



**STATUTES
OF
CLARE COLLEGE**

(As approved by Her Majesty,
by and with the advice of the Privy Council
on 22 April 1998, 14 May 2001, 9 October 2013 and 11 October 2017)

Praefatio Dominae Fundatricis

Universis Sanctae Matris Ecclesiae filiis praesentem paginam inspecturis Elizabeth de Burgo domina de Clare salutem et memoriam rei gestae. Experientia, quae rerum omnium est magistra, edocet manifeste quod in omni gradu tam ecclesiastico quam civili non mediocriter proficit scientia literarum: quae dum a multis multipliciter inquiritur, in universitate (in qua vigere dignoscitur studium generale) perfectius invenitur. Quae etiam cum inventa fuerit ipsius auditores qui ejus dulcedinem gustaverunt emittit aptos et idoneos in ecclesia Dei et republica juxta suorum meritorum exigentiam gradus varios ascensuros. Cupientes igitur, hac consideratione inductae, ad augmentum cultus divini reique publicae commodum et profectum, hujusmodi scientiam, quae (morsu pestilentiae sublata multitudine hominum) hominibus lamentabiliter deficere jam incipit, in quantum nobis Deus dedit propagare, ad Universitatem Cantabrigiae Eliensi dioecesi, in qua est congregatio studentium, convertimus oculos mentis nostrae, et aulam inibi existentem, Aulam Universitatis communiter hactenus nominatam, quae de nostra fundatione jam existit, et quam domum de Clare at non aliter volumus perpetuis temporibus nuncupari, in facultatibus de bonis nostris a Deo datis et in numero studentium fecimus ampliari, ut pretiosa scientiae margarita ab eis studio et doctrina in dicta universitate inventa et etiam acquisita non sub modio lateat sed ulterius divulgetur lucemque praebeat divulgata iis qui ambulant in semitis ignorantiae tenebrosis: et ut scholares in dicta domo nostra antea commorantes sub firmioris pacis tutela et concordiae commodo valeant studio liberius indulgere, quaedam statuta et ordinationes de consilio peritorum fecimus infra scripta perpetuis temporibus duratura.

Preamble to the Statutes of the Foundress, 1359

Elizabeth de Burgh, Lady of Clare, to all children of Holy Mother Church who read these words: greeting and remembrance of our deed! Experience, the universal guide, plainly shows that learning is no mean advantage in every rank of life, ecclesiastical or civil. Though many people seek it in many ways, it is best acquired in a recognised university community; and when its pupils have acquired it and tasted its sweets, it sends them out well qualified to rise according to their merits to different ranks in church and state. But so many men have been swept away by the ravages of the plague that learning has lately suffered a sad decline in numbers. We, therefore, desiring to assist true religion and to further the public good by promoting learning so far as God has put it in our power to do so, have turned our attention to the University of Cambridge in the diocese of Ely, where there is a body of students. Our purpose is that through their study and teaching at the university they should discover and acquire the precious pearl of learning, so that it does not stay hidden under a bushel but is displayed abroad to enlighten those who walk in the dark paths of ignorance. And to enable the scholars residing in our said college to live in harmony under the protection of a firm discipline and so enjoy greater freedom to study, we have with the advice of experts made certain statutes and ordinances, set out below to stand in perpetuity.

1 The Foundation

The foundation of the College shall consist of the Master, the Fellows and the Scholars. The charitable objects of the College are for the public good by promoting education, religion, learning and research in a community of scholars at Clare College in the University of Cambridge.

2 The Visitor

- (1) The Chancellor of the University of Cambridge shall be the Visitor of the College.
- (2) The Visitor shall visit the College and inquire into its condition whenever either the Master or a majority of the Fellows shall apply for a visitation, and also without any such application if it may seem necessary. At such visitation, the Visitor shall duly correct and, if appropriate, punish any irregularity in the Master or the Fellows.
- (3) Two Assessors appointed by Grace of the University shall sit with the Visitor at each visitation, and nothing shall be decided by the Visitor except with the concurrence of at least one of the Assessors.
- (4) The appointment of a Master under Statute 9(2) shall be made by the Visitor without Assessors. Any other duty assigned by these statutes to the Visitor, except that of interpreting the statutes, may at the Visitor's request be discharged by the Vice-Chancellor of the University, provided that the Vice-Chancellor is not a member of the College.

3 The Governing Body

- (1) The Governing Body shall consist of the Master, the Fellows in Classes A, B, C, D and E, and four resident members of the College *in statu pupillari* who shall be called the Student Members of the Governing Body.
- (2) The Governing Body shall hold at least two meetings a year, of which one shall be its Annual Meeting and be specified as such in the notices calling it. Not more than fifteen months shall elapse between the date of one Annual Meeting and the next.
- (3) Except as provided by Statute 7(3), no business shall be transacted at a meeting of the Governing Body if the number of Fellows present is less than half the total number of Fellows in Classes A, B, C and E not on leave of absence.

4 The Council

- (1) There shall be a Council consisting of
 - (a) The Master

- (b) The Senior Tutor
 - (c) Ten Fellows elected by the Governing Body
 - (d) two resident members of the College *in statu pupillari* who shall be called the Student Members of the Council.
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- (2) The members of the Council referred to in section (1)(c) shall be elected by the Governing Body at its annual meeting to serve for one year and shall be eligible for re-election for further terms of one year.
 - (3) An elected member who ceases to be a Fellow of the College shall *ipso facto* cease to be a member of the Council. If for whatever reason an elected member ceases to be a member in the interval between two annual meetings of the Governing Body, the Council may appoint a new member to hold office until the next annual meeting.
 - (4) The Council shall meet at least once a term.
 - (5) Except as provided by Statute 7(3), no business shall be transacted at a meeting of the Council if fewer than five members other than Student Members are present.
 - (6) The Council shall arrange everything relating to the instruction of the undergraduates.
 - (7) The Council shall perform all such duties in the administration of College affairs as are not in these statutes expressly assigned to the Governing Body or the Finance Committee; provided that the Council shall refer to the Governing Body for decision or counsel any matter which they consider of sufficient interest or importance, and shall so refer all such matters as the Governing Body may from time to time determine.

5 The Finance Committee

- (1) There shall be a Finance Committee consisting of the Master, Bursars, Senior Tutor, and seven Fellows elected by the Governing Body at its annual meeting, together with two resident members of the College *in statu pupillari* who shall be called the Student Members of the Finance Committee. The Fellows shall be elected by the Governing Body at its annual meeting to serve for one year and shall be eligible for re-election for further terms of one year.
- (2) An elected member who ceases to be a Fellow of the College shall *ipso facto* vacate their place on the Committee. If for whatever reason an elected member vacates their place in the interval between two annual meetings of the Governing Body, the Council shall appoint a new member to hold office until the next annual meeting.
- (3) The Finance Committee shall meet at least once a term.
- (4) Except as provided by Statute 7(3), no business shall be transacted at a meeting of the Finance Committee if fewer than five members other than Student Members are present.
- (5) The Finance Committee shall have the management of the College estates and investments, and shall administer the revenues of the College in accordance with these statutes. The farms,

houses and other properties of the College shall be let in accordance with the instructions of the Committee.

