

Revised version, March 2014. Showing changes to Statute III and VI, made at a Special Meeting of the Governing Body constituted, in accordance with the Universities of Oxford and Cambridge Act 1923, on Wednesday 30 October 2013. Final approval of Her Majesty in Council was given on 5 March 2014.

Revised version, March 2015. Showing changes to Statutes I.4, IV.1 and V.1, made at a Special Meeting of the Governing Body constituted in accordance with the Universities of Oxford and Cambridge Act 1923 on Wednesday 29 October 2014. Final approval of Her Majesty in Council was given on 19 March 2015.

# **E** L I Z A B E T H T H E S E C O N D 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 WHOM THESE PRESENTS SHALL COME, GREETING!

WHEREAS THE CAMBRIDGE TRAINING COLLEGE FOR WOMEN TEACHERS was incorporated under the Companies Acts, 1862 to 1890 on the twenty-eighth day of January in the year of Our Lord One thousand eight hundred and ninety-three and with the consent of the University of Cambridge (hereinafter referred to as 'the University') changed its name to Elizabeth Phillips Hughes Hall on the first day of October One thousand nine hundred and fifty and whereas the Association of Elizabeth Phillips Hughes Hall (hereinafter referred to as 'Hughes Hall') has by Humble Petition prayed that We might be graciously pleased to grant it a Charter of Incorporation for the purpose of constituting the present community of Hughes Hall under the title 'The President and Fellows of Hughes Hall in the University of Cambridge'

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 all other powers enabling Us so to do have of Our special grace, certain knowledge and mere motion granted and declared and do by these Presents for Us, Our Heirs and Successors grant and declare as follows:

1. The first President and first Fellows of Hughes Hall and all such persons as

may hereafter become members of the body corporate hereby constituted shall for ever hereafter be one body politic and corporate by the name and style of 'The President and Fellows of Hughes Hall in the University of Cambridge' (hereinafter referred to as 'the College') and by the same name shall have perpetual succession and a Common Seal with power to break, alter and make anew the said Seal from time to time at their will and pleasure and by the same name shall and may sue and be sued in the Courts and before all Justices of Us, Our Heirs and Successors.

2. The College shall have the following objects:
  - (a) to endow maintain and carry on a College in Cambridge for graduates and for students qualified to be matriculated in the University of Cambridge;
  - (b) to promote education, learning and research in the University of Cambridge and elsewhere;
3. The College shall have full power and capacity to accept, acquire and hold any personal property whatsoever and shall also without any further authority by virtue of this Our Charter have full power and capacity to

accept acquire and hold any lands and hereditaments and to dispose of either by way of sale or lease and to exchange, mortgage, charge, develop, turn to account or otherwise deal with all or any part of such property real or personal belonging to the College upon such terms and in such manner as it shall see fit and also to do all other things incidental to or appertaining to a body corporate.

4. In addition to any other powers it may have, the College shall have the following powers in order to further its objects (but not for any other purpose):
  - (a) to acquire and take over properties and liabilities now vested in the Elizabeth Phillips Hughes Hall Company;
  - (b) to apply the moneys of the College including any money acquired or taken over as aforesaid to the purpose of the College;
  - (c) to administer any trust or scheme for purposes connected with the objects of the College;
  - (d) to do all things as are incidental or conducive to the carrying out of the above objects.
5. The College shall have power, subject to the Statutes of the University, to present candidates for matriculation by the University and for degrees of the University.
6. The Visitor of the College shall be the Chancellor of the University.
7. Such persons as at the date of this Our Charter are the President and members of Hughes Hall shall respectively be the first President and Fellows of the College. The Statutes of the College shall apply to the first President and the first Fellows as if they had been appointed pursuant to the Statutes save that due regard shall be had to the terms of their appointment as Officers or members of Hughes Hall previous to the date of this Our Charter. Any subsequent President of the College or further

Fellows of the College shall be appointed in the manner prescribed by the Statutes of the College.

8. The government of the College shall be vested in the Governing Body as defined in the Statutes of the College which shall subject to the provisions of this Our Charter and of the Universities of Oxford and Cambridge Act 1923 have full power to make and when made to alter the Statutes of the College provided that no alteration of the Statutes shall have any force or effect if it be repugnant to the provisions of this Our Charter.
9. The first Statutes of the College shall be annexed to this Our Charter and the same shall be and shall remain in force unless and until they shall be altered in manner hereinbefore prescribed.
10. The Governing Body of the College may from time to time revoke, amend or add to the provisions of this Our Charter by a Special Statute in that behalf and such revocation, amendment or addition shall when allowed by us, Our Heirs or Successors in Council become effectual so that this Our Charter shall thenceforward continue and operate as though it had been originally granted and made as so revoked, amended or added to; provided that any proposal for the allowance of such revocation, amendment or addition to the provisions of this Our Charter shall first require the consent of the University. This Article shall apply to the provisions of this Our Charter as revoked, amended or added to in manner aforesaid. A Special Statute is one made by the College and passed at a meeting of the Governing Body specially summoned for the purpose at which not fewer than two-thirds of the Governing Body are present by the votes of not less than two-thirds of the number of persons present and voting.
11. Reference herein to the Statutes of the College shall be deemed to be references to such Statutes as are for the time being in force.
12. And lastly We do by these Presents for Us, Our Heirs and Successors grant



