council ~~shall have~~has power to ~~authorise the purchase, sale or charge as security (including for the purposes of investment), manage, develop, improve, transfer and dispose of any~~ property, real or personal, and securities (which term includes stocks, funds and shares) of any description on behalf of the College and may ~~also apply moneys to any purpose to which capital moneys arising under the Universities and College Estates Act 1925 and 1964 may be applied~~enter into and may carry out any transaction in relation to such property which an individual of full legal capacity investing or transposing investments of property for that individual's own benefit could exercise, enter into, or carry out. The Council must adopt an Investment Policy which sets out the criteria to be considered in any investment decision.

- ~~1. In relation to the management, development, improvement, sale, lease, mortgage or other disposition of any land or any estate or interest therein held by the College or to the acquisition of any land or any estate or interest therein, the College Council may exercise any power and may carry out any transaction~~

~~which an individual holding or acquiring such land, estate or interest for his or her own benefit could exercise or carry out.~~

~~2. The College has power to borrow money, grant security and to treat money so borrowed as income or capital and to apply, retain or invest any monies so borrowed as the Council may determine.~~

~~3. The powers conferred by this Statute shall apply to—~~all~~:~~

~~(a) any property held by the College for its general purposes; and~~

~~(~~a~~)(b) any property held on specific trusts, including endowments, land, securities, property and funds of the College. They shall also apply to any specific trust for benefactions and trusts for purposes connected with the College of which the College is the trustee which existed on the date of the approval of these Statutes by Her Majesty in Council; and, but subject always to the extent that the law permits, they shall also apply to any such fund created after that date any relevant provisions of those trusts.~~

~~2.4. The College Council may appoint an Investment Committee and delegate to it the College's general powers of investment, including the power to buy and sell securities. The Committee shall consist of at least three members, one of whom shall be the Bursar, and one of whom shall be a member of a Merchant Bank or a Stockbroker, subject to any restrictions that may be specified by the Council from time to time. The Investment Committee shall be responsible to the College Council, which may withdraw its authority at any time.~~

~~5. The Council may make donations to any individual or organisation in furtherance of the College's Objects.~~

~~6. The College must apply each trust for the purpose or purposes for which the trust was established, save that to the extent permitted by law:~~

~~(a) any trust may be altered by Regulation made under this Statute, provided that:~~

~~(i) the trust was created by an instrument operative not less than 60 years before the coming into force of such Regulation;~~

~~(ii) the Council has first:~~

~~a. satisfied itself that the proposed alteration is consistent with such cy-près or other legal principles as would apply to a trust of the same size and nature; and~~

~~b. obtained and considered professional advice regarding the proposed alteration.~~

~~(b) the Council has power to use for the general educational purposes of the College any part of the surplus income of:~~

~~(i) any trust which Regulations so permit;~~

~~(ii) any trust which was created by an instrument operative not less than 60 years before the power's exercise; and~~

~~(iii) any trust of which the College is the trustee or, where it is not, any relevant trustee has consented to that exercise.~~

~~For this purpose, income is surplus when it is unexpended in any year after the purposes of the trust have been fully provided for in that year (whether wholly by income from the trust or partly by income from the trust and partly by other means) in so far, if at all, as in the opinion of the Council it is possible to provide for those purposes in that year.~~

## STATUTE 22

## STATUTE 31

### **Of the ~~Accounts~~accounts and ~~Audit~~audit**

1. Subject always to the provisions of the University Statutes, the accounts of the College shall be kept in such form as the ~~College~~Council may from time to time determine, and shall be presented to the Governing Body annually.

2. The accounts shall be closed in each year on such day as the College Council may from time to time determine, and shall be audited forthwith.

3. The ~~College~~ Council shall in each year appoint an auditor or auditors who shall audit the whole of the accounts of the College, provided that the ~~College~~ Council may if it thinks fit assign to a particular auditor or auditors the duty of auditing any particular part of the accounts. Every auditor shall be a qualified accountant, and no person shall hold the office of auditor together with any other office or place in the College.

~~1.—The kitchen account and statistics shall be kept in such form as may be provided by the Statutes and Ordinances of the University. The kitchen shall bear the cost of the inspection of its accounts and of any report to be made thereon by any body or firm appointed by the University.~~

4. The auditor or auditors shall give such certificate or certificates as are required by the University Statutes in respect of the accounts audited by them, or shall state in writing to the Governing Body their reasons for withholding them.
5. On or before the thirty-first day of December next after the closing of the accounts, a statement of the accounts, as nearly as may be in the form prescribed by the University, shall be returned, together with any such certificate, to the Vice-Chancellor of the University.

### **STATUTE ~~32~~23**

#### **Of the power to accept endowments**

The ~~Governing Body~~ Council shall have power to accept endowments for any purposes in furtherance of the ~~interests~~ Objects of the College as a place of education, religion, learning and research and to make ~~regulations~~ 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 these Statutes~~; provided always that no such ~~regulation~~ Regulations shall derogate from any obligation imposed on the Colleges by the Statutes of the University.

