

THE CHARTER

ELIZABETH THE SECOND

by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of Our other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith:

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING!

WHEREAS an humble Petition has been presented unto Us by Our most dearly beloved Mother, Queen Elizabeth The Queen Mother, Chancellor of Our University of London, Our trusty and well beloved Sir Frank Hartley, Knight, Commander of Our Most Excellent Order of the British Empire, formerly Vice Chancellor of the University of London, the Delegacy of University of London King's College and the Corporation of King's College London, praying that We should be graciously pleased to grant a Charter to King's College London which was founded by Charter granted on the fourteenth day of August in the year of our Lord one thousand eight hundred and twenty-nine by His Majesty King George the Fourth:

AND WHEREAS the Corporation of King's College London was incorporated by the said Charter of 1829 and (notwithstanding the annulment of that Charter by the King's College London Act 1882) remained incorporated by virtue of that Act and subsequently by virtue of the King's College London (Transfer) Act 1908:

AND WHEREAS the King's College London Act 1978 received Our Assent on the twentieth day of July 1978 and hereas that Act will not come into operation unless and until a Charter is granted consequent upon the said Petition:

AND WHEREAS We have taken the said Petition into Our Royal Consideration and are minded to accede thereto:

NOW THEREFORE KNOW YE that We by virtue of our Prerogative Royal and of Our especial grace, certain knowledge and mere motion have willed and ordained and by these Presents do for Us, Our Heirs and Successors, will and ordain as follows: –

1. In this Our Charter and in the Statutes except where the context otherwise requires –
“the College” has the meaning assigned to it by Article 2 hereof;

“the Council” means the Council of the College established by Article 5 hereof;

“the Dean” means the person who, for the time being, holds the office of Dean of the College;

“functions” includes powers and duties;

“the Principal” means the person who, for the time being, holds the office of Principal of the College;

“Regulations” means Regulations made by the Council in accordance with this Our Charter and the Statutes;

“Special Resolution” means a resolution passed at one meeting of not less than two-thirds of the members of the Council and confirmed at a subsequent such meeting held not less than one calendar month nor more than three calendar months after the former meeting where written notice of each meeting and of the object of the meeting has been given to each member of the Council not less than fourteen clear days before the date fixed for the meeting and the resolution has been passed at each meeting by not less than two-thirds of those present and voting;

“the Statutes” means the Statutes referred to in Article 14 hereof;

“the University” means Our University of London;

“University of London King's College” means the Departments or branches of the University collectively known by that name and administered by the University immediately before the date of this Our Charter;

Words importing the masculine gender shall, where necessary, be construed as importing the feminine and words importing the singular number shall, where necessary, be construed as importing the plural and vice-versa.

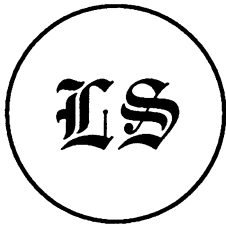
2. (1) The Corporation of King's College London, hereinafter referred to as "the College", shall forever hereafter be one body corporate and politic by the name and style of King's College London with perpetual succession and a Common Seal.
- (2) The College shall hereafter consist of those persons who are for the time being the members of the Council, the Fellows, the staff and students of the College and of such other persons as may be included by or under the provisions of this our Charter, the Statutes and Regulations. The relationship between the College and the University shall be in accordance with the Statutes and Regulations of the University.
3. (1) The objects of the College shall be to promote education and without prejudice to the generality of the foregoing for that purpose to provide instruction of a university standard and to superintend postgraduate studies and to promote research in such branches of learning as may from time to time be determined by the Council and to provide instruction in the doctrines and duties of Christianity.
- (2) All the functions of the College shall be performed by or through the authorities of the College established by or under the subsequent provisions of this our Charter and the Statutes, being the authorities to whose respective jurisdictions those functions are thereby assigned in manner therein provided and We hereby further declare and confirm that the College (acting as aforesaid) shall have power to do any lawful thing in furtherance of the objects of the College: Provided that nothing in the provisions of this Our Charter shall be construed as authorising the disregard of any enactment or rule of law.
4. There shall be a Visitor of the College who shall be appointed by Us, Our Heirs or Successors in Council on the representation of the Council for such period and with such duties as We, Our Heirs or Successors shall deem fit.
5. (1) There shall be a Council of the College which, subject to the provisions of this Our Charter, shall be the governing and executive body of the College and as such shall exercise all the powers of the College save to the extent that this Our Charter and the Statutes shall otherwise provide. The Council shall conduct the general business of the College consistently with the provisions of this Our Charter and the Statutes and of the Statutes and Regulations of the University: Provided that the Council shall not make any decision on any question of educational policy or make Regulations on any matters having academic implications until the Academic Board has expressed an opinion on such questions or matters and until the Council has considered any opinion so expressed.
- (2) There shall be elected from among the members of the Council a Chairman and a Vice-Chairman of the Council, who shall not otherwise be in the employment of the College or of the University and the manner of election, period of office, powers and duties of each of them shall be as prescribed by the Statutes.
- (3) Subject to the provisions of this Our Charter, the constitution of the Council, its powers and duties, the manner of appointment or election and period of office of its members, the manner of filling vacancies in its membership, the conduct of its meetings and affairs and all other matters relating to the Council shall be as prescribed by the Statutes and Regulations.
- (4) Subject to the provisions of this Our Charter, the Council may delegate or otherwise arrange for the discharge of any of its functions as it may think fit.
6. There shall be an Academic Board whose members shall be as prescribed by the Statutes and it shall, subject to the powers of the Council prescribed in this Our Charter and the Statutes, be the body responsible for the academic work of the College in teaching and examining and in research. It shall also advise the Council on the general management of the College.
7. The Council shall have the custody and sole use of the Common Seal of the College, and arrangements for its safe-keeping and manner of authentication shall be as prescribed by Regulations.
8. (1) There shall be a Principal of the College who shall hereafter be appointed by the Crown.
- (2) The first Principal under this Our Charter shall be the person who, immediately before the date of this Our Charter, was appointed to the office of and known by the style and title of Principal of King's College London.
- (3) The Principal shall be the chief academic and administrative officer of the College and his powers and duties shall, subject to the provisions of this Our Charter, be as prescribed by the Statutes.
9. (1) The Council shall be empowered to appoint a Dean of the College in accordance with the Statutes. The Council shall consult the Academic Board as to the procedure to be followed in making an appointment.

