



TRINITY HALL
CAMBRIDGE

TRINITY HALL ORDINANCES

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ORDINANCE 1 relating to STATUTE 1
DEFINITIONS AND INTERPRETATION

PART 1: Definitions

- 1.1 The definitions and interpretation provisions in Statute 1 and the definitions in other Statutes shall apply equally to these Ordinances, unless otherwise stated.
- 1.2 In these Ordinances, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:
- 1.2.1 'Affected' Master or Fellow means the Master or Fellow against whom proceedings have commenced under any of Ordinances 19 to 25 or who has appealed under Ordinance 26 or a Fellow who has raised a grievance under Ordinance 27;
 - 1.2.2 'Regent House' means the Regent House of the University;
 - 1.2.3 'Full Term' shall be as defined by the University;
 - 1.2.4 'Reason' means a reason falling within one or more of the following:
 - 1.2.4.1 misconduct, non-performance, negligence or incapability (excluding incapacity on medical grounds) or insufficient qualifications for performing the duties of a Fellow or of a College Office;
 - 1.2.4.2 acceptance of any position or appointment incompatible with the person's Fellowship, or College Office;
 - 1.2.4.3 contravention of law if the Fellowship or College Office were to continue;
 - 1.2.4.4 any other reason which the Governing Body or the Committee dealing with the matter under Ordinance 22 believes is sufficiently serious to justify Removal, including, in relation to a Fellowship, the reason that the Fellow no longer has any College Office or employment or other role in the College;
 - 1.2.5 'Responsible Person' in relation to the Master, means the Vice-Master or Acting Vice-Master or in their absence, the Senior Fellow and in relation to a Fellow, means the Master or his or her delegate or in their absence, the Vice-Master or Acting Vice-Master or in his or her absence, the Senior Fellow.

PART 2: Interpretation

Substitutes

- 1.3 Where by the Statutes or these Ordinances a power or duty is conferred on any person other than the Master or Vice-Master and that person is absent or conflicted or refuses to exercise the power or to perform the duty, the Governing Body may appoint a substitute.

Governing Body Handbook

- 1.4 The Governing Body may issue a Governing Body Handbook with guidance on the interpretation and application of the Statutes and Ordinances. Amendments to the Handbook may be effected by Ordinary Resolution of the Governing Body.

ORDINANCE 2 relating to STATUTE 2
CONSTITUTION, CHARITABLE OBJECT AND TRUSTEES OF THE COLLEGE

- 2.1 The declaration for admission to the Foundation of the College is as follows: “to observe the Statutes and endeavour at all times to promote its honour and well-being as a place of education, religion, learning and research”.

ORDINANCE 3 relating to STATUTE 3
THE GOVERNMENT OF THE COLLEGE

PART 1: The Government

The Visitor

- 3.1 Under Statute 3.1, the Visitor may only delegate authority to a person who holds or who in the last five years has held a judicial office within the meaning of the Constitutional Reform Act 2007 Schedule 14 Part I as amended or substituted.
- 3.2 Where under the Statutes or these Ordinances an appeal to the Visitor is admissible, and where the Visitor’s delegate makes an order on such an appeal, the Visitor’s delegate may include an order as to costs.
- 3.3 The Visitor may not disallow or annul any of the Ordinances made under Statutes 6.14 or 6.15.

The Governing Body

- 3.4 The Governing Body may appoint a Fellow to act as Secretary to the Governing Body.
- 3.5 The Governing Body may be assisted, in accordance with the law, in the exercise of its powers and duties by its committees, by College Officers, by professional advisers and by such other persons as it may decide.

PART 2: Powers of the Governing Body

PART 3: Meetings of the Governing Body and of its committees

Governing Body meetings

Summoning a meeting

- 3.6 The Master shall ensure that the dates of the meetings of the Governing Body are published in the College calendar for each academic year. Such publication shall constitute the summoning of such meetings.
- 3.7 Additional meetings of the Governing Body may be summoned by any of the following:
- 3.7.1 the Master or by the person who will preside if it is known that the Master will not be present at the meeting;
 - 3.7.2 any person obliged by the Statutes or these Ordinances to summon a meeting of the Governing Body;

3.7.3 any person obliged by the Statutes or these Ordinances to refer a matter to the Governing Body but where reference to a published meeting is not practicable.

3.8 The Master, or the person who will preside if it is known that the Master will not be present at the meeting, shall be obliged to summon an additional meeting of the Governing Body at the written request of any five Members of the Governing Body who are not restricted under Statutes 3.18 or 3.19 and, if the Master or the person who will preside fails to or is unable to comply with the request within seven days, the same or any five unrestricted Members of the Governing Body may summon such an additional meeting. The Governing Body may impose a limit on the number of such requests that a Fellow can make within one academic year or specify other conditions applicable to such requests.

3.9 An additional meeting shall be correctly summoned if summoned in accordance with the summoning procedures determined by the Governing Body, regardless of whether a Member of the Governing Body has actually received or read the summons.

Committees of the Governing Body

3.10 Subject to any requirements under the Statutes or these Ordinances, the Governing Body shall determine the constitution of its committees and may change the constitution from time to time.

3.11 The Governing Body may determine a process for proposing and making appointments to its committees.

3.12 Unless otherwise provided by the Governing Body, the quorum for a committee of the Governing Body shall be a majority of the members of the committee who are entitled to vote.

3.13 Unless otherwise provided by the Governing Body, decisions of a committee shall be made by a simple majority of the members of the committee present and voting, and if there is an equality of votes, the person presiding shall have a casting vote whether or not he or she exercised an original vote.

Conflicts of interest or of duty

3.14 Any person, who has a conflict of interest or of duty in any matter being discussed or decided at a meeting of the Governing Body or of a committee, must declare that conflict and absent himself or herself from participation, whether directly or indirectly, in the meeting or that part of the meeting relating to the matter in respect of which the conflict arises, unless the Governing Body or the committee agrees otherwise.

Voting

3.15 Voting at meetings of the Governing Body or of its committees shall be by show of hands except where a secret ballot is required under these Ordinances or where the Governing Body decides otherwise. The Governing Body may permit voting by proxy or by specified electronic means.

Inspection of minutes of and papers for Governing Body and committee meetings

- 3.16 Subject to Ordinances 3.17 and 3.18, and unless the Governing Body decides otherwise, a Member of the Governing Body shall have right of access to:
- 3.16.1 all information considered by the Governing Body or a committee;
 - 3.16.2 the approved minutes of the Governing Body or a committee; and
 - 3.16.3 any other record of any discussion or decision of the Governing Body or a committee.
- 3.17 A Member of the Governing Body is not permitted to inspect minutes or papers or any other record of any discussion or decision of the Governing Body or of a committee concerning:
- 3.17.1 a matter in which the Member of the Governing Body has a conflict of interest or of duty, unless the Governing Body or the relevant committee agrees otherwise;
 - 3.17.2 any disciplinary or grievance matter unless and to the extent that the committee or the person(s), with responsibility for the consideration of the matter, and the Affected Master or Fellow agree.
- 3.18 Unless and to the extent that the Governing Body or the relevant committee agrees otherwise, the right of access in Ordinance 3.17 shall not apply to a Member of the Governing Body who is restricted under Statute 3.19 or 3.20, in relation to
- 3.18.1 in the case of restriction under Statute 3.19, any matter considered or decided during the period of suspension;
 - 3.18.2 in the case of restriction under Ordinance 3.20, any matter relating to the election of a new Master.

**ORDINANCE 4 relating to STATUTE 4
THE MASTER**

Election, period in and terms of office
Recruitment and election

- 4.1 Where an election to the Mastership is required, the Vice-Master shall refer the question of the recruitment process to the Governing Body to determine.
- 4.2 Any offer to a prospective candidate for the Mastership must be approved by an Extraordinary Resolution of the Governing Body before issue and shall be expressed as conditional upon election of the candidate to the Mastership by Special Resolution of the Governing Body.
- 4.3 When it is known that the office of Master will fall vacant on a particular date the Governing Body may make an election to the office to take effect from a date on or after the office becomes vacant and not more than eighteen months after the date of the election. In calculating the periods prescribed in this Ordinance 4.3 time falling outside Term shall be included.

