



*At the Court at Buckingham Palace*

THE 22nd DAY OF MAY 2024

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY  
IN COUNCIL

The Governing Body of Lady Margaret Hall, in the University of Oxford, has made a Statute revising the Statutes, in accordance with the Universities of Oxford and Cambridge Act 1923, and in the form set out in the Schedule to this Order.

The Statute has been submitted to His Majesty in Council, and the provisions of the Act relating to publication in the London Gazette and laying before both Houses of Parliament have been complied with.

No petition or address has been presented against the Statute.

Now, therefore, His Majesty, having taken the Statute into consideration, is pleased, by and with the advice of His Privy Council, to approve it.

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*SCHEDULE*

STATUTE TO REVISE THE EXISTING STATUTES OF LADY MARGARET HALL IN THE UNIVERSITY OF OXFORD, APPROVED AT A GENERAL MEETING OF THE GOVERNING BODY OF THE COLLEGE, SPECIALLY SUMMONED FOR THE PURPOSE, ON THE 29TH DAY OF NOVEMBER 2023 BY THE VOTES OF NOT LESS THAN TWO-THIRDS OF THE NUMBER OF PERSONS PRESENT AND VOTING AND SEALED ON THE 29TH DAY OF NOVEMBER 2023, UNDER THE PROVISIONS OF THE UNIVERSITIES OF OXFORD AND CAMBRIDGE ACT 1923 AND SUBMITTED TO HIS MAJESTY THE KING IN COUNCIL

## **I. THE GOVERNING BODY**

### Members

1. The Governing Body shall consist of the Principal and those persons who shall for the time being and from time to time be Fellows of the College and qualified for membership of the Governing Body under the provisions of the Statutes hereinafter enacted and these members of Governing Body will be the charity trustees.

### Chairman

2. The Principal when she is present shall preside at meetings of the Governing Body. In her absence the Vice-Principal shall preside or, in the absence of both Principal and Vice-Principal, the senior Official Fellow present shall preside.

### Validity

3. The Governing Body may act and the proceedings shall be valid provided that, after excluding from calculation members on leave of absence previously approved by the Governing Body, at least half of the members are present. Subject to the provisions of clause 11 of Statute I, proceedings shall be determined by a simple majority unless otherwise stated.

### Meetings

4. Every Meeting of the Governing Body shall be one of three kinds:

- (a) Stated Meeting.

One Stated Meeting shall be held in each of the three University terms in every year, on a date fixed by Bye-Law. The Governing Body may by Resolution adjourn a Meeting to a date specified in such Resolution provided that not less than five days' notice of such date shall be given to all members not present at the adjourned Meeting.

- (b) Special Meeting.

The Principal or, in her absence, the Vice-Principal or, in the absence of both Principal and Vice-Principal, the senior Official Fellow, may at any time convene a Special Meeting by giving not less than seven days' notice of such Meeting if it is to be held during full term or fourteen days' notice of a Meeting if it is to be held out of full term, and she shall similarly do so at the request of any three members of the Governing Body. Any business which, under these Statutes, or under any Bye-Law of the College in force for the time being, is directed to be transacted at a Stated Meeting may be transacted at a Special Meeting; business of which notice has not been given may be transacted only if all the members present are willing so to allow.

(c) Ordinary Meeting.

Ordinary Meetings may be convened by the Principal or, in her absence, the Vice-Principal or, in the absence of both Principal and Vice-Principal, the senior Official Fellow in residence, at any time but no business shall be transacted or powers exercised which under the Statutes of the College or under any other enactment or Resolution of the Governing Body ought to be transacted or exercised by the Governing Body at a Stated or Special Meeting.

5. Members of the Governing Body are expected to attend all meetings unless they have a good reason for not doing so. Members must attend at least three meetings in any academic year unless they have the express permission of the Principal to be absent.

Powers

6. The Governing Body shall have all such powers as are conferred on it by the Charter and shall, subject thereto and to these Statutes, have the entire direction and management of the affairs of the College.

Bye-Laws and Regulations

7. The Governing Body may at a Stated Meeting make such Bye-Laws and Regulations as it thinks fit for the conduct of its business, the admission, education and discipline of students and the administration of the College and may alter or repeal such Bye-Laws provided that no such Bye-Law or Regulation shall be valid which is inconsistent with the Charter or with these Statutes or with the Statutes of the University. Bye-Laws shall be made, repealed or amended by vote of not less than two-thirds of the Governing Body present and voting.

Committees

8. The Governing Body may appoint Committees and delegate to them such powers as it thinks fit, subject to the provisions of these Statutes. It may appoint as Members of such Committees persons who are not members of the Governing Body but, except where Governing Body has approved the delegation of such chairmanship to another Fellow, the Principal shall be ex-officio Chairman of every Committee except the Committee appointed under clause 16 of Statute I, and student disciplinary committees, in accordance with the Bye-laws. Provided that nothing in this clause shall enable the Governing Body to delegate its power to reach a decision under clause 18(b) of Statute XVIII.

Elections and Appointments

9. The Governing Body shall elect the Principal and Fellows, and appoint the Tutors, Domus Tutors, Lecturers, and Treasurer at a Stated Meeting.

### Seal

10. The Governing Body shall provide for the safe custody of the Common Seal of the College which shall be affixed to any instrument requiring the Common Seal in the presence of two members of the Governing Body. The Governing Body shall make Bye-Laws regulating the use of the said Seal.

### Voting

11. Every member of the Governing Body shall have one vote only but in the case of an equality of votes at a meeting the Principal, or any person presiding in her stead, shall have a second or casting vote. Votes must in all cases be given personally and not by proxy.

### Secretary

12. The Governing Body shall appoint a Secretary who shall keep a record of the proceedings of the Governing Body, issue notices of its meetings, and conduct such correspondence as the performance of these duties shall require, and perform such other duties as may be assigned by the Governing Body.

### Contracts

13. Contracts on behalf of the College may be made as follows:
  - (a) a contract which if made between private persons would be by law required to be in writing, and if made according to English law to be under seal, may be made on behalf of the College in writing under the Common Seal of the College;
  - (b) a contract which if made between private persons would be by law required to be in writing, signed by the parties to be charged therewith, may be made on behalf of the College in writing signed by any person acting under its authority;
  - (c) a contract which if made between private persons would by law be valid although made by parole only, and not reduced into writing, may be made by parole on behalf of the College by any person acting under its authority;
  - (d) a contract made according to this Statute may be varied or discharged in the same manner in which it is authorised by this Statute to be made.

### Trade

14. In promoting the objects of the College the Governing Body shall have the power to raise funds and carry out trading (provided that the trade is not taxable).

### Remuneration

15. The Governing Body shall perform their duties as charity trustees without remuneration but, notwithstanding that they are the charity trustees, may be employed by the College and may receive from the College, directly or indirectly:
  - a) proper and reasonable remuneration and indirect benefits including but not limited to salary and pension contributions, use of the College facilities, meals, housing allowance, housing assistance through loans at commercial rates or shared equity scheme, accommodation and research, book and entertainment allowances for the performance of their duties as employees of the College; and
  - b) payment for goods and services supplied to the College, provided always that:
    - i. the amount of such payment is determined in accordance with a written agreement between the College and the Member concerned and is no greater than is reasonable in the circumstances;
    - ii. before entering into that written agreement, the Governing Body is satisfied that it is in the best interests of the College for the goods or services to be supplied by the Member concerned on the terms of that written agreement; and
    - iii. the total number of Members of the Governing Body in respect of whom such a written agreement is in force constitutes a minority of the Governing Body.
16. The Governing Body shall be responsible for the regulation and management of remuneration, benefits and other payments to its Members under these Statutes, including the Principal, and for this purpose shall establish a Remuneration Committee whose remit and composition shall be set out in the Bye-Laws. The review and determination by Governing Body of all salaries and direct and indirect benefits payable to Members of Governing Body referred to in these Statutes shall be made after consultation with the Remuneration Committee in accordance with the process prescribed by the Bye-Laws.

### Conflicts of Interest

17. The Members of Governing Body shall also be responsible for the management of potential conflicts of interest on the Governing Body and shall from time to time set out the policy and procedures it shall follow in order to fulfil this responsibility.

## **II. THE PRINCIPAL**

### Qualification

1. In the election of the Principal the Governing Body shall choose the person who in its judgment is most fitted for the Headship of the College as a place of education and research and shall appoint the Principal on such terms and conditions and for such period as the Governing Body may decide, consistent with the Statutes.