### **STATUTE ~~33~~24**

#### **Of leave of absence**

1. The ~~College~~ Council may grant leave of absence to the Head of House, ~~to any~~ Governing Body Fellow and ~~to any~~ College Officer. During leave of absence they shall be dispensed from their duties, and shall be entitled to such pay and privileges as the ~~College~~ Council shall determine.
2. No person holding a University Office who is dispensed from discharging the duties of his or her University Office under Statute D II 4 of the University (or any modification or re-enactment thereof from time to time in force), and no person dispensed from discharging the duties of his or her College Office, shall while he or she is so dispensed attend any meeting of the Governing Body or ~~College~~ Council, nor record any vote thereat, unless the Governing Body in the case of a meeting of the Governing Body, or the ~~College~~ Council in the case of a meeting of the ~~College~~ Council, expressly gives him or her permission to attend or vote.
3. While a person is dispensed from discharging the duties of his or her University or College Office, he or she shall not carry out any administrative duties for the College, nor attend any meetings of Committees of the Governing Body or of the ~~College~~ Council, except in so far as the ~~College~~ Council gives him or her permission.

~~1.—A person holding University Office shall not be given permission under Sections~~

4. ~~sections 2- or 3- above;~~ unless he or she has first obtained the consent of the appropriate University authorities.
5. Nothing in the preceding sections of this Statute shall affect the right of a Governing Body Fellow to attend and vote at a meeting held under Statute ~~8, 10, 36~~9 (election and removal of Head of House, ~~and~~) or Statutes 27, 28 or 30 (changes of Statute, interpretation of Statutes and contravention of Statutes).

### **STATUTE 25**

## STATUTE 34

### Of the Common Seal

The common seal of the College shall be in the joint custody of the Head of House and the Bursar and shall be applied in accordance with Regulations.

- ~~1.— Nothing shall go forth under the common seal except in pursuance of a resolution of the Governing Body in the case of a matter within the competence of the Governing Body, or of the College Council in the case of a matter within the competence of the College Council; but within its area of competence either body may by a resolution in general terms authorise the sealing and delivery of any class of deed or instrument.~~
- ~~2.— The common seal shall not be affixed except in the presence of two persons, one of whom shall be the Head or Deputy Head of House and the other the Bursar; or failing these, the senior Fellow in residence and one of the Fellows.~~
- ~~3.— A record shall be kept of all sealings and shall be accessible to all members of the Governing Body.~~

## STATUTE 3526

### Of meetings

1. Except where the contrary is expressly provided by these Statutes, the rules contained in this Statute and any Regulations made under it shall govern the meetings of any body constituted by these Statutes, and of any committee or sub-committee set up by any of those bodies.
2. The Head of House shall be the convenor of the Governing Body; and of the ~~College Council and of any other body or committee of which he or she is a member.~~ If he or she is unable to convene a meeting, or fails when required by these Statutes to do so, the Deputy Head of House shall be empowered to convene a meeting. If the Deputy Head of House is unable to ~~call~~convene a meeting, or fails when required by these Statutes to do so, that member of the Body in question who is the most senior Governing Body Fellow able and willing to convene the meeting shall have power to do so.
3. Notice of any meeting may be given electronically. It shall be the duty of every Governing Body Fellow to leave with such officer as the ~~College Council~~ shall appoint ~~an both a physical and an electronic address in the United Kingdom to which notice of meetings may be sent, and notice of any meeting shall be validly given if delivered or posted to that address. In the case of the Head of House, notice of a meeting shall be validly given if delivered to the Lodge. (But notice valid under this section shall not necessarily suffice where notice must be given to someone of a proposal to remove him or her from office).~~
4. The following, if present and entitled to be present, shall preside:
  - (a) in the case of the Governing Body or the Council, the Head of House;
  - ~~(i) —~~ (b) in the case of the Governing Body or the Council, if the Head of House;

if the Head of House in is unable or unwilling to preside, the Deputy Head of House;

~~if neither the Head nor the Deputy Head of House is able and willing to preside, the senior Fellow able and willing to preside; unless the meeting (or in the case of a committee, the parent body) resolves~~(c) in the case of a committee or any other body of the College, the chairperson of that committee or other body, as appointed by procedures set out in Regulations. If the appointed chairperson is unable or unwilling to preside, then the meeting may resolve that some other person shall preside, in which case that other person shall preside.
5. The business of any body or committee (whether containing junior members or not) shall be divided into reserved and unreserved business. Reserved business shall comprise:
  - (a) any matter relating to the office or employment of any individual in the College;
  - (b) any matter relating to the admission, punishment, expulsion, academic assessment, or financial affairs of any individual student;

- (c) any discussion of whether a particular item of business is reserved or unreserved business;
- (d) any other matter at the discretion of the Chairmanperson presiding.

