



Exeter College, Oxford

BYLAWS

Bylaws from 1st October 2019

(College Order 19/108)

BYLAWS OF EXETER COLLEGE, OXFORD

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INTERPRETATION

Unless otherwise specified, all references to members of staff shall apply to those staff who are subject to the Statutes including those non-academic members of staff who are employed at Grade 7 or above.

I. LEAVE

1. RECTOR'S LEAVE OF ABSENCE

- 1.1 The Rector may apply for leave of absence during one term for every six terms during which, not being on leave, they have carried out their duties as Rector. Application shall if possible be made at least a year in advance. The Governing Body shall grant such leave if the Rector has carried out their duties for at least nine terms since their election as Rector and if it has been able to make other arrangements for the proper discharge of the duties of the Rectorship; provided that leave shall not normally be granted under this clause for more than one term in any academic year. If the Governing Body refuses an application by the Rector for leave under this clause it shall, if the Rector so wishes, use all reasonable endeavours to make arrangements satisfying the above conditions for a later term; and if it shall succeed, leave shall be granted for the later term in lieu of the term applied for. If the Governing Body grants leave of absence to the Rector under this Bylaw the terms of Bylaw I.2.6 shall apply to him or her mutatis mutandis. This Bylaw shall not apply to leave taken during the vacation, and shall not restrict the powers of the Governing Body under Statute II.10.

2. LEAVE AS OF RIGHT

- 2.1 Every Official Fellow engaged as a Lecturer of the College in the educational work of the College shall be entitled to leave of absence from duty (hereinafter 'sabbatical leave') during one term for every six terms of qualifying service.
- 2.2 Sabbatical leave shall be reckoned on the basis of one term's leave for every six terms of qualifying service, as defined in Bylaw I.2.3 below.
- 2.3 A period of qualifying service shall be a period during which the Fellow has without intermission discharged their contractual duties, or during which the Fellow has not discharged their contractual duties because they have:
- taken paid or unpaid sick leave; or
 - taken paid or unpaid maternity, adoption, paternity or parental leave; or
 - agreed with the Governing Body that a particular period in which the member of staff has not fulfilled their contractual duties may be reckoned as qualifying service for the purposes of these regulations.
- 2.4 Qualifying service shall normally accumulate up to a maximum of eighteen terms, from which six terms shall be deducted whenever a term of sabbatical leave is taken.
- 2.5 A Fellow's terms of qualifying service may be reduced by such number, not exceeding six, as the Governing Body shall determine in respect of each term during which the Fellow has been granted Discretionary Leave under Bylaw I.3. In the case when this number exceeds the number of a Fellow's terms of qualifying service, their future terms of service up to the number of that excess shall not count as qualifying service.
- 2.6 Not more than one calendar year of sabbatical leave shall be granted in any one period of three years.

- 2.7 In exceptional circumstances, sabbatical leave may be postponed without loss of entitlement by deeming it to relate to an earlier period, on condition that:
- a) the Fellow would have had sufficient qualifying service to make him or her eligible for the leave in the earlier period; and
 - b) (i) the Fellow is able to make a strong academic case to the Governing Body for the leave to be postponed and deemed to be taken at the earlier period; or (ii) such postponement is in the interests of the College (e.g. such as to ensure no loss of entitlement for Fellows holding College Office, or to ensure adequate teaching provision), and is limited to a period which shall not exceed two years, unless the Governing Body, with the consent of the Fellow concerned, determines otherwise; and
 - c) the application for leave is made before the beginning of the earlier period.
- 2.8 In exceptional circumstances, leave may be taken in advance of entitlement, on condition that:
- a) leave is not taken more than six terms in advance of entitlement; and
 - b) the Fellow is able to make a strong academic case to the Governing Body for the leave to be taken in advance of entitlement.
- 2.9 Fellows are normally expected to serve for one subsequent term in respect of each term of sabbatical leave, before resignation or retirement.
- 2.10 When a Fellow is absent on leave to which they are entitled as of right, they shall normally be allowed to retain their full stipend and allowances as Fellow and Lecturer, provided that they will spend a considerable portion of their leave in study for the advancement of learning, and that, except with the express permission of the Governing Body, they will undertake no teaching or administrative duties in Oxford, other than examining and graduate supervision. If the Fellow, after taking into account firstly any loss of normal sources of income (but assuming for the calculation that they is in receipt of their full University salary, if any, and regular College stipend and allowances), and secondly any gain of income from any new sources (less any additional expenses associated with the new activities), finds that at the end of a period of leave they is in a better financial position than if they had not taken leave, then they shall decide what sum would have to be deducted from their income so as to leave them approximately in the same state as if they had not taken leave, and they will forgo from their stipend such proportion of that sum as their College stipend and allowances are (at the start of the leave) of their combined College and University income. It shall be the duty of a Fellow to inform the College Accountant of this sum at the end of a period of leave. No financial or other compensation will be offered for meals not taken in College when absent on sabbatical leave.
- 2.11 A Fellow who desires to exercise their right to sabbatical leave in a particular term must send written notice to the Rector to this effect in time to enable consideration of the request by the Education, Research & Welfare Committee not later than the penultimate term before the start of the proposed sabbatical leave.

2.12 Unauthorised leave will not count towards qualifying service for the accrual of sabbatical leave.

3. DISCRETIONARY LEAVE

3.1 Nothing in the above provisions concerning leave as of right shall in any way limit or affect the power of the Governing Body to grant leave of absence to any Fellow at any time when it may seem expedient to them and not inconsistent with the tutorial and administrative needs of the College. In the exercise of this power the Governing Body shall take into account bereavement and time off to care for dependants.

3.2 The Governing Body may grant paid leave to any member of staff on account of ill health.

3.3 When a member of staff is absent on leave granted at the discretion of the Governing Body, they shall receive such payment, if any, as the Governing Body may determine. In the case of leave granted on account of ill-health the Governing Body shall have regard to the following table relating period of service to length of time for which sick pay should be given:

<i>Service</i>	<i>Full Pay</i>	<i>Half Pay</i>
First three months	Two weeks	Two weeks
Remainder of first year	Two months	Two months
Second and third years	Three months	Three months
Fourth and fifth years	Five months	Five months
Subsequent years	Six months	Six months

Any contractual sick pay includes any Statutory Sick Pay (SSP) payable for that period. The maximum period of entitlement, which may be made up of one or more periods of absence, will be calculated on a rolling 12-month basis and backdated from the first date of absence.

4. ATTENDANCE AT MEETINGS OF THE GOVERNING BODY

4.1 A Fellow who is absent on leave to which they is entitled under Bylaw I.2 , or which has been granted to him or her at the discretion of the Governing Body, shall have the right to attend meetings of the Governing Body and shall, if resident in Oxford, receive the normal notices from the Rector; but no such Fellow shall be fined for non-attendance.

5. STATUTORY MATERNITY LEAVE AND PAY

5.1 Eligible employees are entitled to the statutory maternity provisions currently in force. Full details are outlined in the Maternity, Adoption, Paternity and Shared Parental Leave policy ('the policy'), which is available from <https://www.exeter.ox.ac.uk/governance/employment-policies/>. Unless otherwise detailed below, in which case these Bylaws shall take precedence, the provisions of that policy shall also apply to members of the academic staff.

5.2 A pregnant member of staff is entitled to 52 weeks' Statutory Maternity Leave, regardless of their length of service or hours of work. The first 26

weeks is known as Ordinary Maternity Leave (OML); the second 26 weeks is known as Additional Maternity Leave (AML), which starts immediately after Ordinary Maternity Leave. The first two weeks after the birth must not be worked. This is referred to as Compulsory Maternity Leave.

- 5.3 If a pregnant member of staff has completed 26 weeks' continuous service with the College into the 15th week before their expected week of childbirth ('the qualifying week') and their average earnings in the eight weeks up to and including the qualifying week are at or above the lower earnings limit for the payment of National Insurance, they are entitled to Statutory Maternity Pay. Statutory Maternity Pay is payable for a maximum of 39 weeks. The remaining 13 weeks of maternity leave are unpaid.
- 5.4 A pregnant member of staff may begin their Maternity Leave at any time after the beginning of the eleventh week before the expected week of childbirth, up to and including the date of childbirth.
- 5.5 The Maternity Leave and pay periods will automatically begin on the date of the birth of the child if the baby is born before the date on which the Maternity Leave was due to start.
- 5.6 Maternity Leave cannot be delayed until after the date on which the baby is due to be born.
- 5.7 The member of staff is entitled to Maternity Leave even if their pregnancy leads to a stillbirth.
- 5.8 Any member of staff who intends to exercise their right to Maternity Leave shall at least 15 weeks before the expected week of childbirth supply the Rector or Academic Dean (who shall inform the Ordinary or Stated General College Meeting of the member's intention) with the notification information outlined in the policy.
- 5.9 During the period of maternity leave, a member of staff is entitled to the benefit of the contractual terms and conditions of employment (including holiday and accrual of terms of service) which would have applied to them if they had not been absent, except for remuneration. Employer pension contributions will be paid during the period of paid maternity leave only (up to 39 weeks), and will be based on the full pensionable pay the employee would receive if working. Employee pension contributions will be deducted during the period of paid maternity leave but will be based on the actual earnings received during that period. However, if the member of staff elects on their return to work to pay their outstanding contributions for the period of unpaid maternity leave, the College will do likewise.
- 5.10 Arrangements relating to Keeping in Touch (KIT) days and returning to work will be as outlined in the policy.
- 5.11 Maternity Leave will not count against normal entitlement to paid sick leave, but sick pay will not be paid for illness during Maternity Leave. (It will, instead, be paid as maternity pay.)
- 5.12 If the member of staff is absent from work wholly or partly because of pregnancy-related illness or childbirth after the beginning of the fourth week before the expected week of childbirth, the Maternity Leave period will automatically begin.

- 5.13 A member of staff who is on a fixed-term contract, and who meets the conditions above to qualify for the College maternity leave scheme, may have their contract extended by the number of terms of maternity leave taken, subject strictly to the teaching and/or research requirements of the College and by mutual agreement.
- 5.14 A member of staff who begins their maternity leave during the probationary period of their contract will return to the remaining term of their probationary period.
- 5.15 A mother whose baby is due on or after 5 April 2015 may elect to end their maternity leave at any time after the compulsory leave period, and share the remainder of their unused maternity leave and pay with the father/partner (to be taken as Shared Parental Leave).
For more information, see the relevant sections of the policy.

6. COLLEGE MATERNITY PAY

- 6.1 A member of staff shall be entitled to the benefits of the College Maternity Pay scheme on any occasion of expected childbirth if they fulfil all of the following conditions:
- a) They hold a current contract of employment with the College;
 - b) They have been continuously employed by the College for a minimum period of 26 weeks at the 15th week before the expected week of childbirth; and
 - c) They follow the proper notification procedures set out in the Maternity, Adoption, Paternity and Parental Leave policy ('the policy'), available at: <https://www.exeter.ox.ac.uk/governance/employment-policies/>.
- 6.2 A qualifying employee is entitled to the following benefits while on Maternity Leave:
- a) 26 weeks on full pay (inclusive of Statutory Maternity Pay)
 - b) 13 weeks on Statutory Maternity Pay
 - c) 13 weeks unpaid.
- A qualifying employee may take less than the maximum entitlement if they wish.
- 6.3 The above benefits apply to both full-time and part-time members of staff (on a pro rata basis as far as the levels of payments to part-time staff are concerned).
- 6.4 In the event that a member of staff decides not to return to work after their maternity leave, or if they return after their maternity leave and work less than three months before they leave, the College retains the right to reclaim all or part of the payments made under the College maternity pay scheme, minus the statutory element which the employee would be entitled to keep if they qualified for it. Eligible members of staff will be asked to sign to accept these terms.

7. STATUTORY ADOPTION LEAVE AND PAY

- 7.1 Eligible employees are entitled to the statutory adoption leave and pay provisions currently in force. Full details are outlined in the Maternity, Adoption, Paternity and Shared Parental Leave policy ('the policy'), which is available at <https://www.exeter.ox.ac.uk/governance/employment-policies/>. Unless otherwise detailed below, in which case these Bylaws

shall take precedence, the provisions of that policy shall also apply to members of the academic staff.

- 7.2 A member of staff who is a newly matched adopting parent of a child up to 18 years is entitled to 52 weeks' Adoption Leave, provided that they meet the eligibility requirements outlined in the policy.
- 7.3 They may begin their Adoption Leave from the actual date of the child's placement (whether this is earlier or later than expected), or from a fixed date which can be up to 14 days before the expected date of placement.
- 7.4 If the adoption is an overseas adoption, Adoption Leave may not begin before the child's entry into the UK, and must start within 28 days of the child's entry into the UK.
- 7.5 Statutory Adoption Leave and pay are available to individuals who adopt, or to one member of a couple where a couple adopt jointly (the couple must choose which partner takes adoption leave). The partner of an individual who adopts, or the other member of a couple who are adopting jointly, may be entitled to paternity leave and pay, and/ or Parental Leave.
- 7.6 At the latest no more than seven days after being notified of a match for adoption, the member of staff must inform the College through the Rector:
 - a) that a match has been made, and that they intend to take adoption leave;
 - b) the expected date of the child's placement
 - c) the date when they intend to start Adoption Leave and to begin receiving adoption pay.Other notification requirements will be as outlined in the policy.
- 7.7 Where a child is placed with a member of staff for adoption on or after 5 April 2015, Statutory Adoption Pay will be paid on the same basis as Statutory Maternity Pay. For more information, please refer to the policy.
- 7.8 During the full period of Adoption Leave, they are entitled to the non-pay contractual benefits of the terms and conditions of employment which would have applied to her/him had they not been absent, including holidays and accrual of terms of service. Employer pension contributions will be paid during the period of paid adoption leave only (up to 39 weeks), and will be based on the full pensionable pay the employee would receive if working. Employee pension contributions will also be deducted during the period of paid adoption leave but will be based on actual earnings received during that period. However, if the member of staff elects on their return to work to pay their outstanding contributions for the period of unpaid leave, the College will do likewise.
- 7.9 Arrangements relating to Keeping in Touch (KIT) days and returning to work will be as outlined in the relevant policy.
- 7.10 A member of staff who is on a fixed-term contract, and who meets the conditions above to qualify for the College adoption leave scheme, may have their contract extended by the number of terms of adoption leave taken, subject strictly to the teaching and/or research requirements of the College and by mutual agreement.

- 7.11 A member of the staff who begins their adoption leave during the probationary period of their contract will return to the remaining term of their probationary period.
- 7.12 A member of staff who adopts a child on or after 5 April 2015 may elect to end their adoption leave at any time, and share the remainder of their unused adoption leave and pay with their partner (to be taken as Shared Parental Leave). For more information, see the relevant sections of the policy.

8. COLLEGE ADOPTION PAY

- 8.1 A member of staff shall be entitled to the benefits of the College Adoption Pay scheme on any occasion of expected adoption if they fulfil all of the following conditions:
- a) They hold a current contract of employment with the College;
 - b) They have been continuously employed by the College for a minimum period of 26 weeks at the 15th week before the expected week of adoption;
 - c) They have been matched with a child to be placed with them by a UK adoption agency and agreed to the placement; and
 - d) They follow the correct notification procedures set out in the relevant policy.
- 8.2 A qualifying member of staff is entitled to the following benefits while on Adoption Leave:
- a) 26 weeks on full pay (inclusive of Statutory Adoption Pay)
 - b) 13 weeks on Statutory Adoption Pay
 - c) 13 weeks unpaid.
- A qualifying member may take less than the maximum entitlement if they wish.
- 8.3 The above benefits apply to both full-time and part-time members of staff (on a pro-rata basis as far as the levels of payments to part-time staff are concerned).
- 8.4 In the event that a member of staff decides not to return to work after their adoption leave, or if they return after their adoption leave and work less than three months before they leave, the College retains the right to reclaim all or part of the payments made under the College adoption pay scheme, minus the statutory element which the employee would be entitled to keep if they qualified for it. Eligible members of staff will be asked to sign to accept these terms.

9. PATERNITY LEAVE AND PAY

- 9.1 Eligible employees are entitled to the statutory paternity leave and pay provisions currently in force. Full details are outlined in the Maternity, Adoption, Paternity and Shared Parental Leave policy ('the policy'), which is available at: <https://www.exeter.ox.ac.uk/governance/employment-policies/>. Unless otherwise detailed below, in which case these Bylaws shall take precedence, the provisions of that policy shall also apply to members of staff.
- 9.2 With effect from 1 October 2014, members of staff who are the biological father of a child, or who are the spouse/ partner of someone who is giving birth or adopting, are entitled to take time off during normal working hours

to attend ante-natal appointments. Full details are outlined in the relevant policy.

- 9.3 Eligible members of staff can choose to take either one week or two consecutive weeks' paternity leave (not odd days), to start at any time from the birth or adoption up to 8 weeks (56 days) after the birth or adoption. This is known as Ordinary Paternity Leave.
- 9.4 Only one period of Ordinary Paternity Leave is available to members of staff irrespective of whether more than one child is born as the result of the same pregnancy.
- 9.5 Where a child is due to be born, or placed for adoption, on or after 5 April 2015, parents will be able to choose to finish their maternity/ adoption leave and convert any unused leave into Shared Parental Leave which can be used by either parent/ partner.
- 9.6 Statutory Paternity Pay (SPP) is paid for either one or two consecutive weeks as the member of staff has chosen. The rate of SPP is the same as the standard rate of SMP.
- 9.7 Members of staff who qualify for SPP and who have at least 26 weeks' continuous employment at the 15th week before the expected birth or notification of matching with a child will be entitled to the College Paternity Pay scheme, which offers 10 days of full pay paid at the normal basic weekly rate (inclusive of any statutory paternity pay entitlement).
- 9.8 These benefits apply to both full-time and part-time members of staff (on a pro rata basis as far as the levels of payments to part-time staff are concerned).
- 9.9 Qualifying members of staff must inform the College (through the Rector) of their intention to take Paternity Leave, in accordance with the notification procedures outlined in the policy.
- 9.10 Members of staff taking Paternity Leave are entitled to the benefit of their normal terms and conditions of employment, except remuneration.
- 9.11 Arrangements relating to Keeping in Touch (KIT) days and returning to work will be as outlined in the policy.
- 9.12 A member of staff who is on a fixed-term contract, and who meets the conditions above to qualify for the College paternity pay scheme, may have their contract extended by the number of terms of paternity leave taken, subject strictly to the teaching and/or research requirements of the College and by mutual agreement.