### Procedure for election

2.
  - a) At the Stated Meeting in the Trinity Term in the academic year before that at the end of which the office of Principal shall become vacant under the provisions of clause 5 of Statute II, the Governing Body shall fix a date of a Special Meeting to be held not later than Saturday of the first week of the Michaelmas full term following. The Principal shall not be present at the Special Meeting and the Vice-Principal or, in her absence, the senior Official Fellow in residence, shall act as Chairman. Only business concerned with the election of a Principal or directly arising from it shall be entered on the Agenda. The Special Meeting shall be adjourned at least once, and at an adjourned meeting to be held not later than the end of the first week of Hilary Term, voting shall take place on nominations which have been entered on the Agenda, with names of proposers and seconders. Election shall be between those nominated only and shall be by secret ballot and shall be determined by an absolute majority of those present. If there are more than two nominees and no nominee obtains an absolute majority, voting shall take place again, the nominee who obtained the least number of votes having been withdrawn, and this procedure shall be repeated as often as necessary. In the case of an equality of votes, the Chairman shall not exercise a second or casting vote until the meeting has been adjourned and the vote repeated.
  - b) If the Governing Body is informed at any Stated Meeting of the intention of the Principal to resign her office, the same procedure set out in clause 2(a) above shall be followed except that the Governing Body shall at such meeting fix the date of the Special Meeting and the nominations shall be entered on the Agenda of an adjourned meeting to be held not more than fourteen weeks after the date fixed for the Special Meeting.
  - c) If a vacancy occurs in the office of Principal otherwise than as provided in the above clauses, the Secretary of the Governing Body shall summon a Special Meeting to be held within fourteen days of the occurrence; provided that if the vacancy shall occur in the months of July, August or September, the Special Meeting may be fixed for a day not later than the 10th day of October. The Governing Body shall at such Meeting fix the date of a Special Meeting to consider the election of a Principal and the same procedure as in clause 2(b) above shall be followed.

- d) If no election has been made within a year of the Stated Meeting mentioned in clauses 2(a) and 2 (b) above and the first Special Meeting mentioned in clause 2(c), respectively, the Visitor shall be informed and shall have power to appoint.
- e) If the Principal has been appointed on a fixed term, the Governing Body may reappoint the Principal for one further fixed term on such terms and conditions as the Governing Body may in its absolute discretion decide. The further fixed term shall not exceed the previous fixed term, save in circumstances where a Principal is elected for less than two years and one day (for example in an interim capacity) and is subsequently appointed for a longer fixed term in accordance with the procedure set out in clause 2(a) above.

### Admission

- 3. During the first full term of her tenure of office, the Principal-elect shall be formally admitted to the office of Principal, in the presence of the Fellows and members of the College.

### Duties and Authority

- 4. The Principal shall exercise general supervision over the educational work and administration of the College. The Principal shall be responsible for the discipline of members of the College in statu pupillari <sup>1</sup>, provided that the name of no such member shall be removed from the books of the College without the order of the Governing Body or by the decision of the University to expel that member from membership of the University.

### Tenure

- 5. The Principal shall hold office until the appointment is terminated by either party in accordance with the terms and conditions of appointment, by expiry of a fixed term or in accordance with the College's Statutes.

### Residence

- 6. The Principal shall be required unless special leave of absence be granted by the Governing Body, to be resident within the College for not less than seven months in each academic year, of which six weeks shall fall within each full term.

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<sup>1</sup> See Statute VII, Members in Statu Pupillari



### **III. THE FELLOWS**

1. The classes of Fellows elected to serve on the Governing Body shall be:
  - a) Official Fellows;
  - b) Professorial Fellows;
  - c) Supernumerary Fellows; and
  - d) Domus Fellows.

#### Official Fellows

2.
  - a) The Official Fellows shall be all those appointed to Tutorships. The Treasurer, and the holder of any other office within the College, may, if not already a Fellow, be elected to an Official Fellowship. Before electing an Official Fellow whose duties will include teaching the Governing Body shall consult the board or boards of the appropriate faculty or faculties, or the appropriate board or boards of studies, of the University.
  - b) An Official Fellow who at the time of her election is not a Master of Arts in the University shall be required by the terms of her election, to proceed to that degree within a reasonable time to be fixed by the Governing Body.

#### Professorial Fellows

3.
  - a) The holder of any Professorship which may be allocated to the College by the Council of the University shall, by virtue of her office, be a Professorial Fellow provided that the College was invited, under the terms of the Statutes of the University relating to the representation of the colleges at elections to Professorships, to send a representative to the meetings of the Board of Electors by which she was elected to her Professorship.
  - b) The Governing Body may elect to a Professorial Fellowship any person holding the office of Reader in the University or the holder of a University Office declared by a Statute of the University to qualify its holder for a Professorial Fellowship.
4.
  - a) A Professorial Fellow shall vacate her Fellowship when she ceases to hold the office in respect of which she was elected.
  - b) A Professorial Fellow shall not be entitled to any emoluments from the College in respect of her Fellowship, but the Governing Body may, if it think fit, assign to her residence, with or without payment, or other privileges.



### Supernumerary Fellows

5. a) The Governing Body may elect to a Supernumerary Fellowship:
  - i. any person who holds a Research Fellowship in the College for the duration of her Fellowship;
  - ii. any person of distinction who is a member of Congregation. She shall be elected for five years, or for the duration of the probationary period set by the University, if she occupies a stipendiary office or appointment in the University which provides for a probationary period, and thereafter be re-elected for successive periods of five years except that reappointment shall be for a shorter time if she would reach the age of retirement as defined in the University's regulations in less than five years. She shall hold office until the end of the academic year in which she attains the age of retirement, as defined in the University's regulations. A Supernumerary Fellowship shall lapse if the Fellow ceases to be a member of Congregation.
- b) A Supernumerary Fellow shall not be entitled to any emoluments from the College in respect of her Supernumerary Fellowship, but the Governing Body may, if it think fit, assign to her residence, with or without payment, or other privileges.

### Domus Fellows

6. The Domus Fellows shall be those appointed to Domus Tutorships subject to the provisions of Statute IV.

### Election

7. The election of Professorial Fellows (other than those whose office entitles them to be Professorial Fellows) and Supernumerary Fellows shall be made at a Stated Meeting by the formal vote of a simple majority of those present and voting, but no election shall be made whereby the total number of Professorial Fellows and Supernumerary Fellows together would be made to exceed one-half of the number of Official Fellows.

### Declaration

8. Every Fellow shall upon the occasion of her first attendance as a full member at a Stated Meeting of the Governing Body make a declaration to the effect that she will be true and faithful to the College, will observe its Statutes and Bye-Laws and will endeavour to promote its interests.
9. The Fellows shall assist the Principal in the maintenance of discipline.

### Precedence

10. The Vice-Principal shall take precedence over all other Fellows. Fellows shall take precedence in the College according to the dates prescribed at their election for the commencement of their Fellowships, provided that the Governing Body shall determine the relative precedence of any two or more Fellows whose tenure begins on the same day. A Professorial Fellow shall rank according to the date of the University appointment in respect of which she has been elected to a Professorial Fellowship. A Fellow re-elected whether to a Fellowship of the same or of a different class not more than one year after the end of her previous term shall rank according to her original precedence.

### Other Fellows

11. The Governing Body shall have power, at any Stated Meeting, to elect:
  - a) Honorary Fellows;
  - b) Emeritus Fellows;
  - c) Research Fellows;
  - d) Foundation Fellows;
  - e) Honorary Research Fellows;
  - f) Associate Fellows; and
  - g) Visiting Fellows.
12. Such Fellows shall not be members of the Governing Body by virtue of their Fellowships.

### Honorary Fellows

13. The Governing Body may elect to an Honorary Fellowship any person whom it deems worthy of such distinction. An Honorary Fellow shall not receive any pecuniary emolument as a Fellow, but may enjoy such other privileges and advantages as the Governing Body shall from time to time determine.

### Emeritus Fellows

14. The Governing Body may elect to an Emeritus Fellowship anyone who, having held an Official Fellowship or a Professorial Fellowship or a Supernumerary Fellowship, has vacated such Fellowship (a) after not less than 20 years' service to the College (whether as Fellow or otherwise) or (b) on reaching the age of retirement, as defined in the University's regulations. An Emeritus Fellow shall not receive any pecuniary

emolument as a Fellow but may enjoy such other privileges and advantages as the Governing Body shall from time to time determine.