# HUGHES HALL

## STATUTES

- I. The Constitution of the College
- II. The Governing Body
- III. The President
- IV. The Fellows
- V. Honorary, Life and Visiting Fellows
- VI. The Officers of the College
- VII. The Academic Staff
- VIII. The Assistant Staff
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- XIII. Accounts and Audit
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- XVI. Interpretation and Procedure
- XVII. Date of commencement of these Statutes and Initial Provisions

Insert  
in classes  
other than  
Class G

### I. THE CONSTITUTION OF THE COLLEGE

1. The corporate body of the College shall consist of the President and Fellows and its corporate title shall be “The President and Fellows of Hughes Hall in the University of Cambridge”.
2. The Visitor of the College shall be the Chancellor of the University for the time being.
3. The Visitor may appoint not more than three Commissioners to exercise such powers and functions pertaining to the Visitor as the Visitor may delegate to them either generally or for a particular purpose, and may vary such appointments from time to time.
4. Save for the purpose of Statute XV the President and Fellows\* shall constitute the Governing Body of the College which shall be the ultimate authority in the College as a place of education, learning and research.
5. There shall be a College Council which shall exercise all the powers of the Governing Body, save those reserved to the Governing Body by these Statutes or otherwise regulated by these Statutes or Ordinances made thereunder, subject to any directions given by the Governing Body; in particular the Council shall be responsible to the Governing Body for:
  - (a) implementation of the policy decisions of the Governing Body;
  - (b) allocation of financial resources;
  - (c) preparation of estimates;
  - (d) financial monitoring and audit;
  - (e) maintenance and development of the College buildings and grounds;

- (f) admission of students;
  - (g) monitoring student progress;
  - (h) evaluation of the support given to students;
  - (i) college discipline;
  - (j) advising the Governing Body on the future policy and development of the College.
6. The composition of the Council shall be determined by Ordinance, save that the President shall always be a member and that not more than two students of the College appointed by the Middle Common Room in accordance with its constitution shall also be members.
  7. No account shall be taken of religion or race or gender in determining whether a person is to be appointed to the Presidency or to any Fellowship, Office or employment, or to be admitted as a student of the College, or to receive any advantage or privilege therein.

### II. THE GOVERNING BODY

1. The Governing Body shall (in addition to the power to make Statutes conferred by the Charter) have the following powers which may not be delegated:—
  - (a) to make elections and re-elections to the Presidency and to Fellowships (Statutes III and IV);
  - (b) to appoint Fellows to be members of the Council (Statute I);

- (c) to appoint and re-appoint the Officers of the College (Statute VI);
- (d) to make, vary or rescind Ordinances for the College, which shall be consistent with the object and purpose of the College defined in the Charter. Ordinances shall be read with and have the same force as these Statutes (Statute XIV);
- (e) to give the Council such directions as it thinks fit for the purpose of advancing the interests of the College, maintaining its efficiency, making provision for and encouraging the pursuit of learning and the prosecution of research and providing for the recreation and welfare of the Fellows, students and employees of the College;
- (f) to receive and consider the annual audited Statement of Accounts of the College (Statute XIII);
- (g) to consider, adjudicate on and, if thought fit, redress any grievance of any Fellow, Officer, student, employee or other member of the College in any case not otherwise provided for in these Statutes or in the Schedule thereto;
- (h) generally to do all things necessary or expedient for the due conduct of the affairs of the Governing Body not otherwise provided for.
2. A meeting of the Governing Body shall be held whenever the President considers it necessary, and at least once in every Term. A Vice-President may also summon the Governing Body in accordance with the provisions of the Schedule to these Statutes. If any six Fellows give written notice to the Secretary of the Governing Body that they wish to discuss a specific matter of concern to the Fellowship, he or she shall inform the President who will cause a meeting of the Governing Body to be summoned with all convenient speed.
3. A meeting of the Governing Body in the Michaelmas Term shall be specified in the notices calling it as the Meeting at which the audited accounts of the College are submitted.
4. The President shall preside at all meetings of the Governing Body, provided that if the President is absent from any meeting the senior Vice-President present shall preside. If both the President and all Vice-Presidents are absent, the Senior Fellow who is also a member of the Council shall chair the meeting.
5. Twelve members shall be a quorum for any meeting of the Governing Body save as otherwise provided in these Statutes.
6. Save as otherwise provided in these Statutes, or by Ordinance for a particular class of Fellow, in calculating the size of any quorum prescribed by these Statutes no regard shall be had to a member to whom the Governing Body has, at the member's request, previously granted Leave of Absence, but the granting of such Leave shall not disentitle a member from being present at or from being one of the quorum of, or voting at, a meeting. Provided also that the Governing Body may determine that a Fellow of Class E shall, if absent from a General Meeting, be not counted in calculating the size of any quorum under these Statutes.
7. If within half an hour from the time appointed for a meeting of the Governing Body a quorum is not present, the meeting, if convened upon the requisition of members, shall be dissolved; in any other case it shall stand adjourned to the same day in the next week, at the same time and place, or to such other day and at such other time and place as the Chairman of the meeting may determine, provided always that any such adjournment shall be to a day falling within a Term, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting the members present shall be a quorum for the conduct of all business other than the making of an appointment to the Presidency or to a Fellowship, the making or altering of Statutes, or the making, varying or rescinding of Ordinances.
8. The Governing Body shall appoint a Secretary on such terms and conditions as it thinks fit.
9. The Governing Body shall make Ordinances for the conduct of business and voting procedures to be followed at all meetings, and shall cause proper minutes to be made of all elections and appointments and of the proceedings of all meetings. Such minutes shall be divided into two sections namely Unreserved and Reserved business. No non-member of the Governing Body shall receive papers in connection with, or be present during the discussion of, or record any vote in relation to areas of business that are Reserved, that is to say, the election, appointment, promotion, removal or any matters affecting the personal position or remuneration of any Fellow or