- 4.4 If no person has been elected to fill a vacancy in the office of Master at the expiration of 6 months from the occurrence of the vacancy, the Vice-Master shall forthwith:
- 4.4.1 refer the matter of the election of a Master to the Chancellor of the University to direct the Governing Body to elect a Master by Special Resolution within one month; and
 - 4.4.2 copy the referral in confidence to each Fellow.
- 4.5 In calculating the periods prescribed in Ordinance 4.4 any days falling outside Term shall be left out of account.
- 4.6 If the Vice-Master fails to act under Ordinance 4.4, another College Officer or Fellow may make the reference.
- 4.7 Notice of a meeting of the Governing Body to consider the election of a Master shall be sent by the Vice-Master to all Members of the Governing Body, other than any incumbent Master.
- 4.8 Voting shall be by secret ballot and the votes counted by two Fellows designated by the Governing Body.

Period in office

- 4.9 In order that the College may better control its strategic direction according to its changing needs, the Master shall be elected into the office for a period or for periods up to an overall total period in the office of 7 years. Exceptionally, upon completion of the term in office of 7 years, the Governing Body may, by Special Resolution, extend that overall total period, in relation to a particular election to the Mastership, by a further 3 years, up to a maximum overall total period of 10 years.

Status

- 4.10 The Mastership shall be an office and not an employment.

Residence and leave

- 4.11 The Master shall normally be in Residence and in College in Full Term, unless and to the extent that the Governing Body permits otherwise.
- 4.12 The Master is entitled to statutory annual holiday leave. Such leave must be taken outside Full Term unless the Governing Body agrees otherwise.
- 4.13 The Master may apply for Leave of Absence in accordance with Ordinance 18.

Powers and duties

Duties

- 4.14 In addition to the duties as specified in the Statutes, the duties of the office of Master shall include:
- 4.14.1 chairing the Governing Body and such of its committees as the Governing Body shall from time to time decide;

- 4.14.2 presiding at formal College events;
 - 4.14.3 representing the College at University and other formal events;
 - 4.14.4 general promotion of the College; and
 - 4.14.5 further duties assigned to the office under these Ordinances or by the Governing Body.
- 4.15 The Master shall present an annual report to the Governing Body.

Resignation, suspension and Removal

Resignation

- 4.16 If the Master wishes to resign from office, notice of not less than three months must be given in writing to the Vice-Master, unless the Governing Body consents to a shorter period.

Suspension

- 4.17 Ordinance 19 regulating suspension in an emergency or pending procedures shall apply.

Removal

- 4.18 Pursuant to Statute 4.11, the procedures for considering the Removal of the Master and appeals from such procedures are set out in Ordinances 20, 22, 23, 25 and 26 below.

**ORDINANCE 5 relating to STATUTE 5
THE VICE-MASTER**

Election, period in and terms of office

Election

- 5.1 If there is a contested election to the office of Vice-Master, voting on the election shall be by secret ballot and the votes shall be counted by two Fellows designated by the Governing Body.
- 5.2 Voting on the election of an Acting Vice-Master shall be by such method as the Governing Body decides.

Period in office

- 5.3 Subject to Ordinance 5.4, a Vice-Master shall be elected to hold office for a period of up to four years and shall not be eligible for re-election until four years have elapsed from the date of expiry of the last period in the office.
- 5.4 If the expiry of the period in office of a Vice-Master occurs during a vacancy in the Mastership, the Governing Body may extend the Vice-Master's period in the office for such further period as the Governing Body may determine.
- 5.5 The holding of the office of Acting Vice-Master shall terminate when the Vice-Master is again able to act or, where a new Vice-Master is appointed, when that new Vice-Master is able to act.

Resignation

- 5.6 A Vice-Master wishing to resign from the office must give notice of not less than three months in writing to the Master, unless the Governing Body consents to a shorter period.
- 5.7 An Acting Vice-Master wishing to resign from office must give notice of not less than one month in writing to the Master, unless the Governing Body consents to a shorter period.

Status

- 5.8 The offices of Vice-Master and Acting Vice-Master shall be offices and not employments.

Powers and duties

Duties

- 5.9 The duties of the office of Vice-Master shall include:
 - 5.9.1 chairing such committees of the Governing Body as it shall from time to time decide;
 - 5.9.2 presiding over formal College events when required;
 - 5.9.3 supporting the Master;
 - 5.9.4 further duties assigned to the office by the Statutes, these Ordinances or by the Governing Body.

**ORDINANCE 6 relating to STATUTE 6
FELLOWS**

PART 1: Classes of Fellows

Class D: Professorial Fellowships

- 6.1. While the University so requires, there shall be a Class D of Fellowship entitled Professorial Fellows for which it is a condition that the Fellow continues to hold a Professorship in the University or some other University appointment specified by the Governing Body as qualifying the holder for a Professorial Fellowship.
- 6.2. When the University no longer requires the College to have Professorial Fellowships, the Governing Body will determine whether and to what extent the Class D Professorial Fellowships shall continue as such or convert to Class B or C Fellowships.

Conditions for holding other Fellowships

- 6.3. Unless the Governing Body decides otherwise in respect of a particular appointment, it shall be a condition of a Staff Fellowship continuing that the Fellow holds a post which could qualify him or her for election as a Staff Fellow under Statute 6.3.
- 6.4. If a Fellow has been elected to a Fellowship on the basis of an appointment to an office or employment on a probationary basis, it shall be a condition of the Fellowship that the Fellow completes the probation successfully.

PART 2: General provisions

Election, period in and terms of a Fellowship

Election and period in Research Fellowships

- 6.5. To enable the College to give as many researchers as possible the opportunity to carry out early career research and to experience College Fellowship, election to a Research Fellowship shall be for a limited period of three years unless the Governing Body for special reasons otherwise determines. Extensions of period may be granted by the Governing Body only in exceptional circumstances.

Election and period in and terms of Staff Fellowships

- 6.6 Election to a Staff Fellowship shall be without limit of time or, where there is a specific reason for limiting the period of a Fellowship, for a limited period. Election may in either case be preceded by election for a probationary period.
- 6.7 Upon appointment to another post which would qualify a Staff Fellow for election under Statute 6.3:
- 6.7.1 any employment held by a Staff Fellow in the College associated with the first post shall cease upon commencement of the next post, unless the Governing Body decides otherwise; and
- 6.7.2 the Staff Fellowship shall continue but the conditions and allowances applicable to the Staff Fellowship shall change to those that would apply to a Staff Fellow elected on the basis of the new post.

Election and period in Supernumerary Fellowships

- 6.8 Election to a Supernumerary Fellowship may be without limit of time or, where there is a specific reason for limiting the period of a Fellowship, for a limited period. Such election may in either case be preceded by election for a probationary period.

Changes in class of Fellowship

- 6.9 Where a Fellow changes from one class of Fellowship to another, the conditions and allowances applicable to his or her Fellowship shall change from those applicable to the former class to those applicable to the subsequent class.

Reports

- 6.10 Every Fellow shall report to the Governing Body every six years on such matters as the Governing Body may require from time to time.

Status

- 6.11 A Fellowship is an office and not employment.

Stipends, salaries and other payments

- 6.12 In determining the stipend and/or salary of a Fellow or class of Fellows or the making of any other payment or allowance to a Fellow or Fellows:

- 6.12.1 due regard shall be had to:
- 6.12.1.1 the charitable object of the College; and
 - 6.12.1.2 the levels of stipend and/or salary paid by other academic tertiary institutions; and
- 6.12.2 care shall be taken to avoid or minimise the conflicts of interest arising in the making of the determination.

Residence and leave

- 6.13 Unless the Governing Body permits otherwise and with the exception of the occasional overnight absence a Fellow shall be in Residence during Full Term and all leave must be taken outside Full Term.
- 6.14 A Fellow may apply for Leave of Absence in accordance with Ordinance 18.

Dining rights

- 6.15 A Fellow shall be entitled to such dining rights as the Governing Body determine from time to time.

Duties of a Fellowship

- 6.16 The duties of a Fellowship, when the Fellow is not on Leave of Absence or otherwise excused from duties by the Governing Body, shall include:
- 6.16.1 making all reasonable efforts to attend each meeting of the Governing Body;
 - 6.16.2 serving on Governing Body committees when requested;
 - 6.16.3 undertaking such administrative or management duties as the Governing Body may from time to time request;
 - 6.16.4 assisting with the engagement and education of the College students generally and specifically in such ways and to such extent as the Governing Body may from time to time reasonably request.