- (2) The first Dean under this Our Charter shall be the person who, immediately before the date of this Our Charter, was appointed to the office of and known by the style and title of the Dean of King's College.
10. Subject to the provisions of this Our Charter, the Council may appoint such staff, having such powers and duties and upon such terms and conditions, as the Council sees fit or as may be prescribed by the Statutes, but subject to the provisions of the Statutes and Regulations of the University concerning the appointment of Professors and Readers.
11. All the persons who were elected as and known by the style and title of Fellows of King's College London immediately before the date of this Our Charter shall be Fellows of the College and hereafter the Council may elect Fellows of the College in manner and number as prescribed by the Statutes.
12. All the persons who were elected as and known by the style and title of Associates of King's College London immediately before the date of this Our Charter shall be Associates of the College and hereafter the Council may elect as Associates of the College students of the College who have attended such courses of instruction and passed such examinations as may be prescribed by Regulations.
13. There shall be a students' union society of the College whose constitution, and any amendments thereto, shall require the approval of the Council and otherwise be as prescribed by the Statutes and Regulations.
- 14.(1) The Council may by Special Resolution make, and when made amend or revoke, Statutes for the administration of the property and revenues of the College and the conduct of its affairs: Provided that no Statute which affects academic policy or the remuneration and conditions of appointment of the academic staff shall be made until the Academic Board has been consulted. The Statutes set out in the Schedule to this Our Charter shall have effect on and from the date of this Our Charter.
(2) No Statutes made by the Council shall have effect if they are repugnant to the provisions of this Our Charter or to the Statutes and Regulations of the University or until they shall have been approved by the Lords of Our Most Honourable Privy Council of which approval a Certificate under the hand of the Clerk of Our said Council shall be conclusive evidence.
15. Subject to the provisions of this Our Charter and the Statutes, the Council may make such Regulations as it considers necessary or desirable for the purpose of carrying out the objects of the College and shall stipulate when such Regulations come into effect. Such Regulations may add to, amend or repeal Regulations from time to time in force.
16. The Statutes may direct that any of the matters authorised or directed in this our Charter to be prescribed or regulated by Statute shall be prescribed or regulated by Regulation or by decision made by the Council: Provided that any such further prescription or Regulation shall not be repugnant to the provisions of this Our Charter or of the Statutes.
17. Subject to the provisions of this Our Charter and the Statutes, the Council and the Academic Board respectively may from time to time make Standing Orders governing their respective proceedings, and the power to make Standing Orders shall include the power to add to, amend or repeal any Standing Orders theretofore made.
18. The Council may at any time revoke or vary any of the provisions of this Our Charter by a Special Resolution and any such revocation or variation shall, when allowed by Us, Our Heirs or Successors in Council, have effect so that this Our Charter shall thereafter continue and operate as if it had been originally granted and made as so revoked or varied, and this provision shall apply to this Our Charter as so revoked or varied.
19. Our Royal Will and Pleasure is that this Our Charter shall ever be construed benevolently and in every case most favourably to the College and to the promotion of the objects of this Our Charter.

IN WITNESS whereof We have caused these our Letters to
be made Patent.

WITNESS Ourself at Westminster the first day of April in
the twenty-ninth year of Our Reign [1980].

BY WARRANT UNDER THE QUEEN'S SIGN MANUAL



(signed) BOURNE

SCHEDULE

THE STATUTES

Membership of the Council

1. (1) The Council shall consist of the following persons:
 - (A) EX-OFFICIO MEMBERS: –
 - (i) The Principal.
 - (ii) The Vice-Principals.
 - (iii) The Dean or Deans of the Guy's, King's College and St. Thomas' Hospitals' Medical and Dental School
 - (B) APPOINTED MEMBERS: –
 - (i) one person after consultation with the Visitor.
 - (ii) one person after consultation with the King's College London Association.
 - (iii) eighteen other persons who are neither employees nor students of the College.
 - (C) ELECTED MEMBERS: –
 - (i) eight persons elected from among their number by the academic staff of the College.
 - (ii) three persons elected from among their number by the students of the College.
 - (iii) two persons elected from among their number by the staff of the College who are not members of the academic staff;

such persons to be elected in the manner prescribed by Regulations.
- (2) Appointed Members shall be appointed for a period of three years and shall be eligible for re-appointment for a second or further such period.
- (3) Elected Members in categories (i) and (iii) of paragraph (1) (C) of this Statute shall be elected for a period of four years and shall be eligible for re-election for a second or further period of four years provided there is an interval of at least one year between any two of those periods.
- (4) Elected Members in category (ii) of paragraph (1) (C) of this Statute shall be elected for one year and shall be eligible for re-election for one further year but not thereafter as Elected Members in this category.
- (5) Elected Members shall cease to be members of the Council if they cease to be eligible in the categories in which they were elected.
- (6) All members of the Council shall have the same status, rights, powers and duties and shall share equally the collective responsibility of the Council of the College for all the acts and omissions of the Council but subject to the limitation on the participation of student members specified in Statute

16. Every member shall speak and act *in propria persona* contributing to the deliberations of the Council whatever special knowledge and advice relevant to the matter in hand is available to him by reason of the circumstances of his membership, but exercising his own judgement to the best of his ability, in the interests and for the good of the College as a whole, in all matters committed to the Council.

- (7) The Council shall at its last meeting in each academic year (1st October to 30th September) elect from among those of its Appointed Members who are not otherwise in the employment of the College or of the University, a Chairman, a Vice-Chairman and a Treasurer for the next following academic year and each of them shall hold office until the last meeting in the following year or until he ceases to be a member of the Council, whichever shall be the earlier. Each of them shall be eligible for re-election to his office.