member of the College staff, the admission of individual persons as students of the College, their removal from it (except as otherwise provided under these Statutes) or their academic assessment, and such further business as the President, or other person chairing the meeting, may from time to time declare to be reserved, the declaration of the Chairman of the meeting to be final. Life and Honorary Fellows may receive the minutes of Reserved Business.

10. Except where otherwise provided for in these Statutes, a member of the Governing Body shall not take part in that part of any meeting at which there is consideration of the member's own appointment or of the member's suspension, dismissal or retirement.
11. Any member of the Governing Body who is an Officer of the College shall withdraw from that part of any meeting at which there is consideration of the member's successor as that Officer.
12. All acts bona fide done by any meeting of the Governing Body or by any committees appointed by it, or by any person acting on its orders, shall, notwithstanding it be afterwards discovered that there was some defect in the appointment or continuance in office of any such member or person acting as aforesaid, or that they or any of them were disqualified, be as valid as if every such person had been duly appointed or had duly continued in office and was qualified to be a member of the Governing Body save that, if within twenty-one days of the doing of such an act any Fellow, being a member of the Governing Body, may complain

to the President that there has been an infraction of Statutes, of Ordinances made thereunder, or Resolutions of the Governing Body or the College Council. In such cases the President shall enquire into the matter and, within twenty-one days, issue a determination in writing either that there has been no infraction, or that an infraction is trivial, thereby dismissing the objection summarily. If the President shall determine that an infraction has occurred he will immediately take appropriate steps to remedy the situation. If any three Fellows, being members of the Governing Body, are dissatisfied with the President's ruling, they shall have the right of appeal to the Visitor.

13. Any resolution of the Governing Body may be rescinded or varied at a subsequent meeting if notice of the intention to rescind or vary the same has been given to the members of the Governing Body with the notices summoning the meeting, and the proposal to rescind or vary receives the concurrence of the same proportion of members of Governing Body as was required to be present and voting in order for the initial resolution to be passed.
14. Seven clear days notice, if the notice be given during any Full Term, and otherwise twenty-one clear days notice of every meeting of the Governing Body shall be given, specifying the time, the place and the general nature of the business to be transacted. The notice shall be exclusive of the day on which it is served or deemed to be served and of the day for which it is given. The accidental omission to give such notice to or the non-receipt of such notice by any person entitled to receive the same shall not

invalidate the proceedings of meeting of the Governing Body.

15. Any notice required by, or for the purpose of these Statutes to be given or sent to a member of the Governing Body shall, unless the member has requested in writing that all such notices should be given or sent to him or her at the member's registered address, shall be given and sent in such form as the Governing Body may from time to time direct. Where a notice is sent by post, service of the notice shall be deemed to be effected by properly addressing, pre-paying and posting a First Class letter containing the notice to the last known address of the person concerned, and to have been effected at the time of posting.

### III. THE PRESIDENT

1. When a vacancy occurs or is about to occur in the office of President a suitable person shall be elected or re-elected to fill that vacancy by the Governing Body at a meeting held not more than twelve months before any such vacancy is expected to occur at which not fewer than two-thirds of the members are present by a resolution in which not less than two-thirds of those present and voting concur.
2. ~~The President shall be appointed for a period of five years and may be reappointed for periods of up to three years at a time in accordance with the procedure set out in Statute III.1 provided always that the President shall retire at the end of the academical year in which the age of seventy years is reached.~~

Statute III.2 replaced by: Unless elected for a shorter period, the President shall hold office until the end of his or her eighth academical year.

Class G: to be held for life and without residence requirements by persons who have been Members of the Governing Body normally for ten years in total and have retired either in accordance with Statute IV.6, or otherwise with the approval of the Governing Body."

Classes D and E: to be held by persons whom the Governing Body considers it to be in the interests of the College to appoint.

Class F: the holding of an appointment or title in the College, University or associated institution, provided that such appointment or title has been approved for the purpose by the Governing Body and its tenure is of more than three years' duration.\*

2. Every Fellow of Classes A, C and D shall be appointed in the first instance for a period not exceeding three years, and shall be eligible for reappointment for periods not exceeding five years at a time. Every Fellow in Class B shall be appointed for a period not exceeding three years, and shall be eligible for reappointment for a period not exceeding two years. Every Fellow of Class E shall be appointed for a period of three years and shall not be eligible for reappointment in that Class. Every Fellow of Class F shall be appointed in the first instance for a period not exceeding five years and shall be eligible for reappointment for periods not exceeding five years at a time.
3. The appointment of a Fellow shall require the concurrence of not less than three-quarters of those members present at a meeting of the Governing Body convened for the purpose at which not less than one-half of the members are present.
4. A Fellow may resign his or her Fellowship by giving written notice to the President.
5. Every Fellow shall vacate his or her Fellowship if he or she ceases to fulfill the conditions of tenure of the Fellowship.