Termination of the Fellowship

Resignation

- 6.17 A Fellow wishing to resign from the Fellowship, or from the position that qualifies the Fellow for Fellowship, must give notice of not less than three months in writing to the Master, unless a shorter period has been specified in writing at appointment or the Governing Body consents to a shorter period.

Removal on retirement

- 6.18 A Fellow shall cease to hold his or her Fellowship on such date, if any, as the Governing Body may specify from time to time as a retirement age justified by aims that the Governing Body has determined.

PART 3: Procedures and guiding principles for suspension, discipline, Removal and for grievances of a Fellow

Procedures

6.19 Pursuant to Statute 6.14, the procedures applicable to a Fellow are prescribed or referenced in:

Procedures	Relevant Ordinance
Suspension	19
Discipline	20 and 21
Removal for Reason.	20 and 22
Removal for incapacity on medical grounds	20, 22 and 23
Removal for redundancy	20 and 24
Removal on retirement or expiry, without renewal, of a limited period	20 and 25
Appeals	20 and 26
Grievances and grievance appeals	20 and 27
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**ORDINANCE 7 relating to STATUTE 7
HONORARY AND EMERITUS FELLOWSHIPS**

Honorary Fellows

7.1 An Honorary Fellowship is a discretionary award of title and is not employment.

Emeritus Fellows

7.2 The Governing Body may confer the title of Emeritus Fellow on a Master or a Fellow, who has made an extraordinary contribution to the College, where it is appropriate to retain their involvement in the College for the purposes determined by the Governing Body.

7.3 To be eligible for the title of Emeritus Fellow, a person must have:

7.3.1 ceased to be Master or a Fellow other than by Removal; and

- 7.3.2 for a period or periods set by the Governing Body, held one or more College Offices or Fellowship of the College (or Fellowship and Mastership).
- 7.4 Emeritus Fellowship is a discretionary award of title and is not employment.

**ORDINANCE 8 relating to STATUTE 8
FELLOW-COMMONERS**

Title and terms

- 8.1 The title of Fellow-Commoner is a discretionary award of title and is not employment.

**ORDINANCE 9 relating to STATUTE 9
COLLEGE OFFICERS**

PART1: College Offices

Primary and Secondary College offices

- 9.1 In addition to the College Offices named in the Statutes, there shall be the following College Offices: Dean of Chapel, Dean of Discipline, Graduate Tutor, Director of Admissions, Tutor, Steward and Stewards, Fellow Librarian, Fellow Archivist.
- 9.2 The College Office of Dean shall be a Primary College Office unless, for any particular appointment, the Governing Body designates the office as a Secondary College Office.
- 9.3 The College Offices of Graduate Tutor, Admissions Tutor, Tutor with other specific responsibilities and Tutor with general responsibilities, Stewards with particular or general responsibilities, Fellow Librarian, Fellow Archivist and Secretary to the Governing Body shall be Secondary College Offices unless, for any particular appointment, the Governing Body designates the College Office as a Primary College Office.

Recruitment and appointment

- 9.4 An Appointments Committee charged with finding a candidate for a College Office must seek the approval of the Governing Body before making any offer to a candidate. Any such offer shall be conditional upon election of the candidate to the College Office by the Governing Body.
- 9.5 Once an offer has been approved by the Governing Body, an Appointments Committee may instruct an appropriate College Officer to execute the formalities of the appointment on its behalf.

PART 2: General provisions

Tenure and terms of a College Office

Resignation from a Primary College Office

- 9.6 If a College Officer, other than the Master, wishes to resign from a Primary College Office, notice of not less than three months shall be given in writing to the Master, unless a shorter period has been specified in writing at appointment or the Governing Body consents to a shorter period.

Secondary College Offices

- 9.7 If a College Officer, other than a Vice-Master, wishes to resign from a Secondary College Office, notice of not less than one month shall be given in writing to the Master, unless a longer period has been specified in writing at appointment or the Governing Body consents to a shorter period.
- 9.8 Removal of a person from a Secondary College Office shall not automatically terminate any Fellowship, other office or other employment held by him or her in College.

ORDINANCE 10 relating to STATUTE 10

MEMBERSHIP OF THE COLLEGE

[No Ordinances have yet been made under or relating to Statute 10]

ORDINANCE 11 relating to STATUTE 11

SCHOLARS

[No Ordinances have yet been made under or relating to Statute 11]

ORDINANCE 12 relating to STATUTE 12

JUNIOR MEMBERS

Junior Members Committee, Appellate Committee and Panels

- 12.1 The Governing Body shall each year appoint:
- 12.1.1 a panel of at least five Members of the Governing Body from which a Committee relating to Junior Members ('the Junior Members Committee') may be appointed when required;
 - 12.1.2 a panel of at least seven Members of the Governing Body from which an Appellate Committee may be appointed when required;
 - 12.1.3 a panel of Junior Members consisting of not more than ten Junior Members who may be invited to sit on the Junior Members Committee or Appellate Committee ('Junior Panel Members'); and

- 12.1.4 a panel of not more than five members of the Regent House of the University, not being Fellows of the College, to act as assessors to the Appellate Committee ('Regent House assessors').
- 12.2 Each panel in Ordinance 12.1.1 and 12.1.2 shall elect one of its members to be the chair of the panel, responsible for appointing panel members to the committees when required.
- 12.3 In the event that further members of the panels in Ordinance 12.1 are required, the Master or the Vice-Master may make additional appointments.
- 12.4 Where it appears that the issue relates wholly or substantially to incapacity, on medical grounds, of the Junior Member, the Master or the Vice-Master may of their own accord or on request of the Senior Tutor, appoint medically qualified persons to chair the Junior Members Committee and the Appellate Committee, such persons either to be jointly agreed by the Governing Body and the Junior Member or, in the absence of agreement, to be recommended by the Regius Professor of Physic in the University.
- 12.5 Unless the Junior Member against whom proceedings have been instituted objects or the Senior Tutor is of the opinion that the allegations and/or evidence are such that Junior Panel Members should not be appointed, the chair of the Junior Member Committee or of the Appellate Committee as the case may be, shall invite one or two Junior Panel Members to sit as members of their Committee. The chair of either Committee may, where the interests of fairness dictate, direct that a Junior Panel Member shall stand down from membership of the Committee.
- 12.6 Subject to Ordinance 12.8, the Junior Members Committee shall be properly constituted by three Governing Body Members or, where Ordinance 12.4 applies, two Governing Body Members and the medically qualified chair of the Committee, in addition to one or two Junior Panel Members.
- 12.7 Subject to Ordinance 12.8, the Appellate Committee, shall be properly constituted by five Governing Body Members or, where Ordinance 12.4 applies, four Governing Body Members and the medically qualified chair of the Committee, in addition to one or two Junior Panel Members and one or two Regent House assessors.
- 12.8 If no Junior Panel Members are invited or are willing or able to serve in a particular instance or if Junior Panel Members are directed to stand down from membership of the Committee, the Committee shall be properly constituted without them.

Voting rights

- 12.9 The Junior Panel Members sitting as members of the Junior Members Committee or of the Appellate Committee shall have the same rights to vote on any issue which the Committee has to determine as the Members of the Governing Body sitting on that Committee.
- 12.10 The Regent House assessors sitting as members of the Appellate Committee shall not have the right to vote on any issue which the Committee has to determine.

Informal action

- 12.11 Subject to Ordinance 12.12, conduct, performance or capability or other issues, relating to a Junior Member and capable of informal resolution, should where appropriate be dealt with informally by the Junior Member's Tutor or by the Senior Tutor or, if the Senior Tutor considers it appropriate to delegate the matter, by his or her delegate.