10. SHARED PARENTAL LEAVE

- 10.1 A member of staff may be entitled to Shared Parental Leave and Shared Parental Pay, provided the eligibility requirements are satisfied. It will be up to the mother, or primary adopter, to decide whether to continue their maternity/adoption leave, or to opt to end this and take Shared Parental Leave instead. Full details are outlined in the Maternity, Adoption, Paternity and Shared Parental Leave policy ('the policy'), which is available at: <https://www.exeter.ox.ac.uk/governance/employment-policies/>. Unless otherwise detailed below, in which case these Bylaws shall take precedence, the provisions of that policy shall also apply to members of staff.

- 10.2 Shared Parental Leave may commence at any time following the mother's period of compulsory maternity leave (see above), or following the first two weeks of adoption leave, subject to the required notice being given and the leave being agreed. The mother or primary adopter chooses to end their maternity/ adoption leave early, and to convert the balance of leave (up to 50 weeks in total) and statutory pay (up to 37 weeks in total) to Shared Parental Leave and Shared Parental Pay. The mother or primary adopter does not need to return to work before their partner takes Shared Parental Leave as the balance is shared between the two of them. All Shared Parental Leave must be taken within 52 weeks of the child's birth or adoption.
- 10.3 Shared Parental Leave can be taken separately or together, and it does not need to be taken in consecutive blocks. There is a maximum of three blocks of leave (per person) and each block must be a minimum of one week unless the College agrees otherwise. A maximum of three notifications of leave or variations of planned leave (per person) is permitted unless otherwise agreed by the College.
- 10.4 Any member of staff who wishes to exercise their right to Shared Parental Leave shall supply the Rector (who shall inform the Ordinary or Stated General Meeting of the member's intention) with the notification information outlined in the policy.
- 10.5 During the full period of Shared Parental Leave, the member of staff is entitled to the non-pay contractual benefits of the terms and conditions of employment which would have applied to her/him had they not been absent, including holidays and accrual of terms of service. Employer pension contributions will be paid during the period of paid Shared Parental Leave only (up to 37 weeks), and will be based on the full pensionable pay the employee would receive if working. Employee pension contributions will be deducted during the period of paid Shared Parental Leave but will be based on the actual pay received. However, if the member of staff elects on their return to work to pay their outstanding contributions for any period of unpaid leave, the College will do likewise.
- 10.6 Arrangements relating to Shared Parental Leave in Touch (SPLIT) days and returning to work will be as outlined in the policy.
- 10.7 A member of staff who is on a fixed-term contract, and who meets the conditions above to qualify for the Shared Parental Leave scheme, may have their contract extended by the number of weeks of Shared Parental Leave taken, subject strictly to the teaching and/or research requirements of the College and by mutual agreement.
- 10.8 A member of staff who begins their Shared Parental Leave during the probationary period of their contract will return to the remaining term of their probationary period.

11. SHARED PARENTAL PAY

- 11.1 If Shared Parental Leave is taken, part of the statutory maternity/ adoption pay (which would otherwise have been payable) may be converted into Shared Parental Pay, which can be shared between the partners. The maximum amount of Shared Parental Pay that can be created is 37 weeks. If the mother/primary adopter does not qualify for statutory maternity pay/maternity allowance/statutory adoption pay, their partner will not be

eligible. For more information, see the Maternity, Adoption, Paternity and Shared Parental Leave policy ('the policy') available at: <https://www.exeter.ox.ac.uk/governance/employment-policies/>.

- 11.2 A member of staff shall be entitled to the benefits of the College Shared Parental Pay scheme if they fulfil all of the following conditions:
- they hold a current contract of employment with the College;
 - they have been continuously employed by the College for a minimum period of 26 weeks at the 15th week before the expected week of childbirth (or placement for adoption); and
 - they follow the proper notification procedures set out in the policy.
- 11.3 Subject to how much maternity/ adoption leave has already been taken, and how leave and pay are shared between the parents, a member of staff may be entitled to (in chronological order of Shared Parental Leave):
- up to** 24 week's full pay (**only** if ShPL is taken in the first 26 weeks following the birth/ placement of the child);
 - up to** 13 weeks of statutory payments; and
 - up to** 13 weeks of unpaid leave.
 - If Shared Parental Leave is taken simultaneously by both parents, the entitlement to full pay is based on the number of weeks' leave taken by each parent (i.e. up to 12 weeks each), and will be applied from the start of any block of SPL.
- For example,** If both parents go on Shared Parental Leave at the same time for a combined total of 24 weeks following the compulsory two-week maternity/adoption leave period (i.e. 12 weeks for the mother/primary adopter and 12 weeks for the second parent), the employee of the College (regardless of whether they are the mother or father/ primary adopter or secondary adopter, etc.) will only be entitled to full pay for the initial 12 weeks of that period, as their partner's leave of 12 weeks will count towards the **initial** 24 week period upon which the entitlement to full pay is based. Where both parents are employees of the University, they would both be paid 12 weeks at their normal full rate of pay, which would add up to their maximum entitlement of 24 weeks of full pay.
- 11.4 The above benefits apply to both full-time and part-time members of staff (on a pro rata basis as far as the levels of payments to part-time staff are concerned).
- 11.5 In the event that a member of staff decides not to return to work after their Shared Parental Leave, or if they return after their Shared Parental Leave and work less than three months before they leave, the College retains the right to reclaim all or part of the payments made under the College Shared Parental Pay scheme, minus the statutory element which the employee would be entitled to keep if they qualified for it. Eligible members of staff will be asked to sign to accept these terms.

12. COLLEGE PARENTAL LEAVE

- 12.1 Members of staff may be entitled to unpaid Parental Leave for the purpose of caring for a child if they meet the eligibility criteria outlined in the Parental Leave policy ('the policy'), available at: <https://www.exeter.ox.ac.uk/governance/employment-policies/>.
- 12.2 The College may require proof of entitlement to Parental Leave, such as a birth certificate, papers confirming adoption or date of placement for

adoption, or in the case of a disabled child, the award of a Disability Living Allowance for the child.

- 12.3 Full details of entitlements and notification procedures can be found in the policy.

13. TIME OFF FOR DEPENDANTS

- 13.1 All employees have a right to take reasonable time off (unpaid) in the case of emergencies relating to a dependant (parent, spouse, civil partner, child or someone who lives with the employee as part of the family or who reasonably relies on the employee for care in the event of illness or injury). This right applies to all staff, irrespective of their length of service or hours worked. Full details of the current statutory provisions and notice requirements for taking time off for dependants are available in the Maternity, Adoption, Paternity and Shared Parental Leave policy available at: <https://www.exeter.ox.ac.uk/governance/employment-policies/>.

II. Stipends, Allowances and Common Room

1. STIPENDS

- 1.1 The stipend of the Rector shall be recommended to the Governing Body by the Remuneration Committee prior to appointment.
- 1.2 The stipend payable in respect of their Fellowship to an Official Fellow shall be £200 per annum.
- 1.3 The stipend payable in respect of their Lectureship to a **Lecturer** who is an **Official Fellow** of the College shall be such sum as will, when added to their stipend in respect of their Fellowship and any stipend payable to them by the University in respect of an Associate Professorship of the University, make the total at a point on the scale commensurate with skills and experience up to the joint maximum, provided that:
 - a) if the University has decided that in the stipend payable to them as an Associate Professor of the University they shall not for a period benefit from incremental progression, they shall during that period be paid by the College so as to make a total which shall be determined by the Governing Body and which shall lie below the total in the tables below which would have been appropriate to them if their incremental progression as an Associate Professor of the University had not been halted; and
 - b) if they hold no stipendiary University appointment, the stipend shall be decided by the College in each individual case taking into account the University's Salary Scales and the Senior Tutors' Committee's Register of Approved Payments; and
 - c) if upon their election to an Official Fellowship the College decides, with their concurrence, that the number of hours teaching required of them shall be smaller than the number which would otherwise be appropriate under Bylaw III.1.2, the stipend shall be decided by the College in each individual case; and
 - d) the stipend may be at such rates lower than the rates otherwise appropriate as the College may determine to be necessary in order to comply with any Government pay and counter-inflation policies.
 - e) Where applicable, increments are normally effective from 1 August in each year.
- 1.4 The annual stipends or salary scales (as appropriate) of **College Officers** shall be set out in Standing Orders.

2. ALLOWANCES IN ADDITION TO STIPENDS

- 2.1 A **Housing Allowance** shall be paid to any Official or Research Fellow who resides out of the main Turl Street or Cohen Quad sites. This allowance shall be paid from Corporate Revenue, save that in the case of a Fellow whose Fellowship stipend is paid from another source, the allowance shall be paid from that source.
- 2.2 An **Establishment and Entertainment Allowance** shall be available to the Rector in respect of necessary expenses of establishment and necessary entertainment in connection with their office.

- 2.3 An **Entertainment Allowance** shall be available to any Lecturer who is also an Official Fellow in respect of necessary entertainment in connection with their Lectureship. The Entertainment Allowance is spent on entertainment of undergraduate and graduate students, in particular the School's Dinner.
- 2.4 **Entertainment Allowances** shall be available to the following College Officers in respect of necessary entertainment in connection with their offices at the annual rates shown in the standing orders: Sub-Rector, Chaplain, Welfare Dean, Junior Deans and other College Officers as the Governing Body may determine and set out in Standing Orders.
- 2.5 The College will purchase books (and other academic equipment) for academic use in relation to their Lectureship for each Lecturer of the College who is an Official Fellow (known as the **Book Allowance**); Book Allowances for Lecturers who are not Official Fellows shall be made available at an agreed rate. Any spending beyond this amount in any financial year (1 August to 31 July) will be charged to the Fellow, but any under-spending will not be credited or carried forward into the next year. Any change in the rate of the allowance shall have effect from the beginning of a financial year. The books and equipment will remain the property of the College. The Governing Body may by Order allow purchases up to the same or some lesser amount for any other Fellow or Officer and pro rata for any Stipendiary Lecturer of the College.
- 2.6 A **Research Allowance** shall be available for each Lecturer who is also an Official Fellow; Research Allowances for Lecturers who are not Official Fellows shall be made available at an agreed rate.
- 2.7 Where a Fellow or Lecturer is entitled to both a Book Allowance and a Research Allowance, the funds available under each heading shall be regarded as fungible.
- 2.8 The annual rates for allowances shall be set out in the standing orders.

3. PAYMENT OF COLLEGE OFFICERS DURING SICKNESS

- 3.1 The list of College Officers is set out in Statute and in Bylaw IV.
- 3.2 The College shall pay Statutory Sick Pay to those Officers who are eligible in accordance with the appropriate legislation and Bylaw I.3.3
- 3.3 If entitlement to Statutory Sick Pay is exhausted, or in the case of employees who are ineligible for Statutory Sick Pay, the College in the case of those holding Associate Professorships with Tutorial Fellowships and those not holding stipendiary University posts shall make deductions from full pay of the maximum amount of sickness or other state benefit that would be available (even if it is not claimed).
- 3.4 No deductions shall be made from payments at half pay paid under Bylaw I.3.3 except that, where the total amount of half pay plus state benefit or other allowances exceeds full pay, a deduction shall be made of an amount equivalent to the excess.
- 3.5 Where appropriate, a period of three 'waiting days' shall be allowed before any deductions are made under the provisions of this decree.
- 3.6 The days on which an Officer is required to work are Monday to Friday.

4. SUMMARY OF COMMON ROOM ENTITLEMENTS

- 4.1 There are the following categories of SCR membership:
- a) Ordinary members, who are Professorial Fellows, Official fellows, Fellows by Special Election or Research Fellows of the College;
 - b) Extraordinary members, who are former Fellows of the College (whether Emeritus or not), and former Visiting Fellows;
 - c) Honorary members, who are Honorary Fellows, and occasionally other notable friends of the College elected by the members of Common Room.
- 4.2 Other persons may be elected *Associate Members* of the SCR, for up to one year at a time. They may be re-elected for further periods of up to one year at a time. Associate Membership may be offered to: Visiting Fellows, College Lecturers and Officers who are not Fellows, Senior officers or academic researchers employed by the University and Senior academic researchers visiting Oxford.
- 4.3 The following table sets out the benefits associated with different categories of membership and different types of Fellows.

		Lunch	Lunch guests	Dinner	Dinner guests	Common Table	Use of SCR guest room
Ordinary members of Common Room	Professorial Fellows, Official Fellows, Fellows by Special Election, Research Fellows of the College	Yes	Yes	Yes	Max 3	Yes	Yes
Extraordinary Members	Emeritus Fellows	Yes	Max 2	Yes	Max 3	Yes	Yes
	Retired Fellows	Yes	No	Yes	Max 3	No	Self only
	Former Fellows	Yes	No	Yes	Max 3	No	No
	Former Visiting Fellows	Yes	No	Yes	No	No	No
Honorary Members	Honorary Fellows	Yes	No	Yes	Max 3	Yes	Self only
	Lifetime Associates of SCR	Yes	No	Yes	Max 3	No	No
Associate members	Visiting Fellows	Yes	Yes	Yes	Max 3	Yes	Yes
	College lecturers and officers	Yes	Yes	Yes	Max 3	Yes in line with contractual entitlement	No ¹
	College Staff at Grade 7 and above	Yes	No	No	No	Yes in line with contractual entitlement	No
	Other Associate members	Yes	Max 2	Yes	Max 3	No	No

¹ Except Full time stipendiary lecturers

III. TEACHING DUTIES OF LECTURERS WHO ARE OFFICIAL FELLOWS OF THE COLLEGE

- 1.1 A Lecturer shall be required to study for the advancement of learning, to undertake such tuition and supervision as is assigned to him or her by the Governing Body on the recommendation of the Education, Research and Welfare Committee, and (if the holder of a joint post with the University) to offer University lectures or classes under the authority of a Faculty Board, Division or Department.
- 1.2 A Lecturer shall have a contractual commitment to the College to give College teaching to undergraduates (whether of the College or, by exchange, of other Colleges within the University). The number of hours required will be set according to the teaching needs of the College and (in the case of those holding joint posts) according to established norms relating to the balance of their appointment between the joint employers. A Lecturer's teaching stint shall be expressed in 'weighted' hours, unless their post (or the post for which a Stipendiary Lecturer is covering for a sabbatical or inter-regnum) has been subject to stint reform in which case the stint which expresses stint in 'contact' hours. For those teaching 'weighted' hours, the weighting regime shall be that recommended by the Senior Tutors' Committee of the Conference of Colleges, i.e.: one single tutorial = 1 weighted hour; one paired tutorial = 1.25 weighted hours; one tutorial of three or more students = 1.5 weighted hours. For those teaching 'contact' hours, singleton tutorials shall be by exception only. The marking of Collection papers shall count towards stint. A Lecturer shall be required to record their teaching, including teaching by exchange, on OxCORT or such other system as may be used to record College teaching (such reports must be submitted no later than Monday of Week 8 in each term; they are used for Rector's Collections that week, and then released to the students concerned after the end of Week 8).
- 1.3 Lecturers who hold a joint appointment of the University will be remunerated according to the relevant salary scale for such an appointment. Lecturers who do not hold a joint appointment with the University shall be remunerated in line with the relevant salary scales published in the Register of Approved Payments published by the Senior Tutors' Committee of the Conference of Colleges.
- 1.4 A Lecturer's undergraduate teaching hours (including hours of undergraduate teaching under paragraph 1.2) shall not exceed those stated in their contract, except with the Lecturer's own consent. A Lecturer who teaches in excess of their stint will be paid for this 'overstint' teaching according to the arrangements agreed by the Governing Body from time to time, and set out in Standing Orders. Fellows of the College who are Lecturers may apply for temporary variation of College teaching duties in accordance to the schemes in place from time to time. It shall be the responsibility of the Academic Dean to secure following the end of each Trinity Full Term a statement of the undergraduate teaching hours given by each Lecturer during the academic year and to inform the Accountant of any overstint payments due to Lecturers in respect of that academic year.

- 1.5 Special arrangements shall pertain to the teaching of Williams College Visiting Students on the Williams–Exeter Programme in Oxford (WEPO). The stint relating to the Rankin Fellow, the Boskey Fellow, and the Singer Fellow shall be recorded in the WEPO agreements. If any Lecturer who has not taught their full stint is asked to teach a WEPO student, the Lecturer may choose whether to count that tuition as contributing to their stint (by submitting a report on OxCORT or such other system as may be used to record College teaching), or alternatively to claim payment at the WEPO annual rate directly from Williams College. For the avoidance of doubt, a Lecturer who is under stint (or is at risk of being under stint across the academic year) must not request or accept direct payment from Williams College; rather, in such cases teaching of WEPO students must be counted against their Exeter College stint (any overtime payment resulting will thence be made at the Exeter College overstint rate).
- 1.6 A Lecturer shall not undertake any teaching which interferes with the proper discharge of their duties under paragraph 1.1 above. They shall not undertake any regular teaching commitment to another College (apart from regular swap teaching arrangements), or to another institution except the University of Oxford, without the approval of the Education, Research, and Welfare Committee.

IV. OFFICERS OF THE COLLEGE

1.1 The **Rector** shall:

- a) reside in the College during Term and during such other times as the conduct of College business shall require their presence;
- b) issue notices of the award of Scholarships and Exhibitions;
- c) issue notices of College prizes and issue an order on the College bookseller to the winner of a College prize;
- d) grant, at their discretion, leave for the use of the Hall, Chapel, Lodgings Drawing Room and Lodgings Dining Room for any purpose (see also IV.1.2f) and IV.1.3f) below);
- e) receive complaints from any Senior or Junior Member or employee of the College, and determine how within the Statutes and Bylaws of the College to proceed with them.