3. If within one year from the date of a vacancy the Governing Body has not appointed a person to be President, the Visitor shall appoint a suitable person to be President.
4. The President shall have general responsibility for the affairs of the College, and for maintaining and promoting its efficiency, good order and development in such manner as to further its objects, and for that purpose may make such provision as he or she thinks fit in all cases not provided for by these Statutes or by Ordinances or by Resolutions of the Governing Body or the Council.
5. The President shall reside within the precincts of the University, as defined by the Statutes and Ordinances of the University, for not less than forty-eight days in every Full Term unless, with the approval of the Governing Body, he or she be absent on account of illness or other good cause approved by the Governing Body, always provided that if the University revises the definition of the precincts, the President shall continue to be bound by the conditions which applied at his or her election, or re-election, unless the Governing Body shall direct the contrary.
6. The President may resign at any time by written notice addressed to the Senior Vice-President in residence, who shall communicate the information with all convenient speed to all Fellows.
7. During any vacancy in the office of President or during any absence of the President, the senior Vice-President in residence, (failing whom such other Fellow as the Governing Body may

appoint) shall have all the powers and authority conferred by these Statutes on the President.

8. The President shall not be removed from office except in accordance with the provisions of Part IV and VII of the Schedule to these Statutes.

#### IV. THE FELLOWS

1. Save for those granted the title of Honorary Fellow, ~~Life Fellow or Visiting Fellow in accordance with Statute V, Fellows shall be appointed in one of the following Classes: A, B, C, D, E or F.\*~~ Fellows of all these Classes shall reside in the University in such manner as shall be prescribed by the Governing Body from time to time. The conditions of tenure of each class of Fellowship shall be as follows:

Class A: residence in the University as prescribed by the Governing Body and the performance of such duties as the Governing Body may from time to time require on behalf of the College, provided that the Governing Body may grant Leave of Absence to a Fellow for travel and research upon such terms as it thinks fit; and, if the Fellow be an University Officer, or other University employee, he or she shall not be required to undertake work in excess of that permitted by the conditions of tenure of his or her University employment;

Class B: residence in the University as prescribed by the Governing Body and the pursuit of an approved programme of research;

Class C: the holding of an office within the terms and conditions prescribed by the Statutes of the University for Professorial Fellowships;

Insert at \*

Pfeiffer Fellow, Quondam Fellow, Former Fellow or Visiting Fellow in accordance with Statute V, Fellows shall be appointed in one of the following Classes: A, B, C, D, E, F or G.

Insert at \*

", other than those in Class G,"

6. Every Fellow\* shall vacate his or her Fellowship at the end of the academical year in which is attained the age of retirement for University Officers which obtained when he or she was appointed or re-appointed, or if admitted to the Headship or Fellowship (other than an Honorary Fellowship) of any other College in the University.
7. Every Fellow shall conform to these Statutes and to the Ordinances made thereunder, and shall promote the good government, discipline and interests of the College as a place of education, learning and research in such manner as to further the objects of the College.
8. A grievance procedure for Fellows and a disciplinary procedure for Fellows who are not members of the academic staff as described in the Schedule to these Statutes shall be prescribed by Ordinance. Such procedures shall include provision for the removal of a Fellow from his or her Fellowship, for the suspension of a Fellow from his or her emoluments, rights and privileges as a Fellow, and for the determination of any question related to the tenure of a Fellowship.
9. The President and the Council shall each have the power to forbid any Fellow charged under the disciplinary procedures for Fellows to enter on or remain within the precincts of the College pending the determination of his or her case.
10. The order of precedence (seniority) of Fellows shall be determined by the date of original election as a Fellow, save that if a Fellow has had discontinuous periods of tenure, only the

Insert at \*  
"Honorary Fellow, Pfeiffer Fellow, Quondam Fellow, Former Fellow and Visiting Fellow provided that such Ordinances shall only make the holders of such titles titular Fellows and not Members of the Governing Body."

periods of actual service as a Fellow shall count towards the establishment of seniority, and provided always that the President and the Vice-Presidents, followed by any former Presidents, shall take precedence before the Senior Fellow. Any case of doubt shall be decided by the President, save that any Fellow dissatisfied with the President's decision may appeal to the next ordinary meeting of the Governing Body, whose decision shall be final.

#### V. HONORARY, LIFE AND VISITING FELLOWS

1. The Governing Body may make Ordinances prescribing the terms and conditions under which it may confer and withdraw the titles of\* ~~Honorary Fellow, Life Fellow and Visiting Fellow provided that such Ordinances shall not make the holders of such titles actual Fellows or members of the Governing Body.~~

#### VI. THE OFFICERS OF THE COLLEGE

1. The Officers of the College shall be the President, the Vice-Presidents, Senior Tutor, Bursar, Tutors, Praelector and the holder of any other Office created by Ordinance.
2. ~~The terms and conditions of appointment of the College Officers (other than the President) shall be prescribed by Ordinances.~~
3. If the President or any three Fellows give written notice to the Secretary of the Governing Body that in their opinion an Officer of the College (not being an Officer to whom, as a member of the Academic Staff, the

Schedule to these Statutes applies) has been guilty either of a failure to discharge the Officer's duties or of any conduct rendering the person unfit to remain an Officer of the College the matter shall be heard and determined in the manner provided in Statute IV.8.