Formal procedure

- 12.12 If informal resolution under Ordinance 12.11 is not successful or the Senior Tutor is of the opinion that formal action is more appropriate, the Senior Tutor shall:
- 12.12.1 institute such investigations into the issues as he or she considers necessary;
 - 12.12.2 if, and as soon as, appropriate, institute formal proceedings by written notice to the Master, with a copy to the Junior Member, outlining the issues which, in the opinion of the Senior Tutor, could, if sufficiently proved, merit action under Statute 12.2.
- 12.13 After receipt of a notice under Ordinance 12.12.2 from the Senior Tutor, the Master shall refer the issues, as he or she deems appropriate:
- 12.13.1 to the Governing Body (excluding all members of the panel in 12.1.2); or
 - 12.13.2 to the Junior Members Committee.
- 12.14 If the issues have been referred to the Governing Body (excluding all members of the panel in 12.1.2) under Ordinance 12.13.1, the Governing Body may consider the issues itself or at any stage refer them to the Junior Members Committee.
- 12.15 A reference to the Junior Members Committee shall be made by requiring the chair of the panel in Ordinance 12.1.1 to appoint the minimum number of Committee members as required by Ordinance 12.6 and the relevant papers being provided to the Committee so appointed. The chair of the Junior Members Committee shall decide whether and which Junior Panel Members to invite to join the Committee.
- 12.16 The Governing Body (excluding all members of the panel in 12.1.2) or, where the issues have been referred to the Junior Members Committee by the Master under 12.13.1 or by the Governing Body under 12.14, the Junior Members Committee, shall convene a hearing or hearings to consider the issues and shall invite the Junior Member to attend and respond to the issues.
- 12.17 If the Governing Body (excluding all members of the panel in 12.1.2) or the Junior Members Committee dealing with the matter finds that grounds have been sufficiently established, it will decide whether to take action under Statute 12.2 and, where appropriate, whether an application to the University to permit the Junior Member to continue studies in the University could be supported by the College.
- 12.18 The chair of the Committee, or, where a decision has been taken by the Governing Body, the Master, will notify the Junior Member in writing of the decision and, if the matter has not been dismissed, of the right to appeal against that decision.

Appeals

- 12.19 A Junior Member may appeal against a decision made under Ordinance 12.17 by written notice delivered to the Master setting out the grounds for the appeal. The time limits for lodging an appeal will be those determined by the Governing Body. The Master or the Appellate Committee has power to allow an appeal commenced after time limit to proceed to hearing if they consider that justice and fairness so require in the circumstances of the case.
- 12.20 The Master may, in his or her discretion, stay implementation of the decision made under Ordinance 12.17 pending the decision on appeal.
- 12.21 On receipt of a notice of appeal from a Junior Member, the Master shall require the Chair of the panel under Ordinance 12.2.2 to appoint the minimum number of Committee members as required by Ordinance 12.7. The chair of the Appellate Committee so constituted shall decide whether and which Junior Panel Members to invite to join the Committee.
- 12.22 The Appellate Committee shall convene a hearing or hearings to consider the appeal and to consider any further representations made by the Junior Member in writing or in person.
- 12.23 If there is no re-hearing of the evidence, the Appellate Committee shall not substitute any sanction more onerous than the sanction imposed by the Junior Members Committee or by the Governing Body against whose decision the appeal was brought.
- 12.24 The chair of the Appellate Committee shall report the decision of the Appellate Committee to the Junior Member, the Master and the Senior Tutor.

Precautionary or emergency measures

- 12.25 If there is just and sufficient need, the Senior Tutor may, before or on commencing investigations or at any time while formal procedures are in process, exclude the Junior Member from College and/or University premises for such period or periods as are reasonable necessary or take other appropriate action in relation to the Junior Member or other Junior Members involved in the issues.

Procedures of the Committees or of the Governing Body: generally

- 12.26 The Committees and the Governing Body may each regulate their own procedures, making such inquiries, interviewing such witnesses and seeking such advice as they consider necessary and bearing in mind always the interests of fairness, and may appoint a person to attend any meeting or hearing as note-taker.
- 12.27 The following guiding principles will apply to the conduct of procedures under this Ordinance:
- 12.27.1 there should be no unreasonable delay in the commencement or conduct of the procedure or in the delivery of written notice of the outcome of the procedure;
 - 12.27.2 the Junior Member should be informed in writing, as soon as practicable, of the nature of the proceedings and of any accusation against him or her;

- 12.27.3 the confidentiality of all persons involved in the procedures must be maintained as much as is reasonably possible;
 - 12.27.4 there will be a presumption of innocence until the contrary is proved on the balance of probabilities.
- 12.28 The Junior Member may be accompanied or represented at a hearing and at any investigatory meetings prior to the hearing by a person of his or her choice who falls within an approved category determined by the Governing Body, provided that that person is willing to act and is approved by the Master. If the Junior Member wishes to be accompanied or represented by a person outside an approved category, the Junior Member must apply for the consent of the Governing Body or of the Junior Members Committee or the Appellate Committee dealing with the matter.

**ORDINANCE 13 relating to STATUTE 13
COLLEGE ASSISTANTS**

Employees

- 13.1 The Governing Body shall determine which College Officer is responsible for engaging and for dismissing employees of the College and the extent to which and to whom the power can be delegated.
- 13.2 In relation to a College employee who is not a Fellow but to whom Statute 13.1 applies, the procedures for discipline, dismissal, grievances and appeals shall provide for equitable safeguards for the employee at each stage, including:
- 13.2.1 the conduct of procedures without unreasonable delay;
 - 13.2.2 reasonable investigation of complaints;
 - 13.2.3 the opportunity to make representations orally and in writing before any decision is made;
 - 13.2.4 the opportunity to be accompanied at disciplinary, grievance and appeal hearings by a colleague or trade union representative; and
 - 13.2.5 decisions being taken by persons who are independent of the issues.

Contractors and consultants

- 13.3 The Governing Body will determine which College Officer is responsible for engaging and for ending the engagement of contractors and consultants providing services to the College, whether in teaching or otherwise.

ORDINANCE 14 relating to STATUTE 14
PROPERTY AND FINANCE

Definitions

- 14.1 In this Ordinance, unless the context otherwise requires, the definitions in Statute 14 apply equally to this Ordinance and additionally the following expressions have the meanings hereby respectively assigned to them:
- 14.1.1 'Amalgamated Investment' means the collective investment of Property to which Statute 14 applies;
 - 14.1.2 'Constituent Fund' means an individual Property and/or Fund and/or Trust in the Amalgamated Investment;

Administration of the College's finances

- 14.2 In carrying out the decisions of the Governing Body or of any committee or professional to which it has delegated authority, the Bursar shall have authority, subject always to any restrictions in those decisions, the Statutes and these Ordinances:
- 14.2.1 to sign on behalf of the College documents relating to any bank account, investment, or financial matter of the College; and
 - 14.2.2 to sign on behalf of the College documents relating to the College's shareholding.
- 14.3 No loan or investment shall be made on behalf of the College by the Bursar except as and to the extent that he or she is authorised by the Governing Body or any committee to which it has delegated authority.

Amalgamated Investments

- 14.4 The Governing Body may, in accordance with law, at its discretion at any time and from time to time, resolve that all or part of Property to which Statute 14 applies, be treated as an Amalgamated Investment and invested on a Total Return basis for the rateable benefit of each Constituent Fund of the Amalgamated Investment.
- 14.5 An Amalgamated Investment shall be held on behalf of the Constituent Funds in shares which the Governing Body decides are as nearly proportionate as possible to their respective capital values upon the first constitution of the Amalgamated Investment; such shares to be determined by the Governing Body at the first constitution of the Amalgamated Investment and at other times as provided in this Ordinance.
- 14.6 The Governing Body shall decide at appropriate intervals, the amount of an Amalgamated Investment that can be prudently allocated to income without regard to the question whether it represents investment return or draws on the initial capital of the fund.
- 14.7 The Governing Body shall adjust and fix proportionately the shares of Constituent Funds in an Amalgamated Investment:
- 14.7.1 when a new Constituent Fund is added and its share fixed; and
 - 14.7.2 when any Constituent Fund or part of the capital of a Constituent Fund is withdrawn.
- 14.8 The Governing Body may at any time and from time to time:

- 14.8.1 wind up any Amalgamated Investment and divide it between the Constituent Funds in proportion to their respective shares;
- 14.8.2 bring all or any of the Constituent Funds into a new or other Amalgamated Investment/s in accordance with Ordinance 14.4 to Ordinance 14.7 ;
- 14.8.3 establish a reserve fund, subject to limitations on accumulations according to law, for the purposes of avoiding fluctuations in the amounts of income distributed and generally for regulating the distribution of income and for meeting current or anticipated expenses properly payable out of income;
- 14.8.4 distribute investment returns to the Constituent Funds in proportion to their respective shares or credit them in full or in part to the reserve fund in proportion to their respective shares.

Expenditure

- 14.9 Subject to Ordinance 14.11, in deciding under Statute 14.7 the amount of Property, to which that Statute applies, to be appropriated for expenditure, the Governing Body must have regard to the Fair Value of that Property.