1.2 The **Sub-Rector** shall:

- a) be physically present in or near the College for significant parts of the year, especially in Full Term;
- b) have overall responsibility for discipline of the undergraduate and graduate members of College, including, but not limited to: overseeing disciplinary processes instigated against students of the College, including investigation, suspension, and implementation of disciplinary sanctions (as appropriate); overseeing, directing and selecting (in conjunction with the Welfare Dean) the Junior Deans, in relation to disciplinary matters and serving as their line manager; liaising with the Academic Dean and/or the Welfare Dean (and other members of the welfare team) in those cases where discipline issues are interrelated either with academic conduct and/or welfare issues, ensuring that difficult student cases are dealt with in a humane and joined-up way; taking complex disciplinary cases to the Cases Committee and overseeing follow-up from that committee; liaising with the University Proctors and the Deans of other Colleges on matters relating to student conduct;
- c) uphold the College's policies on Freedom of Speech, Equality, Diversity and Harassment in the conduct of the general activities of the College;
- d) incorporate in the "Red Book" of rules and regulations all College Orders and other regulations affecting undergraduates, and submit at the Stated General Meeting in June each year for approval amendment or rejection any revisions which are recommended by the Education, Research, & Welfare Committee;
- e) arrange the assignment of accommodation to Junior Members in accordance with agreed protocols;
- f) grant, at their discretion, permission for the non-academic and non-residential student use of rooms (including student-organised parties and meetings) as appropriate, except in the instance of invitations to external speakers, which must be approved by the Prevent Lead;
- g) arrange for the award of non-academic grants to student members;
- h) deputise for the Rector when required;

- i) receive complaints from any Senior or Junior member or employee of the College about the Rector, and determine how within the Statutes and Bylaws of the College to proceed with them.
- 1.3 The **Academic Dean** shall:
- a) arrange for the tuition of members of the College in subjects in which there is no College Lecturer;
 - b) collect the information needed by the College Accountant to implement Bylaw III.1.4 and to calculate in accordance with the general rate agreed under Bylaw III.1.4 the extra payments due to stipendiary Lecturers of the College for tuition in excess of the number of hours required in consideration of their stipends (averaged over the three terms of the academic year), and inform the Accountant of the payments due;
 - c) inform the College Accountant at the end of each term of the payments for tuition due to persons who are not stipendiary Lecturers of the College;
 - d) collect at the end of each term reports on the progress of undergraduates;
 - e) ensure that all such matters as require the consideration of the Education, Research and Welfare Committee are brought before it;
 - f) grant, at their discretion, leave for the use of the Hall, the Saskatchewan Lecture Room, the Quarrell Room, the Morris Room, the Stapeldon Room, the Harvard Room, the Balsdon Room and rooms at the Cohen Quadrangle for lectures appearing on the authorised schedule of lectures, University and College classes, and tuition given by Senior and Junior Members of the College (see also IV.1.1d) and IV.1.2f) above);
 - g) submit to the Governing Body at the start of each Michaelmas Term a table setting out the terms of qualifying service, under Bylaw I.2, of each Official Fellow who is a Lecturer of the College.
- 1.4 The **Welfare Dean** shall:
- a) have overall responsibility for coordinating the welfare of undergraduate and postgraduate students within the College and to engage actively with welfare issues as appropriate, including, but not limited to: overseeing the welfare roles of the Junior Deans; line-managing the College Welfare Officer;
 - b) bring the more complex welfare cases to the attention of the College's Cases Committee, and oversee follow-up action from that committee in relation to individual cases or to policy recommendations;
 - c) work closely with the Academic Registrar in handling students' requests for Hardship Funding and to make awards as permitted under Standing Orders;
 - d) bring matters of policy, regulatory change and best practice relating to student welfare to the attention of the College, though the relevant, and to sponsor changes to policy and procedure by preparing papers recommending revisions to current policy and practice;
 - e) ensure that the College provides adequate training and awareness-raising relating to student welfare issues;

- f) have overall responsibility for the College's welfare budget and expenditure.
- 1.5 The **Finance & Estates Bursar** shall:
- a) advise the College on its financial strategy and on the investment and management of the College's endowment;
 - b) be responsible for the oversight, financial management and risk management of major capital projects;
 - c) advise the College on changes to governance and regulation requiring revision to Statutes, Bylaws or operating practices;
 - d) act as Data Protection Officer;
 - e) act as Freedom of Information Officer.
- 1.6 The **Domestic Bursar** shall:
- a) be responsible for the overall domestic management of the College, including supervising the work and budgeting of the Accommodation, Catering, Conferencing, Facilities and Maintenance, Health & Safety, and Lodge (reception) departments of the College;
 - b) act as College Health and Safety Officer, performing the duties set out in the College Health and Safety Policy, including Fire Safety;
 - c) act as Designated Premises Supervisor, ensuring that the College complies with its alcohol licensing obligations;
 - d) have overall responsibility for the security of the College premises, including its Turl Street and Cohen Quad sites, and its *aedes annexae*.
- 1.7 The **College Accountant** shall:
- a) oversee the operational finance function and supervise the work of the College Accounts Office;
 - b) produce annual accounts of the College and any subsidiary companies to the relevant authorities and liaise with any firm of auditors appointed by the Governing Body;
 - c) report as required to the Governing Body on expenditure and Income against budget;
 - d) advise the Governing Body of any impact arising from changes to legislation and regulation of the accounting and finance function.

V. Scholars and Exhibitioners

- 1.1 Elections to undergraduate Scholarships and Exhibitions shall be made by the Governing Body after considering the recommendations of the Education, Research and Welfare Committee.
- 1.2 The emoluments of Scholars and Exhibitioners shall be as follows:
 - a) Undergraduate Scholarship: £200 per annum;
 - b) Undergraduate Exhibition: £150 per annum;
 - c) Senior Scholarship: £200 per annum;
 - d) Organ Scholarship: £320provided that the emoluments of a Scholar or Exhibitioner who holds their Scholarship or Exhibition for less than one year shall be reduced *pro rata*.

VI. COLLEGE MEETINGS

1. COLLEGE MEETINGS

- 1.1 A College Meeting is a meeting of the Governing Body of the College as defined in Statute I. Such meetings are:
- a) Stated General Meetings
 - b) Ordinary Meetings
 - c) Special Meetings
 - d) Extraordinary General Meetings
- 1.2 There shall be a **Stated General Meeting**. during 1st week of Michaelmas Term, 4th week of Hilary Term and 8th week of Trinity Term, and on such other days as the Governing Body may from time to time resolve. The following standing items are to be approved by the Governing Body at its Stated Meetings:
- a) Week 1, Michaelmas Term
 - (i) a table setting out the terms of qualifying service, under Bylaw I.2, of each Official Fellow who is a Lecturer of the College;
 - (ii) elections to Scholarships and Exhibitions for the present academic year;
 - (iii) the award of prizes relating to academic performance and other achievements during the previous academic year
 - b) Week 8, Trinity Term
 - (i) the Officers of the College for the forthcoming academic year;
 - (ii) memberships of each College Committee for the forthcoming academic year;
 - (iii) College Allowances and Stipends for the forthcoming academic year, which shall be recorded in Standing Orders.
- 1.3 There shall be **Ordinary College Meetings** during 8th week of Michaelmas and Hilary Terms and during 4th week of Trinity Term. An Ordinary Meeting may also be held in 4th week of Michaelmas Term if the Rector, or in their absence the Sub-Rector, certifies that there is sufficient business to merit this and gives notice at least three days in advance of the business to be transacted thereat.
- 1.4 The **Minutes** of each meeting shall be circulated and shall be considered at the next meeting. If confirmed, the Minutes shall be signed by the Rector (or, in their absence, by the Sub-Rector).
- 1.5 **Leave of absence** from Stated General or Ordinary Meetings may be granted by the Governing Body on any grounds which it deems sufficient. Applications for leave shall state the grounds on which leave is sought, and shall whenever practicable be delivered in writing to the Rector in advance of the Meeting.
- 1.6 Any Fellow who **fails to attend** a Stated General Meeting without obtaining leave of absence shall be fined £5. Any Fellow who fails to attend an Ordinary Meeting without obtaining leave of absence shall be fined £1. Any fine inflicted under this Bylaw shall be recorded in the Minutes (see also Bylaw I.4).

- 1.7 It shall be lawful for the Governing Body to ***invite the attendance*** at a College Meeting of any person who in its opinion may be able to assist it in coming to a decision on any matter. Such a person shall not have the right of voting.
- 1.8 The Governing Body shall invite the President and Secretary of the Junior Common Room and the President & Vice President of the Middle Common Room to attend such portions of each Stated, Ordinary, and Special Meeting as the Rector (or in their absence the Sub-Rector) shall on each occasion decide. Such persons shall not have the right of voting.

VII. COLLEGE COMMITTEES

1. FINANCE AND GENERAL PURPOSES COMMITTEE

- 1.1 The membership of the Committee shall be the Rector, the Sub-Rector, the Finance & Estates Bursar, the Domestic Bursar, the Academic Dean, the College Accountant, the Development Director and five other Fellows of the College. Two representatives each from the MCR and JCR shall be in attendance on the Committee, for unreserved items of business, but shall have no voting rights. In addition, the Equality representative of the MCR and JCR shall be invited to attend for item (1.2(x)) below. The convener shall be the Finance & Estates Bursar.
- 1.2 The Committee shall:
- a) recommend and review the criteria for expenditure set out in Statute IXA;
 - b) exercise a general supervision over the finances of the College and advise the Governing Body on resource strategy and financial policy;
 - c) approve the budget for the forthcoming year for recommendation to the Governing Body during Trinity Term;
 - d) review periodic (termly) management accounts; review progress against budget and investigate and report on any anomalies;
 - e) approve the audit process and review the final statutory accounts and final management accounts with the auditors by the middle of Michaelmas Term so that the accounts can be submitted to the University by 30 November;
 - f) annually recommend to the College the appointment or re-appointment of Auditors to the College;
 - g) review risk management procedures and report annually thereon to College;
 - h) supervise the appointment and work of professional advisers to the College including investment managers, land agents, legal advisers;
 - i) review major contracts relating to the business of the College and, where appropriate, approve contractual terms or refer them to the Governing Body for approval;
 - j) review, at least annually, the development, implementation, monitoring, prioritisation and review of policies, procedures and practice to support the College's Equality Policy and Public Sector Equality Duty in relation to staff, contractors and suppliers, visitors and others closely associated with the College;
 - k) supervise College trading subsidiaries.
- 1.3 The Committee may authorise extraordinary expenditure not exceeding in annual total such amount as the Governing Body may from time to time determine, and shall report to the Governing Body at least once in each academic year upon such expenditure.
- 1.4 The Committee shall report to the Governing Body.

2. THE INVESTMENT COMMITTEE

- 2.1 The membership of the Committee shall be the Rector, the Finance & Estates Bursar, the College Accountant, three other Fellows of the College,

and four persons who are not members of the College. The convener shall be the Finance & Estates Bursar.

- 2.2 The Committee shall:
- a) recommend to the College, through the Finance & General Purposes Committee, an Investment Policy Statement for the investment of endowment and other assets;
 - b) review the Investment Policy Statement on an annual basis and recommend to the College, through the Finance & General Purposes Committee, any changes;
 - c) oversee the management of these assets in a manner consistent with the approved policy;
 - d) periodically review the sustainability of investment returns and the appropriate level of spend under Statute IXA.
- 2.3 The Committee may invite persons to visit the Committee to help it interpret and understand the proper advice it has received and to frame its Terms of Reference to its Investment Manager.
- 2.4 The Committee shall report to the Finance and General Purposes Committee.

3. BUILDINGS AND GARDENS COMMITTEE

- 3.1 The membership of the Committee shall be the Rector, the Sub-Rector, the Finance & Estates Bursar, the Domestic Bursar, Academic Dean, the College Accountant, the Chaplain, the Director of Development and three other Fellows. The convener shall be the Domestic Bursar.
- 3.2 The Committee shall:
- a) recommend to the College, through the Finance & General Purposes Committee, proposals for major refurbishment of existing College buildings and plans for new College buildings;
 - b) propose and oversee matters connected with structural alterations, redecoration and furnishing of the College;
 - c) make recommendations upon matters affecting the College gardens.
- 3.3 The Committee may invite external persons with relevant expertise (e.g. architect, lawyer, alumnus) to attend meetings to provide informal advice or guidance to the Committee in its decision making. Such individuals shall be in attendance on the Committee but shall have no voting rights.
- 3.4 The Committee shall report to the Finance and General Purposes Committee.

4. HEALTH AND SAFETY COMMITTEE

- 4.1 The membership of the Committee shall be the Rector, the Domestic Bursar, one other Fellow of the College, the Health & Safety Administrator, the Welfare Officer, the Catering Services Manager, the Head Chef, the Steward, the Head Porter, the Buildings Manager, the Hostels Supervisor, the Cohen Quad Operations Manager, the Accommodation Manager and one member of the clerical staff. A representative from each of the JCR and the MCR shall be in attendance on the Committee but shall have no voting rights. The convener shall be the Domestic Bursar.

- 4.2 The Committee shall:
- a) regularly review and develop, and draw to the attention of all employees and members of the College, a Statement of the College's Health and Safety Policy, and ensure that this policy is implemented;
 - b) oversee the arrangements for the safety of College premises and in particular the safety of Fellows, Junior Members and employees of the College and visitors to College premises;
 - c) report at least once a year to the College, through the Finance & General Purposes Committee, on health and safety arrangements as required under Bylaw XIV.1.3.

4.3 The Committee shall report to the Finance and General Purposes Committee.

5. IT COMMITTEE

5.1 The membership of the Committee shall be the Rector, the Computing Fellow, the Finance & Estates Bursar the Development Director and three other Fellows including, if possible, one from the Sciences and one from the Arts. The Academic Registrar, College Accountant, IT Manager, and a representative each from the MCR and JCR shall be in attendance on the Committee but shall have no voting rights. The convener shall be the IT Manager.

- 5.2 The Committee shall:
- a) provide IT policy advice to Governing Body, through the Finance & General Purposes Committee, and consider long-term strategic developments in College IT;
 - b) review and advise the Finance & General Purposes Committee on the annual IT budget and any significant capital items;
 - c) monitor progress of all IT projects within College;
 - d) monitor day-to-day computing activities and endorse any changes to the College Rules regarding IT;
 - e) agree equipment and resource allocation priorities.

5.3 The Committee shall report to the Finance and General Purposes Committee.

6. DEVELOPMENT COMMITTEE

6.1 The membership of the Committee shall be the Rector, Finance & Estates Bursar, Academic Dean, the College Accountant, the Development Director and four other Fellows. The Chair of the Campaign Committee or Development Board (whichever of the two are in existence at any time) shall be in attendance on the Committee but shall have no voting rights. The convener shall be the Development Director.

- 6.2 The Committee shall:
- a) oversee the activities of the Development Office with regard to fundraising and relations with Alumni;
 - b) keep under review and make recommendations regarding fundraising objectives, ensuring alignment between Development Office goals and activities and those of the Fellowship;
 - c) consider and keep under review fundraising strategies;
 - d) examine resources available for meeting those goals and make recommendations to the Finance & General Purposes Committee;

- e) report at least once a year to the Governing Body, through the Finance & General Purposes Committee on the operation of the Development Office, fundraising objectives and sums pledged and received.

6.3 The Committee shall report to the Finance and General Purposes Committee.

7. STAFF COMMITTEE

7.1 The membership of the Committee shall be the Rector, the Sub-Rector, the Finance & Estates Bursar, the Domestic Bursar, and four other Fellows of the College, with the HR Officer in attendance. The convener shall be the Domestic Bursar.

7.2 The Committee shall:

- a) ensure the College operates in compliance with employment law, and incorporates best employment practice by developing and implementing personnel policies in accordance with statutory requirements;
- b) review employment terms and conditions, and employee benefits that are provided in addition to salary for staff;
- c) make recommendations to the relevant committee or Head of Department and supervise the implementation of arrangements for effective and economical employment of staff through staff planning, training, and development;
- d) consider proposals for new non-academic posts, for the abolition of non-academic posts, and for changes to the terms and conditions of existing or vacant non-academic posts and refer them to the Finance & General Purposes Committee if there are significant cost implications;
- e) keep under review and monitor employee welfare, and disciplinary and grievance issues, ensuring effective communication and consultation with appropriate staff;
- f) ensure the College complies with legal obligations in providing equality of opportunity and access to employment for Fellows, staff and students; and take responsibility for the management of duties under all equality of opportunity legislation;
- g) provide reports, and ensure that Governing Body, through the Finance & General Purposes Committee, is made aware of equal opportunities monitoring results;
- h) review changes in salary as recommended by any Head of Department if these fall outside normal cost of living increases or grade progression and to submit recommendations to the Finance & General Purposes Committee.

7.3 The Committee shall report to the Finance and General Purposes Committee.

8. EDUCATION, RESEARCH, AND WELFARE COMMITTEE

8.1 The membership of the Committee shall be the Rector, the Sub-Rector, the Academic Dean, the Welfare Dean, the Finance & Estates Bursar, one Official Fellow representing each subject area taught by the College, and four Professorial Fellows (one each from Humanities, Social Sciences, Mathematical, Physical Sciences and Engineering, and Medical and Life

Sciences) with the Academic Registrar and Deputy Academic Registrar in attendance. Notwithstanding the above, any Governing Body Fellow of the College may attend and vote at a meeting of the Committee. Two representatives each from the MCR and JCR shall be in attendance on the Committee, for unreserved items of business, but shall have no voting rights. In addition, the Equality representative of the MCR and JCR shall be invited to attend for item 8.4.iii below. The convener shall be the Academic Dean.

- 8.2 The Committee may at its discretion invite to its meetings any Lecturer of the College who is not a Fellow in the circumstance that no Fellow in that subject is available to attend, but no such Lecturer shall have a vote on any question under consideration by the Committee.
- 8.3 For the purposes of paragraph 8.1, the term "Professorial Fellows" shall be taken to include any member of Governing Body who is also a member of a Faculty or Department within the University of Oxford but who is not a Lecturer of the College.
- 8.4 The Committee shall:
- a) advise the Governing Body on all questions of educational policy;
 - b) provide for the admission and instruction and the general regulation of the discipline of Junior Members of the College;
 - c) be responsible for the development, implementation, monitoring, prioritisation and review of policies, procedures and practice to support the College's Equality Policy and Public Sector Equality Duty in relation to students;
 - d) consider all vacancies in "entitled" University posts and to recommend to the Governing Body those with which the College should seek association;
 - e) report to the Governing Body on any proposal by the University to allocate a new Professorship to the College or to vary the existing allocation of Professorships;
 - f) from time to time, at its discretion, grant leave of absence on full stipend to any Tutor who is a Fellow of the College for such reasons as it may think fit under Bylaw I.3, subject to confirmation by the Governing Body;
 - g) appoint and remove Stipendiary Lecturers and Retained Lecturers and report such decisions to the Governing Body;
 - h) make recommendations to the Governing Body as to which Junior Members of the College are meritorious of election to Scholarships or Exhibitions;
 - i) make recommendations to the Governing Body as to which Junior Members of the College are meritorious of the award of Studentships or other emoluments which are offered for competition among members of the College and certain prizes established by Trust;
 - j) make recommendations to the Governing Body's Stated Meeting in Week 8 of Trinity Term concerning changes to the rules and regulations to be included in the Red Book;
 - k) be responsible for the development, implementation, monitoring, prioritisation and review of welfare policies including those arising from matters relating to the Cases Committee.
- 8.5 The Committee shall report to the Governing Body.