#### Research Fellows

15. Subject to the provisions of any relevant trust instrument from time to time in force the Governing Body may elect to Research Fellowships persons who in their opinion are likely to do valuable research in some branch of learning. The levels of seniority, titles and roles of these Fellows may differ, but may incorporate both Senior and Junior Research Fellows. They may be required to undertake some teaching for the College, or other duties, such as acting as College advisor to postgraduate students. The emoluments of a Research Fellow shall be determined by the Governing Body which shall also have power to assign to her residence or other privileges, with or without payment.

#### Foundation Fellows

16. The Governing Body may elect to a Foundation Fellowship any person whom it deems worthy of such distinction, in recognition of exceptional service to the College. A Foundation Fellow shall not receive any pecuniary emolument as a Fellow, but may enjoy such other privileges and advantages as the Governing Body in each case shall from time to time determine. The duration of the Foundation Fellowship shall be determined in each case by the Governing Body, at the time of election.

#### Honorary Research Fellows

17. The Governing Body may elect to Honorary Research Fellowships persons who in their opinion are likely to do valuable research in some branch of learning. An Honorary Research Fellow shall not receive any pecuniary emolument as a Fellow, but may enjoy such other privileges and advantages as the Governing Body in each case shall from time to time determine. The duration of the Honorary Research Fellowship shall be determined in each case by the Governing Body, at the time of election.

#### Associate Fellows

18. The Governing Body may elect to an Associate Fellowship any person who it deems worthy of such distinction, in recognition of their active and sustained engagement with the College. An Associate Fellow shall not receive any pecuniary emolument as a Fellow, but may enjoy such other privileges and advantages as the Governing Body in each case shall from time to time determine. The duration of the Associate Fellowship shall be determined in each case by the Governing Body, at the time of election.

#### Visiting Fellows

19. The Governing Body may elect to a Visiting Fellowship any person whom it deems worthy of such distinction. A Visiting Fellow shall not receive any pecuniary emolument as a Fellow, but may enjoy such other privileges and advantages as the

Governing Body in each case shall from time to time determine. The duration of the Visiting Fellowship shall be determined in each case by the Governing Body, at the time of election.

#### Incompatible Occupations

20. No Fellow other than an Honorary, an Emeritus, a Foundation, an Honorary Research, an Associate or a Visiting Fellow shall:
- a) accept a Fellowship other than an Honorary Fellowship in another College in Oxford, or
  - b) be appointed to the office of Head of a College in Oxford, or
  - c) accept any paid office or engage in any occupation either of which shall be judged by the Governing Body to be incompatible with the discharge of her duties to the College.

#### Deprivation

21. The Governing Body shall have power at any time to terminate the appointment of any Fellow on the ground of misconduct, mental or physical incapacity, neglect of duties or persistent non-observance of the Statutes, Bye-Laws or Regulations of the College, or Resolutions of the Governing Body, or other grave cause, after due enquiry held upon the petition of a simple majority of the Governing Body present and voting at a Special Meeting summoned with notice of the business to be transacted thereat. The Fellow concerned shall have the right to appear at this meeting to put her case but shall then withdraw. The Principal or in her absence the Vice-Principal or in the absence of both the Principal and the Vice-Principal the Senior Official Fellow upon receipt of a requisition signed by not fewer than five Fellows shall be bound to call such a meeting giving not less than fourteen days' notice in writing. Any Fellow whose appointment is terminated in accordance with this clause shall also cease to hold any other office in the College to which she shall have been appointed. Provided that subject to the provisions of clause 17(a) of Statute XVIII nothing in this clause shall apply to any member of the academic staff to whom Statute XVIII applies.

### **IV. THE VICE-PRINCIPAL, TUTORS, DOMUS TUTORS, TREASURER, CHAPLAIN AND LECTURERS**

#### Vice-Principal

1. The Governing Body shall elect a Vice-Principal from among the Official Fellows for such period and on such terms as the Governing Body will determine at the time of election, provided that if at any time she ceases to be an Official Fellow she shall cease to be Vice-Principal. She shall reside in the College during full term provided that the Governing Body, at a Stated Meeting, shall have the power to waive this requirement.

### Duties

2. The Vice-Principal shall, in the absence of the Principal, or during the Principal's incapacity through illness, or during a vacancy in the office of Principal, be charged with all the powers and duties of the Principal except where otherwise provided.

### Tutors and Lecturers

3. The Governing Body shall appoint as many Tutors, Domus Tutors, and Lecturers as shall in its judgment be required for the educational work of the College.

### Chaplain

4. If the Principal is not a member of the Church of England, the Governing Body shall, and in any event may, appoint a Chaplain, who shall be a priest in, or an Anglican priest with permission to officiate in, the Church of England. The Chaplain's main responsibility shall be to the duties of her Office. She shall be appointed on such conditions as to duties, tenure, emoluments and residence as the Governing Body may decide at the time of her appointment or re-appointment.

### Tutors

5. Every Tutor shall be responsible for the direction and teaching of the pupils, that is, those in statu pupillari, assigned to her and may be required to lecture.
6. Except as hereinafter provided, a Tutor shall be elected to an Official Fellowship with a probationary period to match that of the relevant University Department, where the Tutor has a joint appointment. For College-only appointments, the probationary period will be one year. The period of probation may be shortened.
7.
  - a) Tutors shall be appointed upon such conditions as to emoluments as the Governing Body shall determine at the time of appointment, or reappointment.
  - b) A Tutor shall be entitled to free residence in the College throughout the year and shall normally be expected to reside within twenty-five miles of Carfax<sup>2</sup> during full term. If a Tutor decides to reside outside the College the Governing Body shall determine whether an allowance shall be made in lieu of free residence in the College, and the amount of such allowance.
8. The Governing Body may grant leave of absence to a Tutor on such conditions as it shall determine.

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<sup>2</sup> Carfax is considered to be the centre of Oxford. It is at the junction of St. Aldate's, Cornmarket Street, Queen Street and the High Street

### Domus Tutors

9. Appointment to a Domus Tutorship and election to a Domus Fellowship (except as hereinafter provided) shall be made by Governing Body for a single fixed period, not exceeding five years. Before appointing a Domus Tutor whose duties will include University teaching the Governing Body shall consult the appropriate faculty board or boards, or other appropriate academic body of the University.
10. Appointment to a Domus Tutorship may be subject to a probationary period not exceeding one year; during this period the Domus Tutor shall not as of right be elected to a Domus Fellowship, but Governing Body may make such election in any particular case.
11. Domus Tutors shall be appointed upon such conditions as to emoluments, residence, duties and leave as Governing Body shall determine.

### Lecturers

12. Lecturers may be appointed by the Governing Body under such conditions as to duties, tenure and emoluments as the Governing Body shall determine at the time of appointment or reappointment.

### Treasurer and other Officers

13. The Governing Body shall make appointment to the office of Treasurer, and to such other offices within the College as it deems necessary on such conditions as to duties, emoluments and residence as it may decide at the time of appointment or reappointment.
14. The Treasurer shall be charged with the administration of the finances of the College and its Estates. She shall be responsible for the annual accounts and audit and for the performance of such other duties as the Governing Body may from time to time determine.
15. The Governing Body may at the time of first appointment or at any subsequent Stated Meeting elect the Treasurer to an Official Fellowship.
16. The Treasurer, and the holder of any other office within the College appointed under the provisions of clause 13 of this Statute may be granted leave on terms and conditions to be determined by the Governing Body.

### Holding of More than One Office

17. The same person may hold at the same time more than one of the offices to which the Governing Body shall or may appoint under the provisions of this Statute.

## GENERAL PROVISIONS CONCERNING TUTORS, DOMUS TUTORS, CHAPLAIN AND LECTURERS

### Notice

18. The Governing Body shall give not less than three months' notice to a Tutor, Domus Tutor, or Lecturer of its intention not to reappoint her at the end of any period for which she has been appointed.
19. The Governing Body shall give not less than three months' notice to a Chaplain of its intention to terminate her appointment or not to reappoint her at the end of any period for which she has been appointed.
20. Any Tutor, Domus Tutor, Chaplain, or Lecturer shall, if she desires to resign, give three months' notice in writing of such intention.
21. Tutors and Lecturers shall not hold office after the end of the academic year in which they reach retirement age, as defined in the University's regulations.