Surplus income or Surplus Total Return

- 14.10 The powers of appropriation of Surplus income or Surplus Total Return of Funds and Trusts for expenditure will only apply to those Funds and Trusts created by an instrument which came into operation not less than 60 years before the date of these Statutes.
- 14.11 Before and when exercising the power of appropriation of Surplus Total Return, the Governing Body shall:
 - 14.11.1 take proper advice from a suitably qualified person or persons and exercise the duty of care and skill that a trustee must exercise; and
 - 14.11.2 comply with such accounting or other requirements as are necessary or desirable.

Balancing present and future needs

- 14.12 In applying a Total Return investment policy and in making its expenditure decisions, the Governing Body shall be even handed and prudent in the treatment of present and future beneficiaries of the College.

Review

- 14.13 The Governing Body shall from time to time appoint a suitably qualified person to review the Total Return and investment criteria adopted by the College.

ORDINANCE 15 relating to STATUTE 15

THE COLLEGE SEAL

- 15.1 The College Seal shall be affixed to:
 - 15.1.1 any deed executed by the College; and
 - 15.1.2 other documents as determined by the Governing Body or by the College’s professional advisers.

- 15.2 The College Seal shall not be attached except in the presence of two Members of the Governing Body appointed by the Governing Body to act as witnesses to the sealing. They shall attach their signatures as witnesses to the sealing.
- 15.3 The Bursar shall ensure that a record is kept of the documents sealed.

**ORDINANCE 16 relating to STATUTE 16
COMMENCEMENT REPEAL AND SAVINGS**

- 16.1 It shall be the duty of the Master to ensure that the Statutes and the Ordinances are available in hard copy or in other format to all those who are Fellows or Fellow-Commoners on the date that they come into force, and to every Fellow elected thereafter.
- 16.2 Subject to Ordinance 16.3, the terms and conditions applicable to a person holding the office of Master, a Fellowship, or a College Office, or being a Fellow-Commoner, Emeritus or Honorary Fellow or College employee immediately before the day on which the Statutes come into force shall, notwithstanding Statute 16.1, continue to be regulated by the Statutes then in force unless he or she signifies to the Governing Body by notice in writing within one year of that day that he or she wishes to be regulated by the new Statutes. A notice under this section shall be addressed to the Master, who shall report it to the next meeting of the Governing Body, and its receipt shall be recorded in the minutes of the Meeting and by the Bursar.
- 16.3 Any new election or new appointment, any re-election or re-appointment or extension of any appointment shall in any case be regulated by the Statutes in force at the time of the commencement of the election, the appointment or re-appointment, the re-election period or the extension.

**ORDINANCE 17
ADDITIONAL TEACHING DUTIES AND DIRECTOR OF STUDIES**

Teaching Duties

- 17.1 Fellows and College employees may from time to time, on such terms as the Governing Body may decide, be required or may elect to take on teaching duties which are additional to their main role in College. The Senior Tutor may terminate such additional teaching duties at any time.

Directors of Studies

- 17.2 The Senior Tutor shall have the power to assign the roles of Directors of Studies to persons internal or external to the College and to remove, or authorise the Bursar to remove, the roles from such persons as he or she deems appropriate.

- 17.3 For the avoidance of doubt, the role of a Director of Studies is not a College Office.

ORDINANCE 18
LEAVE OF ABSENCE

- 18.1 The Governing Body may grant Leave of Absence to a Master or Fellow or a College employee on such terms as it may determine.
- 18.2 In considering an application for Leave of Absence, the Governing Body will take into account any entitlement the applicant may have to leave from the University and the conditions applied to that leave by the University.
- 18.3 When granting Leave of Absence, the Governing Body may, subject to any restrictions imposed by the University, specify what duties, if any, the person may or shall perform during the period of Leave of Absence and the extent to which, if any, the person will be entitled to their normal stipend, salary or allowances during the period.
- 18.4 The Governing Body may delegate to the Master or other College Officer the consideration and, where appropriate to do so, the granting of applications for short periods of absence.

ORDINANCE 19
SUSPENSION

Emergency suspension

- 19.1 In the case of emergency and if there is just and sufficient need, the Master or a Fellow may be suspended from office on full stipend and on such other terms as are deemed fit, for such period as is reasonably necessary in all the circumstances of the case:
- 19.1.1 in the case of the Affected Master, by the Vice-Master and the Senior Fellow following complaint by five Fellows; and
- 19.1.2 in the case of an Affected Fellow, by the Master and Vice-Master or by the Master and the Senior Fellow.
- 19.2 Emergency suspension shall be reported forthwith to the Governing Body by the persons effecting the suspension. The Governing Body shall, as expeditiously as is practicable after receiving the report:
- 19.2.1 afford the Affected Master or the Affected Fellow a reasonable opportunity as soon as possible to make written representations to a committee of the Governing Body or to a panel of three comprising either all members of the Regent House or members of the Regent house and a Fellow or Fellows who then may terminate the suspension, vary or continue it for such period as is reasonably necessary in all the circumstances of the case; and

19.2.2 where appropriate to do so, order commencement of a procedure under Ordinances 21 to 26 or Ordinance 28 and immediate consideration of the suspension under Ordinance 19.3.

Suspension during procedures

- 19.3 Without prejudice to the provisions in Ordinance 19.1 and 19.2 regarding emergencies, if the person or committee charged with the conduct of a procedure under Ordinances 21 to 28 is of the opinion that there is just and sufficient need and that it is reasonable to do so, they may suspend or where there has been emergency suspension, continue the suspension of the Affected Master or Affected Fellow on full stipend pending the outcome of the procedure, including any appeal, or for a shorter period, if appropriate, and make such other order as appears appropriate and necessary.
- 19.4 Either before or immediately after the suspension is ordered under Ordinance 19.3, the Affected Master or Affected Fellow must be given the opportunity to make written representations to the said person or committee on the question of suspension, and, where suspension has already been ordered, to request a review of the suspension. There shall be a review as soon as possible after receipt of any such request. The representations made by the Affected Master or Affected Fellow must be taken into account by the person or committee when deciding on suspension under Ordinance 19.3 or reviewing suspension under this Ordinance.

ORDINANCE 20

GENERAL PROVISIONS RELATING TO ORDINANCES 21 to 27

Panels and Committees

- 20.1 The Governing Body shall each year appoint a Fellows Disputes Panel and a Fellows Grievance Panel, each consisting of at least ten persons being Members of the Governing Body and at least five members of the Regent House of the University, from which a Fellows Disputes Committee or a Fellows Grievance Committee or additional members of the Appeal Committee may be appointed where required.
- 20.2 In the event that further members of the panels are required, the Master or the Vice-Master may appoint further Members from the Governing Body or from the Regent House of the University.
- 20.3 Each panel shall elect a Chair who shall be responsible for appointing panel members to the committees when required.
- 20.4 No one shall sit as a member of any of the committees referred to in Ordinance 20.3 and established under Ordinances 21 to 27 inclusive, except as provided by the relevant Ordinance and no one shall be present at a meeting of such a committee unless agreed by the committee.

The Master's delegate

- 20.5 Where the Master is charged with a role under Ordinances 21 to 27, he or she may appoint a Fellow, who is independent of the subject matter of the procedure, as his or her delegate in the role.

Independence

- 20.6 If a person, other than the Master, with a role in any of the procedures under Ordinances 20 to 27 is involved in the issue in question and/or not independent, he or she shall withdraw from the role and a substitute shall be appointed by the person or body responsible for assigning the role or by the Governing Body.
- 20.7 If it is the Master who is not independent then, the Vice-Master or the next most Senior Fellow, who is independent, shall conduct the procedures in lieu of the Master and all references to the Master in the relevant Ordinance shall be construed as references to that Vice-Master or next most Senior Fellow.