9. CASES COMMITTEE

- 9.1 The membership of the Committee shall be the Rector, the Sub-Rector, the Domestic Bursar, the Academic Dean, the Welfare Dean, the Chaplain, the College Accountant, and four Official Fellows who are Lecturers of the College, with the Welfare Officer (College Nurse), Junior Deans and the Academic Registrar, in attendance. The convener shall be the Academic Registrar.
- 9.2 The Committee shall:
- a) under the oversight of the Welfare Dean, address specific matters pertaining to the welfare of Junior members, consider individual welfare cases as appropriate, and, where necessary, make reports and recommendations concerning welfare policy and provision to Education, Research and Welfare Committee;
 - b) under the oversight of the Sub-Rector, enforce the discipline and promote the diligence of all members of the College who are Junior Members of the University by such interventions and penalties as, subject to these Bylaws, it may from time to time determine. The Committee may delegate its disciplinary powers to an ad hoc Committee of at least three members of the Governing Body. Any decision of that ad hoc Committee will be treated as a decision of the Cases Committee;
 - c) consider the rules and regulations to be included in the Red Book, and submit recommendations for the consideration of Education, Research and Welfare Committee;
 - d) decide, after consultation with the tutors concerned, whether a Junior Member who is not a graduate student and who wishes to change their course of study shall be permitted to do so (see Bylaw IX.1.3);
 - e) receive reports from the Academic Dean of alleged instances of Unsatisfactory Academic Work by undergraduate students, and to take such actions as are permitted under the College's procedures relating to unsatisfactory academic work which have been incorporated into the Student Handbook (Red Book).
 - f) consider questions of the Fitness to Study of Junior Members, by:
 - (i) determining applications to it made under the College's Fitness to Study policy;
 - (ii) determining that a Junior Member's fitness to study should be referred by the College to the University's Fitness to Study Panel.
 - g) make grants or loans to Junior Members and may exempt them in whole or in part from payment of the fees and sums usually paid to the College. Any such grant or loan, and the amount of any such exemption, shall be charged to the Assistance Fund or to a Trust Fund as appropriate and as the Committee may determine. The cost of grants, loans and exemptions shall not exceed in annual total the sum which the Governing Body may from time to time determine;
 - h) with regard to the admission of Junior Members of the College:
 - (i) adjudicate on any matter referred to it by the Tutor for (Undergraduate) Admissions or a Lecturer of the College, concerning a decision relating to a particular candidate for admission to study for an undergraduate degree, relating to shortlisting for interview, the making of a conditional offer of

admission, or a decision on clemency for a candidate who failed to meet their offer conditions;

- (ii) with regard to graduate admissions, determine any matter referred to it by the Rector or the Tutor for Graduates, concerning a decision relating to a particular candidate for admission to a study for a graduate degree.

9.3 The Committee shall report to the Education, Research, and Welfare Committee.

10. LIBRARY, ARCHIVES AND SPECIAL COLLECTIONS COMMITTEE

10.1 The membership of the Committee shall be the Rector, the Fellow-Librarian, the Keeper of the Archives, the Finance & Estates Bursar, the Chattels Fellow, the College Librarian and two other Fellows of the College, with the Senior Development Executive, College Archivist, Library Assistant, MCR Representative and JCR Representative in attendance. The convener shall be the College Librarian.

10.2 The Committee shall:

- a) have power from time to time to make, alter, and revoke such regulations for the use and management of the Library, Archives and Special Collections as they shall deem fit;
- b) from time to time call upon the Librarian to make a complete survey of the Library, Archives and Special Collections and to report thereon to the College, through the Education, Research and Welfare Committee;
- c) review the purchases and disposals of books and manuscripts made by the Librarian with due regard to recommendations by Tutors and Lecturers of the College.

10.3 The Committee shall report to the Education, Research and Welfare Committee.

11. FELLOWSHIPS COMMITTEE

11.1 The membership of the Committee shall be the Rector, Sub-Rector, the Academic Dean, the Finance & Estates Bursar and six other Fellows of the College, with the Human Resources Officer in attendance. The convener shall be the Rector.

11.2 The Committee shall advise the Governing Body on all matters connected with Fellowships of the College except those in the jurisdiction of the Remuneration and Staff Committees, and shall, in particular, make recommendations on:

- a) the election of Fellows by Special Election under Statute III.c;
- b) the election of Senior and Junior Research Fellows under Statute III.d;
- c) the election of Emeritus Fellows under Statute III.e;
- d) the election of Honorary Fellows under Statute III.f;
- e) the election of Visiting Fellows under Statute III.g;
- f) the re-election of any Fellow, who is not a Tutorial Fellow whose tenure is about to end and is eligible for and seeks re-election;
- g) the election and re-election of Official Fellows, and of any other Fellow if they are a Lecturer of the College or if it is proposed that they should become one;

- h) vacancies in University posts ("entitled" or otherwise) which are offered for association with a College fellowship where there are no tutorial implications.
- 11.3 The Committee shall, on behalf of the College, determine the membership of selection committees for appointment to Fellowships in line with norms laid down within these Bylaws and report names of appointees to the Governing Body.
- 11.4 The Committee shall report to the Governing Body.

12. REMUNERATION AND BENEFITS COMMITTEE

- 12.1 The membership of the Committee shall be a minimum of five members proposed by the Finance & General Purposes Committee, as and when required, and approved by the Governing Body, with the Human Resources Officer in attendance, provided that the Human Resources Officer not be present for any discussion of their own remuneration. Voting members, one of whom shall be the Committee Chair, shall be drawn from the Professorial Fellows and Fellows by Special Election on the Governing Body, and from external members who have no contractual relationship with the College and receive no remuneration of any kind from the College. The Rector, the Finance and Estates Bursar and one Tutorial Fellow may be asked to attend or to provide material for consideration by the Committee, provided that none of these parties be present for discussion of their own remuneration. The Committee Chair, who shall be appointed by the Governing Body, will be the Convener.
- 12.2 The Committee shall:
- a) advise the Governing Body on the remuneration of the Rector, Fellows, College Officers and other such staff of the College as the Governing Body may specify from time to time;
 - b) have responsibility for keeping under review the College's policy for the remuneration of academic staff and senior non-academic staff (including pension arrangements, termination payments and other compensation arrangements) and for making recommendations to the Governing Body for any modification of that policy with a comment on how these policies support the College's objectives;
 - c) keep under review, and advise the Governing Body, on the financial benefits provided to Governing Body Fellows.
- 12.3 To ensure that the operation of the Remuneration Committee preserves conflict-free decision making within the Governing Body, the Governing Body may accept or reduce the levels of remuneration or benefit recommended by the Remuneration Committee but may not increase them.
- 12.4 In making recommendations, the matters considered by the Remuneration Committee shall include (but not be restricted to):
- a) the need to ensure compatibility with University pay scales for those holding joint appointments
 - b) the need to attract and retain Fellows to the College
 - c) the impact of existing pay scales throughout the College and University
 - d) the restrictions of freedoms allowed under existing employment contracts

- e) principle of equity and fairness among Fellows of the College, including in particular the need to prevent unlawful discrimination and promote equality of opportunity between people of different groups.

12.5 The Committee shall report to the Governing Body.

13. THE CHAPEL COMMITTEE

13.1 The membership of the Committee shall be the Rector, the Sub-Rector, the Chaplain (if a Fellow of the College), and two other Fellows of the College. If the Chaplain is not a Fellow of the College, the Governing Body may place them upon the Committee for so long as they hold the office of Chaplain. The convener shall be the Chaplain (if a member) otherwise, the Sub-Rector.

13.2 The Committee (subject to the Universities Tests Act 1871) shall have general control of the Chapel services, and have the supervision of all matters connected with the Choir, the organ, and furniture and fittings of the Chapel, provided that without express authority of the Governing Body there shall be no expenditure other than the income of the Amelia Jackson Chapel Fund and the Dr Henderson Choir Fund.

13.3 The Chaplain shall be responsible to the Chapel Committee for the conduct of Chapel services, for the appointment of preachers (other than the Catechist and the Preacher at the Annual Commemoration of Benefactors Service), and for the allocation of all alms, and shall require the express authority of the Committee for any change in the forms of the services.

13.4 Whenever the College receives notice of a vacancy in a benefice of which the College is a registered patron, the Chapel Committee shall appoint a representative to discharge in the place of the College the functions of a registered patron, such a representative being either one who is in Holy Orders in the Church of England or one who is able and willing to make a written declaration of communicant membership of the Church of England or of a Church in communion with that Church.

13.5 The Committee shall delegate to the Rector, Sub-Rector and Chaplain acting together the power to permit the Chapel to be used for purposes other than the customary College services: no non-customary use of the Chapel shall be permitted without the express prior permission of these three persons.

13.6 The Committee shall report to the Governing Body.

14. THE FELLOWS' ROOMS COMMITTEE

14.1 The membership of the Committee shall be the Rector, Sub-Rector, the Domestic Bursar and two other Fellows of the College, with the Academic Dean in attendance. The convener shall be the Domestic Bursar.

14.2 The Committee shall advise the Governing Body annually on the assignment of rooms to Fellows.

15. THE GOVERNANCE AND POLICY COMMITTEE

15.1 The membership of the Committee shall be the Rector, the Sub-Rector, the Finance & Estates Bursar and five other Fellows. The convener shall be the Rector.

- 15.2 The Committee shall:
- a) review College Statutes and Bylaws from time to time
 - b) be responsible for guiding the College on matters of University and Charity regulation
 - c) review procedures and policies in the College, including those relating to employment, equality and access, which do not fall within the scope of other committees
 - d) establish and maintain the Standing Orders of the College.

15.3 The Committee shall report to the Governing Body.

16. THE GIFT ACCEPTANCE COMMITTEE

16.1 The membership of the Committee shall be the Rector, the Finance & Estates Bursar, the Development Director and two other Fellows. The convenor shall be the Rector.

16.2 The Committee shall review all gifts to the College over £100,000. Any Fellow of the College shall be free to ask the Committee to examine any gift that causes concern to them. Members of the Committee shall sign a non-disclosure agreement, undertaking that matters raised in the Committee shall not be discussed elsewhere, unless by agreement of the whole Committee.

17. BOARD FOR THE EXETER COLLEGE SUMMER PROGRAMME

17.1 The membership of the Board shall be the Rector, the Finance & Estates Bursar, the College Accountant, and four other Fellows of the College (whose terms should be staggered to allow rotation of membership without all the Fellows retiring from the Board at once). The Academic Director of the ECSP and the Programme Manager of ECSP shall be in attendance. The Rector shall chair the Board and be its convenor.

- 17.2 The Board shall
- a) Establish a strategy for the development of the ECSP, consistent with the overall Exeter College strategy, and recommend it to GB;
 - b) Monitor the implementation of the strategy and report on their findings at least annually to GB;
 - c) Be responsible for setting overall guidelines for the operation of the ECSP, ensuring that legal and financial obligations are met, and monitoring adherence to guidelines;
 - d) Suggest to GB ways in which the academic contacts forged through the Summer Programme may be used to benefit the College more generally.

17.3 The Board shall report to Governing Body.

18. AMELIA JACKSON AWARDS COMMITTEE

18.1 The membership of the Committee shall be the Rector (chair, ex officio), Academic Dean (ex officio), three Fellows from the Arts (i.e. Humanities or Social Sciences) and two Fellows from the Sciences (i.e. Mathematics, Sciences, Medicine). The members of this committee, apart from those serving ex officio, should serve for a maximum of three years without immediate re-appointment (to ensure that the committee is refreshed), and the first members should, by agreement or otherwise by the drawing of

lots, serve shorter initial terms to ensure annual refreshing of the committee thereafter. The Academic Dean will be the Convenor.

- 18.2 The purpose of this committee is to make decisions about the award of Amelia Jackson Senior studentships. It will report its decisions to Governing Body.
- 18.3 The Committee shall report to the Education, Research and Welfare Committee.

19. STRATEGY GROUP

- 19.1 The membership of the Group shall be the rector, the Sub-Rector, the Finance and Estates Bursar, the College Accountant, five other Fellows of the College, a representative of the MCR and a representative of the JCR. The Rector shall be the Convenor.
- 19.2 The purpose of the Group is:
- a) to recommend to GB periodic renewals of the College strategy, and changes to the current strategy, for example, in the light of changing circumstances;
 - b) to monitor the progress of the implementation of the strategy and report on this to GB;
to agree how the strategy should be presented within and outside the College.
- 19.3 The Group shall report to Governing Body.

20. APPEALS COMMITTEE

For the Appeals Committees see Bylaw XIII.

21. SELECTION COMMITTEES IN RELATION TO FELLOWSHIPS

- 21.1 It shall be the duty of a selection committee appointed in relation to a vacancy for a Fellowship to advertise the Fellowship, and issue further particulars; to draw up a short list of candidates and to interview these; and to make a report to the Governing Body on the merits of the short-listed candidates with a firm recommendation on the candidate who should be elected by the Governing Body. The membership of these Committees will be as set out in paragraphs VII.18.2–18.8:
- 21.2 For Fellowships in association with University Statutory Chairs (two College places, of seven)
- a) Rector (ex officio) or delegate, (Convener for the College);
 - b) a Fellow of the College, selected by the Fellowships Committee.
- 21.3 For Associate Professorships with Tutorial Fellowships – College (four College places, of seven):
- a) Rector (ex officio), or delegate (Chair);
 - b) Academic Dean (ex officio), or delegate (Convener);
 - c) a Fellow of the College, selected by the Fellowships Committee;
 - d) a second Fellow of the College, selected by the Fellowships Committee.
- 21.4 For Associate Professorships with Tutorial Fellowship – University (two College places of seven):
- a) Academic Dean (ex officio), or delegate (Convener for the College);
 - b) a Fellow of the College, selected by the Fellowships Committee.

- 21.5 For Associate Professorships – non-Tutorial Fellowships (two College places of seven):
- a) Rector or Academic Dean, by agreement between them (ex officio), or delegate (Convener for the College);
 - b) a Fellow of the College, selected by the Fellowships Committee.
- 21.6 Where the Associate Professorship is joint with another College, the Fellowships Committee may agree, in line with the norms for such posts, that one or more of the College places will be given over to the College which is the minor employer. Where the College is the minor employer of an Associate Professorship joint with another College, the Fellowships Committee shall be responsible for selecting the College's member(s) of that selection committee.
- 21.7 For Fellowships which are associated with Lectureships of the College but not associated with University posts:
- a) Rector (ex officio), or delegate (Chair);
 - b) Academic Dean (ex officio), or delegate (Convener);
 - c) a Fellow of the College, selected by the Fellowships Committee;
 - d) a second Fellow of the College, selected by the Fellowships Committee;
 - e) either [for posts which have a teaching obligation to Williams College] the Director of the Williams-Exeter Programme in Oxford (ex officio), or delegate; or [for Exeter-only posts] a third Fellow of the College, selected by the Fellowships Committee;
 - f) an expert in the subject area to which the post is to be recruited, and who is external to the College.
- 21.8 For Research Fellowships not associated with University posts:
- a) Rector (ex officio), or delegate (Chair and Convener);
 - b) a Fellow of the College, selected by the Fellowships Committee;
 - c) a second Fellow of the College, selected by the Fellowships Committee;
 - d) a third Fellow of the College, selected by the Fellowships Committee;
 - e) [if the Selection Committee itself deems it necessary for an effective appointment] one or more expert(s) in the subject area to which the post is to be recruited, and who are external to the College.
- 21.9 The Fellowships Committee will report to the Governing Body the composition of selection committees convened under paragraphs VII.18.2–18.8, and make recommendations to Governing Body on the size and composition of a selection committee based on the above norms, “, including those for non-academic posts for cases in which the type of appointment does not come within those anticipated in the preceding paragraphs, including those for non-academic posts.

22. CONDUCT OF MEETINGS

- 22.1 ***Duties of the Convener:*** The Convener of each of the above Committees shall:
- a) notify members of the time and place of meetings that have been arranged;
 - b) summon any extra meetings which the Rector, or the convener in consultation with the Rector, shall deem necessary;
 - c) circulate any papers that may be necessary;

- d) submit the proceedings of the Committee to the Governing Body at the College Meeting next after a meeting of the Committee, or to the next meeting of the Finance and General Purposes Committee or Education, Research and Welfare Committee, if the Committee reports through one of these two Major Committees, such part of the Committee's proceedings as requires consent and recommend in advance to the Rector which parts of the Committee's business, concerning an individual or otherwise requiring a high level of confidentiality, should be considered in the absence of Junior Members;
 - e) keep Minutes of the Committee's proceedings, which shall be signed by the Rector.
- 22.2 *Chair of meeting:* Unless otherwise stated, Standing Committees will be chaired by the Rector or, in their absence the Sub-Rector or senior Fellow attending.
- 22.3 *Election to Committees (apart from Fellowship selection committees)*
A list of the Standing Committees showing their composition and which members are due to retire shall be provided to members of the Governing Body at the Stated College Meeting in the Trinity Term and the elected members of these committees shall be elected annually at that meeting to serve from the first day of September following. At any Ordinary Meeting the Governing Body may fill up vacancies as they occur, but members so appointed shall serve only until the last day of August following the next annual election of Committees.
- 22.4 *Quorum*
The quorum shall be defined as three members including the chair. If there is no quorum, business may still be transacted but in order to have effect it must be confirmed by a subsequent meeting of the committee, or the committee to which it reports, or the Governing Body.
- 22.5 *Decisions*
The decision of every Committee shall be that of a majority of its members present and voting; provided that in the case of an equality of votes the Rector (or in their absence the Sub-Rector if they is a member of the Committee or in the absence of the Rector and Sub-Rector the senior Fellow present) shall have a casting vote. Unless otherwise stated, persons in attendance at a Committee meeting shall not have a vote.
- 22.6 *Administration*
- a) Scheduled meetings of Standing Committees shall be cancelled if there is no significant business and no business that requires a decision.
 - b) Such cancellation shall be communicated forthwith to all the members of the Committee and shall be ineffective if any member of the Committee requests that the meeting be held.
 - c) Urgent business arising between scheduled meetings may be transacted by email.
 - d) Routine and non-controversial business may be transacted by email.
 - e) Any business transacted by email shall be reported as such at the next scheduled meeting of the Committee

- f) Papers shall ordinarily be circulated in hard copy at least two week-days in advance of each meeting of a Standing Committee. Later circulation of information for a meeting shall not preclude the discussion of, or the taking of a vote on, an item.

22.7 Conflicts of Interest

- a) There shall be a Code of Practice governing the Management of Conflicts of Interest. The Code applies to all Committees, in addition to the Governing Body. Members of Standing Committees must declare material conflicts of interest, as required by the Code.
- b) All Members of Governing Body and/or Standing Committees must complete an annual statement of Declaration of Interests.