#### VII. THE ACADEMIC STAFF

1. The provisions in the Schedule to these Statutes shall apply to the members of the academic staff described therein.

#### VIII. THE ASSISTANT STAFF

1. The numbers, remuneration and conditions of service of the assistant staff of the College shall be determined by the Governing Body, which may from time to time delegate such of its powers under this clause to such committees or Officers as it thinks fit.
2. The members of the assistant staff shall, unless the Governing Body otherwise resolve, be appointed and dismissed by the Bursar, and shall serve under written contracts of employment.
3. A member of the assistant staff dismissed in accordance with Statute VIII.2 shall have the right of appeal to the Governing Body, which shall give the member the opportunity to be heard in person by a panel appointed by the Governing Body consisting of three Fellows other than the Bursar or other person or persons by whom the member of staff was dismissed. The Governing Body shall consider



the report of the panel before allowing or rejecting the appeal. The member may nominate someone to assist him or her in making representations to the panel.

## **IX. THE STUDENTS**

1. There shall be constituted by Ordinance an Admissions Committee which shall have the power to admit persons as students of the College to pursue courses of study and research in the University, provided that no person shall be admitted as a student whom the College may not, pursuant to the Statutes and Ordinances of the University, present for matriculation or as a candidate for a degree or enter for an examination in the University.
2. The students of the College shall apply themselves diligently to their studies or research.
3. A grievance procedure for students and a disciplinary procedure for students shall be prescribed by Ordinance.
4. Provision shall be made by Ordinance for the imposition of such penalties or restrictions as may appear proper on any student of the College who has breached College discipline; provided that the penalty of temporary or permanent removal from the College, or of deprivation of any award shall not be imposed without the consent of the Council.
5. The President and the Council shall each have the power to forbid any student charged with a breach of College discipline to enter on or remain within the precincts of the College pending the determination of his or her case.

## **X. COLLEGE DISCIPLINE**

1. The students of the College shall:
  - (a) comply with the Statutes and Ordinances of the College, with instructions given by the President or any other Officer of the College in the performance of their duties and also with the University General Regulations for Discipline as emended from time to time;
  - (b) pay such fees and charges as the Council may from time to time determine;
  - (c) do nothing intended to disrupt or impede the activities and functions of the College, or to hinder the discharge of their duties by the Officers and employees of the College;
  - (d) not assault or intentionally or recklessly cause personal injury to any Fellow, employee or other member of the College within the precincts of the College;
  - (e) not intentionally or recklessly damage or deface or knowingly misappropriate any property of the College or of any Fellow, employee or other member of the College.

## **XI. THE MIDDLE COMMON ROOM**

1. All students of the College shall be entitled to be members of the association known as the Middle Common Room.
2. The Middle Common Room shall have the following objects:
  - (a) to foster and make provision for the

cultural, recreational, social and sporting activities of the students of the College;

- (b) to promote the well-being of the students of the College;
  - (c) to make provision for the representation of the opinions of the members to appropriate bodies both within and outside the College;
  - (d) subject to the provisions of the Education Act 1994 to do all such other things, as agreed by the membership at a General Meeting, as are incidental to the above objects or any of them.
3. The Constitution of the Middle Common Room and any alteration thereof shall require the approval of the College Council.

## **XII. THE SEAL**

1. There shall be a Common Seal for the College. The Seal shall be kept under custody and control as the Governing Body shall from time to time determine. The Seal shall not be affixed to any instrument except pursuant to a resolution of the Governing Body referring to the instrument or the class of instruments to which it belongs. The Seal shall be affixed in the presence of two members of the Governing Body who shall sign every instrument to which the Seal is affixed in their presence.

## **XIII. ACCOUNTS AND AUDIT**

1. The Bursar shall cause proper accounts and accounting records to be kept with respect to:—

- (a) all sums of money received and expended by the College and the matters in respect of which such receipts and expenditure take place;
  - (b) all sales and purchases of goods by the College; and
  - (c) the assets and liabilities of the College.
2. Proper accounts shall not be deemed to be kept if there are not kept such accounting records as are necessary to give a true and fair view of the state of affairs of the College and to explain its transactions.
  3. In each year the College shall close its accounts on the thirty-first day of July or on such other date as may be determined by the Governing Body from time to time.
  4. The Governing Body shall in every year appoint as Auditor or Auditors a person or persons (not being a member of the Governing Body) who shall be a qualified accountant or accountants.
  5. The Auditor or Auditors shall examine and verify the accounts of the College and shall pass the said accounts by signing the same and shall sign such certificates as are required by the University Statutes in respect of the said accounts or shall state in writing to the Governing Body the reasons for not passing the accounts or not signing the said certificates.
  6. The audited accounts and the report by the Auditor or Auditors shall be submitted to the Governing Body at a Meeting in the Michaelmas Term.