Guiding principles of and regulation of procedures

- 20.8 In addition to the principles set out in Statute 6.16, the following guiding principles will apply to the conduct of procedures under Ordinances 21 to 27:
- 20.8.1 there should be no unreasonable delay in the commencement or conduct of the procedure or in the delivery of written notice of the outcome of the procedure;
 - 20.8.2 the confidentiality of all persons involved in the procedures should be maintained as much as is reasonably possible;
 - 20.8.3 in relation to procedures under Ordinances 21 to 25, the Affected Master or Affected Fellow should be informed in writing, as soon as practicable, of the nature of the proceedings and of any accusation against them; and
 - 20.8.4 in relation to procedures under Ordinances 21 to 23, there will be a presumption of innocence until the contrary is proved on the balance of probabilities.
- 20.9 Further details regarding the procedures in Ordinances 21 to 27 may be determined by the Governing Body.
- 20.10 If a grievance is raised by an Affected Fellow in the course of a procedure under Ordinances 21 to 26, the person or committee charged with the matter may consider and determine the grievance as part of the procedure or may suspend the procedure pending consideration of the grievance under Ordinance 27.
- 20.11 Subject to these Ordinances, a committee or person/s responsible for determining a matter under Ordinances 21 to 27 may regulate its own procedures, making such investigation or inquiries, seeking such advice as is considered necessary and bearing in mind the interests of fairness and may appoint a person or persons to attend any meeting or hearing as note-taker or to present the case against the Affected Master or the Affected Fellow.

Right to be accompanied

- 20.12 The Affected Master or Affected Fellow shall be allowed to be accompanied at any formal meeting in the course of a procedure under Ordinances 21 to 27 by another Fellow or by a

trade union official of his or her choice, where he or she reasonably requests to be accompanied.

ORDINANCE 21

FELLOWS: DISCIPLINARY PROCEDURES WITH SANCTIONS OTHER THAN REMOVAL

Application

21.1 This Ordinance 21 applies to discipline of a Fellow, outside any probationary period, for misconduct or for unsatisfactory performance or for issues of capability or other matter where the disciplinary sanction may take the form of a warning or other reasonable and appropriate action or penalty other than Removal.

21.2 Misconduct will include, but not be limited to, breach of any College policy or code of conduct issued by the Governing Body whether included in a Handbook or issued separately.

Informal action

21.3 Minor misconduct, performance or capability or other issues, whether relating to an Affected Fellow's Fellowship or relating to any College Office or employment held by the Affected Fellow, should be dealt with informally by the Master or, if the Master considers it appropriate to delegate the matter, by his or her delegate.

Formal procedure

21.4 If the Master is of the opinion that formal action is more appropriate or if the Master has not been able to resolve the issues informally under Ordinance 21.3, he or she shall:

21.4.1 institute investigations into the issues as appropriate;

21.4.2 inform the Affected Fellow in writing of the issues of concern;

21.4.3 invite the Affected Fellow in writing to attend a formal hearing before the Master and inform the Fellow of his or her right to be accompanied in accordance with Ordinance 20.12;

21.4.4 give the Affected Fellow an opportunity in the hearing to respond to the issues raised.

21.5 The Master will notify the Affected Fellow in writing of the outcome of the hearing and, if the matter has not been dismissed by the Master, of the Affected Fellow's right to appeal.

21.6 The outcome of the hearing, if the matter is not dismissed, may be an oral or written warning or other reasonable penalty, other than Removal.

ORDINANCE 22
MASTER AND FELLOWS: PROCEDURE FOR REMOVAL FOR REASON

Application

- 22.1 Save as provided under Ordinance 22.2, this Ordinance 22 applies to the consideration, in relation to a Master or a Fellow, outside any probationary period, of any or all of:
- 22.1.1 removal from Mastership or from Fellowship for Reason;
 - 22.1.2 removal from a Primary College Office for Reason;
 - 22.1.3 dismissal from any employment on any ground other than redundancy, incapacity on medical grounds, retirement or expiry without renewal of a limited period of employment.
- 22.2 Removal for the Reason referred to in Ordinance 1.2.4.4 that the Fellow no longer has any College Office or employment or other role in the College may be considered under this Ordinance 22 or under and as part of procedures under Ordinances 23, 24 or 25.

Commencement of procedures

Relating to the Master

- 22.3 A minimum of one fifth of the Members of the Governing Body ('the Requesting Fellows') may make a request, in writing and signed by each Requesting Fellow, seeking the Removal of the Affected Master for Reason. The request must be delivered to the Responsible Person. The Responsible Person shall forthwith summon a meeting of the Governing Body, at which the Affected Master and the Requesting Fellows shall not attend unless requested to do so.
- 22.4 A Member of the Governing Body who is restricted under Statute 3.19 may not be a Requesting Fellow.
- 22.5 If the Governing Body considers that the request shows a *prima facie* case that could, if proved on the balance of probabilities, constitute good and sufficient reason for Removal of the Affected Master for Reason, it shall appoint:
- 22.5.1 a Master Disputes Committee, comprised in accordance with Ordinance 22.6, to hear and determine the matter;
 - 22.5.2 where appropriate to do so, a person to investigate and report on the matter to the Master Disputes Committee; and
 - 22.5.3 where appropriate to do so, a person or persons to present the request before the Master Disputes Committee.
- 22.6 The Master Disputes Committee shall comprise three persons, as follows:
- 22.6.1 as Chair, a person who holds, or has held, a judicial office within the meaning of the Constitutional Reform Act 2007 Schedule 14 Part I as amended or substituted, or who is a solicitor or barrister of at least 10 years' standing provided that the person must not be a current or former Fellow or employee of the College; and
 - 22.6.2 two other persons who are not current or former Fellows or employees of the College.

Relating to a Fellow

- 22.7 If the Responsible Person (whether on receipt of a complaint or otherwise) is of the opinion that there is a *prima facie* case which could, if proved on the balance of probabilities, constitute good and sufficient reason for Removal of an Affected Fellow for Reason, the Responsible Person shall:
- 22.7.1 request the Chair of the Fellows Disputes Panel described in Ordinance 20 to select a Fellows Disputes Committee, comprised of three persons selected from the Fellows Disputes Panel, to hear and determine the matter;
 - 22.7.2 where appropriate to do so, appoint a person to investigate and report on the matter to the Fellows Disputes Committee; and
 - 22.7.3 where appropriate to do so, appoint and instruct a person or persons to present the case against the Fellow before the Fellows Disputes Committee.

Notifying the Affected Master or Affected Fellow

- 22.8 The Responsible Person shall notify the Affected Master or the Affected Fellow in writing:
- 22.8.1 that proceedings to consider Removal under this Ordinance 22 have commenced;
 - 22.8.2 whether the Removal relates to all or any of removal from Mastership or Fellowship, removal from a Primary College Office or dismissal from employment;
 - 22.8.3 if the Removal relates to possible removal from the Mastership, a Fellowship or Primary Office, of the alleged Reason for considering removal;
 - 22.8.4 if the Removal relates to employment, of the alleged ground or grounds for considering dismissal;
 - 22.8.5 whether Fellowship could then terminate on the basis of a failure of a condition or on the basis of a reason falling under Ordinance 1.2.4.4; and
 - 22.8.6 of the results of any investigation.
- 22.9 The Responsible Person shall also invite the Affected Master or Affected Fellow in writing to attend a hearing before the relevant committee. The invitation must notify the Affected Master or Affected Fellow of their right to be accompanied at that hearing in accordance with Ordinance 20.12.
- 22.10 Where it appears to the Responsible Person or to the relevant committee that the conduct or capability of the Affected Master or Affected Fellow may be attributable, wholly or in part, to a medical condition, the Responsible Person or the relevant committee may decide that the matter should instead proceed under Ordinance 23 or may continue with the procedure under this Ordinance.
- 22.11 If in accordance with Ordinance 22.10, the procedure continues under this Ordinance:
- 22.11.1 the committee may request or obtain medical reports and may appoint a medically qualified person as adviser to or as member of the committee; and
 - 22.11.2 the procedure and any penalty imposed, including Removal, will be valid notwithstanding that the matter could have been dealt with under Ordinance 23.

Committee's decision and its implementation

- 22.12 After the hearing and bearing in mind the guiding principles in Statute 6.16, the relevant committee must decide whether, on the balance of probabilities, the alleged Reason or alleged ground or grounds, as notified to the Affected Master or the Affected Fellow, is or are sufficiently well founded and whether it is reasonable in all the circumstances to enforce all or part of the Removal as specified in the notification to the Affected Master or the Affected Fellow.
- 22.13 If the relevant committee decides against all or part of the Removal, as specified in the notification to the Affected Master or the Affected Fellow, they must then decide whether it is reasonable in all the circumstances:
- 22.13.1 to issue a warning or other appropriate penalty to the Affected Master or Affected Fellow;
 - 22.13.2 to dismiss all or part of the proposed Removal; or
 - 22.13.3 to take some other action.
- 22.14 The relevant committee shall inform the Responsible Person in writing of its decision.
- 22.15 The Responsible Person shall:
- 22.15.1 notify the Affected Master or Affected Fellow of the decision of the relevant committee and, if the matter has not been dismissed by that committee, of the right to appeal under Ordinance 26;
 - 22.15.2 if the decision of the relevant committee involves Removal in whole or in part, inform the Governing Body; and
 - 22.15.3 implement the decision of the relevant committee.