- (6) The Finance Committee shall at any time have power to make payments for any purposes to which in their opinion the interest or credit of the College require it to contribute.
- (7) Notwithstanding these statutes, the Finance Committee shall refer to the Council or Governing Body for decision or counsel any matter which they consider of sufficient interest or importance, and shall so refer all such matters as the Governing Body may from time to time determine.

6 Student Members

- (1) The four Student Members of the Governing Body shall be the Presidents of the Union of Clare Students and of the Clare College Graduate Society, and two other resident members of the College *in statu pupillari* of whom one shall be appointed by the Committee of the Union of Clare Students and the other by the Committee of the Clare College Graduate Society, each of whom shall serve for one year and shall be eligible for re-appointment for further terms of one year.
- (2) The Student Members of the Council shall be two resident members of the College *in statu pupillari* of whom one shall be appointed by the Committee of the Union of Clare Students and the other by the Committee of the Clare College Graduate Society, each of whom shall serve for one year and shall be eligible for re-appointment for further terms of one year.
- (3) One Student Member of the Finance Committee shall be either the President or Junior Treasurer of the Union of Clare Students and shall be nominated by the Committee of the Union of Clare Students. The other Student Member of the Finance Committee shall be either the President or Junior Treasurer of the Clare College Graduate Society, and shall be nominated by the Committee of the Clare College Graduate Society.
- (4) Student Members who cease to be resident members of the College *in statu pupillari* shall *ipso facto* vacate their place on the Governing Body, Council or Finance Committee. Every casual vacancy from whatever cause of the place of an appointed Student Member shall be filled as soon as may be convenient by the appointment in accordance with sections (1) to (3) of this Statute of a Student Member who shall serve on the Governing Body, Council or Finance Committee for the remainder of the term of the member who occasioned the vacancy.
- (5) Student Members shall not be present during the discussion of or record any vote in relation to reserved business of the Governing Body, Council or Finance Committee or of any committee appointed by the Governing Body, Council or Finance Committee, nor shall they receive papers in connection with reserved business, although they may at the discretion of the Master be provided with the agenda relating to items of reserved business or the minutes of decisions taken upon them. Reserved business shall include the appointment, duties, remuneration, pensions or any matters affecting the personal position of the Master or of any

Fellow or of any Officer or member of the teaching or assistant staff of the College, the admission of individual persons to membership of the College, the making to such persons of any awards, grants or prizes, or their academic assessment; proceedings relating to discipline or the removal from the College of any member *in statu pupillari* (except that a Student Member may be present to be heard in their own defence); the ecclesiastical patronage of the College; any matters arising under Statute 46 (the University Commissioners' Statute) and such further business as the Master shall from time to time declare to be reserved, the declaration of the Master to be final.

- (6) Each Student Member shall exercise an independent judgement in respect of every matter of unreserved business and shall not in respect of any such matter act upon the direction of any other members of the College *in statu pupillari*.
- (7) Wherever in these Statutes reference is made to the Union of Clare Students or to the Clare College Graduate Society, this shall be taken to include any equivalent body succeeding either of these bodies by whatever name it may be known.

7 College Meetings

- (1) The Master shall summon such meetings of the Fellowship, Governing Body, Council and Finance Committee as may be prescribed by these Statutes.
- (2) Except in cases of urgent necessity, the Master shall give at least six days' notice of any meeting.
- (3) If at any meeting duly summoned a quorum is not present, the Master may summon a second meeting at not less than two days' notice for the transaction of the same specified business (other than the election of Fellows), at which the business may be proceeded with even if no quorum is present, and decisions then made shall be as valid as if a quorum had been present.
- (4) At all meetings the Master shall have one vote only, and shall not have a right of veto; but when the votes are equally divided the Master shall have a second or casting vote.

8 The Master

- (1) The Master shall exercise a general supervision over all the affairs of the College, and shall preside *ex officio* at all College meetings.
- (2) In all cases not provided for by these statutes or some College order, the Master may make such provision for the good government and discipline of the College as may seem fit.
- (3) The College shall provide a suitable residence for the Master, who shall reside during two-thirds of each term and altogether during two hundred and ten days at least in each year, unless absent, with the consent of the Council, on account of bodily infirmity or other sufficient cause.

- (4) The Master's stipend shall be determined from time to time by the Finance Committee, provided that it shall not be reduced without the Master's consent or, should the Master be found incapacitated under Statute 11(2), that of the Visitor.
- (5) It shall be permissible for the Finance Committee to make an allowance to the Master of up to an annual amount to be determined from time to time to meet expenses arising out of the duties of the office, including entertainment and clerical assistance.
- (6) The Master shall vacate office on the last day of the academical year in which he or she has held office for ten years (or nine years if the effective date of election is in October); provided that a shorter term of office shall apply if, before the election, a majority of the electors present so resolve at a meeting held in accordance with Statute 9.

9 Election of the Master

- (1) The electors to the Mastership shall be the Fellows in classes A, B, C, D and E. On the occurrence of a vacancy in the Mastership, the senior of the Official Fellows then in residence shall on the day next succeeding that on which the vacancy became known to the said Fellow or, if it became known out of term time, on the first day of the following term, declare the vacancy at a meeting of the electors then in residence called by the said Fellow, at which meeting a time for an election of a new Master, not earlier than the fifteenth or later than the thirtieth day from the day of the said meeting, shall be agreed upon. The Fellow shall forthwith send information by letter to each of the absent electors of the vacancy and the time fixed for an election.

If a majority of the electors is present at the time fixed, and if a majority of those present agree to proceed to an election, all shall make the following declaration: "In the vote or votes I am about to give I will disregard all personal considerations whatsoever and have regard only to the welfare of the College." They shall then give their votes in writing in the form: "I, A.B., choose C.D. to be Master of this College." The senior and junior of the Fellows present shall declare the result of the voting, and if any person receives a majority of the votes of those present they shall be presented without delay by one or more of the Fellows to the Chancellor or Vice-Chancellor of the University to be admitted to the Mastership.

If there is not a majority of the electors present, or if there is not a majority of those present in favour of proceeding to an election, or if no person is duly elected at a first or second scrutiny, the meeting shall fix another time within thirty days (no account being taken of days outside term) for an election. The same course of procedure shall be repeated until a Master is duly elected. An elector shall not be disqualified from voting on the ground of not having taken part in any previous voting.

- (2) If a Master is not duly elected within twelve months of the occurrence of a vacancy, the Visitor shall appoint some fit and properly qualified person to be Master.
- (3) The Master elected or appointed, unless already a Master of Arts (or of some equal or superior degree) in the University of Cambridge, shall without delay apply for the conferment of the degree under the provisions of the University statutes.
- (4) The Master elected or appointed shall on admission make and subscribe the following declaration: "I [A.B.] will to the best of my ability discharge the duties of the office entrusted to me, and will, as far as in me lies, observe and cause to be observed the statutes and orders of the College and its reasonable and approved customs."
- (5) When it is known that the Mastership is about to be vacated, whether by the Master giving notice to the Governing Body of resignation on a specified date or by reason of impending superannuation, an election may be made not more than fifteen months before the date of the vacancy by the same procedure as if the Mastership had already become vacant. Such election shall take effect from the date on which the Mastership becomes vacant.

