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I LEAVE

1 Rector's Leave of Absence

The Rector may apply for leave of absence during one term for every six terms during which, not being on leave, he or she has carried out his or her 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 his or her duties for at least nine terms since his or her 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 (g) 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

(a) 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.

(b) Sabbatical leave shall be reckoned on the basis of one term's leave for every six terms of qualifying service, as defined in 2 (c) below.

(c) A period of qualifying service shall be a period during which the Fellow has without intermission discharged his or her contractual duties, unless:

(d) i. he or she has taken paid or unpaid sick leave; or

ii. he or she has taken paid or unpaid maternity, adoption, paternity or parental leave; or

iii. the Governing Body has agreed that a particular period in which the member of staff has not fulfilled his or her contractual duties may be reckoned as qualifying service for the purposes of these regulations.

(e) 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 granted.

(f) 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, his or her future terms of service up to the number of that excess shall not count as qualifying service.

(g) Not more than one calendar year of sabbatical leave shall be granted in any one period of three years.

(h) In exceptional circumstances, sabbatical leave may be postponed without loss of entitlement by deeming it to relate to an earlier period, on condition that:

i. the Fellow would have had sufficient qualifying service to make him or her eligible for the leave in the earlier period;

ii. (a) 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 (b) 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

iii. the application for leave is made before the beginning of the earlier period.

(i) In exceptional circumstances, leave may be taken in advance of entitlement, on condition that:

i. leave is not taken more than six terms in advance of entitlement; and

ii. the Fellow is able to make a strong academic case to the Governing Body for the leave to be taken in advance of entitlement.

(j) Fellows are normally expected to serve for one subsequent term in respect of each term of sabbatical leave, before resignation or retirement.

(k) When a Fellow is absent on leave to which s/he is entitled as of right, s/he shall normally be allowed to retain his/her full stipend and allowances as Fellow and Lecturer, provided that s/he will spend a considerable portion of his/her leave in study for the advancement of learning, and that, except with the express permission of the Governing Body, s/he 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 s/he is in receipt of his/her 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 s/he is in a better financial position than if s/he had not taken leave, then s/he shall decide what sum would have to be deducted from his/her income so as to leave him/her approximately in the same state as if s/he had not taken leave, and s/he will forgo from his/her stipend such proportion of that sum as his/her College stipend and allowances are (at the start of the leave) of his/her combined College and University income. It shall be the duty of a Fellow to inform the Bursar 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.

(l) A Fellow who desires to exercise his/her right to sabbatical leave in a particular term must send written notice to the Rector to this effect in time to enable the Rector to
bring it before the Governing Body at a meeting not later than the meeting at the beginning of the preceding term.

(m) Unauthorised leave will not count towards qualifying service for the accrual of sabbatical leave.

### 3 Discretionary Leave

(a) 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.

(b) The Governing Body may grant paid leave to any Officer on account of ill health.

(c) When an Officer is absent on leave granted at the discretion of the Governing Body, s/he 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:

<table>
<thead>
<tr>
<th>Service</th>
<th>Full Pay</th>
<th>Half Pay</th>
</tr>
</thead>
<tbody>
<tr>
<td>First 3 months</td>
<td>2 weeks</td>
<td>2 weeks</td>
</tr>
<tr>
<td>Remainder of First Year</td>
<td>2 months</td>
<td>2 months</td>
</tr>
<tr>
<td>Second &amp; Third Years</td>
<td>3 months</td>
<td>3 months</td>
</tr>
<tr>
<td>Fourth &amp; Fifth Years</td>
<td>5 months</td>
<td>5 months</td>
</tr>
<tr>
<td>After Fifth Year</td>
<td>6 months</td>
<td>6 months</td>
</tr>
</tbody>
</table>

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

A Fellow who is absent on leave to which s/he 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 (a) Statutory Maternity Leave and Pay

i. 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, which is available at [www.exeter.ox.ac.uk/information/policies/employee_handbook](http://www.exeter.ox.ac.uk/information/policies/employee_handbook). 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.

ii. A pregnant member of the academic staff is entitled to 52 weeks' Statutory Maternity
Leave, regardless of her 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.

iii. If she has completed 26 weeks’ continuous service with the College into the 15th week before her expected week of childbirth ('the qualifying week') and her 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, she is 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.

iv. She may begin her 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.

v. 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.

vi. Maternity Leave cannot be delayed until after the date on which the baby is due to be born.

vii. The member of academic staff is entitled to Maternity Leave even if her pregnancy leads to a stillbirth.

viii. Any member of the academic staff who intends to exercise her right to Maternity Leave shall at least 15 weeks before the expected week of childbirth supply the Rector (who shall inform the Ordinary or Stated General College Meeting of the member’s intention) with the notification information outlined in the relevant policy: www.exeter.ox.ac.uk/information/policies/employee_handbook

ix. During the period of maternity leave, a member of academic 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 her had she 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 academic staff elects on her return to work to pay her outstanding contributions for the period of unpaid maternity leave, the College will do likewise.

x. Arrangements relating to Keeping in Touch (KIT) days and returning to work will be as outlined in the relevant policy: www.exeter.ox.ac.uk/information/policies/employee_handbook

xi. (a) 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.)