ORDINANCE 23

MASTER AND FELLOWS: PROCEDURES FOR REMOVAL FOR INCAPACITY ON MEDICAL GROUNDS

- 23.1 A proposal for the Removal of the Master or of a Fellow for incapacity on medical grounds shall be put in writing, signed and presented to the Responsible Person. If the proposal relates to the Master, it must be signed by at least one fifth of the Members of the Governing Body. In either case, the proposal must specify whether the Removal proposal relates to any or all of removal from Mastership or Fellowship, as the case may be, removal from a Primary College Office or dismissal from employment and including whether Fellowship could then terminate on the basis of a failure of a condition or on the basis of a reason falling under Ordinance 1.2.4.4.
- 23.2 If satisfied that the proposal shows a *prima facie* case for considering Removal, the Responsible Person shall:
- 23.2.1 inform the Affected Master or Affected Fellow in writing of the proposal and of the application of this Ordinance 23, and whether the proposal relates to any or all

- of removal from Fellowship, removal from a Primary College Office or dismissal from employment;
- 23.2.2 seek any necessary consent of the Affected Master or Affected Fellow to the obtaining of a medical report or reports;
 - 23.2.3 obtain and consider medical report/s;
 - 23.2.4 advise the Affected Master or Affected Fellow of the conclusion he or she has reached after considering the medical report/s; and
 - 23.2.5 invite the Affected Master or Affected Fellow to respond in writing or in person (with the right to be accompanied in accordance with Ordinance 20.12).
- 23.3 If the Affected Master or Affected Fellow agrees that Removal for incapacity on medical grounds should be considered, the Responsible Person shall:
- 23.3.1 report the matter to the Governing Body in confidence, providing such details, as the Affected Master or Affected Fellow agrees should be provided; and
 - 23.3.2 thereafter, as he or she deems appropriate, either proceed with the proposed Removal or refer the matter to a Medical Committee constituted in accordance with Ordinance 23.5 or take some other action.
- 23.4 If the Affected Master or Affected Fellow does not agree that the proposed Removal is appropriate, or if the Responsible Person decides to refer the matter to a Medical Committee, the Responsible Person shall arrange for the appointment of a Medical Committee, constituted in accordance with Ordinance 23.5, and refer the case in confidence, with all relevant medical and other evidence (including any such evidence submitted by the Affected Master or Affected Fellow), to the Medical Committee.
- 23.5 The Medical Committee shall comprise:
- 23.5.1 one person nominated by the Governing Body, or, in default of the such nomination, by the Responsible Person;
 - 23.5.2 one person nominated by the Affected Master or Affected Fellow or, in default of such nomination, by the Responsible Person; and
 - 23.5.3 a medically qualified person (who shall be the chair of the committee) jointly agreed by the Governing Body and the Affected Master or Affected Fellow or, in the absence of agreement, nominated by the Regius Professor of Physic in the University.
- 23.6 The Medical Committee may, as it considers appropriate, make any further investigations and/or seek such further medical evidence from a medical professional or professionals other than a member or members of the Medical Committee.
- 23.7 If, having been requested by the Medical Committee to produce medical evidence or to consent to an examination by a medically qualified professional, the Affected Master or Affected Fellow refuses to do so, the Medical Committee may draw such inferences as to the health of the Affected Master or Affected Fellow as they reasonably see fit from all the evidence.

- 23.8 If, having conducted their investigations, it still appears to the Medical Committee that there is a *prima facie* case which could on the balance of probabilities constitute sufficient ground for the proposed Removal of the Affected Master or Affected Fellow for incapacity on medical grounds, it shall:
- 23.8.1 provide the Affected Master or Affected Fellow with a report on its investigations and on any further medical evidence obtained; and
 - 23.8.2 invite the Affected Master or Affected Fellow to attend a hearing before the Medical Committee and to be accompanied at that hearing in accordance with Ordinance 20.12.
- 23.9 After the hearing and bearing in mind the guiding principles in Statute 6.16, the Medical Committee must determine whether on the balance of probabilities the proposal for Removal is sufficiently well founded and whether it is reasonable in all the circumstances:
- 23.9.1 to enforce the proposed Removal of the Affected Master or Affected Fellow in full or in part; or
 - 23.9.2 to dismiss all or part of the proposed Removal, or take some other action.
- 23.10 The Medical Committee shall inform the Responsible Person in writing of its decision.
- 23.11 The Responsible Person shall:
- 23.11.1 notify the Affected Master or Affected Fellow of the decision of the Medical Committee and, if the matter has not been dismissed by that committee, of the right to appeal under Ordinance 26;
 - 23.11.2 if the decision involves Removal in whole or in part, inform the Governing Body; and
 - 23.11.3 implement the decision of the committee.
- 23.12 Any person having authority in law to act on behalf of the Affected Master or Affected Fellow shall have power so to act in respect of all proceedings before the Medical Committee or on any appeal. Any procedural requirement in relation to the Affected Master or Affected Fellow is satisfied if that requirement is fulfilled in relation to the person having authority to act on behalf of the Affected Master or Affected Fellow, whether or not it is also fulfilled in relation to the Affected Master or Affected Fellow himself or herself.

ORDINANCE 24
FELLOWS: REMOVAL FOR REDUNDANCY

- 24.1 This Ordinance 24 applies where the Governing Body proposes that there should be a reduction in Fellows of the College as a whole or in any academic subject area or in any area of work within the College and that reduction is redundancy as defined in law. It does not apply to the ending of a limited period of appointment or of employment unless the limited period may not be renewed as a result of the Governing Body's proposal.
- 24.2 The Governing Body shall appoint a Redundancy Committee comprising at least five Fellows, not being Fellows who will be at risk of redundancy, one of whom shall be Chairman to act in

accordance with Ordinance 24.4 and to recommend, with reasons, to the Governing Body which Fellow or Fellows should be selected for redundancy.

- 24.3 The Redundancy Committee shall either recommend to the Governing Body with reasons, which Fellow or Fellows should be selected for redundancy or, where authorised by the Governing Body to do so, act in accordance with Ordinance 24.4.
- 24.4 The Governing Body or the Redundancy Committee, where authorised to do so, shall:
- 24.4.1 provisionally select the Affected Fellow or Fellows for redundancy;
 - 24.4.2 invite the provisionally selected Affected Fellow or Fellows to a hearing at which they can be accompanied in accordance with Ordinance 20.12 and where they can make representations;
 - 24.4.3 after considering any representations made by the provisionally selected Affected Fellow or Fellows, decide whether he or she, or any of them, should be made redundant; and
 - 24.4.4 through a College Officer, as its delegate, advise each Affected Fellow of the decision made in relation to him or her and, where appropriate, issue any relevant Affected Fellow or Fellows with notice of Removal and inform them of their right of appeal against the notice under Ordinance 26.

ORDINANCE 25

MASTER AND FELLOWS: REMOVAL ON THE EXPIRY, WITHOUT RENEWAL, OF LIMITED PERIOD APPOINTMENTS OR EMPLOYMENTS OR ON RETIREMENT

- 25.1 This procedure applies to:
- 25.1.1 the Master;
 - 25.1.2 any Fellow, other than a Research Fellow, whose Fellowship, Primary College Office or employment with the College is for a limited period without certainty of renewal or reappointment; and
 - 25.1.3 retirement of a Fellow from Fellowship or a Primary College Office or from employment on reaching any retirement age set by the College either generally or particularly in relation to the Affected Master or Affected Fellow.
- 25.2 A review will be conducted in reasonable time before the expiry of the limited period or the retirement date by the Responsible Person who shall invite the Affected Master or Affected Fellow in writing to a consultation meeting or meetings, notify them of their right to be accompanied in accordance with Ordinance 20.12 at such meetings and specify the period over which consultation shall take place.
- 25.3 At the end of the consultation period, the Responsible Person shall decide either:
- 25.3.1 that the Governing Body should be requested to consider an extension or renewal or other option; or

- 25.3.2 that Removal should be effected fully or in part by the limited period ending, without renewal or reappointment, or by retirement taking effect on a specified date.
- 25.4 The Responsible Person shall notify the Governing Body and the Affected Master or Affected Fellow of his or her decision accordingly and, where applicable, refer the case to the Governing Body, for its decision under Ordinance 25.3.1.
- 25.5 If the decision of the Responsible Person is that the Removal should be effected or if the Governing Body does not grant any request made to it under Ordinance 25.3.1, the Responsible Person shall notify the Affected Master or Affected Fellow of the Removal decided upon, of the date it will take effect and of the right of appeal under Ordinance 26.