10 Absence of the Master

- (1) If absent from the University or unable to discharge any of the duties imposed by these statutes, the Master shall, whenever the interests of the College require it, appoint in writing one of the Fellows to act as locum tenens, either for any special occasion, or generally, and for so long as shall seem advisable.
- (2) In the absence of the Master, the Master's place at College meetings shall be taken by the Fellow appointed to act as locum tenens.
- (3) If the Master is absent or incapacitated without having appointed a locum tenens, or if the Mastership is vacant without a Vice-Master having been elected under Statute 11, the senior of the Official Fellows in residence may summon College meetings, and the senior of the Official Fellows present shall take the Master's place at any lawfully summoned meeting.

11 Appointment of a Vice-master

- (1) On the occurrence of a vacancy in the Mastership the Governing Body shall meet promptly, and if they think it expedient they may at that or any subsequent meeting elect one of the Fellows to act in the Master's place while the Mastership remains vacant. The Fellow so elected shall be called Vice-Master and shall perform all the duties and exercise all the powers of the Master.
- (2) If the Master should become temporarily incapacitated for the performance of the duties of the office, the majority of the whole body of Fellows may by writing under their hands represent the matter to the Visitor. If the Visitor after due inquiry finds that the incapacity of the Master is proved, the senior of the Fellows by whom the matter was brought before the

Visitor shall summon a meeting of the whole body of Fellows, giving seven days' notice at least, for the election of one of the Fellows as Vice-Master. If at any time the Visitor is of opinion that the Master is again capable of performing the duties of the office, the Visitor shall reinstate the Master.

- (3) If the Vice-Master ceases to be a Fellow or becomes incompetent or unwilling to act, another Fellow shall be elected in like manner, and so on as often as circumstances may require.

12 The Fellows

- (1) There shall be in the College six classes of Fellowships:

Class A Research Fellowships

Class B Official Fellowships

Class C Professorial Fellowships

Class D Senior Fellowships

Class E Supernumerary Fellowships

Emeritus Fellowships

- (2) The number of Fellowships shall be as determined from time to time by the Governing Body, having regard to the needs and resources of the College.
- (3) A Fellowship shall not be tenable with the Mastership; and no Fellow shall hold a Fellowship with a Headship or Fellowship (other than an Honorary or Visiting Fellowship) at any other College in this or other University. No Fellow shall hold a Fellowship in more than one class at the same time.
- (4) Fellows in Classes A, B, C and E may be granted leave of absence by the Council. During such leave a Fellow shall not attend or vote at any meeting of the Governing Body (other than a meeting summoned for changing the statutes) or of the Council or Finance Committee, but may attend and vote at any meeting for the election of a Master.
- (5) A meeting of the Fellowship shall be held once in each academical year to consider reports from the Master and College Officers on the current and prospective affairs of the College.

13 Fellows in Class A

- (1) Fellows in this class shall hold their Fellowship in the first instance for three years. They shall pursue a course of study or research in Cambridge or such other place or places as may be approved by the Council, and shall at the end of the second year of their tenure at the latest make a report of their work to the Governing Body. They shall also fulfil any reasonable conditions which may be imposed by the Governing Body at their election. Such a Fellow

may, by a vote in which not less than two-thirds of those present and voting concur, be re-elected for a further period or periods at a meeting of the Governing Body held not more than six months before the expiry of their tenure. The total tenure of a Fellowship in this class shall not exceed six years in all.

- (2) A Fellow in Class A shall receive such emoluments as shall be determined by the Finance Committee.
- (3) Any period of leave of absence shall be disregarded in reckoning the tenure of a Fellow in Class A, but such a Fellow on leave shall receive no emolument in respect of such period.
- (4) If at any time it should appear that a Fellow in this class is not complying with the conditions of their tenure, the Governing Body may, by a vote in which two-thirds of those present and voting concur, remove them from their Fellowship or transfer them to a Fellowship in Class E for the remainder of the tenure of their Fellowship.

14 Fellows in Class B

- (1) Fellows holding one or more of the qualifying offices of Dean, Dean of Students, Bursar, Tutor, and Lecturer of the College shall be Official Fellows and shall retain their Fellowships so long as they hold any of the above offices.
- (2) Any person, whether a Fellow in Class A or not, who holds a University Office, or who has been appointed to such an Office although their tenure may not have commenced, may be elected to hold an Official Fellowship, in the first instance until the end of the academical year in which they are elected and for the ensuing year. The Governing Body shall have the power to re-elect any such Fellow from year to year at the meeting for the election of College Officers. The tenure of such a Fellowship shall however terminate if the holder ceases to hold a University Office qualifying them for election to an Official Fellowship. The Council may require of any such Fellow as a condition of the tenure of their Fellowship that they shall perform such duties as the Council may from time to time prescribe, provided that they do not conflict with the duties of their University Office.

15 Fellows in Class C

- (1) No person shall be elected to Class C. Fellows in Class C may hold a Fellowship in this class so long as they hold the University appointment with which it is associated.
- (2) A Fellow in Class C may at any time choose to have their Fellowship transferred to Class B on notifying the Governing Body.

16 Fellows in Class D and Emeritus Fellows

- (1) The Master shall on superannuation or resignation become an Emeritus Fellow with the title of Emeritus Master or, if elected into a Fellowship in another class, shall become Emeritus Master on ceasing to hold a Fellowship in any other class.
- (2) Except as provided by section 5 of this Statute, a Fellow who has held a Fellowship in classes A, B, C or E for twenty years in the aggregate shall, on ceasing to hold a Fellowship in any of these classes on or after the age of sixty, become a Fellow in Class D.
- (3) A Fellow who has held a Fellowship in classes A, B, C or E for twenty years in the aggregate shall, on ceasing to hold a Fellowship in any of these classes before the age of sixty, become an Emeritus Fellow.
- (4) A Fellow who has held a Fellowship in classes A, B, C or E for less than twenty years in the aggregate may, on ceasing to hold a Fellowship in any of these classes, have their Fellowship transferred to an Emeritus Fellowship by a vote of the Governing Body in which not less than two-thirds of those present concur.
- (5) No one shall hold a Fellowship in Class D after the end of the academical year in which they attain the age of seventy. Anyone who, but for this provision, would be or become a Fellow in Class D shall become an Emeritus Fellow.
- (6) A Fellow in Class D may at any time choose to have their Fellowship transferred to an Emeritus Fellowship on notifying the Governing Body.

17 Fellows in Class E

- (1) A Fellow in Class A, B or C, whose tenure of a Fellowship will expire within a period of six months, may be elected to a Fellowship in Class E to be held from the date of expiry of the Fellowship already held.
- (2) Any other person whom it appears to the Governing Body to be in the interests of the College to elect may be elected to a Fellowship in this class.
- (3) Fellows elected into this class may be re-elected from time to time. The period and conditions of tenure of the Fellowship shall be determined in each case by the Governing Body at the time of election or re-election.

18 Election and Admission of Fellows

- (1) The election of Fellows shall be vested in the Governing Body, which shall give preference to those believed to be of good moral character and best fitted to be Fellows of the College as a place of education, religion, learning and research.
- (2) No person shall be deemed to have been elected to a Fellowship who has not received a majority of the votes of those present, or a moiety including the Master's vote.
- (3) It shall be declared at the time of the election whether the Fellow has been elected into a Fellowship in Class A, B, C or E, and from which date the election is to take effect.