Functions of the Council

2. The Council shall be responsible for ensuring that the objects of the College are fulfilled. Without prejudice to the generality of the functions exercisable by the Council on behalf of the College, those functions shall include the following: –
 - (1) to be responsible for the management and use of all property, revenues and grants now and hereafter allocated or made available for the fulfilment of the objects of the College;
 - (2) to take over from the University the property and liabilities hitherto entrusted to, vested in or incurred by the University by or in connection with the performance by the University of its functions in relation to University of London King's College;
 - (3) to govern, manage and regulate the finances, accounts, investments, property, business and all affairs whatsoever of the College and for these purposes to appoint bankers and any other officers or agents whom it deems expedient to appoint;
 - (4) to solicit, receive and administer in the interests of the College money or any property whatsoever real or personal;
 - (5) to sanction the receipt or acceptance on its behalf of any money or property by any committee or society

or other body created or incorporated to raise funds for the College;

- (6) to give guarantees to building societies whether in pursuance of continuing arrangements or not;
- (7) to subscribe to any charities and to grant donations for any charitable purpose consistent with the Charter;
- (8) to enter into arrangements with institutions or public bodies or industrial or commercial concerns with a view to the advancement, application and dissemination of knowledge;
- (9) subject to the conditions or provisions (if any) attached by the donor to any gift, devise or bequest from which the same are derived to place on deposit or to invest moneys and funds of the College in such stocks, funds, fully-paid shares or securities and investments as the Council shall from time to time think fit, whether within the United Kingdom of Great Britain and Northern Ireland or not, including the purchase of land of any tenure or any interest therein in the said United Kingdom: Provided that in the case of moneys and funds held by the College as trustees the powers conferred by this Statute shall be exercised subject to the provisions of the law relating to investment by trustees;
- (10) to prescribe by Regulations conditions for the admission of students to the College;
- (11) to prescribe by Regulations the conditions as to the discharge of any liabilities of students to the College under which students shall be permitted to pursue their studies in the College;
- (12) to determine fees, subscriptions and deposits;
- (13) to provide courses of instruction for students and facilities for research;
- (14) to constitute or dissolve Faculties, Schools and Departments of the College;
- (15) to prescribe the conditions governing the awards of diplomas and certificates of the College and the examinations therefor;
- (16) to prescribe the conditions governing the awards of exhibitions, scholarships, bursaries, studentships, medals and prizes;
- (17) to elect such persons as the Council considers worthy as Fellows of the College in accordance with these Statutes;
- (18) to promote and maintain a students' union society for the benefit of the students of the College;
- (19) to appoint and determine the remuneration of the Auditor;
- (20) from time to time at any meeting of the Council to make, alter or revoke Regulations for the conduct of the business or affairs of the College: Provided that

notice of an intention to propose any amendments to or revocation of the existing Regulations or the making of any new Regulations shall have been given in the notice calling any such meeting;

- (21) to appoint the members of the staff of the College but subject to the Statutes and Regulations of the University in respect of the appointment of Professors and Readers;
- (22) to appoint the Heads of Departments and the Sub-Deans of Faculties.

Meetings of the Council

3. The Council shall hold such number of meetings each year as shall be determined by Regulations.

Membership of the Academic Board

4. The Academic Board shall consist of: –
 - (1) Ex-Officio Members:
 The Principal.
 The Vice-Principals.
 The Reverend The Dean.
 The Heads of Schools, Faculties, Divisions, Departments and Subject Groups recognised for this purpose in Regulations.
 The heads of academic services recognised for this purpose in Regulations.
 The President of the Students' Union;
 - (2) one student member from each School, Faculty or other constituency defined for this purpose in Regulations elected by the undergraduate and postgraduate students registered in that constituency.
 - (3) other members in number not less than the number of the ex-officio members to be appointed or elected in the manner prescribed in Regulations: Provided that a majority of the members of the Academic Board shall be Professors, Readers or Senior Lecturers.

Powers & Duties of the Academic Board

5. (1) Subject to the provisions of the Charter and of the Statutes and Regulations of the University, the duties of the Academic Board shall be: –
 - (a) to consider and, where appropriate, advise the Council upon all academic matters and questions affecting the educational policy of the College,

the organisation of teaching, examining, research and courses of instruction, including the following: –

- (i) applications through the Council to the University for appointments of Professors and Readers in the College;
 - (ii) the like applications for the Recognition of Teachers in the College as teachers of the University;
 - (iii) matters concerning academic co-operation between the College and any other body;
 - (iv) any other matter which may be referred to it by the Council;
 - (b) to nominate representatives, who shall normally include the Principal, to serve on Boards of Advisors constituted by the Senate of the University;
 - (c) to consider and advise the Council upon the conditions and tenure of appointment of members of the academic staff, subject in the case of Appointed Teachers of the University to the Statutes and Regulations of the University;
 - (d) to discharge such other duties and functions of the Council as the Council may from time to time assign to it.
- (2) Subject to the provisions of the Charter and these Statutes the constitution and powers of the Academic Board shall be governed by Regulations or decision of the Council made in manner hereinbefore provided.
- (3) The Academic Board may set up standing and ad hoc committees with or without power to set up sub-committees to consider and report on any relevant matters.
- (4) Subject to the provisions of the Charter and these Statutes, and to such powers as may be delegated to it by the Council, the Academic Board shall have power to delegate upon such conditions as it may from time to time determine any of its functions to Faculties or committees or sub-committees formed from its own number or otherwise appointed, or to persons within the College, with or without power to such Faculties, committees or sub-committees further to delegate any of the delegated functions to any subordinate body.

Faculties

6. There shall be such Faculties of the College as the Council after consultation with the Academic Board may from time to time determine. The membership of

Faculties and the arrangements for the conduct of the business of Faculties shall be as prescribed by Regulations.

Powers of Chairmen

7. The Chairman of the Council, the Academic Board, a committee, sub-committee or other body established by or under these Statutes or Regulations shall be empowered to take action on behalf of the body of which he is Chairman in any matter being in his opinion either urgent or non-contentious and he shall report his action to that body at its next meeting for confirmation.

Departments & Schools

8. There shall be such Departments and Schools of the College as the Council after consultation with the Academic Board may from time to time determine. The arrangements for the conduct of Departments and Schools shall be as prescribed by Regulations.
- 8a. There shall be a Board of Management constituted in accordance with Regulations which shall advise the Council on the discharge of its responsibilities in matters relating to medicine and dentistry under the Medical Act 1983 and the Dentists Act 1984, or any other Act repealing and replacing either of those Acts, and any other legislation relevant to the subjects within the purview of the Board of Management and on such other matters as may from time to time be prescribed in Regulations.

Powers & Duties of the Principal

9. (1) The Principal shall have a general responsibility to the Council for ensuring that the objects of the College are fulfilled and for maintaining and promoting the efficiency, discipline and good order of the College and shall have such powers and duties as may be entrusted to him by the Council.
- (2) Subject to the provisions of the Charter and these Statutes and of the Statutes and Regulations of the University, the Principal shall have power to admit as a student of the College anyone having the requisite qualifications, in accordance with Regulations made by the Council after consultation with the Academic Board from time to time.