In case of doubt, the Chairmanperson presiding shall decide whether an item of business is reserved or unreserved and his or her decision shall be final for the purpose of that meeting.

Junior members shall not receive papers in connection with, or be present during the discussion of, or record any vote or be counted in the reckoning of any majority in relation to any reserved business; but the Chairmanperson presiding may, in his or her discretion, permit a junior member to communicate his or her views on a matter of reserved business to the meeting in such a manner as the Chairmanperson presiding thinks fit.

- 6. Decisions shall be taken by a majority of the members present and voting. In the case of equality of votes the person presiding shall have a second or casting vote.
- 7. In calculating any quorum or majority at any meeting held under these Statutes, all persons who are currently dispensed from carrying out their College or University duties shall be left out of account, except where they are entitled to attend and do so.

~~2. If a meeting is discussing a matter in which a person present has~~

~~(i) a particular financial interest, or~~

~~(ii) any other personal interest which in the opinion of the Chairman makes his or her presence undesirable,~~

~~he or she shall withdraw until after the decision is taken; but he or she shall be entitled to make representations to the meeting, either in writing, or in person before withdrawing.~~

8. Each member of the Governing Body, the Council and its committees:

- (a) must declare, as soon as possible and at the latest at the beginning of the meeting at which the matter is to be discussed, the nature and extent of any interest, or appearance of any interest, direct or indirect, which they have in a proposed transaction or arrangement with the College, or in any transaction or arrangement entered into by the College which has not previously been declared;
- (b) who has an interest pursuant to section 8(a):
  - (i) shall be considered conflicted in relation to the transaction or arrangement and must follow the provisions of the Regulations in respect of absenting themselves from discussions and voting on the transaction or arrangement; and
  - (ii) shall not be counted in the quorum for the part of the meeting relating to the transaction or arrangement.

9. The following situations will not be regarded as giving rise to conflicts of interest:

- (a) in the case of the Council, where the matter relates to:
  - (i) the purchase of trustee indemnity insurance;
  - (ii) the reimbursement of reasonable out-of-pocket expenses actually incurred in running the College; or
- (b) in the case of any body, where the matter relates to the College's relationship with the University.

10. In the event of uncertainty or dispute as to whether a member's position with regard to conflicts of interest is affected by section 8, or as to whether a member should withdraw from a meeting or part of a meeting, the decision of the person presiding shall be determinative.

#### **STATUTE ~~3627~~**

#### **Of changes of Statute**

The Statutes may be changed under the procedure laid down by the Oxford and Cambridge Act 1923 (as amended by the Selwyn College Cambridge Act 1988), or by such other procedure as shall be laid down by Act of Parliament.

## STATUTE ~~37~~28

### Of the interpretation of these Statutes

1. If any question shall arise as to the meaning of anything in these Statutes it shall be decided by the Governing Body by a simple majority at a meeting specially called for the purpose; ~~provided that the Head of House, any three Fellows, and any person who is affected by such decision, may appeal to the Visitor. Upon such appeal, the Visitor may confirm, vary or reverse the decision of the Governing Body and his decision shall be final.~~
2. In the event that either the Head of House, or any twenty other persons who shall be either Governing Body Fellows or any other person who is affected by such decision, disagree with the Governing Body's decision, they may appeal. In such circumstance, the Governing Body shall be obliged to establish an independent appeal tribunal whose members shall be not fewer than three senior law academics of good standing, none of whom is a Governing Body Fellow of the College and at least one of whom is employed by a university other than Cambridge. Upon such appeal, the independent appeal tribunal may confirm, vary, reverse or replace the decision of the Governing Body and its decision shall be final.

## STATUTE ~~38~~29

### Of the Statutes Committee

1. There shall be a Statutes Committee of the Governing Body.
- ~~1.2.~~ 2. The Statutes Committee shall consist of the Head of House, the Bursar and a minimum of two other members of the Governing Body Fellows elected annually by the Governing Body.
- ~~2.3.~~ 3. It shall be the duty of the Statutes Committee to ensure the Statutes of the College and any Regulations made under them are regularly published and made accessible to members of the College, to keep their operation under continuous review, and to make proposals for changes of Statutes and Regulations where they consider changes to be necessary.
- ~~3.4.~~ 4. Nothing in this Statute shall prevent any other person Governing Body Fellow from proposing changes in the Statutes and Regulations of the College to the Statutes Committee. If the Governing Body Fellow considers that the Statutes Committee has not considered such a proposal sufficiently, he or she may raise the matter with the Governing Body.