- (4) Each Fellow shall on admission make and subscribe the following declaration: "I [A.B.] will, as far as in me lies, promote the honour and usefulness of the College, observe its statutes and orders and its reasonable and approved customs, be obedient to the Master in the exercise of the Master's statutable powers, and to the best of my judgement and ability discharge the business of the College which may be entrusted to me."
- (5) A Fellow-elect shall not be entitled to any of the privileges of a Fellow until their admission. Seniority among the Fellows who have been admitted shall normally be determined by the order in which they were elected; the Governing Body may however grant to a Fellow, after their election, a definite number of years of seniority.
- (6) If a Fellow elect is not admitted to their Fellowship within six months from the date from which their election takes effect, the Governing Body shall, unless there is a sufficient reason for the postponement of their admission, declare the Fellowship vacant.
- (7) There shall be no admission of Fellows on re-election or transference to another class, but an ex-Fellow, on election to a Fellowship, shall be admitted as at a first election.
- (8) A Fellow who is not already a member of the University shall without delay be presented by the College for matriculation.

19 Removal of Fellows

- (1) If any Fellow should in the opinion of the Master or any two Fellows be guilty of grave misconduct or serious violation of the statutes of the College, the matter shall be referred to a meeting of the Governing Body, notice of the case having been given to each of the Fellows at least fourteen days previously. If the said Fellow shall after careful inquiry be found guilty by a majority of the whole body, the Governing Body may deprive the said Fellow of their Fellowship, or suspend the said Fellow for a limited period from all the rights and emoluments of a Fellow.
- (2) The said Fellow may within two months appeal to the Visitor, who shall after careful inquiry and without unnecessary delay confirm, reverse, or modify the decision. The said Fellow shall not receive the emoluments or exercise any rights of a Fellow while an appeal is pending.
- (3) Subject to the provisions of subsection (1) of section 6 of Statute 46, nothing in this Statute shall apply to a person who is a member of the academic staff to whom Statute 46 applies.

20 Honorary and Visiting Fellows

- (1) The Governing Body may, by a vote in which not less than two-thirds of those present concur, elect distinguished persons to Honorary Fellowships, tenable for life. They may, however, by a like vote terminate the tenure of an Honorary Fellowship.

- (2) The Governing Body may, by a vote in which not less than two-thirds of those present concur, elect persons to Visiting Fellowships, tenable for such periods as the Governing Body may decide.
- (3) Neither Honorary nor Visiting Fellows shall have a voice in the government of the College.
- (4) There shall be no admission of Honorary or Visiting Fellows.

21 College Officers

- (1) There shall be a Dean, a Dean of Students, one or more Bursars, a Steward, a Librarian, a Praelector, and as many Tutors (one of whom shall be the Senior Tutor), Lecturers and Assistant Lecturers as the Governing Body shall from time to time determine.
- (2) The Governing Body may from time to time establish such other offices as are considered necessary for the more efficient management of the business of the College. The duties of the holders of such offices shall be determined by the Governing Body, which may at any time suppress any office established under this section or vary the duties attached to it.
- (3) The Council shall determine when and how long each of the College Officers other than the Master shall reside and may define from time to time what constitutes 'residence' for the purpose of this section.
- (4) The Finance Committee shall determine what annual stipends or other payments shall be made to College Officers or other persons performing administrative or teaching duties in the College. Except as otherwise provided, all such payments shall be made from the College revenues.
- (5) The Governing Body shall determine by regulation a retirement age. Subject to Statute 27, no person appointed to an office established under this Statute, shall continue in office after the end of the academical year in which they attain the retirement age specified by the Governing Body's regulation. Furthermore, the Governing Body may resolve by the votes of not less than two-thirds of the number of persons present and voting at a meeting of the Governing Body to appoint such officer for a period of up to three years after the end of the academical year in which they attain the retirement age specified by the Governing Body's regulation.

22 The Dean

It shall be the duty of the Dean to give effect to such regulations as may be made by the Council for the celebration of Divine Service in the College Chapel, in accordance with the University Tests Act 1871, and to see that no one during the performance of Divine Service conducts themselves in an irreverent or unbecoming manner. The Dean shall be elected as may conveniently be done from the Fellows of the College who are in Holy Orders. The Council may assign to a Chaplain such part of the Dean's duties as refers to the celebration of Divine Service in the Chapel.

23 The Bursars

- (1) A Bursar shall, acting in accordance with the orders of the Finance Committee, have the care of the property and investments of the College, as well as uninvested balances. Such Bursar shall receive all rents and moneys due to the College and shall, either personally or through such persons as the College may appoint, make such payments under the orders of the Finance Committee as may be due from the College, and shall keep accurate account of both receipts and expenditure. The moneys shall be deposited by such Bursar in some bank or banks approved by the Finance Committee, or be invested according to their orders. The Committee may provide that sufficient cash balances shall be left in the hands of other officers of the College to meet the needs of the accounts entrusted to them.
- (2) A Bursar shall superintend the buildings, offices, rooms, courts and gardens of the College, and provide, under the orders of the Finance Committee, for their maintenance and repair.
- (3) The accounts of all funds shall be kept by a Bursar, and the other financial officers shall supply such information as the Bursar may require for this purpose. Such Bursar shall show the College accounts books and bank accounts to the Master and to any Fellow who desires to inspect them.
- (4) The Finance Committee may in its discretion entrust to a specified Bursar or to another College officer any of the functions described in this statute, to be discharged by the officer on the same conditions as those prescribed for a Bursar.

24 The Steward

- (1) The Steward shall, under the direction of the Finance Committee, superintend the purchase and supply of provisions for the common table, and be generally responsible for the work of the kitchen department.
- (2) The Steward shall collect all moneys due to the kitchen department for whose collection no other provision is made, and shall make all payments due from the kitchen department to tradesmen and other creditors.

25 The Librarian

The Librarian shall superintend the Libraries under the direction of the Council.

26 Tutors, Lecturers, Directors of Studies, and Dean of Students

- (1) Every member of the College *in statu pupillari* shall be under the charge of a Tutor.
- (2) Every undergraduate student of the College shall have one or more Directors of Studies.

- (3) Each night in Full Term at least one of the Tutors shall be present in College or in a suitable house approved by Council. The Council shall make such provision as shall seem expedient for the availability of Tutors during vacations.
- (4) The duties of Tutors, Lecturers, Assistant Lecturers and Directors of Studies shall be determined by the Council. The Lecturers, Assistant Lecturers, Directors of Studies and other persons responsible for the education in the College of members of the College *in statu pupillari* shall work in conjunction with the Tutors, and shall be responsible to the Council.
- (5) The Dean of Students shall perform such duties of superintendence over the conduct of members of the College *in statu pupillari*, and such other duties, as the Council may from time to time determine.