- (3) The Principal may at his sole discretion refuse to admit any person as a student of the College without assigning any reason.
- (4) The Principal shall have power in accordance with Regulations, which shall provide for a right of hearing and of appeal, made by the Council after consultation with the Academic Board, to suspend or terminate the College registration of any student for reasons of academic insufficiency and to exclude any such student from access to any property of the College.
- (5) The Principal shall have power in accordance with Regulations, which shall provide for a right of hearing and of appeal, made by the Council after consultation with the Academic Board to suspend or terminate the College registration of any student for reasons other than those of academic insufficiency and to exclude any such student from access to any property of the College. He shall report any such suspension, termination or exclusion to the Council and the Academic Board at their next meetings.
- (6) The Principal shall have power, in accordance with Regulations, to suspend any employee of the College and to exclude any person from access to any property of the College.
- (7) The Principal shall have power to delegate any or all of the powers conferred by paragraphs (2), (4), (5) and (6) of this Statute to such person or persons as he may think fit.
- (8) The Principal shall make an annual report to the Council.

The Dean of the College

- 10.(1) The Dean of the College shall hold office for such period and with such responsibility as the Council after consultation with the Academic Board may determine.
- (2) The Dean of the College shall be an ordained Minister of the Church of England, and it shall be his special care to ensure that the religious purposes of the College are effectively maintained and carried out.

The Vice-Principals

11. The Council shall, on the recommendation of the Principal, appoint from among the staff of the College one or more Vice-Principals who shall, subject to these Statutes, assist the Principal in such matters as the Principal may from time to time delegate to them. In the

event of two or more Vice-Principals being so appointed, one of their number shall be appointed to act for the Principal during a vacancy in that office or during the absence or disability of the Principal.

Deans of the Guy's, King's College and St. Thomas' Hospitals' Medical & Dental School

- 11a. The Council shall, on the recommendation of the Principal, appoint one or more Deans of the Guy's, King's College and St. Thomas' Hospitals' Medical and Dental School who, in each case, shall hold office for such period and with such responsibilities as the Council may determine and who shall be or become a member of the academic staff of the College in the relevant discipline. The Principal shall recommend the appointment of one such Dean as a Vice-Principal of the College.

The Secretary of the College

12. The Council shall appoint a Secretary of the College who shall hold office for such period as the Council may determine and shall be Secretary of the Council and of the Academic Board. He shall carry out such other duties as the Principal may determine.

The Chaplain

13. The Council may appoint a Chaplain or Chaplains who shall have such functions as the Council after consultation with the Dean of the College may from time to time determine.

Election of Fellows

- 14.(1) The Council may elect each year not more than ten persons to be Fellows of the College.
- (2) Those eligible to be elected as Fellows shall be: –
 - (A) the Principal;
 - (B) members of the staff of the College;
 - (C) persons who have, in the opinion of the Council, served the College in a conspicuous manner;
 - (D) former students or members of the staff of the College, who have, in the opinion of the Council become eminent in academic or public life.
- (3) Any Fellow may resign his Fellowship by informing the Secretary of the College in writing of his resignation.

Admission to the College

15. All persons of the requisite academic standard, whether resident in the United Kingdom or elsewhere shall be eligible for admission to the College and no religious test shall be imposed on any candidate for admission as a student of the College or on any applicant for employment by the College (save in respect of posts specifically related to the religious purposes of the College) nor shall any disability be imposed on the grounds of political belief, sex or ethnic origins.

Reserved Business

16. Student members of bodies established by or under the Charter, these Statutes or Regulations shall not participate in the consideration of reserved areas of business. Reserved areas of business include appointments, promotions and other matters affecting the personal affairs of individual members of the staff of the College and the admission and academic assessment of individual students. Papers for consideration at any such meeting, minutes and other records relating to such matters shall not at any time be available to a student member. The Chairman of the meeting may decide in any case of doubt whether a matter is one to which this Statute applies and his decision shall be final.

The Students' Union Society of the College

17. The students' union society of the College shall consist of all students of the College, together with such other persons as under its constitution it may determine except that it shall be open to any student on grounds of conscience to withdraw from membership of the society which shall conduct its affairs, administer its finances and elect its officers in accordance with the terms of its constitution.

The Auditor

- 18.(1) The Council shall appoint an Auditor of the College who shall be a member of a body of accountants established in the United Kingdom and for the time being recognised by the Secretary of State for the purposes of section 161 (1) of the Companies Act 1948 or any statutory modification or re-enactment thereof for the time being in force. No person shall be

appointed or remain Auditor who is or any one of whose partners is a member of the Council.

- (2) The Auditor shall hold office for such period as the Council may think fit and shall be eligible for re-appointment, and shall receive such remuneration as may be determined from time to time by the Council.
- (3) The Auditor shall have a right of access at all reasonable times to the books, records, accounts and vouchers of the College and shall be entitled to require such information and explanation as may be necessary for the performance of his duties.
- (4) The Auditor shall make a report to the Council at least once in every year.
- (5) If the office of Auditor shall become vacant by the Auditor's death or resignation or any other cause before the expiration of his period of office, the Council shall forthwith appoint an Auditor in his place for the remainder of that period.
- (6) The Auditor may resign by notice in writing addressed to the Secretary of the College.

Casual vacancies

19. A casual vacancy in the membership of a body established by or under the Charter, these Statutes or Regulations shall be filled as soon as convenient by the body which nominated, elected or appointed the member whose place has become vacant. A member appointed to fill a casual vacancy shall hold office only for the unexpired term of office of the member he replaces.

Transitional provisions

- 20.(1) The foregoing Statutes shall have effect subject to the following transitional provisions: –
 - (A) Prior to the Appointed Day there shall be nominated by the Council of Governors six persons to be appointed to be members of the Council ("the Additional Appointed Members") in category (iii) of paragraph (1) (B) of Statute 1 of the revised statutes.
 - (B) On the Appointed Day the persons appointed as Appointed Members in categories (iii), (iv) and (v) of paragraph (1) (C) of Statute 1 of the existing statutes shall be deemed to be Appointed Members in category (iii) of paragraph (1) (B) of Statute 1 of the revised statutes.
 - (C) On the Appointed Day paragraph (1) (B) (iii) of Statute 1 of the revised statutes shall have effect

for a period of three years as if for the word “eighteen” there were substituted “twenty-four” and the Council shall appoint the Additional Appointed Members as members of the Council for that period.