## STATUTE ~~39~~30

### Of contraventions of these Statutes

1. If, within thirty days after the doing of any act, including an election, by the person or body having power to act under these Statutes, it is represented in writing to the Head of House that there has been a contravention of these Statutes or of any Regulations made thereunder, he or she shall inquire into the matter and shall declare either that there has been a contravention, or that there has been no contravention, or that the said act is of no effect, or, if he or she is of the opinion that the irregularity has not affected the result, that the validity of the act is not affected by such contravention.
  - ~~1.~~ If he or she the Head of House has not announced his or her decision within ten days after receipt of the representation, or if they those who have made the representation are dissatisfied with his or her the decision, any six

2. ~~members of the Head of House, they may take their representation to the Governing Body may within. If by a resolution by simple majority the Governing Body agrees with the representation, the Governing Body shall establish an independent appeal tribunal whose members shall include not fewer than three senior law academics of good standing, none of whom is a Governing Body Fellow of the College, and at least one week appeal in writing to the Visitor, whose of whom is employed by a university other than Cambridge. In such circumstance the independent appeal tribunal may confirm, vary, reverse or replace the decision of the Head of House and its decision shall be final. If there is no such appeal, the decision of the Head of House shall be final.~~
3. No act shall be invalid by reason of the fact that there has been a contravention of these Statutes or any Regulations made thereunder unless there has been a representation in writing as aforesaid within thirty days after it was done, and even where such a representation is made this shall not affect the operation of the proviso to Statute ~~6(4)~~7(4) (which safeguards the position of third parties who deal with the College in good faith).

#### **STATUTE 40**

#### **STATUTE 31**

#### **Of the date of these Statutes, of the repeal of previous Statutes; of the Charter; and transitional provisions.**

1. These Statutes shall come into force on the day on which they receive the approval of Her Majesty in Council.
2. From that day all Statutes of the College in force before that time shall be repealed.
3. The Head of House ~~at the date of operation, and~~ every person holding a Fellowship or College Office at the ~~same~~ date of operation shall continue in office subject to these Statutes.
4. These Statutes, including the repeal of previous Statutes, shall operate without prejudice to any interest possessed by any person by virtue of his or her having, before ~~the Statute comes~~ these Statutes come into operation, become a ~~Member~~ member of the College, been elected or appointed to any office or emolument in the College, or acquired a vested right to be elected or appointed thereto.
5. The repeal of such former Statutes shall not be taken to revive the provisions of any previously existing Statutes of the College.
6. The Charter of Incorporation of Selwyn College dated 13 September 1882 shall remain in force; ~~except that, where these Statutes are in conflict with the terms of the Charter, these Statutes shall have precedence.~~

~~(i) up to and including the words "situated within our United Kingdom of Great Britain and Ireland" in clause 2;~~

~~(ii) for the words "Master and Council of Selwyn College" there shall be substituted in Clause 1., the words "Head, Fellows and Scholars of Selwyn College", and elsewhere the words "Governing Body".~~

#### **STATUTE 41**

#### **Academic Staff**

#### **PART I CONSTRUCTION AND INTERPRETATION**

~~1. This Statute and any Regulation 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. (1) This Statute shall apply:~~

~~(i) — to any person holding a College Office designated by the Governing Body as one to which this Statute applies;~~

~~(ii) — 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 person's duties in that regard are only of a limited nature; and~~

~~(iii) — to the Head of House, to the extent and in the manner set out in Part VII of this Statute.~~

~~(2) In this Statute any reference to “academic staff” means those persons mentioned in section 3(1).~~

~~4. For the purposes of this Statute the following terms have the meanings specified:~~

~~“dismiss” and “dismissal” mean dismissal of a member of the academic staff and~~

~~(a) include remove or, as the case may be, removal from office; and~~

~~(b) in relation to employment under a contract, shall be construed in accordance with section 55 of the Employment Protection (Consolidation) Act 1978.~~

~~“good cause” in relation to the dismissal or removal from office of a member of the academic staff of the College, being in any case a reason which is related to conduct or capability or qualifications for performing work of the kind which the member was appointed or employed to do, means:~~

~~(i) — conviction for an offence which may be deemed by a Disciplinary Committee appointed under Part III to be such as to render the person convicted unfit for the performance of the duties of his or her office or for employment as a member of the academic staff of the College; or~~

~~(ii) — conduct of an immoral, scandalous, or disgraceful nature incompatible with the duties of the office or employment; or~~

~~(iii) — conduct constituting failure or persistent refusal or neglect or inability to perform the duties or comply with the conditions of the office or employment; or~~

~~(iv) — physical or mental incapacity established under Part IV.~~

In this section:

~~“capability” means capability assessed by reference to skill, aptitude, health, or any other physical or mental quality; and~~

~~“qualifications” means any degree, diploma, or other academic, technical, or professional qualification relevant to an office or position held.~~

~~5. 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 member 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.~~

~~6. 1. 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 sub-section (9) of section 204 of the Education Reform Act 1988, and over those of any Regulation, and the provisions of any Regulation made under this Statute shall prevail over those of any Regulation made under such other Statutes:~~