27 Election of Officers

- (1) The Dean, Dean of Students, Bursars, Steward, Librarian, Praelector, Tutors, Lecturers and holders of any offices established under Statute 21(2), shall be elected at the annual meeting of the Governing Body and shall enter upon office at such time as the Governing Body determines.
- (2) The Senior Tutor shall be elected in the first instance for three years, and thereafter may from time to time be re-elected for a further period or periods provided that no one shall hold the office of Senior Tutor for a total period of more than ten years. If the Senior Tutorship becomes vacant in the interval between two annual meetings of the Governing Body, the Master shall summon a meeting of the Governing Body to elect a new Senior tutor, who shall hold office until the next annual meeting and for three years in addition.
- (3) A Bursar shall be elected for one year and may be re-elected from year to year. If a Bursarship becomes vacant before the expiry of the year for which the Bursar was elected, the Master shall summon a meeting of the Governing Body to elect a new Bursar, who shall hold office for the remainder of the year.
- (4) The Dean, Dean of Students, Steward, Librarian, Praelector, Tutors other than the Senior Tutor, Lecturers and holders of any offices established under Statute 21(2) shall be elected for one year and may be re-elected from year to year. If any of these offices becomes vacant before the expiry of the year for which the holder was elected, the Council may appoint a duly qualified person to discharge the duties of the office for the remainder of the year.
- (5) The Assistant Lecturers, Directors of Studies, and if necessary a Chaplain, shall be appointed by the Council from time to time for not more than one year at a time.

28 Removal of Officers

The Governing Body may, by a vote in which two-thirds of the Governing Body concur, at a meeting specially summoned for the purpose, remove from office any College Officer other

than the Master. Notice of such meeting shall be given at least 14 days previously. Provided that, subject to the provisions of subsection (1) of section 6 of Statute 46, nothing in this Statute shall apply to a person who is a member of the academic staff to whom Statute 46 applies.

29 Membership of the College

- (1) The Council shall regulate admission to membership of the College, and shall ensure that no person is admitted unless there is satisfactory evidence of their conduct and attainments.
- (2) No person shall be permitted to come into residence *in statu pupillari* who is not qualified for matriculation under the University statutes, unless they have been exempted from this requirement by the competent University authority.
- (3) Every member of the College *in statu pupillari* shall comply with such statutes and ordinances of the University and such regulations made by the Council governing residence and pernoctation within the University and the College as shall for the time being be in force.
- (4) No person *in statu pupillari* shall be permitted to remain in residence unless they shew themselves by their ability, application to study, and general good behaviour, able and willing to profit by their residence.
- (5) If any member of the College *in statu pupillari* misconducts themselves, they shall be punished as their offence deserves. The Council shall make regulations for the constitution of a Court of Discipline and for the conduct of disciplinary proceedings.
- (6) No person *in statu pupillari* shall be sent out of residence under section 4, or be expelled or rusticated under section 5, without the consent of the Council, who shall first give such person the opportunity to make representations to them either orally or in writing as the person may choose.

30 Studentships and Scholarships

- (1) The Council may award Studentships, Scholarships (on the Foundation or otherwise), Exhibitions, the title of Scholar or Exhibitioner, and such other awards, grants and prizes as it may determine, to persons who are, or are about to become, members of the College.
- (2) Subject to the provisions of these statutes, the periods and conditions of tenure and the emoluments and privileges of Studentships, Scholarships, Exhibitions and other awards shall be such as the Council may from time to time determine, in accordance with any legally binding directions governing the awards concerned and having regard to any recommendations of the Scholarship Committee established by the University statutes.
- (3) The tenure of every Studentship, Scholarship, Exhibition or other award shall be contingent upon residence and good conduct, and good progress and diligence in study. The Council may however give the holder of a Studentship leave to work away from Cambridge.

- (4) Unless payable out of particular trust funds, the emoluments of Studentships, Scholarships, Exhibitions, and other awards, grants and prizes shall be paid out of the Research and Scholarship Fund.

31 Rooms

- (1) Fellows in Classes A and B shall be entitled to occupy rooms in College. Fellows in other classes, and other persons, may occupy rooms in College in such cases and on such conditions as the Council shall determine. No person, not being a Fellow of the College, shall occupy rooms in college without the permission of the Council.
- (2) Rooms shall be allotted by the Master (or some College Officer authorised by the Master) in accordance with any principles laid down by the Council and having regard to the needs, duties and seniority of the occupant.

32 Commons

- (1) No person, not being a Fellow of the College, shall be in Commons without the permission of the Council.
- (2) For the commons of the Master when taking meals in Hall and of each of the Fellows (including Honorary and Visiting Fellows) when taking meals in hall a moderate sum shall be allowed, whose amount shall be fixed by the Finance Committee.
- (3) Before dinner a Grace shall be said.

33 Commemoration of Benefactors

Each year, on a day in the Lent Term fixed by the Council, there shall be held a service of Commemoration of the Foundress and Benefactors. An account of the foundation and benefactions shall be recited and verses 1-15 of the 44th Chapter of Ecclesiasticus shall be read, and an address shall be given by someone appointed by the Master. A Commemoration Dinner shall afterwards be provided in Hall at the cost of the College.

34 The Assistant Staff

- (1) The Finance Committee shall appoint the members of the assistant staff and determine their duties and remuneration. The Committee may at any time delegate to any College Officer responsibility for the appointment, or for the determination and supervision of the duties, of any member of assistant staff.

- (2) The Finance Committee shall make regulations for the conduct of proceedings for the dismissal of any member of the assistant staff. Such regulations shall provide for an appeal to the Council, whose decision shall be final.

35 Audit

- (1) The financial year for the College accounts shall be from the 1st of July to the 30th of June in the following year, or between such other dates (being in accordance with the statutes of the University) as may be prescribed by the Finance Committee.
- (2) Each financial officer of the College shall make or cause to be made an annual statement or summary of all moneys received by them and all payments made and expenses incurred by them.
- (3) The Governing Body shall appoint annually a professionally qualified auditor who shall audit the several accounts of the College, and they shall also appoint one or more Fellows to inspect the audited accounts.
- (4) A meeting of the Finance Committee shall be called as soon as may be convenient in the Michaelmas Term. At this meeting the financial officers shall present their audited accounts with such observations on them as they deem necessary.
- (5) An abstract of the accounts of the College relating to funds administered either for general purposes, or in trust, or otherwise, shall be sent to the Vice-Chancellor at the time appointed and in the form prescribed by the University statutes.
- (6) The Steward shall keep the kitchen accounts and statistics in such a form as shall be in accordance with the University statutes. The College shall comply with the University statute regarding the inspection of the kitchen accounts of colleges, and the College share of the cost shall be borne by the kitchen department.

36 Seal, Plate and Muniments

- (1) The Common Seal shall be kept in a secure place in a chest fastened with two locks of different patterns, whose keys shall be separately kept by a Bursar and another Fellow, appointed annually by the Governing Body. The persons so appointed shall be called the Chest-Keepers.
- (2) The Seal shall not be affixed to any document dealing with the property of the College except in pursuance of an order in writing of the Finance Committee, nor to a document of any other description except in pursuance of an order in writing of the Governing Body or the Council. The act of sealing shall be attested by two members of the Governing Body when attestation is required by the nature of the document.
- (3) The gold and silver plate which is not in daily use shall be under the charge of the Master, and shall be kept in one or more safes or strong rooms provided for the purpose. Every addition to

or removal from such deposit shall be entered in a register kept for the purpose, and the person taking custody of such plate shall sign their name against the entry. All plate must be produced for the annual inspection.

- (4) Two Fellows appointed annually by the Governing Body shall once in each year inspect the College plate and make a report on their findings.
- (5) All title-deeds and other valuable documents shall be kept in safes securely fastened. The keys of the safes shall be kept by the Master or a Bursar appointed by the Master to act as the Master's deputy. Any Fellow may freely inspect any of the said deeds or documents.