### Incompatible Occupations

22. No Tutor, Domus Tutor, Chaplain, or Lecturer shall accept any paid office or engage in any occupation either of which shall be judged by the Governing Body to be incompatible with the discharge of her duties to the College.

## V. PENSIONS

1. The Governing Body shall co-operate in the Universities Superannuation Scheme upon such terms as may be agreed between the Governing Body and the Universities Superannuation Scheme.

## VI. SCHOLARS AND EXHIBITIONERS

### Open Entrance Scholarships and Exhibitions

1. The Governing Body may offer for competition in each academic year such a number of open Entrance Scholarships and Exhibitions and in such subjects, as it may from time to time determine. The Governing Body shall have power to stipulate emoluments and conditions of tenure in the Bye-Laws.

### Scholarships and Exhibitions

2. The Governing Body may elect to a Scholarship or Exhibition with or without emoluments any member of the College in statu pupillari who is already in residence and who has in its judgement so distinguished herself as to deserve the status of Scholar or Exhibitioner.



### Emoluments

3. The emoluments of Scholarships and Exhibitions not provided by Trust Funds or other special endowments shall be assigned from the revenues of the College.

### Residence

4. Every person elected to a Scholarship or Exhibition shall, if she be not already a member of the University, come into residence at the beginning of the Michaelmas Term next following the day of election unless the Governing Body shall otherwise determine; and no Scholar or Exhibitioner shall be entitled to receive the emoluments attached to her Scholarship or Exhibition in any term in which she shall not have resided for the period required by the University Statutes; provided that in cases of illness or other sufficient cause, the Governing Body may dispense with the residence of a Scholar or Exhibitioner upon such terms as to the payment to her of the emoluments as it may deem proper.

### Tenure

5. Every Scholarship or Exhibition for undergraduate students shall be tenable in the first instance for one year. At the expiration of one year it shall terminate, unless the Governing Body shall have declared itself satisfied with the industry and good conduct of the Scholar or Exhibitioner, in which case the tenure of her Scholarship or Exhibition shall be renewed for a further period of one year. The Governing Body may at its discretion, with or without emoluments, further renew the tenure for a third, fourth or fifth year.
6. The tenure of Scholarships for graduate students shall vary according to the particular Scholarship concerned and to the circumstances of the Scholar. The Governing Body may, at its discretion, with or without emoluments, renew the tenure of those Scholarships that are renewable if the Governing Body shall have declared itself satisfied with the industry and good conduct of the Scholar concerned.

### Change of School

7. A Scholar or Exhibitioner elected after an examination in a particular subject may pursue any other recognised subject of academic study provided that she shall have satisfied the Governing Body that she is qualified to do so with profit.

### Deprivation

8. If a Scholar or Exhibitioner be guilty of neglect of her studies or of any other misconduct, the Governing Body may deprive her at any time of her Scholarship or Exhibition. The Governing Body may also, if it think fit, for disciplinary reasons, reduce or suspend the emoluments of a Scholar or Exhibitioner.

### Resignation of Emoluments

9. A Scholar or Exhibitioner who voluntarily resigns the emoluments of her Scholarship or Exhibition shall be entitled to retain the status of Scholar or Exhibitioner, and shall still be counted within the total number of Scholars and Exhibitioners.

### Endowed Scholarships and Exhibitions

10. Nothing in any clause of this Statute shall prevent the award of Scholarships or Exhibitions provided by trust funds or other special endowments from being made subject to the provisions of any relevant trust instrument for the time being in force on such conditions and for such periods as the Governing Body may from time to time determine.

## **VII. MEMBERS IN STATU PUPILLARI**

1. The Governing Body shall make regulations with regard to:
  - a) the selection and admission of those who are to be members of the College in statu pupillari;
  - b) the fees, dues, fines and other sums payable to the College by such members; and
  - c) the process of removal of a member of the College in statu pupillari, including a right of appeal against a decision to remove such a member of the College, and this process shall be set out in the Bye-Laws.
2. The name of a member of the College in statu pupillari shall not be removed from the books of the College except by the order of the Governing Body or by the decision of the University to expel that member from membership of the University.

## **VIII. THE CHAPEL**

1. The services in the Chapel shall be conducted according to the principles of the Church of England.
2. The Chaplain shall be responsible for the conduct and ordering of the services in the Chapel, subject to the general approval of the Bishop of Oxford.

## **IX. THE VISITOR**

1. The Chancellor of the University for the time being shall be the Visitor of the College.

### Powers

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

### Statutes

3. If any question arise on which the members of the Governing Body are unable to agree, depending wholly or in part on the construction of any of the Statutes of the College, the Governing Body or any four members of the Governing Body may submit the same to the Visitor, and the Visitor shall thereupon declare the true construction of the Statutes with reference to the case submitted to him.

### Bye-Laws

4. The Visitor may, either on his own motion or on the complaint of any four members of the Governing Body, disallow and annul any Bye-Law or resolution of the Governing Body which is, in the Visitor's judgment, repugnant to the Statutes of the College, subject to clause 8 below.

### Rights of Appeal

5. The Principal or any Fellow of the College, if aggrieved by any act or decision of the Governing Body, subject to clause 8 below, may appeal to the Visitor and the Visitor shall adjudicate on the appeal and may confirm, reverse or vary the act or decision as he deems just, and his decision shall be final.

### Appointment of Principal

6. In the event of the Governing Body failing to fill a vacancy in the office of Principal within the period prescribed by clause 2(d) of Statute II, the appointment of a Principal shall lapse to the Visitor.

### Decisions

7. Any decision given by the Visitor under these Statutes shall be binding on the Governing Body and upon the Principal and every Fellow of the College and upon every other person affected by these Statutes.
8. In accordance with the provisions of the Education Reform Act 1988, and of the Higher Education Act 2004, nothing in these Statutes shall enable or require the Visitor:
  - a) to determine the construction of any Statute, to disallow any Bye-Law or resolution of the Governing Body, to hear any appeal, or determine any dispute relating to a member or ex-member of the academic or administrative staff which

concerns the member's appointment or employment or the termination of that appointment or employment; or in respect of which proceedings could be brought before any court or tribunal; or

- b) to disallow any Bye-Law or resolution of the Governing Body relating to any kind of student complaint, or to hear any kind of student complaint, or that from a prospective student applying for admission; or
- c) to disallow or annul any Bye-Law made under or having effect for the purposes of clause 2 of Statute XVIII.

## **X. DISPOSAL OF REVENUES**

### University Statutes

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

### Reserve Fund

2. The Governing Body may out of corporate revenues not required for the purpose of these Statutes set apart from time to time such a sum as it may think fit to form a reserve fund for new or additional College buildings or repairs to College buildings, or for acquiring or providing houses or buildings to be occupied and used in connection with the College and for College purposes, or for other desirable or necessary expenditure for College purposes provided that the sum so set apart in any year shall not be allowed as a deduction from the sum upon which the contributions of the College for University purposes in that year are assessed.

## **XI. POWERS OF INVESTMENT**

### Scope

1. This Statute shall apply to all funds and endowments of the College which are not held to any specific trust.

### Powers of Investment

2. The funds to which this Statute applies may (subject as hereinafter provided) be invested by the Governing Body in property or securities of any class in any part of the world and whether involving liability or not as the Governing Body shall in its absolute discretion think fit so that the Governing Body shall be empowered to invest and

transpose the investments of such funds in the same unrestricted manner as if it were the beneficial owner thereof.

3. Provided that:

- a) The Governing Body shall appoint an Investment Committee, consisting of the Principal, Treasurer, not less than two other Fellows and at least one suitably qualified outside person who is not a Fellow nor an employee of the College. The Committee shall meet at least once a term to consider all business relating to the College's estates, endowment and investments (including those of trust funds). The Committee shall receive reports from any Investment Manager who may have been appointed under Statute XII.
- b) The Governing Body authorises the Investment Committee to exercise powers of investment within the terms of a Statement of Investment Principles, approved by Governing Body. The Principal and Treasurer have the authority to execute the decisions made by Investment Committee, including:
  - i. making commitments to new investments in public markets via the College's stockbroker, where either the Principal's or the Treasurer's authorisation is required;
  - ii. making commitments to new investments in private markets without the services of the College's stockbroker, where both the Principal's and the Treasurer's authorisations are required; and
  - iii. investing additional funds into or selling existing investments, where either the Principal's or the Treasurer's authorisation is required.