7. The Auditor or Auditors shall receive such remuneration as the Governing Body shall determine.

#### **XIV. ORDINANCES**

1. The power conferred on the Governing Body by Statute II.1.d to make, vary or rescind Ordinances shall be exercised by resolution of the Governing Body passed with the concurrence of two thirds of those present and voting at a meeting at which one half of the members are present. Notice of such a resolution shall be given in writing not less than twenty-one days in term before the meeting.

#### **XV. ALTERATION OF STATUTES**

1. These Statutes shall be subject to alteration from time to time by Statute made by the College in accordance with Section 7 of the Universities of Oxford and Cambridge Act 1923 with the concurrence of two-thirds of those present and voting at a meeting of the Governing Body constituted in accordance with the provisions of the 1923 Act at which one half of the members are present in a resolution of which not less than twenty-one clear days notice in writing in term has been given.

#### **XVI. INTERPRETATION AND PROCEDURE**

1. If any question shall arise in regard to the interpretation of these Statutes or any of them or of any Ordinance made thereunder it shall be

decided by the Governing Body but there shall be a right of appeal to the Visitor if five or more Fellows dissent from such decision, and the Visitor shall confirm, revise or reverse the decision of the Governing Body.

#### **XVII. DATE OF COMMENCEMENT OF THESE STATUTES AND INITIAL PROVISIONS**

1. These Statutes shall take effect on the day following the date of the Charter.
2. These Statutes shall apply to the first President and the first Fellows of the College, save that the length of their tenure and their stipends, if any, as Fellows or Officers of the Approved Foundation known as the Elizabeth Phillips Hughes Hall Association, shall not without their consent be modified.
3. The Governing Body shall, as soon as may be after the coming into effect of these Statutes, determine, as regards each of the Fellows of the College who are appointed by the Charter, in which class or under which title he or she is deemed to hold a Fellowship.
4. The first Fellows of the College shall retain their seniority as Fellows of the Approved Foundation known as the Elizabeth Phillips Hughes Hall Association.

# SCHEDULE

[pursuant to Statute VII.1]

## THE ACADEMIC STAFF

### Part I General

#### 1. Application

- (a) This Schedule applies:
- i. to any person holding an Office named in Statute VI.1, or which is designated for the purpose by the Governing Body, the duties of which are not of a limited nature;
  - ii. to any person employed by the College to carry out teaching or research save for those expressly excluded by the Governing Body from the scope of this Schedule on the ground that the person's duties in that regard are of a limited nature;
  - iii. to the President, to the extent and in the manner set out in Part VII.

For the purpose of this Schedule, a person's duties shall be taken to be of a limited nature if the remuneration for those duties is not the principal source of remuneration of that person; and, in relation to any particular person, the Governing Body may resolve that the person's duties are of a limited nature where the remuneration for those duties would not normally be the principal source of remuneration of the person performing them.

- (b) In this Schedule any reference to "academic staff" is a reference to persons to whom this Schedule applies. A "primary office or employment," in relation to a member of the academic staff, means one by virtue of the tenure of which that person is a member of the academic staff. A "secondary office or

employment", in relation to a member of the academic staff, means one

- i. which is not a primary office or employment for that member;
  - ii. in respect of which the duties are of a limited nature only;
  - iii. which is either prescribed by Ordinance as secondary, or so specified at the time of appointment.
- (c) Nothing in any appointment made, or contract entered into, shall be construed as overriding or excluding any provision made by this Schedule concerning a member of the academic staff; provided that this
- i. shall not affect the validity of any compromise agreement made under Section 203 of the Employment Rights Act 1996, or any agreement or waiver of rights permitted by law generally;
  - ii. shall not preclude any member of the academic staff agreeing to terminate his or her office or employment by the College on whatever terms may be agreed.
- (d) Parts II to V of this Schedule shall not apply to the dismissal of a member of the academic staff from any secondary office or employment, provided that dismissal from a primary office or employment is not in contemplation. The Governing Body shall prescribe by Ordinance a procedure for dealing with removal from a secondary office or employment before its prescribed or normal termination date, which

shall include provision for a hearing and an appeal.

#### 2. General principles of construction and application

- (a) This Schedule and any Ordinance made under this Schedule shall be applied and construed in every case to give effect to the following guiding principles:
- i. to ensure that members of the academic staff have freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their jobs or privileges;
  - ii. to enable the College to provide education, to promote learning, and to engage in research efficiently and economically;
  - iii. to apply the principles of justice and fairness.
- (b) Nothing in this Schedule shall be construed as affecting the Statutes and Ordinances of the College concerning re-election on the expiry of a fixed term of a Fellowship.

#### 3. Dismissal

- (a) For the purposes of this Schedule, "dismiss" and "dismissal" refer to academic staff and:
- i. include remove or, as the case may be, removal from office;
  - ii. in relation to employment under a contract,

shall be construed in accordance with Section 95 of the Employment Rights Act 1996.

- (b) A member of the academic staff may be dismissed if that dismissal is for a reason set out in Section 98 of the Employment Rights Act 1996.
- (c) A member of the academic staff may be dismissed
  - i. by reason of redundancy in accordance with Part II of this Schedule;
  - ii. for disciplinary reasons in accordance with Part III of this Schedule;
  - iii. for incapacity on health grounds in accordance with Part IV of this Schedule; and
  - iv. on other grounds, including the non-renewal of a fixed-term appointment or the non-confirmation of appointment at the end of an initial probationary period, in accordance with Part V of this Schedule.