37 Investments

- (1) The Finance Committee shall, subject to section 3 of this Statute, have power to purchase, sell or transfer property, real or personal, and securities (including stocks, funds and shares) of any description on behalf of the College, whether or not they are subject to particular trusts or restrictions; and also to apply moneys to any purpose to which capital moneys arising under the Universities and College Estates Acts of 1925 and 1964 may be applied.
- (2) In relation to the management, development, improvement, sale, lease, mortgage or other disposition of any land or estate or interest therein held by the College, or to the acquisition of any land or estate or interest therein, the Finance Committee may exercise any power and may carry out any transaction which an individual holding or acquiring such land, estate or interest for their own benefit could exercise or carry out.
- (3) The powers conferred by this Statute shall apply to:
 - (a) all endowments, land, securities, property and funds of the College not held on any trust; and
 - (b) any endowment, benefaction or trust for purposes connected with the College of which the College is a trustee.
- (4) In order to facilitate the management of investments under the control of the College, the Finance Committee may at any time and from time to time resolve that all or any part of the endowments or trusts to which this Statute applies be treated as an amalgamated fund invested for the rateable benefit of the property comprised in it (hereinafter called the constituent funds) and upon any such resolution the following provisions shall apply:
 - (a) no investment shall be brought into an amalgamated fund that is expressly disallowed as an authorised investment for any of the constituent funds;
 - (b) an amalgamated fund shall be held on behalf of the constituent funds in shares as nearly as may conveniently be proportionate to their respective capital values upon

- the first constitution of the amalgamated fund; such shares shall be fixed by resolution of the Finance Committee;
- (c) the Finance Committee may at any time increase any amalgamated fund by adding thereto resources from constituent funds or new constituent funds, and upon any such increase shall fix the share to be attributed to such additions; and
 - (d) the Governing Body may at any time wind up any amalgamated fund and divide the investments thereof between the constituent funds in proportion to their respective shares therein or may bring all or any of the shares into a new or other amalgamated fund, in accordance with the provisions of this section.
- (5) The Finance Committee may appropriate and distribute proportionately to the constituent funds for expenditure as much of the fair value of any amalgamated fund as it in its absolute discretion considers prudent, having regard to the total return achieved and reasonably to be expected in the long-term of the amalgamated fund.
- (6) The Finance Committee may from time to time make regulations regulating the assessment of fair value and of total return and regulating appropriation for expenditure.
- (7) In section (5) of this Statute:
- (a) 'fair value' means the amount at which an asset could be exchanged in an arm's length transaction between informed and willing parties, other than in a forced or liquidation sale; and
 - (b) 'total return' means return in terms of both income, whether received or accrued, and capital appreciation, whether realised or unrealised.
- (8) Any reference in these Statutes to the income of the College or of any fund shall include the total sums appropriated in accordance with section (5) of this Statute.

38 Benefactions

The College shall have power to accept endowments for any purpose in furtherance of the interests of the College as a place of education, religion, learning and research, and to make regulations giving effect to wishes or suggestions of donors recorded in writing (whether so expressed as to create a trust or not) regarding the application of such endowments and regarding any place or endowment to be supported hereby, even though the regulations may be inconsistent with the statutes of the College; provided always that no such regulation shall derogate from any obligation imposed on the College by the statutes of the University.

39 Patronage

The Council shall present to the several benefices in the patronage of the College.

40 The Research and Scholarship Fund

- (1) There shall be a Research and Scholarship Fund which shall replace and supersede the hitherto existing Scholarship Funds A and B and into which shall be paid the entire capital of those funds and such further sums as the Finance Committee may from time to time direct.
- (2) From this fund may be paid the emoluments of Research Fellowships, Studentships, Scholarships, Exhibitions and Prizes, as well as awards and grants to members of the College for the furtherance of research or other approved educational purposes.
- (3) Any surplus income of this fund may at the discretion of the Finance Committee be applied as income in any subsequent year or be invested and added to the capital of the fund or be applied for the general educational purposes of the College.

41 The Tuition Fund

- (1) The Finance Committee shall determine the tuition fees to be paid by persons *in statu pupillari*. Such fees shall be paid into a fund to be called the Tuition Fund.
- (2) This fund shall be charged with the stipends or other payments made to the Tutors, Directors of Studies, Lecturers, Assistant Lecturers and persons appointed to supervise the studies of members of the College *in statu pupillari*.
- (3) This fund shall also bear such charges in respect of pensions for the tutorial and teaching staff of the College as the Finance Committee shall determine.
- (4) This fund shall also bear such proper charges in connection with the education of students as the Finance Committee may direct.
- (5) The surplus remaining after the above payments have been made may be applied by the Finance Committee in such manner as they think desirable for the educational advantage of the members of the College *in statu pupillari*.
- (6) The tuition fees, as determined under section 1, shall be such that normally the Tuition Fund shall be self-supporting, but the Finance Committee shall have power, if the Fund is unable to meet the obligations charged on it in any year, to pay into it from corporate revenue the sums necessary to meet these obligations.
- (7) The Finance Committee shall have power to make payments into the Tuition Fund from the corporate revenues of the College to defray expenses of special teaching or research.

42 Trust Funds

- (1) Any surplus income of a trust fund to which this statute applies may at the discretion of the Finance Committee be applied as income for the purposes of the trust in any subsequent year

or be invested and added to the capital of the fund or be applied for the general educational purposes of the College.

- (2) In the foregoing section 'surplus income' means income unexpended in any year after the purposes of a trust have been provided for in that year (whether wholly by income from the trust or partly by income from the trust and partly by other means) insofar (if at all) as, in the opinion of the Finance Committee, it is possible to provide for the purposes of the trust in that year.
- (3) This statute shall apply to each of the trusts, endowments, foundations, gifts and schemes set out in the schedule appended to this statute.

SCHEDULE

The Robins Prize Fund (1896)

The Atkinson Fund (1915)

The Denman Baynes Studentship Fund (1919)

The Mollison Fund (1929)

The Beatson Prize Fund (1936)

The Wardale Scholarship Fund (1937)

The Murgoci Prize Fund (1938)

The Ramkin Scholarship Fund (1938)

The Dyer Scholarship Fund (1941)

The Haslewood Exhibition Fund (1941)

The Brindley Exhibition Fund (1942)

The Harrison Fund (1946)

The Bayley Prize Fund (1947)

The Harrison Watson Studentship Fund (1953)

The William Senior Fund (1956)

The Pressed Steel Fund (1960)

The Wilson Prize Fund (1961)

The Royalton Kisch Prize Fund (1962)

The Butler Prize Fund (1963)

The Horne Prize Fund (1968)

The Mallinson Scholarship Fund (1968)

The Davies Prize Fund (1969)

The Owen Prize Fund (1969)

The Paten Scholarship Fund (1969)

The Hedderwick Scholarship Fund (1982)

- (1) The College shall participate in the Universities Superannuation Scheme for the purpose of providing pensions for members of its teaching or administrative staff. The College shall continue to participate in the Federated Superannuation System for Universities in respect of those persons entitled to remain in that system.
- (2) The Finance Committee shall prescribe the officers in respect of whom contributions shall be payable and the items in their emoluments which shall be taken into account in calculating the amount of the contributions.
- (3) Contributions shall be payable in respect of the stipend of the Master.
- (4) The College share of the contributions payable shall be provided as the Finance Committee shall determine from the corporate revenues, from the Blythe Trust Fund (as provided for by the Clare College, Cambridge, Blythe Trust Act 1923), and from the Tuition Fund in accordance with Statute 40(3).