VIII. CUSTODY OF THE COMMON SEAL

The Common Seal and its keys shall be in the charge of the Finance & Estates Bursar. Save in exceptional circumstances, and with the specific authority of the Governing Body, the Seal shall remain securely attached to a part of the Bursary. The keys, when not in use, shall be kept in a safe.

IX. ADMISSION OF JUNIOR MEMBERS

- 1.1 The Academic Dean acting as the Tutor for Admissions shall conduct all correspondence respecting candidates for admission to the College who will receive College tuition and shall have the power to reject such applications as they think unworthy of further consideration.
- 1.2 The Academic Dean acting as the Tutor for Graduates shall conduct all correspondence respecting candidates for admission to the College as graduates who will not receive College tuition and shall have authority to reject such applications as they think unworthy of further consideration.
- 1.3 Subject to paragraph 1.1 and 1.2 the Cases Committee shall control the admission of Junior Members and shall have authority to grant or refuse admission.
- 1.4 Junior Members who are not admitted as graduate students by the University shall be admitted for the purpose of pursuing a specified course of study and shall not pursue any other course of study without the permission of the Cases Committee (see Bylaw VII.9), such permission being normally restricted to courses of study which the College usually provides.

X. PRIZES

- 1.1 The following prizes established by Trust shall be awarded from time to time to Junior Members of the College by the Governing Body after considering the recommendations of the Education, Research and Welfare Committee:
- a) **Alstead Prize** (1992), awarded to a person reading Jurisprudence in their final year after an examination in a subject or subjects announced in advance by the Tutors in Law;
 - b) **Ashe Lincoln Prize** (1990), awarded annually, if there is a sufficiently worthy candidate, for the best essay by an undergraduate member of the College on a subject in Law set by the Law Fellows;
 - c) **Elsie Beck Memorial Prize in Classics** (1968), awarded to a person reading Classics in their final year;
 - d) **Bedwell Prize** (1920), awarded for the best unsuccessful College entry for one of the Newdigate Prize, the Chancellor's Awards, and the Gaisford Prizes;
 - e) **Sir Arthur Benson Memorial Prize** (2000), awarded for the best performance in a Mods or Prelims Philosophy paper;
 - f) **Burnett Engineering Prize (1966)**, awarded to a person reading Engineering;
 - g) **Coghill/Starkie Prize** (1997), awarded for an essay on English poetry, the topic to be approved by the English tutors;
 - h) **Emery Prize** (1965), awarded to a person reading Physiology in their second or final year;
 - i) **Fitzgerald Prize** (1989), awarded for achieving a First Class in a Final Honour School, and for a First Class or a Distinction in a First Class Public Examination;
 - j) **Fluchère Essay Prize** (1963), awarded for an essay in French by an undergraduate on a French topic, the subjects being approved in advance by the Tutor in French;
 - k) **Goldsbrough Science Prize** (1974), awarded to a person reading Natural Sciences;
 - l) **Henderson Memorial Prize** (1931), awarded for an essay on a subject connected with Ancient History;
 - m) **Walter Higgs Prize** (1969), awarded for an essay on some subject, chosen by the candidate and approved by the tutors in PPE, in the area of Social Studies;
 - n) **Paul Humphris Memorial Prize** (1984), awarded to a person reading Classics in their final year;
 - o) **Patrick Mathematics Prize** (1967), awarded to a person reading Mathematics in their second year;
 - p) **Pergamon Press Prize** (1989), awarded for an essay in Science or Engineering, the topic to be approved in advance by a tutor in the subject concerned;
 - q) **Simon Pointer Prize** (1992), awarded to a person reading Modern History in their second year;
 - r) **Dr Richards Prize** (1836), awarded for a Theological essay;
 - s) **Skeat-Whitfield Prize** (1976), awarded for an essay of about 6,000 words on any aspect of English Language or Literature, the topic to be approved by the Tutors in English;

- t) **Lelio Stampa Prize** (1983), awarded for an essay on a historical topic approved by the Tutors in Modern History;
 - u) **Potter Prize** (2012), awarded to a First Year student who has shown outstanding academic performance in any Preliminary Examination in Mathematics and its Joint Schools;
 - v) **Laura Quelch Prize** (1999), awarded for the extended essay judged best by the Public Examiners among those submitted in Modern History by members of the College in any Final Honour School. In the event of a tie the prize shall be awarded at the discretion of the Modern History Tutors;
 - w) **Tobias Law Prize** (2001), awarded annually to a top graduating student in either the Honour School or the BCL;
 - x) **Willmot-Jenkins Prize** (1975), awarded to the best student reading English Language and Literature;
 - y) **David Wing Prize** (2013) for excellence in biochemistry, awarded on the recommendation of the Tutor in Biochemistry to one (or two) undergraduate student(s) in any year for excellent work in biochemistry.
 - z) **Helen Taylor Prize** (2014), awarded to the highest-achieving Medical Sciences student at Exeter College in first year examinations.
 - aa) **Christopher Wood Memorial Prize** (2009), awarded to the second year Modern Languages student who shows the most improvement after Mods, and to the fourth year Modern Languages student who shows the most improvement at Finals.
- 1.2 The following prizes established by Trust shall be awarded annually by the Governing Body after considering the recommendations of the Sub-Rector:
- a) **Quarrell Read Prizes** (1932), awarded to the Junior Member or Members of the College in their final year who are judged to have entered most fully and helpfully into the life of the College;
 - b) **Peter Street Memorial Prize** (1975), awarded to a Junior Member of the College who has worked meritoriously and has entered fully and helpfully into the life of the College;
 - c) **Caroline Dean Prize** (1989), awarded to a Junior Member of the College reading Mathematics who has entered fully and helpfully into the life of the College.

XI. PENSIONS

1. APPROVED PENSION SCHEMES

- 1.1 The following pension schemes are approved by the Governing Body:
 - a) The Universities Superannuation Scheme (USS)
 - b) The National Health Service Superannuation Scheme (NHSSS)
 - c) The Oxford University Staff Pension Scheme (OSPS)
 - d) Church of England Pension Scheme (CoE)
 - e) National Employment Savings Trust (NEST)
- 1.2 The College may agree to contribute to the pension scheme or plan of a College Officer who is not a University employee at a rate not exceeding the College rate approved by Governing Body/Finance and General Purposes Committee from time to time.
- 1.3 The College's contribution to any other pension scheme shall be limited to the minimum required by law, and the College shall make no other provision for pensions for former employees who leave the College employment after 1 April 1988.

2. UNIVERSITIES SUPERANNUATION SCHEME

- 2.1 Membership of this scheme shall be open to the Rector, the Official Fellows, the Research Fellows, permanently employed tutors, and other permanent staff members on grade 6 or above. Further detail provided to employees on employment and on request.

3. OXFORD UNIVERSITY STAFF PENSION SCHEME

- 3.1 The College is an associated employer under the Oxford University Staff Pension Scheme (OSPS). The scheme is for all eligible permanent employees of the College who are not members of USS, NHSSS or CoE.
- 3.2 Membership is limited to permanent staff members on grade 5 or below or who are paid hourly, who at the time of joining are under 75. Every eligible employee is deemed to be in membership until such time as they give notice to the contrary in writing to the College and the Secretary of the Trustees.
- 3.3 Further detail provided to employees on employment and on request.

4. CHURCH OF ENGLAND PENSION SCHEME

- 4.1 The Chaplain if they so wish may join the Church of England Pension Scheme rather than USS. If they decide to do so then the College will make a contribution equivalent to a contribution made to the USS Scheme and the chaplain will be responsible for making up this contribution to the total cost of the Church of England Scheme.

5. NATIONAL EMPLOYMENT SAVINGS TRUST

- 5.1 To satisfy its auto-enrolment statutory requirements, the College has enrolled in NEST to provide casual staff, and other entitled workers, access to a qualifying pension scheme.

XII. COLLEGE DISCIPLINE

1. RESPONSIBILITY FOR DISCIPLINE

- 1.1 The Governing Body is responsible for maintaining and regularly reviewing policies, codes and processes relating to discipline, harassment and the appeals process. For the avoidance of doubt, it may delegate such responsibilities to one or more committees from time to time.
- 1.2 College discipline is the responsibility of the Cases Committee, but its day-to-day administration is the duty of the Sub-Rector assisted by the Junior Deans.

2. CONDUCT OF JUNIOR MEMBERS

- 2.1 Junior Members of the College shall observe a standard of conduct appropriate to the purpose of the College as an academic and residential community.
- 2.2 In particular, Junior Members of the College shall observe the rules included in the current Handbook for Students (the Red Book) of rules and information, and shall observe the Disciplinary Code in this Bylaw XII.4 below.

3. DISCIPLINARY PROCEDURE

- 3.1 Preliminary stages of the disciplinary procedure
 - a) The disciplinary procedure may be initiated by any member, employee or agent of the College, acting on their own behalf or following a complaint made by any other person, who has good reason to believe that a Junior Member has breached the Disciplinary Code. This person shall refer the matter to the Sub-Rector or the Junior Dean as soon as reasonably possible, naming the Junior member and giving details of the alleged breach.
 - b) Where the seriousness of an alleged breach of the Disciplinary Code justifies it, the Sub-Rector shall have the authority to withdraw access to College accommodation, College or University facilities or to suspend the Junior member with immediate effect, for as long as the disciplinary procedure is in operation, which procedure should not be unnecessarily prolonged.
 - c) All judgments in this disciplinary procedure and any appeals will be made on the balance of probabilities.
 - d) Where a Junior Member has been found to have breached the Disciplinary Code, an official record will be kept. Where this was a decision taken by the Sub-Rector or Junior Dean under 3.3 below, or by the Minor Appeals Committee in XIII.2.5 below, this record shall remain on file for 6 months. Where this was a decision taken by Cases Committee under 3.4 below, or by the Major Appeals Committee under XIII.3.5 below, this record shall remain on file for 18 months.
 - e) Previous breaches held on file shall not be considered during the disciplinary proceedings except in the case of determining the penalty, if any, to be imposed.

- 3.2 Breaches also contravening other University or criminal codes
- a) The Sub-Rector or the Junior Dean may refer an alleged contravention or offence to the Police or the Proctors. If an alleged contravention or offence is under investigation by the Police or the Proctors, whether referred by the Sub-Rector or Junior Dean or not, College discipline (except for any necessary suspension) will normally await the decision not to prosecute or the outcome of a prosecution. If the decision of the prosecuting authorities is not to proceed, then the matter shall be dealt with by the Sub-Rector as if the matter had not been referred.
 - b) Any Junior Member who has been rusticated by the University will be rusticated for the same period by the Cases Committee; and the Cases Committee will advise the Governing Body to expel any Junior Member who has been expelled by the University. In these cases, the committee will not give the Junior Member a hearing.
- 3.3 Disciplinary proceedings before the Sub-Rector or Junior Dean
- a) As soon as reasonably possible on being informed of an alleged breach, the Sub-Rector or the Junior Dean shall summon the alleged offender for an interview, giving at least 24 hours-notice. The summons shall give particulars of the alleged breach of the Disciplinary Code.
 - b) At the interview the Sub-Rector or Junior Dean shall inform the alleged offender of the alleged breach against the Disciplinary Code, and provide them with an opportunity to answer the case against them.
 - c) If the Sub-Rector or Junior Dean finds the charge proved, they shall either
 - (i) impose such penalty, if any, as they think fit, not exceeding two weeks' rustication or prohibition from entering College property; or
 - (ii) refer the matter to the Cases Committee.
 - d) At any stage of the disciplinary procedure the Sub-Rector may refer the matter to Cases Committee.
 - e) The Sub-Rector or Junior Dean shall in all cases take an adequate written note of the proceedings at the interview and any evidence presented.
- 3.4 Disciplinary proceedings before a Panel of the Cases Committee
- a) If an alleged breach against the Disciplinary Code is referred to the Cases Committee, the committee shall, if it decides to proceed, choose a panel consisting of at least two persons including at least two of its own members to hear the case.
 - b) The panel shall, as soon as is conveniently possible, summon the alleged offender and any witnesses to a hearing, giving at least 24hours notice. The notification of the hearing shall include particulars of the alleged breach against the Disciplinary Code. The alleged offender may choose to be accompanied by any member of the College.
 - c) If the panel finds the charge proved, it shall so report to Cases Committee, which shall impose such penalty, if any, as it thinks fit; provided that, if the committee considers that the appropriate penalty is expulsion, it shall so inform the Junior Member and shall

advise the Governing Body to expel the Junior Member. The Junior Member shall have the right to appear before the Cases Committee at this stage, and to make oral and/or written representations to the Committee. They may choose to be accompanied by any member of the College.

- 3.5 Disciplinary proceedings before the Governing Body
- a) The Governing Body may expel a Junior Member from membership of the College, on the advice of the Cases Committee or the Major Appeals Committee.
 - b) The Junior Member shall have no right to make further representations (whether oral or written) to the Governing Body.

4. DISCIPLINARY CODE

- 4.1 No member of the College shall, in a College or University context, intentionally, negligently or recklessly:
- a) disrupt or attempt to disrupt teaching or study or research or the administrative, sporting, social or other activities of the College;
 - b) disrupt or attempt to disrupt the lawful exercise of the freedom of speech by members or employees of the College or by visiting speakers;
 - c) obstruct or attempt to disrupt any employee or agent of the College in the performance of their duties;
 - d) damage, deface or destroy any property of, or in the custody of, the College or of any member, officer or employee of the College, or knowingly misappropriate such property;
 - e) occupy or use or attempt to occupy or use any property of the College except as may be authorised by the University or College authorities concerned;
 - f) forge or falsify expressly or impliedly any University certificate or document or knowingly make false statements concerning standing or results obtained in examination;
 - g) engage in any activity likely to cause injury or to impair safety;
 - h) engage in violent, indecent, disorderly or threatening or offensive behaviour or language;
 - i) engage in any fraudulent or dishonest behaviour in relation to the College or the holding of any College office;
 - j) disobey a reasonable instruction given within their authority by an officer or an employee or an agent of the College;
 - k) refuse to disclose their name and other relevant details to an officer or an employee or an agent of the College in circumstances where it is reasonable to require such information to be given;
 - l) possess, use, offer or sell or give drugs to any person, the possession or use of which is illegal;
 - m) engage in the harassment of any member, visitor, employee or agent of the College;
 - n) engage in verbal abuse, physical abuse and/or disorderly behaviour not amounting to harassment that is significantly distressing to any member, student, visitor, employee or agent of the College;
 - o) engage in conduct in breach of the Statutes and Regulations of the University published from time to time;

- p) engage in conduct in breach of any College regulations regarding conduct in examinations;
 - q) engage in conduct in breach of any College regulations regarding the use of the College Library;
 - r) engage in any other conduct which is detrimental to the interests of the College.
- 4.2 If a student member accepts a caution for, is charged with, or is convicted of an alleged offence for which the statutory maximum penalty on conviction is imprisonment, they shall promptly inform the Sub-Rector in writing. In the case of a student who has been charged with such an offence, college discipline (except for any necessary suspension) will normally await the outcome of a prosecution.
- 4.3 If a student member has accepted a caution for or has been convicted of a criminal offence for which the statutory maximum penalty on conviction is imprisonment (and whether or not such a sentence was in fact imposed on the student member) the Sub-Rector will refer the matter to the Cases Committee which may impose such penalty or other conditions as it thinks fit.
- 4.4 For the purposes of this Bylaw, the phrase 'in a College context' means 'on College premises or facilities; in the course of College activity within or outside Oxford, or any activity that is identifiable with the College, whether academic, sporting, social, cultural, or other'.
- 4.5 For the purposes of this Bylaw, the phrase 'in a University context' means 'on University or College premises; in the course of University activity within or outside Oxford whether academic, sporting, social, cultural, or other'.

XIII. Appeals

1. APPEALS GENERALLY

- 1.1 Junior Members have rights of appeal to the **Minor Appeals Committee** against disciplinary decisions of the Sub-Rector or Junior Dean, and to the Appeals Committee - henceforward referred to as the **Major Appeals Committee** - against the Cases Committee's disciplinary decisions or its advice to the Governing Body to expel a Junior Member. For this purpose, disciplinary decisions of the Cases Committee include decisions to send out of residence or rusticate for more than two weeks, or to send down, for reasons of academic discipline. There is no right of appeal against a decision to rusticate or send down a Junior Member for failure to pay fees that are due, or for failure to pass the First Public Examination in the time allowed by the College.

2. THE MINOR APPEALS COMMITTEE

- 2.1 The Minor Appeals Committee shall consider appeals by Junior Members against the disciplinary decisions of the Sub-Rector or Junior Dean under paragraph XII.3.3 above. Appellants must deliver notice of appeal to the Sub-Rector within one week of the decision being communicated to them.
- 2.2 The Committee shall consist of the Rector, or in the absence of the Rector, a Fellow of the College nominated by the Rector, who shall act as chair; and two persons (other than the Sub-Rector and Junior Dean) appointed by the Cases Committee from among its own members; and one or two Junior Members of the College, who shall sit only if the appellant so wishes.
- 2.3 The role of the Committee shall be to determine:
- a) if there has been a proper application of rules to the facts;
 - b) if the punishment is appropriate;
 - c) if the proper procedures have been followed;
 - d) that, with respect to the facts, the conclusion reached has not been perverse;
 - e) Subject to d) above, there shall be no appeal on the facts, and the Committee shall not make a finding on the facts.
- 2.4 The Committee shall determine its own procedure, provided that:
- a) the appellant shall have an opportunity to appear before it to state their case and to answer the case against them in writing or orally or through a member of the Undergraduate Adviser Panel, their Tutor, or their College Adviser; the appellant may choose to be accompanied by any member of the College;
 - b) the Sub-Rector or Junior Dean shall have an opportunity to appear before it to justify their actions;
 - c) there shall be no entitlement to legal representation, but in exceptional circumstances the Committee may allow such representation equally to the appellant and to the Sub-Rector or Junior Deans; and
 - d) decisions of the Committee shall be taken by a simple majority of those members present and voting.

2.5 The Committee shall have power to reverse, confirm or alter the decisions appealed against, and to annul, reduce, confirm or increase the penalties imposed by the Sub-Rector or the Junior Dean, provided that it shall not advise a penalty of expulsion, or impose a penalty of sending down or rustication that is more severe than the penalty appealed against.

3. THE MAJOR APPEALS COMMITTEE

3.1 The Major Appeals Committee shall consider appeals by Junior Members against the disciplinary decisions of the Cases Committee or against the advice of the Cases Committee to the Governing Body to expel the appellant. Appellants must deliver notice of appeal to the Rector within one week of the decision or notice of advice being communicated to them.