#### **4. Hearing, appeal and grievance panels**

- (a) A panel established for the purposes of this Schedule shall comprise three persons, none of whom shall have had any involvement with the matter that would make his or her participation as a member of the panel unfair.
- (b) The Governing Body may by Ordinance provide rules for the conduct of panels. Such rules may make provision for a panel to continue their consideration of a matter notwithstanding a reduction in their membership.

- (c) A panel established for the purposes of this Schedule shall conduct a hearing into the matter before them. At any hearing, the member of the academic staff concerned shall be entitled to be accompanied by a representative or another person of his or her choosing.
- (d) A panel established for the purposes of this Schedule shall give a reasoned decision in writing to the member of the academic staff concerned, which shall be reported to the Governing Body.

### **Part II Redundancy**

#### **5. Definition of redundancy**

For the purposes of this Schedule dismissal shall be taken to be dismissal by reason of redundancy if it is attributable wholly or mainly to:

- (a) the fact that the College has ceased, or intends to cease, to carry on the activity for the purposes of which the person concerned was appointed or employed or has ceased, or intends to cease, to carry on that activity in the place in which the person concerned worked; or
- (b) the fact that the requirements of that activity for members of the academic staff to carry out work of a particular kind in that place have ceased or diminished or are expected to cease or diminish.

#### **6. Procedure for dismissal by reason of redundancy**

The Governing Body shall prescribe by Ordinance a procedure for dismissing members of the academic

staff on grounds of redundancy. The procedure shall provide for an initial stage of consultation at the end of which the Governing Body shall resolve whether or not to proceed with a reduction of staff by reason of redundancy. The procedure shall provide, after such resolution:

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

#### **7. Appeal against dismissal by reason of redundancy**

- (a) The procedure prescribed under paragraph 6 of this Schedule shall provide for an appeal to a panel by a member of the academic staff who has been given notice of dismissal under this Part.
- (b) The appeal panel shall be entitled to review all aspects of the matter other than the resolution of the Governing Body to proceed with a reduction of staff by reason of redundancy.
- (c) The appeal panel shall have power to reach a final decision on the appeal, or to remit the matter for further consideration.

### **Part III Disciplinary Procedures**

#### **8. Grounds for disciplinary action**

- (a) For the purposes of this Schedule, “good cause”



in relation to the dismissal or removal of a member of the academic staff means a reason which is related to conduct or capability or qualifications for performing work of the kind which the member was appointed or employed to do. Without prejudice to the generality of the foregoing, “good cause” may include the following matters so found under procedures prescribed under this Schedule:

- i. conviction for an offence such as to render the person convicted unfit for the performance of the duties of the office or for employment as a member of the academic staff;
- ii. conduct of an immoral, scandalous, or disgraceful nature incompatible with the duties of the office or employment;
- iii. conduct constituting failure or persistent refusal or neglect or inability to perform the duties or comply with the conditions of the office or employment;
- iv. physical or mental incapacity.

(b) In this paragraph:

- i. “capability” means capability assessed by reference to skill, aptitude, health, or any other physical or mental quality;
- ii. “qualifications” means any degree, diploma, or other academic, technical, or professional qualification relevant to an office or position held.

## 9. Disciplinary procedures

(a) The Governing Body shall prescribe by

Ordinance a disciplinary procedure for members of the academic staff, which shall provide for less serious matters to be dealt with by warnings following a procedure which is fair and which provides for a right of appeal against any warning.

(b) The disciplinary procedure shall provide for more serious matters to be dealt with in a way which includes provision for:

- i. fair and reasonable time limits for each stage;
- ii. the investigation of complaints and the dismissal of those found to be without substance;
- iii. suspension on full pay pending an investigation or hearing where that is necessary;
- iv. a hearing by a panel, at which the member of the academic staff against whom the complaint has been made shall have had notice of the complaint, and shall be entitled to be present, to hear the evidence, to call relevant witnesses, and to examine and cross-examine witnesses;
- v. the dismissal by the panel of any complaint found to be without substance;
- vi. the dismissal by them without penalty of a complaint found to be of substance;
- vii. the imposition by the panel of an appropriate penalty or penalties, which, in addition to a warning or dismissal (with or without notice), may include suspension without pay for up to three months, the

withholding of future increments, reduction in grade in any primary office or employment, removal from any secondary office or employment, and the substitution (as an alternative to dismissal, where in the opinion of the panel dismissal would be justified) of any lesser office or employment for any primary office or employment;

viii. the award of compensation in respect of any loss caused or damage done.

## 10. Appeals

- (a) A member of the academic staff shall have a right of appeal against the finding of, or penalty imposed by, a panel constituted under paragraph 9 of this Schedule.
- (b) Such an appeal shall be to a fresh panel, having no common membership with the panel who heard the matter at first instance. It shall include a hearing by the appeal panel, but that hearing shall not take the form of a re-hearing of the evidence, and evidence shall be heard only as the appeal panel may determine in accordance with any Ordinance made under this Schedule.
- (c) In determining an appeal, an appeal panel may substitute for the decision of the panel hearing the matter at first instance any decision that that panel might have made.
- (d) A dismissal by a panel hearing a matter at first instance shall be effective notwithstanding any appeal against such dismissal, unless either that panel, in giving their decision, or an appeal panel thereafter shall determine otherwise (subject to such conditions as the respective panel may impose).