44 Contribution to the University

- (1) The College shall pay annually to the University the sum authorised to be levied from the College by the statutes of the University.
- (2) The income of each trust or other separate fund may be charged with so much of the contribution to the University payable on it as the Finance Committee shall determine.

45 Notices

The Master and each Fellow shall leave at the College Office the address to which all notices intended for them shall be sent; and in all cases in which by these statutes notice is required to be given it shall be sufficient that the notice be sent to the last address so given.

46 [The University Commissioners' Statute: see appendix]

47 Interpretation

- (1) In these Statutes words importing the masculine shall include the feminine and, unless the context otherwise requires, words in the singular shall include the plural and words in the plural shall include the singular.
- (2) In accordance with the provisions of the Education Reform Act 1988, nothing in these Statutes shall enable or require the Visitor -
 - (a) to hear any appeal or determine any dispute relating to a member of the academic staff to whom Statute 46 applies which concerns the member's appointment or employment or the termination of that appointment or employment; or

- (b) to disallow or annul any regulation of the Governing Body made under or having effect for the purposes of Statute 46.
- (3) If any question arises in regard to the meaning of any part of these statutes, it shall be decided by the Governing Body. Anyone affected by such decision may appeal to the Visitor within two months or such extended period (if any) as shall be allowed by the Governing Body; but failing an appeal within the time allowed, the decision of the Governing Body shall be final. The Visitor, if appealed to within due time, may with the concurrence of at least one of the two Assessors affirm, vary, or reverse the decision of the Governing Body, and the Visitor's decision shall be final.

48 Repeal of Existing Statutes

- (1) These statutes shall come into force on the date of their approval by Her Majesty in Council, and all statutes of the College in force immediately before that day shall cease to have effect on that day.
- (2) Notwithstanding the preceding section, the interests and conditions of tenure of any person holding the Mastership or a Fellowship, College Office, Studentship, Scholarship or other award immediately before the day on which these statutes come into force shall continue to be governed by the statutes then in force unless they give notice in writing to the Master within a year of that day that they wish them to be governed by these statutes; provided that any re-election or reappointment to, continuance in, or extension of any of the above-mentioned offices or emoluments shall in any case be governed by these statutes.

49 Change of Statutes

Change of statutes shall be made in accordance with section 7(2) of the Universities of Oxford and Cambridge Act 1923.

50 Regulations

The Governing Body may make regulations, as far as necessary, for the implementation of these statutes.

STATUTE 46

ACADEMIC STAFF

PART 1 CONSTRUCTION APPLICATION 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:
 - (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, without placing themselves in jeopardy of losing their jobs or privileges;
 - (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 or Part IV 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 –
 - (a) to any person holding a College Office designated by the Governing Body as one to which this Statute applies;
 - (b) to any person employed by the College to carry out teaching or research save for those holding appointments which have been excluded by the Governing Body from the scope of this Statute on the ground that the duties in that regard are only of a limited nature; and
 - (c) to the Master, to the extent and in the manner set out in Part VII of this Statute.

 - (2) In this Statute any reference to “academic staff” is a reference to persons to whom this Statute applies.

4.
 - (1) For the purposes of this Statute the following terms have the meanings specified:

“dismiss” and “dismissal” refer to the 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;

(2) “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 to do, means:

- (a) 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 execution of the duties of his office or for employment as a member of the academic staff of the College; or
- (b) conduct of an immoral, scandalous, or disgraceful nature incompatible with the duties of the office or employment; or
- (c) conduct constituting failure or persistent refusal or neglect or inability to perform the duties or comply with the conditions of the office or employment; or
- (d) wilful disruption of the activities of the College; or
- (e) wilful disobedience of the Statutes of the College; or
- (f) physical or mental incapacity established under Part IV.

(4) In this section –

- (a) “capability” means capability assessed by reference to skill, aptitude, health, or any other physical or mental quality; and
- (b) “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:

- (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 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 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 regulation, and the provisions of any regulation made under this Statute shall prevail over those of any other regulation made under such other Statutes:

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

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 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) Nothing in any other Statute shall enable the Governing Body to delegate its power to reach a decision under section 10(2).
- (4) For the avoidance of doubt it is hereby declared that nothing in Part III shall be construed as affecting the Statutes and regulations concerning re-election on the expiry of a fixed term of a Fellowship.
- (5) In this Statute references to numbered Parts, sections and subsections are references to Parts, sections and subsections 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 regulations 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 involved in the

matter in question, the Governing Body may appoint an alternate to act in his place under procedures prescribed by regulations 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 appointment is made, or his contract of employment is entered into, on or after 20th November 1987; or
 - (b) he 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 20th November 1987 or to promotion on or after that date shall be construed in accordance with subsections (3) to (6) of section 204 of the Education Reform Act 1988.
10. This Part applies where the Governing Body have decided that there should be a reduction in the academic staff –
 - (a) of the College as a whole; or
 - (b) of any area of academic work within the Collegeby way of redundancy.
11.
 - (1) Where the Governing Body have reached a decision under section 10 they shall
 - (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 the requisite members of the academic staff and recommend them 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;
 - (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 recommended by the Redundancy Committee, or shall remit it to the Redundancy Committee for further consideration in accordance with such further directions as the Governing Body may give.

 - (4) A member of the academic staff shall not be selected for dismissal under this Part unless he 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 of this Statute; 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 Master that there are grounds for believing that the conduct or performance of a member of the academic staff is or has been unsatisfactory, he shall inquire into the matter. If the Master concludes after investigation that the member is or has been at fault, he may issue an oral warning to the member. The Master 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 may appeal against the warning under subsection (4) of this section.
- (2) If the Master concludes after investigation that the fault is sufficiently serious to justify it, or if a further offence occurs, he 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 Master shall advise the member that he may appeal against the warning under subsection (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 Master shall keep a written record of any warning issued under subsection (1) or subsection (2). 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.
- (4) A member of the academic staff who wishes to appeal against a disciplinary warning shall inform the Master within two weeks. A Grievance Committee appointed by the Governing Body in accordance with section 36 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 Master.
- (2) To enable the Master to deal fairly with any complaint brought to his attention under subsection (1) he shall institute such enquiries (if any) as appear to him to be necessary.
- (3) If it appears to the Master (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 shall write to the person concerned inviting comment in writing and may, if he considers that the College might otherwise suffer significant harm, suspend the person concerned from the performance of his duties without loss of emolument.

- (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 Master 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 person concerned, or determine that the matter be considered by a Disciplinary Committee appointed under section 15.
15. If the Master has determined that the matter is to be considered by a Disciplinary Committee, the Governing Body shall at his request appoint such a committee to hear the charge or charges and to determine whether the conduct or performance of the person concerned constitutes good cause for dismissal or otherwise constitutes serious misconduct relating to his 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 Master, after consulting the Governing Body, may suspend the person charged from the performance of his duties without loss of emolument.
16. A Disciplinary Committee shall consist of three persons, one of whom, being legally qualified, shall be appointed by the Governing Body to act as Chairman. The Disciplinary Committee shall be selected by the Governing Body from a panel of ten 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 person charged, and any person who has been involved in or associated with the making of the complaint or any part of it, or who has been involved in any preliminary hearing or investigation.
- 17.
- (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 –
- (a) 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
- (b) to make any necessary administrative arrangements for the summoning of witnesses, the production of documents and generally for the proper presentation of the case before the Committee.