- (D) Prior to the Appointed Day there shall be elected by the academic staff of the Schools four of their number to be members of the Council (“the Additional Academic Staff Members”) in category (i) of paragraph (1) (C) of Statute 1 of the revised statutes.
- (E) On the Appointed Day the persons elected as Elected Members in categories (i) and (ii) of paragraph (1) (D) of Statute 1 of the existing statutes shall be deemed to be Elected Members in category (i) of paragraph (1) (C) of Statute 1 of the revised statutes.
- (F) On the Appointed Day paragraph (1) (C) (i) of Statute 1 of the revised statutes shall have effect for a period of four years as if for the word “eight” there were substituted “twelve” and the Additional Academic Staff Members shall be members of the Council for that period.
- (G) Prior to the Appointed Day there shall be elected by the students of the Schools one of their number to be a member of the Council (“the Additional Student Member”) in category (ii) of paragraph (1) (C) of Statute 1 of the revised statutes.
- (H) On the Appointed Day paragraph (1) (C) (ii) of Statute 1 of the revised statutes shall have effect for a period of one year as if for the word “three” there were substituted “four” and the Additional Student Member shall be a member of the Council for that period.
- (I) Prior to the Appointed Day there shall be elected by the staff of the Schools who are not members of the academic staff one of their number to be a member of the Council (“the Additional Non-Academic Staff Member”) in category (iii) of paragraph (1) (C) of Statute 1 of the revised statutes.
- (J) On the Appointed Day paragraph (1) (C) (iii) of Statute 1 of the revised statutes shall have effect for a period of four years as if for the word “two” there were substituted “three” and the Additional Non-Academic Staff Member shall be a member of the Council for that period.
- (K) On and after the Appointed Day the persons who were Fellows of King’s College Hospital Medical School (University of London) or of Chelsea College (University of London) or Fellows or

Associates of the Principal and Governors of Queen Elizabeth College immediately prior to the respective dates on which those bodies were dissolved and the Fellows of the Schools shall be Fellows of the College.

(2) In this Statute–

“the Appointed Day” means the day which is the appointed day for the purposes of the King’s College London Act 1997;

“the Council of Governors” means the Council of Governors of the Schools;

“the existing statutes” means these Statutes as they have effect immediately prior to the Appointed Day;

“the revised statutes” means these Statutes as they have effect on the Appointed Day;

“the Schools” means the United Medical and Dental Schools of Guy’s and St. Thomas’s Hospitals.

Education Reform Act 1988

The following Statute was added pursuant to University Commissioners (Statute Modifications) (King’s College London) Order 199993, SI 1993 No 1011

STATUTE 21

Academic Staff

PART I Construction, application and interpretation

CONSTRUCTION

1. This Statute and any Regulations 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 academic staff have freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their jobs or privileges;
 - (b) to enable the College to provide education, promote learning and engage in research efficiently and economically; and
 - (c) to apply the principles of justice and fairness.

REASONABLENESS OF DECISIONS

2. No provision in Part II or Part III shall enable the body or person having the duty to reach a decision under the relevant Part to dismiss any member of the academic staff unless the reason for his dismissal may in the circumstances (including the size and administrative resources of the College) reasonably be treated as a sufficient reason for dismissing him.

APPLICATION

3. (1) This Statute shall apply
 - (a) to Professors, Readers, Senior Lecturers and Lecturers;
 - (b) to the Dean and the Chaplain;
 - (c) to research fellows, research assistants and other staff holding academic related posts, being posts recognised by the Council for the purposes of this Statute; and
 - (d) to the Principal to the extent and in the manner set out in the Annex to this Statute.
- (2) In this Statute any reference to “academic staff” is a reference to persons to whom this Statute applies.

INTERPRETATION

Meaning of “dismissal”

4. In this Statute “dismiss” and “dismissal” mean dismissal of a member of the academic staff and –
 - (a) include remove or, as the case may be, removal from office; and

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

Meaning of “good cause”

5. (1) For the purposes of this Statute “good cause” in relation to the dismissal or removal from office or place of a member of the academic staff, being in any case a reason which is related to conduct or to capability or qualifications for performing work of the kind which the member of the academic staff concerned was appointed or employed to do, means –
 - (a) conviction for an offence which maybe deemed by a Tribunal appointed under Part III to be such as to render the person convicted unfit for the execution of the duties of the office or employment as a member of the academic staff; or
 - (b) conduct of an immoral, scandalous or disgraceful nature incompatible with the duties of the office or employment; or
 - (c) conduct constituting failure or persistent refusal or neglect or inability to perform the duties or comply with the conditions of office; or
 - (d) physical or mental incapacity established under Part IV.
- (2) In this paragraph
 - (a) “capability”, in relation to such a member, means capability assessed by reference to skill, aptitude, health or any other physical or mental quality; and
 - (b) “qualifications”, in relation to such a member, means any degree, diploma or other academic, technical or professional qualification relevant to the office or position held by that member.

Meaning of “redundancy”

6. For the purposes of this Statute dismissal shall be taken to be a dismissal by reason of redundancy if it is attributable wholly or mainly to –
 - (a) the fact that the College has ceased, or intends to cease, to carry on the activity for the purposes of which the member of the academic staff concerned was appointed or employed by the College, or has ceased, or intends to cease, to carry on that activity in the place in which the member concerned worked; or
 - (b) the fact that the requirements of that activity for members of the academic staff to carry out work of a

particular kind, or for members of the academic staff to carry out work of a particular kind in that place, have ceased or diminished or are expected to cease or diminish.

INCIDENTAL, SUPPLEMENTARY & TRANSITIONAL MATTERS

7. (1) In any case of conflict, the provisions of this Statute shall prevail over those of any other Statute and over those of any Regulations and the provisions of any Regulation made under this Statute shall prevail over those of any other Regulation:

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

- (2) Nothing in any appointments made, or contract entered into, shall be construed as over-riding or excluding any provision made by this Statute concerning the dismissal of a member of the academic staff by reason of redundancy or for good cause:

Provided that nothing in this sub-paragraph shall prevent waivers made under section 142 of the Employment Protection (Consolidation) Act 1978 from having effect.

- (3) Nothing in any other Statute shall enable the Council to delegate their power to reach a decision under paragraph 10(2) of this Statute.
- (4) Nothing in any other Statute or in any Regulations made thereunder shall authorise or require any person to sit as a member of any Committee, Tribunal or body appointed under this Statute or to be present when any such Committee, Tribunal or body is meeting to arrive at its decision or for the purpose of discussing any point of procedure.
- (5) Any reference in this Statute to the University, to the Vice-Chancellor of the University or to Appointed Teachers of the University is a reference to the University of London, or to the Vice-Chancellor or Appointed Teachers of the University of London as the case may be.
- (6) No instrument which would have the effect of modifying the provision in this Statute shall have that effect unless it has been approved by the Privy Council.
- (7) In this Statute references to numbered Parts, paragraphs, and sub-paragraphs are references to Parts, paragraphs, and sub-paragraphs so numbered in this Statute.