~~(i) 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 sub-section (9) of section 204 of the Education Reform Act 1988.~~

~~(ii) 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.~~

~~2. 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.~~

~~3. 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 Regulations of the College concerning re-election on the expiry of a fixed term of a Fellowship.~~

~~4. Nothing in any other Statute shall enable the Governing Body to delegate their power to reach a decision under section 10.~~

~~5. In this Statute references to numbered Parts, sections and paragraphs are references to Parts, sections and paragraphs so numbered in this Statute.~~

~~7. (1) 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 a body when the body is~~

~~considering its decision or discussing a point of procedure, except as provided by this Statute or by any Regulation made under this Statute.~~

~~(2) 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 himself or herself involved in the matter in question, the Governing Body may appoint an alternate to act in his or her place under procedures prescribed by a Regulation made under this Statute.~~

## **PART II REDUNDANCY**

~~8. This Part enables the Governing Body, as the appropriate body for the purposes of section 203(1)(a) of the Education Reform Act 1988, to dismiss any member of the academic staff by reason of redundancy.~~

~~9. (1) 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) his or her appointment is made, or his or her contract of employment is entered into, on or after 20<sup>th</sup> November 1987; or~~
- ~~(b) he or she is promoted on or after that date.~~

~~(2) 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 20<sup>th</sup> 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. The Governing Body shall have power to decide that there should be a reduction by way of redundancy either:~~

- ~~(a) in the academic staff of the College as a whole; or~~
- ~~(b) in the academic staff concerned with any area of academic work in the College.~~

~~11. (1) If the Governing Body have reached a decision under section 10, they shall either:~~

- ~~(a) 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 section 1; or~~
- ~~(b) appoint a Redundancy Committee, whose duties shall be:
  - ~~(i) to select and recommend the requisite members of the academic staff for dismissal by reason of redundancy; and~~
  - ~~(ii) to report their recommendations to the Governing Body by such date as the latter may determine.~~~~

~~(2) A Redundancy Committee appointed under this section shall comprise:~~

- ~~(a) a Chairman; and~~
- ~~(b) two Fellows not being members of the academic staff; and~~
- ~~(c) two members of the academic staff.~~

~~(3) The Governing Body shall either approve any selection recommendation recommended by the Redundancy Committee, or remit it to the Redundancy Committee for further consideration in accordance with their such further directions as the Governing Body may give.~~

~~(4) A member of the academic staff shall not be selected for dismissal under this section unless he or she has been afforded a reasonable opportunity to make representations to the Governing Body.~~

~~12. (1) If the Governing Body have themselves selected a member or members of the academic staff for dismissal by reason of redundancy or have approved a selection recommended by the Redundancy Committee they may authorise an officer of the College as their delegate to dismiss any member of the academic staff so selected.~~

~~(2) Each member of the academic staff selected for dismissal shall be given separate notice of such selection. The 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 procedure used;~~

~~(c) a reference to the rights of the person notified to appeal against the dismissal or the decision to dismiss and to the time within which any such appeal is to be lodged under Part V; and~~

~~(d) a statement indicating when the intended dismissal is to take effect.~~

### **PART III DISCIPLINE, DISMISSAL AND REMOVAL FROM OFFICE**

~~13. (1) If it appears to the Head of House that there are grounds for believing that the conduct or performance of a member of the academic staff is or has been unsatisfactory, he or she shall inquire into the matter. If the Head of House concludes after investigation that the member is or has been at fault, he or she may issue an oral warning to the member. The Head of House shall specify the reason for the warning, shall indicate that it constitutes the first stage of the College's disciplinary procedure, and shall advise the member that he or she may appeal against the warning under paragraph (4) of this section.~~

~~(2) If the Head of House concludes after investigation that the fault is sufficiently serious to justify it, or if a further offence occurs, he or she may issue a written warning to the member. Such a warning shall specify the complaint made against the member, the improvements required in the member's conduct or performance, and the period of time within which such improvements are to be made. The Head of House shall advise the member that he or she may appeal against the warning under paragraph (4), and shall indicate that, if no satisfactory improvement takes place within the stated time, a complaint may be made seeking the institution of charges to be heard by a Disciplinary Committee.~~

~~(3) The Head of House shall keep a written record of any warning issued under paragraph (1) or paragraph (2). No further account shall be taken on an oral warning when one year has elapsed after the date of issue, and no further account shall be taken of a written warning when two years have elapsed after the date of issue.~~

~~(4) A member of the academic staff who wishes to appeal against a disciplinary warning shall inform the Head of House within two weeks. An Appeals Committee appointed by the Governing Body shall hear the appeal and the Committee's decision shall be final. If the appeal is allowed, the warning shall be disregarded for the purposes of section 14.~~