3.2 The Committee shall consist of three Fellows of the College. These will be drawn by lot from a list drawn up before the end of Trinity Term and taking effect from the following Michaelmas Term and the two terms following and who shall signify their willingness, if chosen, to serve on the Committee. The lot will be conducted in such a way as to: exclude Fellows who have previously been involved in the case, ensure there the selected Fellows include at least two Tutors and at least two genders.

3.3 The role of the Committee shall be to determine:

- a) if there has been a proper application of rules to the facts;
- b) if the punishment is appropriate;
- c) if the proper procedures have been followed;
- d) that, with respect to the facts, the conclusion reached has not been perverse;
- e) Subject to d) above, there shall be no appeal on the facts, and the tribunal shall not make a finding on the facts.

3.4 The Committee shall determine its own procedure, provided that:

- a) the appellant shall have an opportunity to appear before it to state their case and to answer the case against them in writing or orally or through a member of the Undergraduate Adviser Panel, their Tutor, or their College Adviser; the appellant may choose to be accompanied by any member of the College;
- b) there shall be no entitlement to legal representation, but in exceptional circumstances the committee may allow such representation equally to the appellant and to the Cases Committee;
- c) the Sub-Rector or other representative of Cases Committee shall have an opportunity to appear before it;
- d) if the Committee receives information which it believes to be relevant and believes not to have been considered by the Cases Committee, it shall ask the Cases Committee to reconsider its decision or its penalty or both, and shall proceed with determining the appeal after that reconsideration has been reported to it;
- e) decisions of the Committee shall be taken by a simple majority of those members present and voting.

3.5 If the Committee considers that the decision or advice to the Governing Body appealed against was unreasonable, or was arrived at by a flawed procedure, it shall have power to reverse, confirm or alter that decision or advice; and if the Committee considers that the penalties imposed or advised by the Cases Committee were unreasonably harsh or lenient, it

shall have power to annul, reduce, or increase those penalties provided that if the penalty appealed against was less severe than rustication it shall not impose any penalty of rustication or sending down, nor advise a penalty of expulsion.

4. FURTHER APPEALS

- 4.1 This section applies to Further Appeals beyond the Minor Appeals Committee, the Major Appeals Committee, or following a disciplinary decision by Governing Body.
- 4.2 A determination by either the Minor Appeals Committee following an appeal against a decision of the Sub-Rector or Junior Deans, or the Major Appeals Committee following an appeal against a decision of the Cases Committee, represents the completion of procedures within the College. Where advice is tendered to the Governing Body, completion of procedures occurs once the Governing Body has made its decision. On completion of procedures within the College, a student member may appeal to the Conference of Colleges' Appeals Tribunal (CCAT), of which Exeter is a member. The student should file such an appeal with the Secretariat of the Conference of Colleges within five days of the ad hoc Committee's determination. Information on the procedure for applying to the Tribunal is available from the Exeter College Academic Office. On completing consideration of a complaint, the Tribunal will issue its decision and this concludes the College procedures for the formal examination of a complaint.
- 4.3 **Office of the Independent Adjudicator.** If a complaint remains unresolved after the CCAT procedures have been exhausted a student may ask for the complaint to be reviewed by the Office of the Independent Adjudicator for Higher Education (OIAHE; see www.oiahe.org.uk for further information). Application forms and guidance notes are available from Exeter College's Academic Office. Please note that complaints relating to student discipline and academic matters are also within the scope of the OIAHE. However, complaints relating to matters of academic judgement (i.e. about academic performance) or admissions cannot be dealt with by the OIAHE.

XIV. HEALTH AND SAFETY

- 1.1 The Governing Body shall be ultimately responsible for all health and safety matters and for ensuring that its health and safety policy is for the benefit of its employees and others who may be affected by activities on College premises.
- 1.2 The Governing Body shall review its health and safety policy annually and authorise the incorporation of those proposed amendments of which it approves.
- 1.3 The Governing Body shall require an annual report on health and safety to be presented by the Health and Safety Committee for its consideration each Hilary Term. The report shall cover the following matters in respect of the previous calendar year:
 - a) A list of all reportable accidents and diseases that have affected employees, students or others.
 - b) Any improvement or prohibition notices served on the College by HSE Inspectors for any matters relating to health and safety.
 - c) Any prosecutions taken out against the College by any of the enforcing authorities.
 - d) Any major incidents such as a fire or other event of significance affecting employees, students or others.
 - e) Any significant failings in health and safety reported by the Health and Safety Officer, the Assistant Health and Safety Officer, the Health and Safety Assistant, Enforcement Officer, Insurance Company Representative or Health and Safety Adviser.
- 1.4 The Governing Body shall be responsible for ensuring that sufficient resources in terms of staff, training and funds are allocated to fulfil its legal obligations and the standards set out in its health and safety policy.

XV. REDUNDANCY

Redundancy Procedure

This procedure shall apply when the circumstances described in Clause 10 (2) of Statute XII arise (hereinafter 'a redundancy situation').

1. STAGE 1 – GOVERNING BODY MEETING (CLAUSE 10(2) OF STATUTE XII)

- 1.1 In the event that a reduction in staff or activity is contemplated for any reason whatsoever, in good time with a view to reaching an agreement the Rector shall call a special meeting of the Governing Body to consider and determine upon the matters set out in Statute XII Clause 10(2).
- 1.2 If any member is unavoidably unable to attend and reasonably considers that they may be personally affected by a decision under Statute XII Clause 10(2), for example because the Governing Body may be considering deleting a subject altogether, they shall be entitled to seek a postponement of the meeting by written notice to the Rector to be delivered to them at least three days prior to the date set for the meeting.
- 1.3 Prior to the special meeting, the Rector shall cause a detailed memorandum of information to be prepared by the Finance & Estates Bursar and the Academic Dean on a confidential basis for the Governing Body. The memorandum shall contain all relevant available information including financial and academic matters, setting out in detail the position of the College and the matters to be considered both in favour of and against making any reductions in general terms and in so far as possible without reference at this stage to the position of any individual members of academic staff who may be affected.
- 1.4 The memorandum shall put all considerations forward fairly and in an even-handed manner and shall not make recommendations for any specific course of action. The memorandum shall evaluate as far as possible the impact of any reduction on the principles established by Clause 1 of the Statute.
- 1.5 To provide members of staff with an opportunity to consider, and respond to, the memorandum of information, it shall be circulated at least seven days before the relevant meeting of the Governing Body and representations shall be invited. Any representations which are received by the Clerk to the Governing Body before 12pm on the second day before the day of the meeting shall be circulated to all members of the Governing Body.
- 1.6 Prior to making any decision under Statute XII Clause 10(2) the Governing Body shall consider the impact of such a decision on the relevant Division Faculty or Department and subject boards and shall consult with the relevant University bodies.

2. STAGE 2 – REDUNDANCY PROCEDURE: INITIAL STAGE

- 2.1 Once a decision has been reached in principle under Statute XII Clause 10(2), the Governing Body shall appoint a Redundancy Committee ("the

- Committee”) unless it determines that it will carry out the task of handling any redundancies itself.
- 2.2 Members of the Committee shall be selected in accordance with the provisions of Clause 11 of the Statute. However, no members of staff who appear to be personally affected or likely to be so affected shall be chosen. No member of staff who has been appointed to a Fellowship under Statute III 5 (b) (ii) (i), nor III 5 (b) (ii) (ii), nor III 5 (c) nor III 5 (d) shall be eligible for selection and no-one to whom the Statute applies shall be eligible for selection unless they have been employed by the College for at least two years. The Chair of the Committee shall be expressly so appointed by the Governing Body.
- 2.3 In the case of a redundancy situation arising, the Governing Body shall, and in all other cases may, consider and establish appropriate procedures for consultation with representatives of the members of staff potentially affected. Such consultation shall generally be carried out by the Redundancy Committee or, if none is appointed, the Governing Body itself. Such consultation shall be with either a recognised trade union or specially elected “workplace” representatives as defined by any relevant legislation currently in force, or in the absence of any such representatives all the individuals potentially affected by the decision, and shall commence in good time with a view to reaching agreement in relation to the matters set out in any legislation in force for the time being.
- 2.4 The Redundancy Committee (or if none is appointed, the Governing Body) shall meet as soon as is reasonably practicable to establish a time-table for consideration of the issues. The Committee shall consider the identification of those who are potentially at risk of redundancy and shall seek to identify any alternatives to redundancy to avoid redundancy and/or to mitigate the effects which shall include the possibility of alternative employment. It shall also consider, where applicable, selection criteria for the determination of who is to be chosen from among those who are potentially redundant.
- 2.5 No decision shall be taken upon any of the relevant matters without the Committee’s ensuring that there has been full and proper consultation with the affected persons and their representatives. For this purpose, and prior to any decision being made, the Committee shall ensure that each person is afforded an opportunity to meet with members of the Committee (accompanied by a representative if they wish), to be provided with all relevant information and to make representations on any aspect of the case.
- 2.6 After having considered all relevant matters the Redundancy Committee shall meet to formulate its recommendations together with the reasons for them. A written report of the recommendations and reasons for them shall be provided to the Governing Body and to the affected person or persons as well as their representative(s).
- 3. STAGE 3 – DECISION TO DISMISS**
- 3.1 Upon receipt of the report and recommendations of the Redundancy Committee a special meeting of the Governing Body shall be convened to consider the matter further.
- 3.2 Any member of staff whose dismissal on grounds of redundancy is recommended by the Redundancy Committee, shall be permitted at least

two weeks between the date of the Committee's report and the special meeting of the Governing Body to prepare and submit any representations they consider appropriate to the Governing Body. Any representations which are received by the Clerk to the Governing Body before 12 pm on the second day before the day of the meeting shall be circulated to all members of the Governing Body.

- 3.3 In addition to submission of written representations, the person concerned shall have the opportunity to make oral representations to the Governing Body at the special meeting prior to any decision being made and shall be entitled to be accompanied and/or represented by a person (who may be a professional and/or trade union representative) of their choice.
- 3.4 The Governing Body may request a member of the Redundancy Committee (where appointed), being the Chair or their delegate, to attend the Governing Body formally in that capacity to present the Committee's recommendations and to answer questions from the Governing Body and/or the person or persons concerned. If the Governing Body so determines, the Redundancy Committee may be asked to carry out further consultation with affected members or any other appropriate person.
- 3.5 No meeting of the Governing Body at which a decision to dismiss under Part II is taken shall be quorate unless at least 50% of those members of the College entitled to attend are present and no vote shall be effective unless at least 50% of those attending vote in favour. Members of the Governing Body who are affected by the Redundancy Committee's decision or who are members of the Committee shall be entitled to vote.
- 3.6 Prior to making any decision to dismiss in accordance with recommendations of the Redundancy Committee, the Governing Body shall specifically canvass any alternative employment opportunities or any other means of avoiding a dismissal for redundancy. In addition, the Governing Body shall ensure that it has been fully appraised of any USS options which the person affected may be able to exercise in the event of redundancy.
- 3.7 In the event that the Governing Body accepts the recommendations of the Redundancy Committee and votes to dismiss any member of staff on grounds of redundancy, a written note of the decision of the Governing Body together with a copy of the procedures establishing a right of appeal shall be provided to the person affected and their representative. No decision shall be implemented until after any appeal has been determined under Statute XII, Part V.
- 3.8 If the Governing Body decides upon the dismissal of any member of staff on grounds of redundancy, it shall ensure that provision is made to assist the person concerned with financial and career planning, with reasonable expenses to be met by the College.

XVI. STAFF DISCIPLINE

Disciplinary Procedure

1. INFORMAL STAGE

Where it appears to the Rector that the conduct or performance of a member of staff is falling below an acceptable standard or the member of staff appears to be otherwise in difficulties, the Rector shall arrange to meet with that person on an informal basis to explore the situation and to consider what action can be taken to improve their conduct or performance. The Rector may appoint a colleague (being a Fellow or Emeritus or Honorary Fellow of the College) to conduct the informal discussions with the person concerned either with the Rector or alone. The informal discussion shall not be viewed as a disciplinary act but as an opportunity to explore together any problems that appear to have arisen and consider solutions that may be available. A record of this initial meeting shall be kept, provided the member of staff agrees and a copy of any note is made available to them.

2. DISCIPLINARY WARNINGS

- 2.1 In any case where it seems to the Rector that the performance and/or conduct of a member of staff appears not to meet acceptable standards but where the circumstances do not appear to raise prima facie grounds for dismissal (for example, after investigation of a complaint submitted to the Rector under Statute XII, Clause 14(1) which is not to be referred to an Academic Disciplinary Committee), the Rector shall refer the matter to the Sub-Rector and the Academic Dean who shall together deal with it under Statute XII, Clause 13(2) as follows. The Sub-Rector and Academic Dean shall convene a meeting with the individual for the purpose of considering the matter and any appropriate sanction. No disciplinary sanction shall be imposed unless the person concerned has had reasonable notification of the allegations made against them and an opportunity to respond and until the matter has been properly investigated.
- 2.2 Prior to the disciplinary meeting, the person concerned shall be provided with written notification of the date and nature of the meeting and the matters to be considered, together with copies of any relevant statements. They shall have the opportunity to be accompanied or represented by a colleague or representative from any professional body or trade union of which they are a member such as the AUT. The individual shall not normally be permitted legal representation at this stage.
- 2.3 In the event that it appears to the Sub-Rector and the Academic Dean that the individual's conduct and/or performance has fallen below acceptable standards, and depending on the gravity of the situation and all the circumstances of the case, the Sub-Rector may issue an oral or written warning.
- 2.4 **Stage 1: Oral Warning:** The oral warning is the first stage of the disciplinary procedure. It shall state clearly that it comprises the first stage of the disciplinary process. The reasons for the warning shall be specified, together with any agreed plan of action for improvement, where applicable. The oral warning shall be recorded in a dated written note, a copy of which shall be provided to the individual. The note shall be kept in the Sub-

Rector's file in respect of the person concerned and, subject to satisfactory conduct and performance, shall be regarded and marked as spent after one year.

- 2.5 **Stage 2: Written Warning:** In the event that the person's conduct and/or performance does not improve, or gives further cause for concern whether of a similar nature or not, within the twelve-month period during which the oral warning remains live, and in any case where the seriousness of the matter so merits, the disciplinary action which the Sub-Rector may take short of dismissal is a written warning. The written warning shall specify the reason and set out the improvement required and the time for achieving it. It shall be dated and a copy shall be provided to the individual as well as being kept in the Sub-Rector's file in respect of the person concerned. A written warning remains "live" for a period of two years after which, subject to satisfactory conduct and performance, it shall be regarded and marked as spent.
- 2.6 **Stage 3: Appeals:** In the event that either an oral or a written warning is issued, the person concerned shall be notified of their right of appeal under Clause 13(2) of the Statute, Stage 3. Stage 3 will be conducted by the Rector in accordance with the procedures specified in 2.2, above.

3. DISMISSAL

- 3.1 In any case before the Rector on a complaint under Statute XII, Clause 14(1), they shall consider all the circumstances of the case including the outcome of any enquiries instituted under Clause 14(2) and any comments from the person concerned invited under Clause 14(3). If, after such consideration, it appears to the Rector that there are prima facie grounds for dismissal for good cause as defined in Clause 5 of the Statute, the Rector shall call on the Governing Body to appoint an Academic Disciplinary Committee to consider and report on the case in accordance with Clauses 16-19 of Statute XII. The Rector may suspend the person concerned at this stage in accordance with Clause 14(3).
- 3.2 Upon receipt of a request from the Rector under Statute XII, Clause 15, the Governing Body shall appoint the Academic Disciplinary Committee (the "Committee") as soon as reasonably practicable and shall inform the person to be charged by written notice that the Committee has been appointed to consider any charge or charges to be brought. The written notice shall include the names of the members of the Committee and shall enclose a copy of this By-law. At the same time the Governing Body may appoint a solicitor or other suitable person to formulate charge(s) and to conduct or arrange for the conduct of the hearing. The Governing Body shall appoint one of the members to act as Chair.
- 3.3 Subject to the provisions of the Statute and any provision to the contrary in this By-law, the Committee shall have power to regulate its own proceedings. If any member of the Committee is unable to attend within 3 weeks of the date of their appointment or the date of any earlier meeting of the Committee, the Committee shall be discharged and a new Committee shall be appointed in accordance with the provisions of the Statute. The Committee shall be entitled to appoint a secretary to support it in discharging its function at any time and to take notes of evidence at any hearing.

- 3.4 The person appointed to formulate the charge or charges ("the prosecutor" – which expression may include a solicitor or any person instructed to act on that person's behalf) shall notify the person charged of the date and time set for the hearing of the charge or charges.
- 3.5 The person charged shall notify the prosecutor of any representative they have appointed to act for them, which may be a legal representative, and any further communications shall be addressed to the person charged and to any representative appointed by them. Any fees or expenses payable to the representative (other than reasonable travel costs and out of pocket disbursements) shall be at the charge of the person accused.
- 3.6 The Committee Chair may make any interlocutory directions they consider necessary for the fair conduct of the hearing, including but not limited to any directions as to the hearing date(s), whether at the request of either party or otherwise of their own motion. The Chair may also remit any matters to the Rector for further consideration and has power to join further parties to the case if they consider it appropriate to do so upon notice to the parties of such joinder. The Chair of the Committee shall set the date, time and place for the hearing and may also set appropriate time limits for each stage (including the hearing), to the intent that any matters be heard and determined expeditiously. If the Chair considers it appropriate in all the circumstances of the case, they may request the Rector to consider the suspension of the person charged under Clause 14(3).
- 3.7 At least 14 days before the date set for the hearing, the prosecutor shall forward the following to the Committee and person charged and any other parties to the hearing:
- a) the charge or charges;
 - b) copies of any documents specified or referred to in the charge or charges;
 - c) a list of witnesses to be called by the prosecutor;
 - d) copies of statements containing the witnesses' evidence.
- 3.8 At least seven days before the date set for the hearing, the person charged shall forward to the prosecutor copies of any documents on which they wish to rely, a list of their witnesses and copies of their statements of evidence. The prosecutor shall ensure that copies of all these are prepared and forwarded to the Committee as soon as practicable.
- 3.9 The jurisdiction and power of the Committee shall not be restricted by the fact that the person charged has been, or is liable to be, prosecuted in a court of law in respect of any act or conduct which is the subject of proceedings before the Committee. The Committee may postpone or adjourn a hearing, if it considers it appropriate, to enable a prosecution to be undertaken.
- 3.10 Subject to the consent of the Committee, both the prosecutor and the person charged may introduce new evidence at the hearing save that in the case of the prosecutor such new evidence shall not be admitted except for good reason. In the event that new evidence is admitted, the other party shall have the right to an adjournment to allow them time to consider the evidence and its effect on the case and may then submit further evidence in response, provided that the Committee consents, such consent not to be unreasonably withheld.