PART II Redundancy

PURPOSE OF PART II

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

Exclusion from Part II of persons appointed or promoted before 20th November 1987

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 paragraph 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.

THE APPROPRIATE BODY

- 10.(1) The Council shall be the appropriate body for the purposes of this Part.
- (2) This paragraph applies where the appropriate body has decided that it is desirable that there should be a reduction in the academic staff –
- (a) of the College as a whole; or
 - (b) of any Faculty, School, Department or other similar area of the College
- by way of redundancy.
- 11.(1) Where the appropriate body has reached a decision under paragraph 10(2) it shall appoint a Redundancy Committee to be constituted in accordance with sub-paragraph (3) of this paragraph to give effect to its decision by such date as it may specify and for that purpose –
- (a) to select and recommend the requisite members of the academic staff for dismissal by reason of redundancy; and
 - (b) to report their recommendations to the appropriate body.
- (2) The appropriate body shall either approve any selection recommendation made under sub-paragraph (1), or shall remit it to the Redundancy Committee for further consideration in accordance with its further directions.
- (3) A Redundancy Committee appointed by the appropriate body shall comprise –

- (a) a Chairman; and
 - (b) two members of the Council, not being persons employed by the College; and
 - (c) two members of the academic staff nominated by the Academic Board.
- Notices of intended dismissal

12. (1) Where the appropriate body has approved a selection recommendation made under paragraph 11(1) it may authorise an officer of the College as its delegate to dismiss any member of the academic staff so selected.
- (2) Each member of the academic staff selected shall be given separate notice of the selection approved by the appropriate body.
- (3) Each separate notice shall sufficiently identify the circumstances which have satisfied the appropriate body that the intended dismissal is reasonable and in particular shall include –
- (a) a summary of the action taken by the appropriate body under this Part;
 - (b) an account of the selection processes used by the Redundancy Committee;
 - (c) a reference to the rights of the person notified to appeal against the notice and to the time within which any such appeal is to be lodged under Part V (Appeals); and
 - (d) a statement as to when the intended dismissal is to take effect.

PART III Discipline, dismissal and removal from office

DISCIPLINARY PROCEDURES

13. (1) Minor faults shall be dealt with informally.
- (2) Where the matter is more serious but falls short of constituting possible good cause for dismissal the following procedure shall be used –
- Stage 1 – Oral Warning*
- If conduct or performance does not meet acceptable standards the member of the academic staff will normally be given a formal ORAL WARNING. The member will be advised of the reason for the warning, that it is the first stage of the disciplinary procedure and of the right of appeal under this paragraph. A brief note of the oral warning will be kept but it will be spent after 12 months, subject to satisfactory conduct and performance.
- Stage 2 – Written Warning*
- If the offence is a serious one, or if a further offence occurs, a WRITTEN WARNING will be given to the member of the academic staff by the Head of Department. This will give details of the complaint,

the improvement required and the timescale. It will warn that a complaint may be made to the Secretary seeking the institution of charges to be heard by a Tribunal appointed under paragraph 16 if there is no satisfactory improvement and will advise of the right of appeal under this paragraph. A copy of this written warning will be kept by the Head of Department but it will be disregarded for disciplinary purposes after 2 years subject to satisfactory conduct and performance.

Stage 3 – Appeals

A member of the academic staff who wishes to appeal against a disciplinary warning shall inform the Secretary within two weeks. The Vice-Principal shall hear all such appeals and his decision shall be final.

PRELIMINARY EXAMINATION OF SERIOUS DISCIPLINARY MATTERS

14. (1) If there has been no satisfactory improvement following a written warning given under Stage 2 of the procedure in paragraph 13, or in any other 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 Tribunal appointed under paragraph 16 may be made to the Secretary who shall bring it to the attention of the Principal.
- (2) To enable the Principal to deal fairly with any complaint brought to his attention under sub-paragraph (1) he shall institute such investigations or enquiries (if any) as appear to him to be necessary.
- (3) If it appears to the Principal that a complaint brought to his attention under sub-paragraph (1) relates to conduct or performance which does not meet acceptable standards but for which no written warning has been given under paragraph 13 or which relates to a particular alleged infringement of rules, regulations or byelaws for which a standard penalty is normally imposed in the College or within the Faculty, School, Department or other relevant area, or is trivial or invalid he may dismiss it summarily, or decide not to proceed further under this Part.
- (4) If the Principal does not dispose of a complaint under sub-paragraph (3) he shall treat the complaint as disclosing a sufficient reason for proceeding further under this Part and, if he sees fit, he may suspend the member on full pay pending a final decision.
- (5) Where the Principal proceeds further under this Part he shall write to the member of the academic staff concerned inviting comment in writing.
- (6) As soon as may be following receipt of the comments (if any) the Principal shall consider the matter in the light of all the material then available and may –

- (a) dismiss it himself; or
 - (b) refer it for consideration under paragraph 13; or
 - (c) deal with it informally himself if it appears to the Principal appropriate to do so and if the member of the academic staff agrees in writing that the matter should be dealt with in that way; or
 - (d) direct the Secretary to prefer a charge or charges to be considered by a Tribunal to be appointed under paragraph 16.
- (7) If no comment is received within 28 days the Principal may proceed as aforesaid as if the member concerned had denied the substance and validity of the alleged case in its entirety.

INSTITUTION OF CHARGES

- 15.(1) In any case where the Principal has directed that a charge or charges be preferred under paragraph 14(6)(d), he shall request the Council to appoint a Tribunal under paragraph 16 to hear the charge or charges and to determine whether the conduct or performance of the member of the academic staff concerned constitutes good cause for dismissal or otherwise constitutes a serious complaint relating to the member's appointment or employment.
- (2) Where the Council has been requested to appoint a Tribunal under paragraph 16 the Secretary or, if he is unable to act, another officer appointed by the Principal shall take charge of the proceedings.
- (3) The officer in charge of the proceedings shall formulate, or arrange for the formulation of, the charge or charges and shall present, or arrange for the presentation of, the charge or charges before the Tribunal.
- (4) It shall be the duty of the officer in charge of the proceedings
- (a) to forward the charge or charges to the Tribunal and to the member of the academic staff concerned together with the other documents therein specified; 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 Tribunal.