~~14. (1) If there has been no satisfactory improvement following a written warning given under section 13, or in any case where it is alleged that conduct or performance may constitute good cause for dismissal or removal from office, a complaint seeking the institution of charges to be heard by a Disciplinary Committee appointed under section 15 may be made to the Head of House.~~

~~(2) To enable the Head of House to deal fairly with any complaint brought to his or her attention under paragraph (1) he or she shall institute such enquiries (if any) as appear to him or her to be necessary.~~

~~(3) If it appears to the Head of House (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 of the College could constitute good cause for dismissal, he or she shall write to the member concerned inviting comment in writing and, if he or she considers that the College might otherwise suffer significant harm, may suspend the member concerned from the performance of his or her duties without loss of emoluments.~~

~~(4) As soon as may be following the comments (if any) or in any event not later than twenty eight days after they were invited, the Head of House shall consider the matter in the light of all the available material and may dismiss the matter summarily, or issue a formal warning to the member concerned, or determine that the matter be considered by a Disciplinary Committee appointed under section 15.~~

~~15. If the Head of House has determined that the matter should be considered by a Disciplinary Committee, the Governing Body shall at his or her request appoint such a Committee to hear the charge or charges, to determine whether the conduct or performance of the member concerned constitutes good cause for dismissal or otherwise constitutes serious misconduct relating to his or her appointment or employment, and to make recommendations concerning the action (if any) to be taken as a result of the Committee's findings. Pending the consideration of such recommendations, the Head of House, after consulting the Governing Body, may suspend the member charged from the performance of his or her duties without loss of emoluments.~~

~~16. A Disciplinary Committee shall consist of three persons selected by the Governing Body from a panel of seven persons appointed annually by the Governing Body. The members of the panel shall be Fellows of the College or other persons, being members of the Regent House of the University. In selecting members of the panel for appointment as members of a Disciplinary Committee, the Governing Body shall exclude the member charged, any person responsible for originating the charge (whether by making a complaint to the Governing Body or otherwise), and any person who has been involved at an earlier stage in considering the charge or charges.~~

~~17. (1) When a Disciplinary Committee has been appointed, the Governing Body shall instruct a solicitor or other suitable person to formulate a charge or charges and to present, or arrange for the presentation of, the charges before the Disciplinary Committee.~~

~~(2) It shall be the duty of the person formulating the charge or charges:~~

- ~~(i) to forward the charge or charges to the Committee and to the member of the academic staff concerned, 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~~
- ~~(ii) 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 a Disciplinary Committee shall be prescribed by Regulations made under this Statute. Such Regulations shall ensure:~~

- ~~(a) that the member 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 a Disciplinary Committee;~~
- ~~(b) that a charge shall not be determined without an oral hearing at which the member charged and any person appointed to represent him or her are entitled to be present;~~
- ~~(c) that witnesses may be called, both on behalf of the member charged and by the person presenting the charge, and may be questioned concerning any relevant evidence;~~
- ~~(d) that no new witnesses 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 him or her to consider and respond to the new evidence; and~~
- ~~(e) that any charge is heard and determined as expeditiously as is reasonably practicable.~~

~~19. (1) The 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 Head of House, the member charged, the person presenting the charge and any person who shall have been added as a party by the Disciplinary Committee.~~

~~(2) The 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 section.~~

~~20. (1) If the charge or charges are upheld and the Disciplinary Committee finds good cause and recommends dismissal or removal from office, but in no other case, the Head of House, after consulting the Governing Body, shall decide whether or not to dismiss the member of the academic staff concerned.~~

~~(2) If the charge or charges are upheld, other than where the Head of House has decided under paragraph (1) to dismiss the member of the academic staff concerned, the action available to the Head of House, after consulting the Governing Body (not comprising a greater penalty than that recommended by the Disciplinary Committee) shall be:~~

- ~~(a) to discuss the issues raised with the member concerned; or~~
- ~~(b) to advise the member concerned about his or her future conduct; or~~
- ~~(c) to warn the member concerned; or~~
- ~~(d) to suspend the member concerned for such period as the Head of House shall think fair and reasonable, provided that the suspension shall not extend~~

- beyond three months after the date on which the Governing Body shall have considered the Disciplinary Committee's decision; or
- ~~(e) to take such further or other action under the member's contract of employment or terms of appointment as appears fair and reasonable in all the circumstances of the case; or~~
  - ~~(f) to combine any of the courses of action specified above.~~

~~21. (1) Any reference in section 20 to the Head of House shall include a reference to an officer acting as his or her delegate.~~

~~(2) Any action taken by the Head of House or his or her delegate shall be confirmed in writing.~~

#### **~~PART IV REMOVAL FOR INCAPACITY ON MEDICAL GROUNDS~~**

~~22. (1) This Part makes separate provision for the assessment of incapacity on medical grounds as a good cause for dismissal or removal from office.~~