ORDINANCE 26
MASTER AND FELLOWS: APPEALS PROCEDURES

- 26.1 Subject to Ordinance 26.2, any appeal by an Affected Master or Affected Fellow shall lie to an Appeal Committee constituted in accordance with this Ordinance 26 against:
- 26.1.1 a decision under Ordinances 19, 21 to 25 or other Ordinances where specified;
- 26.1.2 termination following failure of a condition of appointment or election of the Affected Master or Affected Fellow under Statutes 4.9.2, 6.12.3 or 9.15.3.
- 26.2 No appeal shall lie under this Ordinance 26 against:
- 26.2.1 a proposal of the Governing Body under Ordinance 24 that there should be a reduction in Fellows of the College; or
- 26.2.2 the findings of fact under Ordinance 22 or Ordinance 23 or medical finding under Ordinance 23, save where the Appeal Committee consent to such an appeal on the basis of fresh evidence produced by the Affected Master or Affected Fellow.
- 26.3 An Affected Master or Affected Fellow may appeal by notice in writing to the Responsible Person setting out the grounds of their appeal. The time limits for lodging an appeal will be set by the Governing Body. The Responsible Person or the Appeal Committee has power to allow an appeal commenced after time limit to proceed to hearing if they consider that justice and fairness so require in the circumstances of the case.
- 26.4 The Responsible Person may, in his or her discretion, stay implementation of the decision appealed from pending the outcome of the appeal.
- 26.5 On receipt of a notice of appeal the Responsible Person shall ask the Governing Body to appoint, as Chair of the Appeal Committee, a person, who holds or has held a judicial office within the meaning of the Constitutional Reform Act 2007 Schedule 14 Part I as amended or substituted, or who is a solicitor or barrister of at least 10 years' standing, provided that the

person must not be a current or former Fellow or a current or former employee of the College.

- 26.6 The Appeal Committee shall comprise the Chair appointed under Ordinance 26.6. If the Chair is of the opinion that he or she should not sit alone to hear the appeal, two other persons shall be selected by the Chair, either from the Fellows Disputes Panel or otherwise, as follows:
- 26.6.1 one member of the Regent House of the University not being a current or former Fellow; and
 - 26.6.2 one other member.
- 26.7 The Appeal Committee shall convene a hearing or hearings to consider the appeal and to consider any further representations made by the Affected Master or the Affected Fellow in writing or in person.
- 26.8 The Affected Master or Affected Fellow will have the right to be accompanied to the hearing in accordance with Ordinance 20.12.
- 26.9 The Appeal Committee may substitute for the decision against which the appeal lies ('the original decision') any decision that the original decision maker might have made. If there is no re-hearing of the evidence, the Appeal Committee shall not substitute any decision more onerous than the original decision.
- 26.10 The Appeal Committee shall advise the Responsible Person and the Affected Master or the Affected Fellow in writing of its decision and of any recommendations.
- 26.11 The Responsible Person shall, if the appeal has been allowed in part or fully, inform the Governing Body, where and to the extent that it is appropriate to do so, and implement the decision and any recommendations of the Appeal Committee. If implementation had been stayed pending appeal and if the appeal is dismissed, the Responsible Person shall implement the decision appealed from.

ORDINANCE 27 FELLOWS: GRIEVANCE PROCEDURES

Raising a grievance

- 27.1 An Affected Fellow may raise a grievance formally in writing with the Master where :
- 27.1.1 informal resolution has failed or is not possible or practicable; or
 - 27.1.2 the grievance has been raised in the course of other proceedings Ordinances 21 to 26 but not resolved.

Referral or deferral of a grievance

- 27.2 If the Master is satisfied that a grievance, raised formally or informally, should be determined by a committee or person charged with one of the procedures under Ordinance

21 to 28, the Master may refer the grievance to that committee or person for investigation and determination and notify the Affected Fellow in writing accordingly.

- 27.3 The Master may also, where it is appropriate to do so, defer consideration of a grievance if other proceedings under Ordinances 21 to 26 that are relevant to the grievance are pending or in progress.

Summary rejection of a grievance by the Master

- 27.4 The Master may reject a grievance summarily, without further investigation or hearing, by dismissing it or deciding that no action should be taken upon it where it appears to the Master:

27.4.1 that the matter has been finally determined in proceedings under one of Ordinances 21 to 26; or

27.4.2 the grievance is trivial or vexatious or invalid.

- 27.5 The Master must inform the Affected Fellow in writing of the decision under Ordinance 27.4 and inform the Affected Fellow of the right of appeal against the decision in accordance with Ordinance 27.9.

Grievance investigation and hearing by the Master

- 27.6 If the Master has received formal notification of a grievance and, if he or she does not dismiss the grievance under Ordinance 27.4 or refer the grievance under Ordinance 27.2 or defer it under Ordinance 27.3, the Master shall:

27.6.1 investigate, or appoint a person to investigate, the grievance; and

27.6.2 invite the Affected Fellow to a grievance hearing and notify the Affected Fellow of the right to be accompanied at the hearing, in accordance with Ordinance 20.12.

- 27.7 The Master must, as expeditiously as is practicable after the hearing, inform the Affected Fellow in writing:

27.7.1 of the determination on the grievance, including, where the grievance is not dismissed, any proposals for the redress or resolution of the grievance or otherwise; and

27.7.2 of the right of appeal under Ordinance 27.9.

Appeal

- 27.8 Any appeal from the Master's determination referred to in Ordinance 27.6 or Ordinance 27.9 shall lie to the Fellows Grievance Committee constituted in accordance with this Ordinance 27.

- 27.9 An Affected Fellow may appeal by notice in writing to the Master setting out the grounds of appeal. The time limits for lodging an appeal will be set by the Governing Body. The Master or the Grievance Committee has power to allow an appeal commenced after time limit to proceed to hearing if they consider that justice and fairness so require in the circumstances of the case.

- 27.10 On receipt of a notice of appeal, the Master must request the Chair of the Fellows Grievance Panel (constituted in accordance with Ordinance 20) to select a Fellows Grievance

Committee of three persons from the Fellows Grievance Panel to consider the appeal and must furnish the Chair with the following papers for the Committee:

- 27.10.1 a written statement of the grievance provided by the Affected Fellow;
 - 27.10.2 notes of any grievance meeting with the Master;
 - 27.10.3 the decision made by the Master; and
 - 27.10.4 the Affected Fellow's notice of appeal.
- 27.11 The Fellows Grievance Committee shall:
- 27.11.1 where necessary, investigate, or appoint a person to investigate, the grievance further and report to the Affected Fellow on the results of such investigation;
 - 27.11.2 invite the Affected Fellow to a hearing at which he or she may be accompanied in accordance with Ordinance 20.12.
- 27.12 The Fellows Grievance Committee must, as expeditiously as is practicable after the hearing, inform the Master and the Affected Fellow in writing of their decision on the appeal and, where relevant, any proposals for the redress or resolution of the grievance.
- 27.13 There is no further right of appeal from the decision of the Fellows Grievance Committee.

ORDINANCE 28

FELLOWS: PROBATIONARY APPOINTMENTS

- 28.1 Appointments of Fellows to an office or employment may be made subject to an initial probationary period which can be extended where necessary.
- 28.2 The Governing Body may prescribe a procedure for a review in each case where a Fellow is subject to an initial probationary period. Such review will result in confirmation of the successful completion of the probationary period, extension of the probationary period or, where the Fellow has not satisfied standards or requirements, termination of the probationary appointment.

ORDINANCE 29

FELLOWS: EXPIRY OF RESEARCH FELLOWS' ELECTION

- 29.1 The Governing Body may prescribe a procedure applicable to Research Fellows nearing the expiry of the limited period of election.