## **XII. DELEGATION OF MANAGEMENT OF INVESTMENTS**

- 1. This Statute shall apply to all funds and endowments of the College save where it conflicts with the terms of a specific trust.
- 2. The Governing Body may from time to time appoint a suitably qualified person as Investment Manager to carry out on behalf of the College the duties prescribed by this Statute on such terms as (subject to and in accordance with this Statute) the Governing Body shall think fit.
- 3. A person (which expression in this Statute includes a person, persons, firm or company) shall be suitably qualified to be Investment Manager if he shows to the satisfaction of the Governing Body that:
  - a) he (or, in the case of a subsidiary company whose obligations under the relevant terms of appointment will be guaranteed by the parent company, that parent company) has at least 15 years' experience of investment or financial management and

- b) is entitled to carry on investment activities in accordance with the Financial Services and Markets Act 2000 (or other relevant legislation replacing that Act).
4. The Governing Body may pay reasonable and proper remuneration to an Investment Manager appointed and acting in accordance with this Statute.
  5. The Governing Body may delegate to an Investment Manager appointed and acting in accordance with this Statute power at his discretion (but always in accordance with this Statute and the terms of his appointment) to buy and sell investments held on behalf of the College; and such delegation may permit those investments to be held by a nominee.
  6. The terms of appointment of any Investment Manager shall be in writing and shall:
    - a) specify the relevant investment policy of the College and the scope of the Investment Manager's discretion; and
    - b) require the Investment Manager to comply with the terms of his appointment and with these Statutes, the relevant University Statutes and the general law (including any provision relating to the keeping and supply of records and accounts); and
    - c) prohibit the Investment Manager from sub-delegating or assigning his appointment; and
    - d) specify the amount and/or method of calculation of the Investment Manager's remuneration; and
    - e) entitle the College to terminate the appointment at any time on reasonable notice; and
    - f) specify the circumstances in which the appointment may be terminated by either party and (subject to earlier termination) its maximum duration which shall not exceed 24 months on any one occasion (but subject if so specified to renewal from time to time by mutual agreement); and
    - g) specify the relevant advisory, reporting and accounting procedures; and
    - h) state whether or not the investments may be held on behalf of the College in the name of a nominee and (if so) on what basis and by whom.
  7. The Governing Body shall take reasonable steps (and if necessary shall take appropriate advice) to satisfy itself when making any such appointment that its terms are in accordance with best practice at the relevant time. In particular (to ensure that the Governing Body has adequate information as to and appropriate control over the investments, funds or other assets of whatever nature to which the appointment relates) the Investment Manager shall be required:

- a) to review and report in writing to the Investment committee at least once each calendar year on the College's investment policy and the future prospects for the College's investments, and to give any relevant advice; and
- b) to report to the Investment Committee at once on any significant change since the last such review and report which may in his view require early attention by the Governing Body; and
- c) to report to the Treasurer on every transaction within 14 days of its execution; and
- d) to account to the College quarterly.

### **XIII. ACCOUNTS**

#### Accounts

1. The Governing Body shall cause the accounts of the College to be kept in proper books of account in such a form as to enable them to be duly checked and balanced. Separate accounts shall be kept of all special trust funds held for the general benefit of the College or for particular purposes in connection therewith.
2. This clause shall apply to any trust, endowment, fund or scheme established for or in support of the College (hereinafter in this clause referred to as a "Trust").
  - a) The Governing Body may from time to time use for the general educational purposes of the College the whole or part of any surplus income of a Trust provided that this use does not contravene the terms of the Trust.
  - b) In the foregoing paragraph "surplus income" means income unexpended in any year after the purposes of the Trust have been fully provided for in that year (whether wholly by income apart from the Trust or partly by income from the Trust and partly by other means).
  - c) This clause shall apply to all income in hand on the day it takes effect as well as to income receivable thereafter.

#### Audit

3. The accounts of the College shall be audited annually by a suitably qualified auditor.
4. The audited accounts together with a Financial Report from the Treasurer shall be presented to the Governing Body not later than the second Stated Meeting after the end of the financial year.



#### Publication

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

### **XIV. PROVISIONS RELATIVE TO THE UNIVERSITY**

#### Council of the University

1. If at any time it appears to the Council of the University that any provisions of these Statutes or of any other Statutes of the College in force for the time being respecting the accounts of the College, or any other provision of such Statutes by the non-observance of which any interest of the University is liable to be prejudicially affected, is not duly observed the Council of the University may submit a representation to the Visitor; and the Visitor shall, upon receiving such representation, inquire into the matter, and, after considering any representation made by the Governing Body, make such order therein as he shall deem just for enforcing the due observance of the said Statute in the matter to which the representation shall relate.
2. The Council of the University may in like manner make a representation to the Visitor if it shall appear that regard is not had by the College in electing Research Fellows to the requirement of the different branches of study pursued in the University, or that any of the provisions of Statute III of these Statutes are not duly observed by the College.

#### Notice to Principal

3. Before any representation is made under the foregoing provisions, the Vice-Chancellor shall communicate the matter of the proposed representation to the Principal for the information of the Governing Body, and when a representation is made shall forthwith send her a copy of it.

#### Notice of change in Statutes

4. Every proposal for a change in the Statutes of the College in force for the time being or in the Charter of the College shall be communicated to the Council of the University before it is submitted to His Majesty in Council, and the Governing Body, in forwarding the draft Statute as amended for the approval of His Majesty, shall state expressly that it has been so communicated.

#### Consent of University

5. No Statute made by the Governing Body and affecting the University shall be altered except with the consent of the University.

## **XV. INTERPRETATIONS IN THESE STATUTES**

### Gender

1. The wording in these Statutes, and any Bye-Laws made under them, should be considered gender neutral.

### Residence in College

2. Residence in the College shall, for the purpose of these Statutes, include residence in houses or flats in proximity to the College in which the Principal, Official Fellows and Tutors are required by the Governing Body to reside for performance of their duties.

### Free Residence

3. The term "free residence" shall be taken to include board and residence.

### Academic Year

4. For the purpose of these Statutes the term "academic year" shall be taken to mean the period from 1st October in one year to 30th September in the following year.

### University

5. "The University" shall mean the University of Oxford.

## **XVI. EXISTING INTERESTS**

1. These Statutes shall operate without prejudice to any existing interest of any person holding Office honorary or otherwise when they come into effect.

## **XVII. REPEAL AND AMENDMENT**

1. The existing Statutes of the College and all amendments thereto are hereby repealed.
2. These Statutes shall be subject to alteration in the manner provided in the Universities of Oxford and Cambridge Act, 1923.

## **XVIII. ACADEMIC STAFF**

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

1. This Statute and any Bye-Law made under this Statute shall be construed in every case to give effect to the following guiding principles, that is to say:

- a) 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, including their opinions about the College, without institutional censorship, without placing themselves in jeopardy of losing their jobs or privileges, and as further provided for in clause 4 below;
  - b) to enable the College to provide education, to promote learning, and to engage in research efficiently and economically; and
  - c) 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. a) 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 or appointed by the College to carry out teaching or research save for those holding appointments which have been excluded by the Governing Body from the scope of this Statute on the ground that the duties in that regard are only of limited nature; and
  - iii. to the Principal, to the extent and in the manner set out in Part VII of this Statute.
- b) In this Statute any reference to "a member of the academic staff" is a reference to a person to whom this Statute applies.
4. Statement of Freedoms:
- a) Members of the academic staff, in accordance with the UNESCO 1997 Recommendation concerning academic freedom, shall have the freedoms listed below, which comprise "academic freedom" for the purposes of this statute:
- i. all members of the academic staff shall have all the freedoms of expression set out in section a(iii) regardless of whether those freedoms are exercised within or outside the context of College employment;
  - ii. all members of the academic staff shall have the freedom to participate in professional bodies or representative bodies of their choice in accordance with the law and the University of Oxford's recognition agreements with trade unions in force from time to time; and