18. The procedure to be followed in respect of the preparation, hearing, and determination of charges by a Disciplinary Committee shall be prescribed by regulations made under this Statute. Such regulations 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 of charges by a 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 him are entitled to be present;
- (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 the evidence on which the charge is based;
- (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 him 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 Master, the person 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 (Appeals) 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 for dismissal and recommends that the person concerned be dismissed, but in no other case, the Master, after consulting the Governing Body, may dismiss the person concerned.
- (2) In any case where the charge or charges are upheld, other than where the Master has decided under subsection (1) to dismiss the member of the academic staff concerned, the action available to the Master, after consulting the Governing Body, shall be –
 - (a) to discuss the issues raised with the person concerned; or
 - (b) to advise the person concerned about his future conduct; or

- (c) to warn the person concerned; or
- (d) to suspend the person concerned for such period as the Master 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, provided that no suspension without pay may be ordered unless the terms of the contract of employment of the person concerned contain provisions expressly entitling the Master to impose such a penalty; or
- (e) to take 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
- (f) combine any of the courses of action specified above:

Provided that any action taken by the Master shall not comprise a penalty greater than that recommended by the Disciplinary Committee.

21.

- (1) Any reference in section 20 to the Master shall include a reference to an officer acting as his delegate.
- (2) Any action taken by the Master or his 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 reference to capability assessed by reference to health or any other physical or mental quality.
- (3) In this Part references to the appropriate officer are references to the Master or an officer acting as his delegate to perform the relevant act.
- (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 that the removal of a member of the academic staff on medical grounds should be considered, the appropriate officer –

- (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 duties without loss of emolument.
- (2) If the member agrees that his 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 appropriate officer shall refer the case in confidence, with any supporting medical and other evidence (including any medical evidence submitted by the member), to a 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 Master; 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, 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 shall be required to retire on medical grounds, the appropriate officer, 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 as the appropriate 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 under section 13 (Appeals against disciplinary warnings);
 - (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 section 23(3) 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.
- (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 Master and any other person added as a party at the direction of the person appointed.
27. A member of the academic staff may institute an appeal by serving on the Master, 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 twenty-eight 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 subsection (3).
- (2) The Master 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 has done so.
- (3) Where the notice of appeal was served on the Master outside the twenty-eight day period the person appointed under section 29 shall not permit the appeal to proceed unless he 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 subsection (3) of this section, be heard and determined by a person appointed in accordance with regulations made under this section.
- (2) A person appointed under subsection (1) above shall be 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 considers that justice and fairness will best be served by sitting as an Appeal Tribunal with two other persons 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 not being a Fellow of the College; and
 - (b) one other member.

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 appeal;
 - (b) that an appeal shall not be determined without an oral hearing at which the appellant, and any person appointed by him to represent him 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 (or any issue arising in the course of such an appeal) to the Governing Body for further consideration as the person or persons hearing the appeal may direct; or
 - (b) remit an appeal arising under Part III for re-hearing by a differently constituted Disciplinary Committee to be appointed under that Part; or
 - (c) remit an appeal from a decision of the appropriate officer under part IV for further consideration as the person or persons hearing the appeal may direct; or
 - (d) remit an appeal by the Master 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 Master or his delegate following the finding by the Disciplinary Committee which heard and pronounced upon the original charge or charges.
31. The person appointed shall send the reasoned decision, including any decision reached in exercise of his powers under section 30(3)(a), (b), or (c) or (d), on any appeal together with any findings of fact different from those come to by the Governing Body under Part II or by the Disciplinary Committee under Part III, as the case may be, to the Master 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 Master.
- (2) If it appears to the Master that the matter has been finally determined under Part III, IV or V or that the grievance is trivial or invalid, he may dismiss it summarily, or take no action upon it. If it so appears to the Master he shall inform the member.
- (3) If the Master 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 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 he shall notify the member accordingly.

- (4) If the Master does not reject the complaint under subsection (2) or if he does not defer action upon it under subsection (3) he shall decide whether it would be appropriate, having regard to the interests of justice and fairness, for him to seek to dispose of it informally. If he so decides he shall notify the member and proceed accordingly.

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

36. A Grievance Committee shall comprise three Fellows of the College appointed 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 person and any person against whom the grievance lies shall have the right to be heard at a hearing and to be accompanied by a friend or representative.

38. The Committee shall inform the Governing Body whether the grievance is or is not well-found and if it is well-found the Committee shall make such proposals for the redress of the grievance as it sees fit.

PART VII REMOVAL OF THE MASTER FROM OFFICE

39. Any five members of the Governing Body may make a complaint to the Senior of the Official Fellows then in residence seeking the removal of the Master from office for good cause.
40. The Senior of the Official Fellows then in residence shall refer such a complaint to the Governing Body, exclusive of the Master and the members making the complaint. If it appears to the Governing Body that the complaint is not supported by sufficient evidence of good cause for the removal of the Master from office, they may determine that no further action shall be taken upon it.
41. If it appears to the Governing Body, on material presented, that the complaint is supported by sufficient evidence of good cause for the dismissal or removal of the Master from office, they shall appoint a Tribunal to hear and determine the matter. A Tribunal appointed by the Governing Body 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.
42.
 - (1) When a Tribunal has been appointed, the Governing Body shall instruct a solicitor or other suitable person to formulate the complaint and to present, or arrange for the presentation of, the complaint before the Tribunal.
 - (2) The procedure to be followed in respect of the preparation, hearing and determination of charges by a Tribunal shall be prescribed by regulations made under this section. Such regulations shall comply with the requirements of section 18, provided that for the purposes of this Part references in that section to a Disciplinary Committee shall be construed as referring to the Tribunal and references to the person charged shall be construed as referring to the Master.
43. The Tribunal shall send its decision on the complaint, together with its findings of fact and the reasons for its decision, to the Master and the Senior of the Official Fellows then in residence. 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 of this Statute accompanies the notification of its decision sent to the Master.

44. If the Tribunal finds that the complaint constitutes good cause for dismissal, the Senior of the Official Fellows then in residence, after consulting the Governing Body, may dismiss the Master.
45. The Master may institute an appeal against the findings of a Tribunal by serving on the Senior of the Official Fellows then in Residence a note 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 Master; provided that the person appointed to hear an appeal shall have power to hear an appeal commenced after that date if he considers that justice and fairness so require in the circumstances of the case.
46. A person appointed shall send the reasoned decision on the appeal, together with any findings of fact different from those come to by the Tribunal and his recommendations, if any, as to the appropriate penalty, to the Master and to the Senior of the Official Fellows then in Residence.
47. An appeal commenced under section 45 shall be heard in accordance with the provisions of Part V of this Statute, references in sections 30 and 31 to the Disciplinary Committee being construed as referring to the Tribunal and references in those sections to Part III being construed as referring to this Part, provided that the Senior of the Official Fellows then in residence shall perform any duty and exercise any power assigned in Part V to the Master.
48. For the purposes of the removal of the Master for incapacity on medical grounds, the provisions of Part IV and Part V shall have effect, provided that the Senior of the Official Fellows then in Residence shall perform any duty or exercise any power there assigned to the Master.”