THE TRIBUNAL

16. A Tribunal appointed by the Council shall comprise:
- (a) a Chairman; and
 - (b) a member of the Council, not being a person employed by the College; and
 - (c) one member of the academic staff nominated by the Academic Board:
- Provided that in any case where the member of the academic staff concerned is an Appointed Teacher of the

University, the Tribunal shall include, in addition to the members referred to under sub-paragraphs (b) and (c), two members nominated by the University, not being persons employed by the College.

PROVISIONS CONCERNING TRIBUNAL PROCEDURE

17. (1) The procedure to be followed in respect of the preparation, hearing and determination of charges by a Tribunal shall be that set out in Regulations made under this paragraph.
- (2) Without prejudice to the generality of the foregoing such Regulations shall ensure –
- (a) that the member of the academic staff concerned is entitled to be represented by another person, whether such person be legally qualified or not, in connection with and at any hearing of charges by a Tribunal;
 - (b) that a charge shall not be determined without an oral hearing at which the member of the academic staff concerned and any person appointed by him to represent him are entitled to be present;
 - (c) that the member of the academic staff and any person representing the staff member may call witnesses and may question witnesses upon the evidence on which the case against him is based; and
 - (d) that full and sufficient provision is made –
 - (i) for postponements, adjournments, dismissal of the charge or charges for want of prosecution, remission of the charge or charges to the Principal for further consideration and for the correction of accidental errors; and
 - (ii) for appropriate time limits for each stage (including the hearing) to the intent that any charge thereunder shall be heard and determined by a Tribunal as expeditiously as reasonably practicable.

NOTIFICATION OF TRIBUNAL DECISIONS

18. (1) A Tribunal shall send its decision on any charge referred to it (together with its findings of fact and the reasons for its decision regarding that charge and its recommendations, if any, as to the appropriate penalty) to the Principal and to each party to the proceedings.
- (2) A Tribunal 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 paragraph.

POWERS OF THE APPROPRIATE OFFICER WHERE CHARGES
ARE UPHOLD BY TRIBUNAL

19. (1) Where the charge or charges are upheld and the Tribunal finds good cause and recommends dismissal or removal from office, but in no other case, the appropriate officer shall decide whether or not to dismiss the member of the academic staff concerned.
- (2) In any case where the charge or charges are upheld, other than where the appropriate officer has decided under sub-paragraph (1) to dismiss the member of the academic staff concerned, the action available to the appropriate officer (not comprising a greater penalty than that recommended by the Tribunal) may be –
- (a) to discuss the issues raised with the member concerned; or
 - (b) to advise the member concerned about his future conduct; or
 - (c) to warn the member concerned; or
 - (d) to suspend the member concerned for such period as the appropriate officer shall think fair and reasonable, not to exceed 3 months after the Tribunal's decision; or
 - (e) any combination of any of the above or such further or other action under the member's contract of employment or terms of appointment as appears fair and reasonable in all the circumstances of the case.
- (3) Where the appropriate officer has decided under paragraph (1) to dismiss a member of the academic staff who is an Appointed Teacher of the University, the officer shall inform the Vice-Chancellor of the University so that, subject to the outcome of any appeal made by the member of the academic staff under Part V, the University may withdraw from the Teacher the status or title of Professor or Reader of the University.

APPROPRIATE OFFICERS

20. (1) The Principal shall be the appropriate officer to exercise the powers conferred by paragraph 19 and any reference to the appropriate officer includes a reference to a delegate of that officer.
- (2) Any action taken by the appropriate officer shall be confirmed in writing.

PART IV Removal for incapacity on medical grounds

21. (1) This Part makes separate provision for the assessment of incapacity on medical grounds as a good cause for dismissal or removal from office.
- (2) In this Part references to medical grounds are references to capability assessed by reference to health or any other physical or mental quality.
 - (3) In this Part references to the appropriate officer are references to the Principal 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 in addition to (or instead of) that member.
22. (1) Where it appears that the removal of a member of the academic staff on medical grounds would be justified, 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.
- (2) If the member shares that view the College shall meet the reasonable costs of any medical opinion required.
- (3) If the member does not share that view 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 Council; one person nominated by the member concerned or, in default of the latter nomination, by the Academic Board; and a medically qualified chairman jointly agreed by the Council and the member or, in default of agreement, to be nominated by the President of the Royal College of Physicians.
- (4) The Board may require the member concerned to undergo medical examination at the College's expense.

TERMINATION OF EMPLOYMENT

23. If the Board determines that the member shall be required to retire on medical grounds, the appropriate officer shall direct the Secretary or his delegate to terminate the employment of the member concerned on those medical grounds.

PART V Appeals

PURPOSE OF PART V

24. 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.

APPLICATION AND INTERPRETATION OF PART V

25. (1) This Part applies –

- (a) to appeals against the decisions of the Council as the appropriate body (or of a delegate of that body) to dismiss in the exercise of its powers under Part II;
- (b) to appeals arising in any proceedings, or out of any decision reached, under Part III other than appeals under paragraph 13 (Appeals against disciplinary warnings);
- (c) to appeals against dismissal otherwise than in pursuance of Part II or Part III;
- (d) to appeals against discipline otherwise than in pursuance of Part III; and
- (e) to appeals against decisions reached under Part IV

and “appeal” and “appellant” shall be construed accordingly.

(2) No appeal shall however lie against –

- (a) a decision of the appropriate body under paragraph 10(2);
- (b) the findings of fact of a Tribunal under paragraph 18(1) 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 finding by a Board set up under paragraph 22(3).

(3) In this Part references to “the person appointed” are references to the person appointed by the Council under paragraph 28 to hear and determine the relevant appeal.

(4) The parties to an appeal shall be the appellant and the Secretary and any other person added as a party at the direction of the person appointed.

INSTITUTION OF APPEALS

26. A member of the academic staff shall institute an appeal by serving on the Secretary, within the time allowed under paragraph 27, notice in writing setting out the grounds of the appeal.

TIME FOR APPEALING AND NOTICES OF APPEAL

27. (1) A notice of appeal shall be served within 28 days of the date on which the document recording the decision appealed from was sent to the appellant or

such longer period, if any, as the person appointed may determine under sub-paragraph (3).

- (2) The Secretary shall bring any notice of appeal received (and the date when it was served) to the attention of the Council and shall inform the appellant that he has done so.
- (3) Where the notice of appeal was served on the Secretary outside the 28 day period the person appointed under paragraph 28 shall not permit the appeal to proceed unless he considers that justice and fairness so require in the circumstances of the case.