- iii. all members of the academic staff who are required to engage in academic teaching or research either by their written contracts or by established and agreed practice, shall have particular freedoms pertaining to academic teaching and research in the context of their College employment, namely that, provided that they fulfil their contractual duties and honour any applicable agreements with research funding bodies, they shall be free without fear of any professional or personal reprisal or disadvantage, to:
    - iv. carry out research on subjects of their choosing, and publish and disseminate the results of that research as they wish and in whatever form they wish without any interference or any suppression; and
    - v. conduct teaching in a manner that they consider appropriate according to the standards and norms of the College and relevant department or faculty.
  - b) The College requires that, in all circumstances, members of staff will exercise their right to academic freedom only within the law.
  - c) All members of the College must observe the College's policy concerning behaviour at work and the conduct of their duties.
5. In this Statute "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 95 of the Employment Rights Act 1996 as amended or re-enacted from time to time save that this Statute shall not apply to the termination of a contract of employment by the resignation of a member of the academic staff in circumstances in which he or she claims to be entitled to terminate the contract without giving notice by reason of the College's conduct.
6. For the purposes of this Statute "good cause" in relation to the dismissal or removal from office of a member of the academic staff, being in any case a reason which is related to conduct or to capability or qualifications for performing work of the kind which the member of the academic staff concerned was appointed or employed to do, means, subject to clause 4, Statement of Freedoms, above:
- a) conviction for an offence which may be deemed by an Academic Disciplinary Committee appointed under Part III to be such as to render the person convicted unfit for the performance of the duties of the office or employment as a member of the academic staff; or
  - b) conduct of a kind judged to be inappropriate or unacceptable on the part of the member of the academic staff concerned, such as (but not confined to) the following:

- i. serious breach of any obligation or duty arising under any of the College's regulations regarding financial matters, harassment, equal opportunities, public interest disclosure, health and safety, or data protection or any other rules, regulations or codes binding on the member of the academic staff concerned;
    - ii. violent, indecent, disorderly, threatening, abusive, insulting or harassing behaviour or language (whether written, spoken or in any other form);
    - iii. fraud, deceit, deception or dishonesty in relation to the College or any related activity, including teaching and research;
    - iv. action likely to cause injury or impair safety;
    - v. divulging information or material received in confidence (unless the disclosure is permitted under the Public Interest Disclosure Act 1998 or in accordance with the College's Public Interest Disclosure Procedure); or
  - c) conduct constituting failure or persistent refusal or neglect or inability to perform the duties or comply with the conditions of office; or
  - d) wilful disruption of the activities of the College; or
  - e) wilful disobedience of any of the Statutes or Bye-Laws of the College in force for the time being; or
  - f) physical or mental incapacity established under Part IV.
7. In clause 6 of this Statute:
- a) "capability", in relation to such a member, means capability assessed by reference to skill, aptitude, health or any other physical or mental quality; and
  - b) "qualifications", in relation to such a member, means any degree, diploma or other academic, technical or professional qualification relevant to the office or position held by that member.
8. 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:
- a) the fact that the College has ceased, or intends to cease, to carry on the activity for the purposes of which the person concerned was appointed or employed or has ceased, or intends to cease, to carry on that activity in the place in which the person concerned worked; or

- b) the fact that the requirements of that activity for members of the academic staff to carry out work of a particular kind in that place have ceased or diminished or are expected to cease or diminish.
- 9. In any case of conflict, the provisions of this Statute shall prevail over those of any other Statute of the College in force on the date on which the instrument making these modifications was approved under subsection (9) of section 204 of the Education Reform Act 1988, and over those of any Bye-Law, and the provisions of any Bye-Law made under this Statute shall prevail over those of any Bye-Law made under such other Statutes:
  - a) Provided that Part III, Part IV and Part VII shall not apply in relation to anything done or omitted to be done before the date on which the instrument making these modifications was approved under subsection (9) of section 204 of the Education Reform Act 1988.
  - b) 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.
- 10. 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 any settlement agreement under section 203 of the Employment Rights Act 1996 or any similar waiver or agreement permitted by law.
- 11. For the avoidance of doubt, it is hereby declared that nothing in Parts II or III of this Statute shall be construed as affecting the Statutes and Bye-Laws of the College concerning re-election on the expiry of a fixed term of a Fellowship, nor shall the provisions of Parts II and III of this Statute apply to any dismissal by reason of the termination:
  - (a) of a fixed-term contract of employment upon and by reason of the expiry of such term on its agreed date of expiry;
  - (b) of a contract of employment during or at the end of a probationary period; or
  - (c) of an office except where that office represents the sole contract of substantive employment with the College.
- 12. In any case where an officer of the College or any person is designated to perform any duties or exercise any powers under this Statute, and that officer or person is herself involved in the matter in question, the Governing Body may appoint an alternate to act in her place under procedures prescribed by Bye-Laws made under this Statute.

13. Nothing in any other Statute shall enable the Governing Body to delegate its power to reach a decision under clause 18(b) of this Statute.
14. No one shall sit as a member of any of the bodies established under this Statute, and no one shall be present at a meeting of such body when the body is considering its decision or discussing a point of procedure, except as provided by this Statute or by Bye-Laws made under this Statute.
15. In this Statute references to numbered Parts, clauses, and sub-clauses are references to Parts, clauses and sub-clauses so numbered in this Statute.

## ***PART II REDUNDANCY***

16. This Part enables the Governing Body, as the appropriate body, to dismiss any member of the academic staff by reason of redundancy.
17. a) 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:
  - i. her appointment is made, or her contract of employment is entered into, on or after 20th November 1987; or
  - ii. she is promoted on or after that date.
- b) For the purposes of this clause in relation to a person, a reference to an appointment made or a contract entered into on or after 20th November 1987 or to promotion on or after that date shall be construed in accordance with subsections (3) to (6) of section 204 of the Education Reform Act 1988.
18. a) The Governing Body shall be the appropriate body for the purposes of this Part.
- b) This Part applies where the Governing Body has decided that there should be a reduction in the academic staff:
  - i. of the College as a whole; or
  - ii. of any area of academic work within the College by way of redundancy.
19. Where the Governing Body has reached a decision under clause 18(b):
  - a) it may itself decide to select the requisite members of the academic staff for dismissal by reason of redundancy if such a course satisfies the guiding principles set out in clause 1; or
  - b) it shall appoint a Redundancy Committee to be constituted in accordance with clause 21 to give effect to its decision by such date as it may specify and for that purpose



- i. to select and recommend the requisite members of the academic staff at risk of dismissal by reason of redundancy; and
  - ii. to report their recommendations to the Governing Body.
- 20. The Governing Body shall either approve any selection recommendation made under sub-clause 19(b)(i), or shall remit it to the Redundancy Committee for further consideration in accordance with its further directions.
- 21. A Redundancy Committee appointed by the Governing Body shall comprise:
  - a) a Chairman; and
  - b) two members chosen from amongst members of the Governing Body to whom this Statute does not apply, Honorary Fellows and Emeritus Fellows; and
  - c) two members chosen from amongst members of the Governing Body to whom this Statute applies.
- 22. A member of the academic staff shall not be selected for dismissal under this clause unless she has been afforded a reasonable opportunity to make representations to the Governing Body or Redundancy Committee at an oral hearing. Prior to the oral hearing, the member shall receive written notice of the action being considered by the Governing Body or Redundancy Committee under this Part and an account of the selection processes it has followed.
- 23. Where the Governing Body has either itself made a selection or has approved a selection recommendation made by the Redundancy Committee under clause 19 it may authorise an officer of the College as its delegate to dismiss any member of the academic staff so selected.
- 24. Each member of the academic staff selected shall be given separate notice of the selection approved by the appropriate body.
- 25. Each separate notice shall sufficiently identify the circumstances which have satisfied the appropriate body that the intended dismissal is reasonable and in particular shall include:
  - a) a summary of the action taken by the appropriate body under this Part;
  - b) an account of the selection processes it has used;
  - c) a reference to the rights of the person notified to appeal against the notice and to the time within which any such appeal is to be lodged under Part V; and
  - d) a statement as to when the intended dismissal is to take effect and details of the member's right of appeal against the decision to dismiss by reason of redundancy.