- 3.11 The Committee may proceed with the hearing in the absence of any party but shall not do so in the absence of the person charged or their representative unless it is satisfied that it is reasonable to do so in all the circumstances of the case or unless the person charged agrees or so requests.
- 3.12 Subject to the right of the person charged, their representative and the prosecutor to be present throughout the hearing, the Committee may decide whether to admit any persons to, or exclude them from, the hearing or any part of it.
- 3.13 Each party to the proceedings shall be entitled to give evidence at the hearing, to make an opening statement, to call witnesses, and to question any witness. Closing statements may be made by the prosecutor first and then any other parties, with the person accused being given the opportunity to speak last.
- 3.14 Without prejudice to the Committee's general power to regulate its own conduct, it shall specifically have the power to set time and other limits on the evidence to be called for each side consistent with providing a fair opportunity for each party to present their relevant evidence whilst ensuring that the charge is heard and determined as expeditiously as is reasonably practicable. The Committee shall have power to adjourn the proceedings from time to time as it sees fit.
- 3.15 The Committee shall ensure that its secretary or some other appropriate person is present throughout the hearing so that a full and accurate record of the evidence may be taken.
- 3.16 It is for the prosecutor to prove the charge or charges. In determining whether the charges or any of them are proved the Committee shall consider the evidence and decide whether on the balance of probabilities it considers that good cause for dismissal within the meaning of Clause 5 of the Statute has been proved in respect of each charge before it.
- 3.17 If the Committee decides that a charge has been proved, it shall give each party an opportunity either orally or in writing at the option of the Committee to address it on the question of penalty and/or mitigation prior to determining any recommendations that it may make to the Rector.
- 3.18 The decision of the Committee shall be recorded in a document in which the Committee's findings of fact, its reasons for the decision and any recommendations as to penalty are contained. The document shall be signed by the Chair of the Committee and at least one other member. The document shall be sent directly by the secretary of the Committee to the person charged and to their representative in addition to the other parties specified in Clause 19 of the Statute. The person charged shall be notified of their right of appeal against the decision or against any recommendation of the Committee as to penalty.
- 3.19 Where any charge has been upheld and the Committee has recommended dismissal, the Rector or their delegate shall inform and consult the Governing Body prior to making any decision as to penalty. A special meeting of the Governing Body shall be arranged for this purpose and the person charged shall be kept informed as to the process. The person

charged shall not have the right to make further representations to the Rector at this stage.

- 3.20 If the Rector decides to dismiss the person charged they may do so forthwith or upon such terms as they consider fit. If the Rector decides not to dismiss, the actions they may take are as set out in Clause 20(b) of the Statute. Any warning given under Clause 20(2)(c) shall be recorded in writing and shall remain live for two years. In all cases the Rector's decision shall be communicated to the person charged in writing as well as to the Governing Body.
- 3.21 No decision as to dismissal or otherwise implementing recommendations of the Committee shall be implemented until after any appeal has been determined under Part V of the Statute and as specified hereinafter.
- 3.22 Any parties to any disciplinary proceeding, and any witnesses called thereunder, shall be protected from any victimization consequent upon such participation. This shall not prevent the relevant body from imposing appropriate sanctions resulting from the decision of proceeding.

XVII. REMOVAL ON MEDICAL GROUNDS

Procedure for Removal on Medical Grounds

1. PRELIMINARY STAGE

- 1.1 Where from the conduct or performance of a member of staff it appears to the Rector that there may be cause for concern about that person on medical grounds such as substantially to interfere with the performance of their duties, and in any case where the member of staff has been absent on medical grounds for an aggregate period of six months in any twelve-month period, the Rector shall meet with the individual concerned and consider the circumstances of the case. The consultation shall be on a confidential basis if the member of staff so wishes, but the Rector may appoint an informal panel of two or three individuals, including one who is medically qualified, to advise and assist them. As required by the Disability Discrimination Act 1995, no-one shall be discriminated against on grounds of disability.
- 1.2 At this stage the purpose of the meeting and any subsequent investigations is to elucidate the nature of the problem and to consider ways of assisting the member of staff to resume their full contractual duties. If the Rector considers it advisable, they shall seek the member of staff's consent to disclosure of the latter's medical record in accordance with the Access to Medical Reports Act 1988. The Rector may also, with the consent of the member of staff, arrange for them to be examined by an occupational health physician or other medical practitioner to assess among other things the prognosis for a return to work and any available treatment. Any fees payable in relation to such examination shall be borne by the College.
- 1.3 The Rector shall consider with the member of staff, and other concerned people as required, ways of ensuring that students and others for whom the individual has contractual responsibilities have their teaching, pastoral and other needs, as may be, met by a rearrangement of resources or other arrangements. In all cases, and especially where third parties are consulted, the Rector shall do all that is reasonably practicable to respect the confidentiality of the member of staff if they so wish. The Rector shall also consider whether counselling or other assistance shall be offered to the member of staff at the expense of the College.

2. MEDICAL INCAPACITY

- 2.1 Where the condition of the member of staff or any mental or physical quality affecting the member of staff is such as substantially to interfere with the performance of their duties, the Rector shall consider the removal of the member of staff in accordance with the provisions of Clauses 23 and 24 of the Statute. Prior to taking any action under this section, the Rector shall consult with the individual and/or any representative nominated by them as to the steps to be taken and their likely outcome. The consultation shall specifically include consideration of the person's condition and likely future state of mental or physical capacity, and whether the person wishes to seek early retirement or a reduction of duties and hours (with a commensurate reduction in stipend). The wishes and needs of the person concerned shall be balanced against the tutorial or other relevant requirements of the

College. If the Rector suspends the member of staff under the provisions of Statute XII Clause 23(1)I they shall ensure that the member of staff has adequate access to materials and/or colleagues to enable them to participate effectively in the consultation process.

- 2.2 The consultation process shall also include consideration of any adjustments which could reasonably be made to the duties of the employment and/or the physical features of the premises and/or any arrangements made by or on behalf of the College so as to facilitate the continued employment of the person concerned. The Rector shall not consider the removal of the person concerned from their office or employment without first availing himself/herself of advice and assistance as to any facilities that may be available to assist the person. In general, the Rector shall have regard to the provisions of the Disability Discrimination Act 1995 and associated Codes of Practice, as appropriate. Specifically, the College will endeavour so far as possible to make reasonable adjustments to facilitate the continued employment of the person.
- 2.3 The Rector shall seek to obtain a medical report concerning the member of staff from the medical practitioner who has had clinical care of them and shall notify the person concerned to the effect in writing, seeking the member's consent in writing in accordance with the provisions of the Access to Medical Reports Act 1988.
- 2.4 At all stages the person concerned shall be able to nominate a friend, professional colleague or other representative to assist and advise them. Provided that clear notification is given to the Rector, such a representative may be given authority to act instead of the person concerned if the latter so wishes and may give such consents, agreements, etc. as the person concerned would be able to give. Such authority shall include, but not be limited to, a power of attorney, including an enduring power which has been duly registered with the Court of Protection.
- 2.5 In the event that the member of staff does not apply for medical retirement, or does and is rejected, the Rector shall consider all the circumstances of the case, including any available medical information, and shall determine in particular whether the case should be forwarded to a Medical Board or an Academic Disciplinary Committee.
- 2.6 Any powers of the Rector may be exercised instead by a duly appointed alternate or other appropriate officer and references to the Rector shall, throughout this Bylaw, be construed as including references to the alternate.

3. MEDICAL BOARD

- 3.1 If after considering all the circumstances of the case the Rector concludes that the removal on medical grounds of the member of staff (hereafter the person concerned) should be considered, they shall so inform the person concerned. The notification shall be provided in writing and shall be presumed to have reached the person concerned two days after being sent. The Rector shall notify the person concerned that a Medical Board (the Board) is to be appointed to consider whether they shall be removed from office on medical grounds, and shall request the person concerned to nominate someone to sit on the Board. If, within a reasonable period of time, the person concerned fails to nominate a person who is willing and

able to sit on the Board reasonably expeditiously, the Rector shall presume a default and shall nominate someone.

- 3.2 At the same time as notifying the individual, the Rector shall also convene a special meeting of the Governing Body to consider the matter confidentially and shall request the Governing Body to nominate a member to sit on the Board. If possible the member nominated by the Governing Body shall have some experience of the mental or physical incapacity apparently affecting the person concerned. The Governing Body shall canvass and propose the names of three medically qualified people to the person concerned to act as Chair of the Board. For this purpose, the Governing Body may seek the advice of the College doctor or any other suitable person on a confidential basis. In the event that agreement cannot be reached between the Governing Body and the person concerned as to the appropriate person to chair the Board, the Governing Body shall request the Rector for the time being of the Royal College of Physicians to nominate a Chair. The Governing Body shall nominate an appropriate person from among the Fellowship who is unconnected with the case to act as secretary to the Board.

4. PROCEDURES FOR A MEDICAL BOARD HEARING

- 4.1 Where a Medical Board has been appointed to determine a case referred to it under Clause 23(3) of the Statute, the Chair shall appoint the time, date and place for the hearing and the secretary shall notify all parties in writing. The Board shall have power to adjourn the hearing from time to time as it sees fit.
- 4.2 At least 21 days before the hearing, the Rector shall refer relevant evidence in confidence to the Board and shall make the evidence available to the person concerned and/or any representative they have nominated to act for them, except for information for which a medical practitioner has claimed exemption from disclosure under the provisions of section 7 of the Access to Medical Reports Act 1988.
- 4.3 The Rector shall consider the case and, if they think it necessary, may appoint someone to present the case for removal as well as the relevant oral and documentary evidence to the Board. Witnesses may be called by the person presenting the case, in which case copies of their statements shall be made available to the Board and the person concerned at least 14 days prior to the date set for hearing.

XVIII. APPEALS PROCEDURE

- 1.1 A Notice of Appeal against any decision under Parts II, III, IV or VII of Statute XII, except an appeal against an oral or a written warning under Statute XII, Clause 13 (2) which shall be dealt with as specified above, must be served on the Sub-Rector within 28 days of the decision. The Sub-Rector shall bring the fact that an appeal has been made to the attention of the Governing Body and inform the appellant that they have done so. If in all the circumstances of the case the Rector in their discretion considers it appropriate they shall call a special meeting of the Governing Body for the purpose of bringing the appeal to the attention of the Governing Body and in any event will ensure that the appeal is brought to the attention of the Governing Body within 28 days. The Sub-Rector shall consider any appropriate action, including suspension, that may be required in relation to the appellant and/or their position in the College pending the outcome of the appeal.
- 1.2 The Governing Body shall appoint a person to hear the appeal in accordance with Clause 29 of the Statute who shall be called the Chair, and two further persons in accordance with Clause 29(4) of the Statute who shall sit with the Chair if the Chair so decides under Clause 4 of this Bylaw consider the circumstances of the case including the length and the reason for the delay and the grounds of appeal and shall determine whether justice and fairness require that the appeal shall be permitted to proceed.
- 1.3 The Chair shall sit with two other persons who shall be persons appointed by the Governing Body in accordance with Clause 2 above and the body so constituted shall be referred to as the Appeal Body.
- 1.4 The Chair shall appoint a date, time and place for the hearing and shall make such other directions for the disposal of the case as appear to them appropriate including the joinder of other parties, and any directions that may be required to clarify the grounds of appeal. The Appeal Body shall have power to adjourn the hearing from time to time as it sees fit.
- 1.5 Notice of the date, time and place and any directions made by the Chair shall be served on all parties to the appeal at least 14 days before the date appointed and the appellant shall be notified of their right at their own expense to be represented by another person who may, but need not, be legally qualified. The appellant and any other party shall also be notified of their right to call witnesses with the consent of the Appeal Body.
- 1.6 Any committee, board or other body shall, if joined as a party to the appeal by the Chair, appoint one or more persons either from among their number or otherwise, who may, but need not, be legally qualified, to prepare and present the response to the appeal, such response to be served on the Appeal Body, the appellant and any other parties at least seven days before the day appointed for the hearing of the appeal.
- 1.7 Any hearing of the appeal may be adjourned or postponed at the discretion of the Chair. The Appeal Body may dismiss the appeal for want of prosecution. However, no decision to dismiss in such circumstances shall be made without first having provided the appellant with an opportunity to make representations whether orally or in writing.

- 1.8 Except as provided in Clause 1.7 of this Bylaw no appeal may be determined without an oral hearing, due notice of which has been served on the appellant and any persons appointed by them to represent them.
- 1.9 Each party to the hearing shall be entitled to make a statement and to address the Appeal Body. Witnesses may be called with the consent of the Appeal Body. Leave to adduce fresh evidence and/or the calling of witnesses examined at first instance shall only be given if the Appeal Body is satisfied that it is necessary or expedient in the interests of justice.
- 1.10 Subject to the provisions of the Statute and of this By-law, the Appeal Body shall determine its own procedure. The Chair may at their discretion set time limits at each stage of the proceedings to the intent that any appeal shall be heard and determined as expeditiously as is reasonably practicable having regard to the principles of justice and equity.
- 1.11 In accordance with the provisions of Clause 26(2) of the Statute, the Appeal Body shall not reconsider any finding of fact made by an Academic Disciplinary Committee, unless:
- a) there has been a procedural fault in the original proceedings or the findings of fact are challenged on legal grounds, or
 - b) fresh evidence is called on behalf of the appellant. No such evidence shall Committee with copies of any statements or other relevant documents which it considers will assist in the fair disposal of the matter. Any appeal under Clause 13(2) Stage 3 of the Statute shall be in writing and shall specify with sufficient detail the grounds of appeal and any supporting information.
- 1.12 In accordance with the provisions of Clause 30(3) of the Statute the Appeal Body may allow or dismiss an appeal in whole or in part or remit the appeal in such manner and for such purpose as it sees fit within the provisions of Clause 30(3) of the Statute. In the event that the Appeal Body remits the appeal in accordance with Clause 30(3)(a)-(d) the Chair may set such time limits for further consideration as they consider appropriate.
- 1.13 The reasoned decision of the Appeal Body, including any decision under Clause 30(3)(a)-(d), shall be recorded in writing and shall be sent to the Rector and to the parties to the appeal.
- 1.14 The Chair may, by an appropriate certificate in writing, correct any accidental errors and/or any omissions in documents recording the decisions of the Appeal Body.

XIX. GRIEVANCE PROCEDURE

1. BRINGING A COMPLAINT

- 1.1 A member of staff to whom Statute XII applies may bring a complaint under Clause 34(1) of the Statute about the matters specified in Clause 33 provided that they have exhausted any other relevant avenues of complaint.
- 1.2 Any complaint should be addressed in the first instance to the Rector and should be made in writing. (Any complaints against disciplinary warnings under Clause 13 should specify with sufficient detail the grounds of complaint and any supporting information.) The complainant should specify whether they wish any aspect of the matter to be kept confidential at this stage.

2. INVESTIGATING A COMPLAINT

- 2.1 The Rector (which expression includes anyone appointed to act instead of them) shall consider any complaint made to them as quickly as is reasonable and shall take steps to investigate the matter. At this stage they may appoint one or more people to investigate the issues on their behalf but shall whenever possible meet with the complainant for the purpose of considering the complaint generally and agreeing or establishing the further steps which may be taken. In any case where the complaint relates directly to the conduct of the Rector, the latter shall appoint the Sub-Rector (or the most Senior Fellow available) to act as an alternate.
- 2.2 The Rector shall consider in the first instance whether other remedies available to the complainant have been exhausted and may, if in all the circumstances of the case it seems right, refer the complainant to the appropriate channels for resolution of their complaint prior to taking any further action.
- 2.3 If in any other case other than an appeal against a disciplinary warning the Rector forms the prima facie view that the complaint should be dismissed or that no further action should be taken for the reasons set out in Clause 34(2) of the Statute, they shall so inform the complainant and invite their views before taking further action. Upon receipt of the complainant's response, or in the event that no response is received within 21 days, the Rector shall consider the matter further and shall take such action as seems right to them including dismissing the complaint. The Rector shall notify the complainant of the decision at the earliest opportunity.
- 2.4 Provided that they act within 10 days of receiving the decision of the Rector under clause 2.3 above, the complainant may refer the matter to the Governing Body. If a majority of the Governing Body so determines, it may appoint a Grievance Committee to hear the complaint notwithstanding it has been dismissed by the Rector.
- 2.5 In any case where, upon due consideration, the Rector is satisfied that the subject matter of the complaint may properly be considered with, or forms part of, a complaint under Part III, or a determination under Part IV or an appeal under Part V of the Statute, they shall so inform the complainant and defer any further action on it until such time as the complaint,

determination or appeal has been heard or the time for instituting has passed.

- 2.6 In any case where upon investigation the Rector is satisfied that the complaint concerns an act or omission which may amount to a criminal offence, they shall so notify the complainant and, subject to any representations the complainant may make, shall consider whether, and if so what, further action may be taken in relation to the complaint within the College's grievance procedure.

3. INFORMAL RESOLUTION

- 3.1 In any case where the Rector does not dispose of the appeal or defer it under Clause 34(3) of the Statute or under the provisions of this procedure, they shall consider whether it may be capable of informal resolution. The Rector shall take into consideration the nature and ambit of the complaint and the wishes of the complainant and have particular regard to the interests of justice and fairness. Before attempting informal resolution, the complainant or any other person may benefit from the assistance of a third party in connection with the complaint and shall consider in particular whether professional advice should be sought.
- 3.2 If the complainant objects to informal resolution the Rector shall consider whether to refer the matter to a Grievance Committee or take any other action as they see fit.
- 3.3 In any attempt at informal resolution the Rector shall have regard to confidentiality as far as possible and shall ensure that the interests of the parties to the matter are considered at all stages.

4. GRIEVANCE COMMITTEE

- 4.1 In any case where the complaint has not been disposed of by the Rector, or where an appeal is made under Clause 13(2) Stage 3 of the Statute, the Rector shall refer the matter to a Grievance Committee ("the Committee") established in accordance with the provisions of Clause 36 of the Statute. The Governing Body shall appoint one of its members to act as Chair. The Rector shall notify the Committee of the nature of the complaint or appeal and shall provide the Committee with copies of any statements or other relevant documents which it considers will assist in the fair disposal of the matter. Any appeal under Clause 13(2) Stage 3 of the Statute shall be in writing and shall specify with sufficient detail the grounds of appeal and any supporting information.
- 4.2 The Rector shall notify the individual concerned that the matter has been referred to the Committee and shall provide the individual concerned with copies of the documents which have been provided to the Committee.
- 4.3 The Committee shall meet as soon as is reasonably practical to consider the matter on a preliminary basis. At this stage, the Committee may appoint someone to act as secretary to assist in all aspects of the grievance hearing or appeal and the preparatory steps. The Committee may call for written statements from the individual concerned or any other person and may cause such investigations to be conducted as appear appropriate, if necessary by an independent person specifically appointed for the purpose. The Committee shall appoint a time for the matter to be heard and may make such arrangements as it considers fit for the fair and just hearing of

the matter. The Committee may appoint its Chair to act in its stead in all preliminary matters. The Committee shall have power to adjourn the proceedings from time to time as it sees fit.