~~(2) In this Part references to medical grounds are references to capability assessed by reference to health or any other physical or mental quality.~~

~~(3) In this Part the Head of House shall be the appropriate officer to perform any duties or exercise any powers, provided that he or she may appoint an officer to act as his or her delegate.~~

~~(4) References to the member of the academic staff 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. (1) Where it appears to the Head of House that the removal of a member of the academic staff on medical grounds should be considered, the Head of House:~~

- ~~(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 doctor 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; and~~
- ~~(c) may suspend the member from the performance of his or her duties without loss of emoluments.~~

~~(2) If the member agrees that his or her removal on those grounds should be considered, the College shall meet the reasonable costs of any medical opinion required.~~

~~(3) If the member does not agree the Head of House shall refer the case in confidence, with any supporting medical and other evidence (including 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 Head of House; and a medically qualified chairman 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.~~

~~(4) The procedure to be followed in respect of the preparation, hearing, and determination of a case by a Medical Board shall be prescribed by Regulations made under this section. Such Regulations 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 member's representative, but not the member himself or herself, is entitled to be present;~~
- ~~(c) that witnesses may be called and questioned concerning any relevant evidence; and~~
- ~~(d) that the case is heard and determined as expeditiously as is reasonably practicable.~~

~~(5) The Board may require the member concerned to undergo medical examination at the College's expense.~~

~~24. If the Board determines that the member should be required to retire on medical grounds, the Head of House, after consulting the Governing Body, may terminate the employment of the member concerned on those medical grounds.~~

### **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. (1) This Part applies:~~

- ~~(a) to appeals against the decisions of the Governing Body (or of a delegate of that body) to dismiss in the exercise of their powers under Part II;~~
- ~~(b) to appeals arising in any proceedings, or out of any decision reached, under Part III other than appeals against disciplinary warnings under section 13;~~
- ~~(c) to appeals against dismissal otherwise than in pursuance of Part II or Part III;~~
- ~~(d) to appeals against disciplinary decisions otherwise than in pursuance of Part III;~~
- ~~(e) to appeals against decisions reached under Part IV; and~~
- ~~(f) to appeals arising in any proceedings, or out of any decision reached, under Part VII, including appeals against decisions reached in pursuance of section 47;~~

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

~~(2) No appeal shall however lie against:~~

- ~~(a) a decision of the Governing Body under section 10;~~
- ~~(b) the findings of fact of a Disciplinary Committee under Part III, or of a Tribunal under Part VII 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 section 23(3) save where, with the consent of the person or persons appointed, fresh evidence is called on behalf of the appellant at that hearing.~~

~~(3) In this Part, references to "the person appointed" are references to the person appointed by the Governing Body under section 29 to hear and determine the relevant appeal.~~

~~(4) The parties to an appeal shall be the appellant and the Deputy Head of House 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 Deputy Head of House, within the time allowed under section 28, notice in writing setting out the grounds of the appeal.~~

~~28.(1) 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 paragraph (3).~~

~~(2) The Deputy Head of House 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 he or she has done so.~~

~~(3) Where the notice of appeal was served on the Deputy Head of House outside the 28 day period the person appointed under section 29 shall not permit the appeal to proceed unless he or she considers that justice and fairness so require in the circumstances of the case.~~

~~29. (1) Where an appeal is commenced under this Part the appeal shall, subject to the provisions of section 28(3) and paragraph (3) of this section, be heard and determined by a person appointed by the Governing Body in accordance with Regulations made under this section.~~

~~(2) A person appointed under paragraph (1) above, shall be~~

- ~~(a) the person who is the Visitor; or~~
- ~~(b) a person who holds or has held judicial office or who is a barrister or solicitor of at least ten years' standing.~~

~~(3) The person appointed shall sit alone unless he or she considers that justice and fairness will best be served by sitting with other persons, in which case two other persons shall be appointed in accordance with Regulations made under this section.~~

~~(4) The other persons who may sit with the person appointed shall be:~~

- ~~(a) one member of the Regent House of the University of Cambridge, not being a Fellow of the College; and~~
- ~~(b) one other member of the Regent House.~~

~~30. (1) The procedure to be followed in respect of the preparation, consolidation, hearing and determination of appeals shall be that set out in Regulations made under this section.~~

~~(2) Without prejudice to the generality of the foregoing such Regulations shall ensure:~~

- ~~(a) that an appellant is entitled to be represented by another person, whether such person be legally qualified or not, in connection with and at any hearing of his or her appeal;~~
- ~~(b) that an appeal shall not be determined without an oral hearing at which the appellant, and any person appointed by him or her to represent him or 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 reasonably practicable.~~

~~(3) 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; and~~

~~(b) remit an appeal arising under Part III for re-hearing or reconsideration by the same or by a differently constituted Disciplinary Committee to be appointed under that Part; or~~