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

26. a) If it appears to the Principal that there are grounds for believing that the conduct or performance of a member of the academic staff is or has been unsatisfactory, she shall inquire into the matter. If the Principal concludes after investigation that the member is or has been at fault, she may issue an oral warning to the member. The Principal 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 she may appeal against the warning under sub-clause (d) of this clause.
- b) If the Principal concludes after investigation that the fault is sufficiently serious to justify it, or if a further offence occurs, she may issue a written warning to the member. Such a warning shall specify the complaint made against the member, the reason for the warning, the improvements required in the member's conduct or performance, and the period of time within which such improvements are to be made. The Principal shall advise the member that she may appeal against the warning under sub-clause (d), 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 an Academic Disciplinary Committee which may lead to dismissal.
- c) The Principal shall keep a written record of any warning issued under sub-clause (a) or sub-clause (b). No further account shall be taken of 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.
- d) A member of the academic staff who wishes to appeal against a disciplinary warning shall inform the Principal 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.
27. a) If there has been no satisfactory improvement following a written warning given under clause 26(b), 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 an Academic Disciplinary Committee appointed under clause 29 may be made to the Principal.
- b) To enable the Principal to deal fairly with any complaint brought to her attention under sub-clause (a) she shall institute such enquiries (if any) as appear to her to be necessary.
- c) If it appears to the Principal (whether on receipt of a complaint or otherwise) that there are grounds for believing that the conduct or performance of a member of the academic staff could constitute good cause for dismissal, she shall write to the person concerned inviting comment in writing and, if she considers that the

College might otherwise suffer significant harm may, at this stage or at any stage prior to the conclusion of any hearing by an Academic Disciplinary Committee, suspend the person concerned from the performance of her duties without loss of pay or emoluments.

- d) As soon as may be following the comments (if any) or in any event not later than 28 days after they were invited the Principal shall consider the matter in the light of all the available material and may dismiss the matter summarily, or issue a written or oral warning to the person concerned, or determine that the matter be considered by an Academic Disciplinary Committee appointed under clause 29.
28. If the Principal has determined that the matter is to be considered by an Academic Disciplinary Committee, she shall request the Governing Body to appoint such a Committee to hear the charge or charges and to determine whether the conduct or performance of the person charged constitutes good cause for dismissal or otherwise constitutes a serious complaint relating to her appointment or employment, and to make recommendations concerning the action (if any) to be taken as a result of the Committee's findings.
29. a) An Academic 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 members of Governing Body, Honorary Fellows or Emeritus Fellows of the College.
- b) In selecting members of the panel for appointment as members of an Academic Disciplinary Committee, the Governing Body shall exclude the person charged, and any person who has been involved in or associated with the making of the complaint or any part of it, or who has been involved in any preliminary hearing or investigation.
30. a) When an Academic Disciplinary Committee has been appointed, the Governing Body shall instruct a solicitor or other suitable person to formulate the charge or charges and to present, or arrange for the presentation of, the charges before the Academic Disciplinary Committee.
- b) 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 arranging of an oral hearing, summoning of witnesses, the production of documents and generally for the proper presentation of the case before the Committee.

31. The procedure to be followed in respect of the preparation, hearing, and determination of any charge by an Academic Disciplinary Committee shall be prescribed by Bye-Laws made under this Statute. Such Bye-Laws shall ensure:
- a) that the person charged is entitled to be represented by another person, whether such person is legally qualified or not, in connection with and at any hearing by an Academic Disciplinary Committee;
  - b) that a charge shall not be determined without an oral hearing at which the person charged and any person appointed to represent her are entitled to be present and that in advance of that hearing, the person charged shall have been sent a copy of any evidence to be relied upon by the Disciplinary Committee;
  - c) that witnesses may be called, both on behalf of the person charged and by the person presenting the charge, and may be questioned concerning any relevant evidence;
  - d) that no new witness or documentary evidence may be introduced by the person presenting the charge without the Committee's consent, which shall not be given save for good reason, and that if late introduction is allowed, the member of the academic staff shall be allowed an adjournment sufficient to allow her to consider and respond to the new evidence; and
  - e) that any charge is heard and determined as expeditiously as is reasonably practicable.
32. a) The Academic Disciplinary Committee shall send its decision on any charge referred to it (together with its findings of fact and the reasons for its decision regarding that charge and its recommendations, if any, as to the appropriate penalty) to the Principal, the person charged, the person presenting the charge and any person who shall have been added as a party by the Academic Disciplinary Committee.
- b) The Academic Disciplinary Committee shall draw attention to the period of time within which any appeal should be made by ensuring that a copy of Part V (Appeals) accompanies each copy of its decision sent to a party to the proceedings under this clause.
33. a) Where any charge or charges is upheld and the Academic Disciplinary Committee finds good cause and recommends dismissal or removal from office, but in no other case, the Principal shall consult the Governing Body and shall decide whether or not to dismiss the person concerned. Any decision to dismiss will be confirmed in writing, including the right of appeal, and notified to the person concerned.
- b) Where any charge is upheld, other than where the Principal has decided under sub-clause (a) to dismiss the person concerned, the action available to the

Principal after consulting the Governing Body (not comprising a greater penalty than that recommended by the Academic Disciplinary Committee) shall be:

- i. to discuss the issues raised with the person concerned; or
  - ii. to advise the person concerned about her future conduct; or
  - iii. to warn the person concerned; or
  - iv. to suspend the person concerned for such period as the Principal 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 Academic Disciplinary Committee's decision, provided that no suspension without pay may be ordered unless the terms of the contract of employment of the person concerned contains provisions expressly entitling the Principal to impose such a penalty; or
  - v. such further or other action under the contract of employment or terms of appointment of the person concerned as appears fair and reasonable in all the circumstances of the case; or
  - vi. any combination of any of the above.
34. a) The Principal shall be the appropriate officer to exercise the powers conferred by clause 33 but she may appoint a delegate to exercise those powers.
- b) Any action taken by the Principal or her delegate shall be confirmed in writing and notified to the Governing Body.

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

35. a) This Part makes separate provision for the assessment of incapacity on medical grounds as a good cause for dismissal or removal from office.
- b) In this Part references to medical grounds are references to capability assessed by reference to health or any other physical or mental quality.
- c) In this Part the Principal shall be the appropriate officer to perform any duties or exercise any powers, but she may appoint a delegate to exercise any of these powers or perform any of these duties.
- d) In this Part references to the member of the academic staff for the purposes of notification, giving consent, agreement, nomination or providing evidence include, in cases where the nature of the alleged disability so requires, a responsible relative or friend or other person with authority to act on behalf of that member in addition to (or instead of) that member.

36. a) Where it appears to the Principal that the removal of a member of the academic staff on medical grounds should be considered, the Principal:
- i. shall inform the member accordingly, normally at a meeting;
  - ii. may, if the member agrees or if the Principal considers that the College might otherwise suffer significant harm, suspend the member from duty without loss of pay; and
  - iii. shall notify the member in writing that it is proposed to make an application to the member's medical practitioner for a medical report and shall seek the member's consent in writing in accordance with the requirements of the Access to Medical Reports Act 1988.
- b) If the member elects to apply for early retirement on medical grounds she shall be allowed to do so and the College shall meet the reasonable costs of any medical opinion required.
- c) If the member does not elect to apply for early retirement on medical grounds the Principal may refer the case in confidence, with any medical and other evidence (including any such evidence submitted by the member), to a Medical Board comprising one person nominated by the Governing Body; one person nominated by the member concerned or, in default of the latter nomination, by the Principal; and a medically qualified 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.
- d) The procedure to be followed in respect of the preparation, hearing, and determination of a case by a Medical Board under this Part shall be prescribed by Bye-Laws made under this sub-clause. Such Bye-Laws shall ensure:
- i. 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;
  - ii. that a case shall not be determined without an oral hearing at which the person concerned and any person appointed to represent her are entitled to be present and in advance of which the member shall have been sent a copy of the medical opinion and any other evidence to be relied on by the Medical Board at the hearing;
  - iii. that witnesses may be called and may be questioned concerning any relevant evidence; and
  - iv. that the case is heard and determined as expeditiously as is reasonably practicable.

- e) The Board may require the member concerned to undergo medical examination at the College's expense.
- 37. a) If the Board determines that the member should be required to retire on medical grounds, the Principal shall consult the Governing Body, and may terminate the employment of the member concerned on those medical grounds. The decision to dismiss, including the right of appeal, shall be notified to the member concerned in writing.
- b) Any action taken by the Principal or her delegate shall be confirmed in writing and notified to the Governing Body.