- (e) A dismissal or notice of dismissal shall be cancelled, withdrawn or modified if an appeal panel decides that the member of the academic staff should not be dismissed or should only be dismissed with notice. The cancellation of a dismissal shall have effect to reinstate the member of the academic staff as if no dismissal had occurred.

#### **11. Relationship with Part IV**

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

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

##### **12. Dismissal on health grounds**

- (a) This Part makes provision for dealing with cases of incapacity on health grounds in relation to members of the academic staff.
- (b) In this Part references to health grounds are references to capability assessed by reference to health or any other physical or mental quality.
- (c) The Governing Body shall prescribe by

Ordinance a procedure for assessing incapacity on health grounds and for taking appropriate action in relation thereto, which may include dismissal.

- (d) That procedure shall include a hearing by a panel and a right of appeal to a fresh panel. The panel hearing the matter at first instance and the appeal panel shall each include a medically qualified person.

#### **Part V Other Dismissals**

##### **13. Non-renewal of a fixed-term appointment**

- (a) The Governing Body shall prescribe by Ordinance a procedure, including appropriate consultation, for a review in each case where a member of the academic staff has been appointed to a primary office or employment for a fixed term and that fixed term is due to terminate. The review shall be to decide whether the office or employment should be allowed to terminate without renewal, or should be renewed for a further fixed-term, or should be extended to an appointment of indefinite duration.
- (b) The review may encompass matters which, in other circumstances, might fall to be dealt with under Parts II, III or IV of this Schedule.
- (c) A decision that an office or employment should be allowed to terminate without renewal shall not be made unless it is judged to be inexpedient or undesirable to renew or extend the appointment by reason of one or more of the following considerations:

- i. the availability of funding for the office or employment, or the financial situation of the College;
  - ii. the performance of the member of the academic staff concerned (having regard to any warnings and advice relating to performance that he or she may have been given);
  - iii. the need for the office or employment or for the performance of the duties thereof;
  - iv. the nature and character of the office or employment;
  - v. the desirability of making the office or employment permanent and filling it through open competition.
- (d) The procedure under this paragraph shall provide that, where it has been decided under subparagraph (a) of this paragraph that an office or employment should be allowed to terminate without renewal, the member of the academic staff shall be notified of the reasons for that decision, and shall be afforded a further review of the matter.

##### **14. Probationary appointments**

- (a) The Governing Body shall prescribe by Ordinance a procedure, including appropriate consultation, for a review in each case where a member of the academic staff has been appointed to a primary office or employment for an initial probationary period and that period is coming to an end. The review shall be to decide whether appointment to the office or employment should be confirmed, whether the

initial probationary period should be extended, or whether the member of the academic staff should be dismissed at the end of the probationary period.

- (b) The review may encompass matters which, in other circumstances, might fall to be dealt with under Parts II, III or IV of this Schedule.
- (c) The procedure under this paragraph shall provide that, where it has been decided under subparagraph (a) of this paragraph that dismissal should take place at the end of a probationary period, the member of the academic staff shall be notified of the reasons for that decision, and shall be afforded a further review of the matter.

#### **15. Dismissal on other grounds**

The Governing Body shall prescribe by Ordinance a procedure for dealing with dismissal on any other ground than those covered by Parts II, III, IV and paragraphs 13 and 14 of Part V of this Schedule. The procedure shall include the right to a hearing by a panel and a right of appeal to a fresh panel.

### **Part VI Grievance Procedures**

#### **16. Grievance Procedure**

- (a) The Governing Body shall prescribe by Ordinance a grievance procedure for the settlement or redress of the grievances of members of the academic staff which concern their offices or employments, where those grievances relate to matters affecting themselves as individuals or 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 the Statutes.

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

### **Part VII**

#### **Removal of the President from office**

#### **17. Removal of the President from office**

- (a) The Governing Body shall prescribe by Ordinance a procedure for the removal of the President from office. Any variation made to that procedure shall have no effect in relation to the President in office at the time of such variation until he or she has consented to it, but such variation shall otherwise be binding and effectual.
- (b) The procedure for the removal of the President from office shall provide for:

- i. the initial consideration by the Governing Body (exclusive of the President and the complainant Fellows) of a complaint by any three Fellows seeking the removal of the President from office for good cause;
- ii. the dismissal by the Governing Body of such complaint if they are of the view that it is not supported by sufficient evidence of good cause for removal from office;
- iii. otherwise, the appointment by the Governing Body of a panel to hear and determine the matter, which panel shall comprise three persons who are not Fellows and are not employed by the College, one of whom holds, or has held, judicial office, or who is a barrister or solicitor of at least ten years' standing, that person to be chairman of the panel;
- iv. the removal of the President from office if the panel decide that there is good cause for such removal;
- v. a right of appeal to a fresh panel, also constituted in accordance with (iii) above, against a decision of removal from office; and
- vi. where the complaint is of incapacity on health grounds, the inclusion on the panel hearing the matter at first instance and on any appeal panel of a medically qualified person.