~~(c) remit an appeal from a decision of the Head of House under Part IV for further consideration as the person or persons hearing the appeal may direct; or~~

~~(d) remit an appeal by the Head of House 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 Head of House following the finding by the Disciplinary Committee which heard and determined the original charge or charges.~~

~~31. The person appointed shall send the reasoned decision on any appeal together with any findings of fact different from those come to by the Governing Body as the appropriate body under Part II or by the Disciplinary Committee under Part III, as the case may be, to the Head of House 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, within the relevant area 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:~~

~~(a) to matters affecting themselves as individuals; or~~

~~(b) 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. (1) If other remedies within the relevant area have been exhausted, the member of the academic staff may raise the matter with the Head of House.~~

~~(2) If it appears to the Head of House that the matter has been finally determined under Part III, IV or V, or that the grievance is trivial or invalid, he or she may dismiss it summarily, or take no action upon it.~~

~~(3) If the Head of House 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;~~

~~(b) a determination under Part IV; or~~

~~(c)—an appeal under Part V~~

~~he or she shall defer action upon this Part until the relevant complaint, determination or appeal has been heard or the time for instituting it has passed.~~

~~(4)—If the Head of House does not reject the complaint under paragraph (2) or if he or she does not defer action upon it under paragraph (3), he or she shall decide whether it would be appropriate, having regard to the interests of justice and fairness, for him or her to seek to dispose of it informally.~~

~~(5)—The Head of House shall notify the member concerned of any decision taken under this section.~~

~~35.—If the grievance has not been disposed of informally under section 34(4), the Head of House shall refer the matter to the Grievance Committee for consideration.~~

~~36.—The Grievance Committee shall comprise three Fellows of the College appointed annually by the Governing Body.~~

~~37.—The procedure in connection with the consideration and determination of grievances shall be determined in Regulations in such a way as to ensure that the aggrieved member 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 HEAD OF HOUSE FROM OFFICE**

~~39.—Any six members of the Governing Body may make a complaint to the Deputy Head of House seeking the removal of the Head of House from office for good cause.~~

~~40.—The Deputy Head of House shall refer such a complaint to the Governing Body, exclusive of the Head of House and the members making the complaint. If it appears to the Governing Body that the complaint does not raise a prima facie case, or that it is trivial or invalid or unjustified, they may determine that no further action shall be taken upon it.~~

~~22.1.—If it appears to the Governing Body, on material presented, that the complaint raises a prima facie case which could, if proved, constitute good cause for the dismissal or removal of the Head of House from office, they shall appoint a Tribunal to hear and determine the matter. A Tribunal shall consist of three persons who are not Fellows of the College and are not employed by the College, as follows:~~

- ~~(a)—one person who holds, or has held, judicial office, or who is a barrister or solicitor of at least ten years' standing, who shall be Chairman;~~
- ~~(b)—two other persons.~~

~~41.—A complaint referred to the Tribunal shall be dealt with in accordance with the procedure prescribed in sections 17 to 19, provided that the Deputy Head of House shall perform any duty and exercise any power there assigned to the Head of House, and that for the purposes of this Part, references in those sections to a Disciplinary Committee shall be construed as referring to the Tribunal and references in section 30 to Part III shall be construed as referring to this Part.~~

~~42.— The Tribunal shall send its decision on the complaint, together with its findings of fact and the reasons for its decision, to the Head of House and the Deputy Head of House. The Tribunal shall draw attention to the period of time within which any appeal should be instituted by ensuring that a copy of Part V accompanies the notification of its decision sent to the Head of House.~~

~~43.— If the Tribunal finds that the complaint constitutes good cause for dismissal, the Deputy Head of House, after consulting the Governing Body, may dismiss the Head of House.~~

~~3.1. The Head of House may institute an appeal against the findings of a Tribunal by serving on the Deputy Head of House a notice in writing setting out the grounds of the appeal. A notice of appeal shall be served within twenty eight days of the date on which the document recording the decision appealed from was sent to the Head of House, provided that the person appointed to hear an appeal shall have power to hear an appeal submitted after that date, if he or she considers that justice and fairness so require in the circumstances of the case.~~

~~44.— An appeal commenced under Section 45 shall be heard in accordance with the provisions of Part V, provided that the Deputy Head of House shall perform any duty and exercise any power assigned to the Head of House.~~

~~45.— (1) For the purpose of the removal of the Head of House for incapacity on medical grounds, the provisions of Part IV and Part V shall have effect, provided that the Deputy Head of House shall perform any duty or exercise any power there assigned to the Head of House.~~

~~46. For the purposes of this Part, references to the Deputy Head of House shall, if the Deputy Head of House is not in residence, or is incapacitated by illness or otherwise, be construed as referring to the senior Fellow in residence.~~

Signed by — J D May

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University Commissioners on 29<sup>th</sup> September 1993.