### ***PART V APPEALS***

- 38. 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.
- 39. a) This Part applies:
  - i. to appeals against any decisions of the Governing Body to dismiss in the exercise of its powers under Part II;
  - ii. to appeals arising in any proceedings, or out of any decision reached, under Part III other than appeals against disciplinary warnings under clause 26;
  - iii. to appeals against any dismissal otherwise than in pursuance of Part II, Part III, Part IV or Part VII;
  - iv. to appeals against any disciplinary decision otherwise than in pursuance of Part III;
  - v. to appeals against any decision reached under Part IV; and
  - vi. to appeals against any decision reached under Part VII.and "appeal" and "appellant" shall be construed accordingly.
- b) No appeal shall however lie against:
  - i. any finding of fact of an Academic Disciplinary Committee under Part III, or of a Tribunal under Part VII save on legal grounds or save where, with the consent of the person or persons hearing the appeal, fresh evidence is called on behalf of the appellant at that hearing;



- ii. any medical finding by a Board set up under Part IV clause 36(c) save on legal grounds or save where, with the consent of the person or persons appointed, fresh evidence is called on behalf of the appellant at that hearing.
  - c) In this Part references to "the person appointed" are references to the person appointed by the Governing Body under clause 42 to hear and determine the relevant appeal.
  - d) The parties to an appeal shall be the appellant and the Principal and any other person added as a party at the direction of the person appointed.
40. A member of the academic staff shall institute an appeal by serving on the Principal, within the time allowed under clause 26, notice in writing setting out the grounds of the appeal.
41. a) A notice of appeal shall be served within 28 days of the date on which the document recording the decision appealed from was sent to the appellant or such longer period, if any, as the person appointed may determine under sub-clause (c).
- b) The Principal shall bring any notice of appeal received (and the date when it was served) to the attention of the Governing Body and shall inform the appellant that she has done so.
- c) Where the notice of appeal was served on the Principal outside the 28 day period the person appointed under clause 42 shall not permit the appeal to proceed unless he or she considers that justice and fairness so require in the circumstances of the case.
42. a) Where an appeal is instituted under this Part the Governing Body shall appoint a person described in sub-clause (b) to hear and determine that appeal subject to sub-clause (c).
- b) The persons described in this sub-clause are persons not employed by the College being barristers or solicitors of at least ten years' standing.
- c) The person appointed shall sit alone unless he or she considers that justice and fairness will best be served by sitting as an Appeal Tribunal with two other persons.
- d) The other persons who may sit with the person appointed and who shall be appointed by the Governing Body shall be:
- i. one member chosen from amongst members of the Governing Body to whom this Statute does not apply, Honorary Fellows and Emeritus Fellows; and

- ii. one other member chosen from amongst members of the Governing Body to whom this Statute applies.
- 43. a) The procedure to be followed in respect of the preparation, consolidation, hearing and determination of appeals shall be that set out in Bye-Laws made under this clause.
- b) Without prejudice to the generality of the foregoing such Bye-Laws shall ensure:
  - i. that an appellant is entitled to be represented by another person, whether such person is legally qualified or not, in connection with and at any hearing of her appeal;
  - ii. that an appeal shall not be determined without an oral hearing at which the appellant and any person appointed by her to represent her are entitled to be present and, with the consent of the person or persons hearing the appeal, to call witnesses and in advance of which, the appellant has been sent a copy of any documentary evidence which will be relied on at the hearing;
  - iii. 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
  - iv. that the person appointed may set appropriate time limits for each stage (including the hearing itself) to the intent that any appeal shall be heard and determined as expeditiously as is reasonably practicable.
- c) 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:
  - i. remit an appeal from a decision under Part II to the Governing Body (or any issue arising in the course of such an appeal) for further consideration as the person or persons hearing the appeal may direct; or
  - ii. remit an appeal arising under Part III for re-hearing or reconsideration by the same or by a differently constituted Academic Disciplinary Committee to be appointed under that Part; or
  - iii. remit an appeal from a decision under Part IV for further consideration as the person or persons hearing the appeal may direct; or
  - iv. remit an appeal by the Principal arising under Part VII for re-hearing or reconsideration by the same or by a differently constituted Tribunal to be appointed under that Part: or

- v. substitute any lesser alternative penalty that would have been open to the Principal following the finding by the Academic Disciplinary Committee which heard and pronounced upon the original charge or charges.
- 44. The person appointed shall send a reasoned decision, including any decision reached in exercise of his or her powers under clause 43(c)(i), (ii), (iii), or (iv) on any appeal and a statement of any findings of fact different from those of the Governing Body under Part II or by the Academic Disciplinary Committee under Part III or of the Board under Part IV or of the Tribunal appointed under Part VII, as the case may be, to the Principal and to the parties to the appeal.

#### ***PART VI GRIEVANCE PROCEDURES***

- 45. 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.
- 46. 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.
- 47.
  - a) If other remedies within the relevant area have been exhausted the member of the academic staff may raise the matter with the Principal.
  - b) If it appears to the Principal that the matter has been finally determined under Part III, IV or V or that the grievance is trivial or invalid, she may dismiss it summarily, or take no action upon it. If it so appears to the Principal she shall inform the member and may inform the Governing Body accordingly.
  - c) If the Principal is satisfied that the subject matter of the grievance could properly be considered with (or form the whole or any part of):
    - i. a complaint under Part III; or
    - ii. a determination under Part IV; or
    - iii. an appeal under Part Vshe shall defer action upon it under this Part until the relevant complaint, determination or appeal has been heard or the time for instituting it has passed and she shall notify the member accordingly.

- d) If the Principal does not reject the complaint under sub-clause (b) or if she does not defer action upon it under sub-clause (c) she shall decide whether it would be appropriate, having regard to the interests of justice and fairness, for her to seek to dispose of it informally. If she so decides she shall notify the member and proceed accordingly.
- 48. If the grievance has not been disposed of informally under clause 47(d), the Principal shall refer the matter to a Grievance Committee for consideration.
- 49. A Grievance Committee shall comprise three Fellows of the College appointed by the Governing Body.
- 50. The procedure in connection with the consideration and determination of grievances shall be determined in Bye-Laws in such a way as to ensure that the aggrieved person and any person against whom the grievance lies shall have the right to be heard at a hearing and to be accompanied by a friend or representative.
- 51. 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 and shall inform the aggrieved person of its decision in writing, including details of the right of appeal.

#### ***PART VII REMOVAL OF THE PRINCIPAL FROM OFFICE***

- 52. Any five members of the Governing Body may make complaint to the Vice-Principal seeking the removal of the Principal from office for good cause.
- 53. The Vice-Principal shall refer such a complaint to the Governing Body, exclusive of the Principal and the members making the complaint. If it appears to the Governing Body that the complaint does not raise a prima facie case or that it is trivial or invalid or unjustified or is not supported by sufficient evidence of good cause for the removal of the Principal from office, it may determine that no further action shall be taken upon it.
- 54. If it appears to the Governing Body on the available material that the complaint could, if proved, constitute good cause for the removal of the Principal from office, it shall appoint a Tribunal to hear and determine the matter.
- 55. The Tribunal appointed by the Governing Body shall comprise:
  - a) an independent Chairman chosen in accordance with clause 42(a) and (b); and
  - b) one member chosen from amongst members of the Governing Body, who was not one of the five members seeking the removal of the Principal; and
  - c) one member chosen from amongst members of the Governing Body who was one of the five members seeking the removal of the Principal.

56. A charge referred to the Tribunal shall be dealt with in accordance with the procedure prescribed in clauses 31 to 33, provided:
- a) that the Vice-Principal shall perform any duty and exercise any power there assigned to the Principal; and
  - b) that the only recommendation the Tribunal may make is whether or not the Principal should be removed from her office.
57. Where a charge or charges have been upheld and the Tribunal finds good cause and recommends dismissal, but in no other case, the Vice-Principal shall consult the Governing Body and may then dismiss the Principal.
58. Where a complaint is to be referred to a Tribunal under clause 54, the Vice-Principal may, if she considers that the College might otherwise suffer significant harm, suspend the Principal from her duties in all matters relating to the government and discipline of the College without loss of salary.
59. For the purpose of the removal of the Principal from her office for incapacity on medical grounds, the provisions of Part IV shall have effect, provided that the Vice-Principal shall perform any duty or exercise any power there assigned to the Principal.
60. For the purpose of appeals by the Principal against removal from office, the provisions of Part V shall have effect, provided that the Vice-Principal shall perform any duty or exercise any power there assigned to the Principal.

The Common Seal of the Principal and Fellows  
of the College of the Lady Margaret in the University  
of Oxford was hereunto affixed this twenty-ninth day  
of November, two thousand and twenty three,  
in the presence of:

Professor Stephen Blyth  
Principal

Mr Andrew Macdonald  
Treasurer