PERSONS APPOINTED TO HEAR AND DETERMINE APPEALS

28. (1) Where an appeal is instituted under this Part the Council shall appoint a person described in sub-paragraph (2) to hear and determine that appeal.

(2) The persons described in this sub-paragraph are persons not employed by the College holding, or having held, judicial office or being barristers or solicitors of at least ten years’ standing.

(3) Subject to sub-paragraph (5) the person appointed shall sit alone unless he considers that justice and fairness will best be served by sitting with two other persons.

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

- (a) a member of the Council not being a person employed by the College; and
- (b) one member of the academic staff nominated by the Academic Board.

(5) In the case of an appeal against a decision taken under paragraph 19 to dismiss a member of the academic staff who is an Appointed Teacher of the University the person appointed shall sit with –

- (a) a member of the Council not being a person employed by the College; and
- (b) a member of the academic staff nominated by the Academic Board; and
- (c) two persons nominated by the University not being persons employed by the College.

PROVISIONS CONCERNING APPEAL PROCEDURES AND POWERS

29. (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 paragraph.

(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 to the Council as the appropriate body (or any issue arising in the course of such an appeal) for further consideration as the person or persons hearing the appeal may direct; or
 - (b) remit an appeal arising under Part III for rehearing by a differently constituted Tribunal 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) substitute any lesser alternative penalty that would have been open to the appropriate officer following the finding by the Tribunal which heard and pronounced upon the original charge or charges.

NOTIFICATION OF DECISIONS

30. The person appointed shall send the reasoned decision, including any decision reached in exercise of his powers under paragraph 29(3)(a), (b) or (c), on any appeal together with any findings of fact different from those come to by the Council as the appropriate body under Part II or by the Tribunal under Part III, as the case may be, to the Principal, to the parties to the appeal and to the Vice-Chancellor of the University in the case of an appeal by a member of the academic staff who is an Appointed Teacher of the University.

PART VI Grievance procedures

PURPOSE OF PART VI

31. The aim of this Part is to settle or redress individual grievances promptly, fairly and so far as may be, within the Faculty, School, Department or other relevant area by methods acceptable to all parties.

APPLICATION

32. 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.

EXCLUSIONS AND INFORMAL PROCEDURES

- 33.(1) If other remedies within the Faculty, School, Department or other relevant area have been exhausted the member of the academic staff may raise the matter with the Head of the Faculty, School, Department or other relevant area.
- (2) If the member of the academic staff is dissatisfied with the result of an approach under sub-paragraph (1) or if the grievance directly concerns the Head of the Faculty, School, Department or other relevant area, the member may apply in writing to the Principal for redress of the grievance.
- (3) If it appears to the Principal that the matter has been finally determined under Part III, IV or V or that the grievance is trivial or invalid, he may dismiss it summarily, or take no action upon it. If it so appears to the Principal he shall inform the member and the Grievance Committee accordingly.
- (4) If the Principal is satisfied that the subject matter of the grievance could properly be considered with (or form the whole or any part of)—
- (a) a complaint under Part III;
 - (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 and the Grievance Committee accordingly.
- (5) If the Principal does not reject the complaint under sub-paragraph (3) or if he does not defer action upon it under sub-paragraph (4) 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.

GRIEVANCE COMMITTEE PROCEDURE

34. If the grievance has not been disposed of informally under paragraph 33(5), the Principal shall refer the matter to the Grievance Committee for consideration.

35. The Grievance Committee to be appointed by the Council shall comprise –

- (a) a Chairman; and
- (b) a member of the Council not being a person employed by the College; and
- (c) one member of the academic staff nominated by the Academic Board.

PROCEDURE IN CONNECTION WITH DETERMINATIONS; AND RIGHT TO REPRESENTATION

36. 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.

NOTIFICATION OF DECISIONS

37. The Committee shall inform the Council 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.

Paragraph 3(1)(d): Annex

Provisions as to the Principal

1. The Council may request its Chairman to remove the Principal from office for good cause in accordance with the procedure described in this Annex.
 - (1) A complaint seeking the removal from office of the Principal for good cause may be made by not less than five members of the Council, not being student members, to the Chairman of the Council.
 - (2) If it appears to the Chairman of the Council, on the material before him, that the complaint raises a prima facie case and that this could, if proved, constitute good cause for dismissal or removal from office he shall request the Council to appoint a Tribunal to hear and determine the matter.
 - (3) If it appears to the Chairman of the Council that a complaint made to him under sub-paragraph (1) does not raise a prima facie case or is trivial or invalid, he may recommend to the Council that no further action be taken upon it.
 - (4) When the Council has appointed a Tribunal under sub-paragraph (2) it 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 Tribunal.
 - (5) A Tribunal appointed by the Council shall comprise
 - (a) an independent Chairman; and
 - (b) a member of the Council not being a person employed by the College; and
 - (c) one member of the academic staff.
 - (6) Subject to the principles of justice and fairness the Tribunal may determine its own procedure.
 - (7) The Tribunal shall send its reasoned decision on any charge referred to it together with its findings of fact regarding the charge and its recommendations, if any, as to the appropriate penalty to the Chairman of the Council and to the Principal drawing attention to the period of time within which any appeal should be made.
 - (8) Persons appointed to hear such an appeal shall be persons independent of the College holding, or having held, judicial office or being barristers or solicitors of at least 10 years' standing and the person so appointed shall, subject to the principles of justice and fairness, determine the procedure to be adopted in hearing the appeal.
 - (9) 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 Principal and to the Chairman of the Council.

(10) Where a charge or charges have been upheld by the Tribunal and not dismissed on appeal, the Chairman of the Council shall decide whether or not to dismiss the Principal.

2. Where a complaint is to be referred to a Tribunal under this Statute, the Chairman of the Council may suspend the Principal from his duties and may exclude the Principal from the precincts of the College or any part thereof without loss of salary.
3. “Good cause” in this Annex has the same meaning as in paragraph 5 of this Statute.
4. For the purpose of the removal of the Principal for incapacity on medical grounds, Part IV of this Statute shall have effect subject to the following modifications: –
 - (a) for references to a member of the academic staff there shall be substituted references to the Principal;
 - (b) for any reference to the office of Principal there shall be substituted a reference to the office of Chairman of the Council;
 - (c) for paragraph 23 there shall be substituted –

“23. If the Council determines that the Principal should be required to retire on medical grounds, it shall ask the Chairman of the Council as the appropriate officer, to decide whether or not to terminate the appointment of the Principal on those medical grounds.”