- 4.4 The matter shall not be disposed of without an oral hearing at which the individual concerned, and any person against whom the grievance or appeal lies, shall be entitled to be heard and to be accompanied by a friend or representative, which shall include a legal representative. Save that the hearing may proceed in the absence of the individual concerned or any other party who fails to attend without reasonable cause.
- 4.5 Provided that due regard is had to the interests of justice and fairness, the conduct of the hearing and any associated matters may be determined by the Committee. In particular, the Committee may determine whether and to what extent oral examination of witnesses shall be permitted, whether any evidence may be taken in the absence of the individual concerned (or the person against whom any complaint is made) and whether and what time limits shall be set for the proceedings.
- 4.6 The reasoned decision of the Committee as to whether the complaint or appeal is well-founded shall be notified in writing to the individual concerned and any person against whom any complaint is made, as well as to the Governing Body. In the event that any part of the grievance or appeal is upheld, the Committee shall also notify the Governing Body of its recommendations as to the proper redress for the individual concerned and any other recommendations as it sees fit.
- 4.7 No appeal lies from the decision of the Committee save that the Governing Body shall be entitled to accept or reject any recommendations made under Clause 4.6 above.

XX. EMPLOYER JUSTIFIED RETIREMENT AGE

1. THE COLLEGE'S COMMITMENT

- 1.1 The purpose of the Employer Justified Retirement Age (EJRA), as operated by Exeter College, is primarily to sustain excellence in teaching and research by providing a mechanism to refresh the academic workforce and maintain opportunities for career progression. The College recognises, however, that many academics will have the ability and the desire to make a continued contribution to the research and teaching mission of the College beyond their retirement date.
- 1.2 The ending of an appointment under the EJRA will inevitably require any continuing employment relationship with the College to be on new and different terms, the availability and nature of which will depend on the College's teaching and research resources, and on the ability and interest of the retiring post-holder to fulfil the requirements of any new role.
- 1.3 The College will, however, use its best endeavours to agree financial and contractual terms with anyone retiring under the EJRA who can make a case for continuing to research and/ or teach within their recognised field of expertise.

2. INTRODUCTION

- 2.1 Exeter College has agreed to establish a retirement age for academic staff holding joint appointments with the University of Oxford. This is primarily to support the College's mission to sustain excellence in teaching and research, and to maintain and develop its historical position as part of a world-class university. The College's EJRA procedures seek to provide a fair and inclusive process through which the College is able to manage the future of academic posts by retirement or retention.
- 2.2 The following procedures seek to balance the wishes of the individual with the needs of the College by:
 - a) facilitating the timely discussion of options with a view to identifying possible future arrangements which are acceptable to all parties; and
 - b) providing a clear decision-making and appeal process which allows account to be taken of all relevant considerations.
- 2.3 As at October 2017, the University of Oxford expects to review its EJRA during the 2021–22 academic year. Exeter College will review its EJRA in the light of any changes that may be recommended by the University's review of the University of Oxford EJRA procedures.
- 2.4 Only in very exceptional circumstances, in which it is clear both that the extended employment of the particular individual is necessary in order to ensure the completion of a specific project or duties (or to gain the full benefit of a project already completed) and that the extension would not undermine the Aims, will any application under this procedure be approved. Examples of projects and duties to be completed might include: the completion of a research project that can only be carried out by the individual concerned; the need for an individual to finish a teaching course for which it would not be possible to provide a replacement (for example, when the course is coming to an end).

3. AIMS OF THE EJRA

- 3.1 In the context of Exeter College's position within the University of Oxford's particular structure and procedures, the EJRA is considered to be an appropriate and necessary means of creating sufficient vacancies to meet the following Aims:
- a) safeguarding the high standards of the College in teaching and research;
 - b) promoting inter-generational fairness and maintaining opportunities for career progression for those at particular stages of a career, given the importance of having available opportunities for progression across the generations;
 - c) refreshing the academic and research workforce within the College as a route to maintaining the Collegiate University's position on the international stage;
 - d) facilitating succession planning by maintaining predictable retirement dates, especially in relation to the Collegiate University's joint appointment system;
 - e) promoting equality and diversity, noting that recent recruits are more diverse than the composition of the existing workforce, especially amongst the older age groups of the existing workforce.

4. SCOPE

- 4.1 The EJRA only applies to the holders of joint academic appointments with the University of Oxford, who are employed by Exeter College, and who hold appointments at Grade 8 (or equivalent) or above. Future references to 'academic staff' in this bylaw shall be taken to mean only those employees of the College who hold such joint appointments with the University of Oxford.
- 4.2 Subject to paragraph 4.5 below, all existing members of academic staff will be deemed, from 1 October 2017, to have a retirement date of 30 September preceding their 69th birthday, which shall be the EJRA.
- 4.3 In cases where, under the College's procedures applying until 30 September 2011 (at which point the College first introduced an EJRA), a member of staff has a retirement date set by individual agreement to be later than 30 September preceding the 68th birthday, the retirement date specified in the agreement will continue to apply. Where the specified date is earlier than the EJRA, any request to work beyond the specified date should be referred to the Rector under this procedure and the merits of each case will be considered in the context of the rationale for the original extension.
- 4.4 Unless the terms of any prior agreement to work beyond the EJRA preclude any further extension of employment, a member of staff whose retirement has been set later than the EJRA may apply for a further extension under the procedures set out below.
- 4.5 No provision associated with the EJRA shall affect the right of any employee of the College to retire at a date earlier than that specified under the EJRA, or the benefits to which they are entitled under the relevant pension scheme.

5. CONSIDERATION OF REQUESTS TO WORK BEYOND THE EJRA

- 5.1 All requests to continue working beyond the EJRA will be considered in the context of the Aims of the College in maintaining the EJRA as set out in Bylaw XX.3 above. In all cases, the College will bear in mind that all staff are expected to carry out their roles to a high standard. In the case of academic staff, this includes distinguished scholarship and research. Senior academic staff will often be world-leaders in their field. The offer of distinguished scholarship does not constitute a relevant consideration for the purposes of the extension procedure.
- 5.2 Applications will be approved only where, having taken account of the considerations set out below, the Governing Body, having received advice from a College panel, is convinced that it is reasonably necessary to extend employment, and that any detriment to the furtherance of aims of the EJRA is offset by a balance of advantage arising from an extension of employment. The relevance of each consideration will depend on the post in question. The College panel and subsequently the Governing Body as decision maker will weigh the advantages of continued employment (whether in the same post, or in only one part of a previous appointment, or on different terms and conditions, or on a part time basis following partial retirement to pension) against the opportunities arising from creating a vacancy, including the intention of recruiting someone else, using the vacancy for a different purpose, or leaving the post vacant for a period (whichever may apply).
- 5.3 The list below outlines some of the considerations that the College panel may take into account in making their decision:
- a) Is there a demonstrable need, for a defined period, to retain the applicant in employment in order to complete a specific project or duties, or to gain the full benefit of tasks already completed by him or her, which:
 - (i) are of particular strategic importance to the College;
 - (ii) could not be completed by any other individual who is not over the EJRA, either by a current member of the College's academic staff or through a recruitment exercise;
 - (iii) in the case of prospective or current grant-funded research projects, could not, in accordance with the funder's rules, be completed on a non-employed, or voluntary basis;
 - (iv) and could not be completed on an employment contract with fewer working hours or of a shorter duration?
 - b) Are there any special personal circumstances that would properly justify exceptional treatment?
 - c) Will the proposed extension result in the creation of career development opportunities for others that would not otherwise have been created?
 - d) Is there a demonstrable need that arises in connection with a specific event or circumstance and that could only be met by retaining this particular employee in employment for a fixed period (e.g. submission to the REF)?
 - e) In the case of a joint appointment, what are the implications for the joint nature of the post: for example, where the request involves only one part of a joint appointment, has some suitable means been found

of managing the future of the joint appointment to protect the shared interests of the University and College?

- f) In the case of clinical academics, is the NHS Trust concerned willing to renew the employee's honorary contract? The holding of an honorary contract is a prerequisite for continuation in a clinical post.

6. STEPS: NOTIFICATION AND DISCUSSION

- 6.1 The Rector will remind academic staff in writing of their normal retirement date and of the process for requesting continuation in employment beyond that date, if possible, no later than two years and six months before their retirement date under the EJRA. In the case of joint appointments, this notification will be copied to the relevant head of division, and the head of division will also send a letter to the member of staff with reference to their University employment. Where it judges it necessary, the College may decide to give earlier notification.
- 6.2 Any staff member who wishes to continue in employment beyond the EJRA, and who believes that they have a strong case for doing so in the light of the Aims and the issues to be considered (see above), should first discuss their situation informally and in good time with the Academic Dean. Holders of joint appointments should also consult their head of department and/or Division; similarly, where a contract of any type is held with another body, such as an NHS trust or another college, that other body should also be consulted.
- 6.3 Early exploration of all options is encouraged. The aim of these discussions is to ensure that all options have been explored. The staff member and Academic Dean should in all cases consider whether the individual's and/or College's aims could be achieved through use of a genuine non-employment arrangement following retirement (which should not present any obstacle to filling the newly-vacated role) such as an Emeritus Fellowship, or other continued association with the College. If so, the College's expectation is that this course would be taken, rather than an application for an extension of employment being submitted.
- 6.4 In circumstances where non-employment options will not achieve the individual's and/or the College's aims, an application for extended employment will be needed. The application should address the impact of the proposed extension on the Aims of the EJRA and set out the case for an extension in the light of the matters for consideration outlined above.
- 6.5 It is expected that in all but very rare cases, those who hold permanent posts would need, as a minimum, to step out of their current post into a newly-created, fixed-term post (with continuity of service), on a grade appropriate to the duties to be delivered. This is to make it possible for their substantive post to be refilled, thereby reducing any negative impact of the extension on the Aims of the EJRA.
- 6.6 It is also expected that:
- a) any extension of employment in a newly-created post will have contracted hours appropriate to the work to be delivered, and that its duration will be limited to that necessary to complete the project or duties for which the employment extension is being sought;

- b) in all but very rare cases, the applicant will have secured grant or other funding to cover their full costs (i.e. including on-costs) while in employment beyond the EJRA; and
 - c) the individual, if granted an extension of their employment, will normally step out of their membership of the Governing Body.
- 6.7 When the proposed extension of employment involves reduced duties or working-time, it could be relevant to consider the option of flexible retirement which will allow the individual to take part of their pension to supplement a reduced salary.
- 6.8 All post-EJRA employment will be on a fixed-term contract.
- 6.9 In the case of joint appointments, the staff member may wish to continue working in only one part of the joint appointment, or one employer might wish to agree continued employment while the other does not. In these instances, the employers will wish to discuss how their respective interests in the future of the substantive joint appointment should be protected, and the staff member might wish to consider a new contract issued by one employer that would be compatible with retirement from the other part(s) of the joint employment. Flexibility should be encouraged, subject to the aims of the EJRA.
- 6.10 These informal discussions, which may take place at any time before the deadline for submission of applications for continued employment beyond the EJRA, will not result in a definitive decision by the College but may help inform any formal request which might subsequently be made by the individual. Such discussions are intended to provide opportunity for the formulation of a request that will minimise the impact on the Aims of the EJRA and with which all parties will be content.

7. FORMAL PROCESS: SUBMISSION AND CONSIDERATION

- 7.1 If the staff member wishes to continue in employment beyond the EJRA, they should **submit their case** in writing to the Academic Dean in good time before the deadline (and no later than 2 years before the EJRA), setting out the proposed working arrangements and the length of extension requested.
- 7.2 The request to continue working in a College appointment beyond the EJRA, should be submitted formally in writing, by the Academic Dean to the Rector, as part of an agreed submission. Any request relating to the University part of a joint appointment should be made in accordance with the University's procedures.
- 7.3 The submission should consist of, and set out clearly:
- a) The request as made by the member of staff, including:
 - (i) a detailed explanation of the reason for the requested extension and the proposed working arrangements i.e. the grade, FTE and length in months of the extension requested;
 - (ii) the duties or project to be undertaken in the course of the proposed extension;
 - (iii) the non-employment options that have been considered by the individual in conjunction with the Head of Department, and why they were not thought to be viable;

- (iv) any grant or other income that will result directly from the proposed extended employment, the extent to which that income will cover the employment and other costs incurred as a result of the proposed extension, and the extent to which additional posts will be created;
 - (v) and any exceptional personal circumstances to which the individual would wish to draw the attention of the EJRA Committee (the applicant should state whether or not they are content for the department and division to see this part of the form).
- b) An account, agreed where possible, of how the request relates to the considerations for extensions set out in the College's policy;
 - c) A report from the Academic Dean setting out relevant academic or other College circumstances and background; and
 - d) The views of the Division and any other associated employers (e.g. the NHS or another college). If a decision has already been made with regard to the University or other employment, the outcome of this should be included.
 - e) any supporting material the member of academic staff may consider appropriate to append to the submission.
- 7.4 The **normal deadline** for submissions to reach the Rector is the 30 September which is 2 years before the retirement date under the EJRA. Electronic submissions are encouraged. Those with individual retirement dates (e.g. dates other than 30 September prior to 69th birthday, agreed before the introduction of the EJRA, or resulting from an extension under the EJRA policy) should wherever possible submit any application for further extended employment two years in advance of that date, or, in any event, as soon as possible. Later requests may be considered in exceptional circumstances, but only with the agreement of the Chair of the panel, and of the relevant employers (e.g. division, department, NHS Trust), and where the circumstances that necessitate the late request were clearly beyond the control of the applicant and could not reasonably have been anticipated. The decision of the panel Chair will be final.
- 7.5 All requests to continue in employment with the College beyond the EJRA will be **considered** by a standing panel of five persons identified by the Rector and formally appointed by the Governing Body. In addition, there will be a standing panel to hear appeals, which shall be constituted as determined under Statute XII Part V, and whose members will be formally appointed by the Governing Body and will remain detached from all prior discussions of the case. The panel will meet at such intervals as are necessary to consider requests which may arise. Ordinarily, at least two members of the panel shall be women, and at least two members shall be men. Panel members will normally serve for a period of between five and ten years. The panel will be drawn from the following groups: at least one member of Fellowships Committee; at least one non-salaried Fellow (e.g. professorial, honorary or emeritus Fellow); and at least one external adviser (e.g. the Senior Tutor from another college). The panel will elect a Chair from its number.
- 7.6 The panel will **assess** each request on its own merits against the considerations/ criteria and in the context of the Aims of the EJRA (as set

out above), and in the light of any exceptional personal circumstances. In the case of the consideration of joint appointments, the Chair of the panel will liaise with the Chair of the equivalent University panel over matters of process, including the relative timings of the work of the two panels and the communication between the panels of their decisions, as may best suit the individual case and allow for issues relating to the joint nature of the post to be addressed.

- 7.7 The panel will consider the request in the light of the Aims and the considerations set out in Bylaw XX.3 above, taking due account of the submissions of the individual staff member, the College, and any others with an interest, which may include the Division, department, another college or an NHS Trust, as appropriate. The panel will seek any clarification it deems necessary.
- 7.8 The **panel will decide** on the request for extension of employment, including the length of time of any such extension. The decision shall have effect in respect of employment with the College. The University will make its own decision in respect of University employment, according to its own regulations and procedures.
- 7.9 Where the College does not support the request for an extension, or, in the case of a joint appointment, where there is a difference of views between the employers, further submissions may be made in writing. It should, however, be recognised that each part of the joint appointment is a separate contract of employment, and any extension granted would be to a separate fixed- term contract.
- 7.10 The panel will make a **recommendation** to the Governing Body on the request for extension of employment (in the form of a new fixed-term contract, with continuity of service), including the length of time of any such extension (with reasons), and any conditions imposed on the extension by the panel.
- 7.11 The panel will inform the individual and, as relevant, the Division, the department, and any other employer of its recommendation in writing. The letter will give brief reasons for the recommendation and the length of any extension proposed, and any conditions imposed on the extension by the panel.
- 7.12 The **Governing Body will then decide** whether to accept the panel's recommendation and will **notify** the individual, Division and department, as relevant, of its decision. Where the request to continue working beyond the EJRA is rejected, the individual will be notified in writing of the right of appeal under the College's Statutes. Where a decision is taken under these procedures to extend employment beyond the EJRA, the employee will be issued with a fixed-term contract, to terminate at the date set by the Governing Body in agreeing to the extension (but with continuity of employment). This contract will state the details of the specific hours, duties, salary and other terms and conditions for the extension.
- 7.13 On any occasion when the Governing Body shall agree an extension to the period of employment in accordance with this procedure, it shall decide whether to permit any further application to be made under this procedure. If so, it shall decide whether any further notification is necessary equivalent to that set out in Section 6 above, and shall set an appropriate time limit in

place of that set out in Section 7.1 above, by which any application shall be made for a further extension. It should be noted that any second or further extension will only be granted to address unforeseeable circumstances that have frustrated the purpose for which the original extension was granted.

8. APPEAL

- 8.1 Any appeal against the decision of the Governing Body must be notified in writing (within 28 days of receipt of the lettering confirming the Governing Body's decision), and in accordance with the provisions of Statute XII Part V. An appeal may be made against the refusal of a request, or against the terms of approval where they differ from those requested by the member of academic staff. A letter of appeal should set out clearly the grounds for the appeal.
- 8.2 The College shall make arrangements to hear any appeal against a decision made under Bylaw XX.7 above. The body or individual hearing the appeal must be separate from the body or individual making the decision. The appeal panel, which will be a standing panel, will be appointed by Governing Body under Statute XII Part V, and will consist of a person or persons not employed by the College holding, or having held, judicial office or being barristers or solicitors of at least ten years' standing. The person appointed shall sit alone unless they consider that justice and fairness will best be served by sitting with two other persons. The other persons who may sit with the person appointed, and who shall be appointed by the Governing Body, shall be one member of the Governing Body not being a person employed by the College, employee and any other employer as relevant, of this decision.
- 8.3 The appeal panel shall inform the College, employee and any other employer as relevant, of this decision.