(b) If the member of academic 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.

xii. A member of academic staff who is on a fixed-term contract, and who meets the conditions above to qualify for the College maternity leave scheme, may have her 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.

xiii. A member of the academic staff who begins her maternity leave during the probationary period of her contract will return to the remaining term of her probationary period.

xiv. A mother whose baby was due before 5 April 2015 may choose to transfer up to 26 weeks of unused maternity leave to the father/partner (to be taken as Additional Statutory Paternity Leave), once she has returned to work.

A mother whose baby is due on or after 5 April 2015 may elect to end her maternity leave at any time after the compulsory leave period, and share the remainder of her 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.

(b) College Maternity Pay

i. A member of the academic staff shall be entitled to the benefits of the College Maternity Pay scheme on any occasion of expected childbirth if she fulfils all of the following conditions:

(a) she holds a current contract of employment with the College;

(b) she has 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) she follows the proper notification procedures set out in the relevant policy: www.exeter.ox.ac.uk/information/policies/employee_handbook

ii. A qualifying woman is entitled to the following benefits while on Maternity Leave:

- 26 weeks on full pay (inclusive of Statutory Maternity Pay)
- 13 weeks on Statutory Maternity Pay
- 13 weeks unpaid.

A qualifying woman may take less than the maximum entitlement if she wishes.

iii. The above benefits apply to both full-time and part-time members of academic staff (on a pro rata basis as far as the levels of payments to part-time staff are concerned).
iv. In the event that a member of academic 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 academic staff will be asked to sign to accept these terms.

(c) Statutory Adoption Leave and Pay

i. 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, which is available at www.exeter.ox.ac.uk/information/policies/employee_handbook. 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.

ii. A member of the academic 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 relevant policy: www.exeter.ox.ac.uk/information/policies/employee_handbook

iii. S/he may begin his/her 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.

iv. 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.

v. 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.

vi. At the latest no more than seven days after being notified of a match for adoption, the member of academic 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 s/he intends to start Adoption Leave and to begin receiving adoption pay.

Other notification requirements will be as outlined in the relevant policy: www.exeter.ox.ac.uk/information/policies/employee_handbook

vii. Provided that they have met the relevant qualifying criteria, members of academic staff who adopted a child before 5 April 2015 will receive Statutory Adoption Pay (SAP) at the lesser of either 90% of normal weekly earnings or the fixed statutory weekly rate during the first 39 weeks of adoption leave. The remaining 13 weeks are
unpaid.

Where a child is placed with a member of academic 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 relevant policy: www.exeter.ox.ac.uk/information/policies/employee_handbook

viii. During the full period of Adoption Leave, s/he is entitled to the non-pay contractual benefits of the terms and conditions of employment which would have applied to her/him had s/he 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 academic staff elects on his/her return to work to pay his/her outstanding contributions for the period of unpaid leave, the College will do likewise.

ix. Arrangements relating to Keeping in Touch (KIT) days and returning to work will be as outlined in the relevant policy.

x. A member of academic staff who is on a fixed-term contract, and who meets the conditions above to qualify for the College adoption leave scheme, may have his/her 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.

xi. A member of the academic staff who begins his/her adoption leave during the probationary period of his/her contract will return to the remaining term of his/her probationary period.

xii. A member of academic staff who adopted a child before 5 April 2015 may choose to transfer up to 26 weeks of unused adoption leave to the father/partner (to be taken as Additional Statutory Paternity Leave), once the primary adopter has returned to work.

A member of academic staff who adopts a child on or after 5 April 2015 may elect to end his/her adoption leave at any time, and share the remainder of his/her unused adoption leave and pay with his/her partner (to be taken as Shared Parental Leave).

For more information, see the relevant sections of the policy.

(d) College Adoption Pay

i. A member of the academic staff shall be entitled to the benefits of the College Adoption Pay scheme on any occasion of expected adoption if s/he fulfils all of the following conditions:

(a) S/he holds a current contract of employment with the College;
(b) S/he has been continuously employed by the College for a minimum period of 26 weeks at the 15th week before the expected week of adoption;

(c) S/he has been matched with a child to be placed with him/her by a UK adoption agency and agreed to the placement; and

(d) S/he follows the correct notification procedures set out in the relevant policy.

ii. A qualifying member of academic staff is entitled to the following benefits while on Adoption Leave:

- 26 weeks on full pay (inclusive of Statutory Adoption Pay)
- 13 weeks on Statutory Adoption Pay
- 13 weeks unpaid

A qualifying member may take less than the maximum entitlement if s/he wishes.

iii. The above benefits apply to both full-time and part-time members of academic staff (on a pro-rata basis as far as the levels of payments to part-time staff are concerned).

iv. In the event that a member of academic 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 academic staff will be asked to sign to accept these terms.

(e) Paternity Leave and Pay

i. 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, which is available at [www.exeter.ox.ac.uk/information/policies/employee_handbook](http://www.exeter.ox.ac.uk/information/policies/employee_handbook). 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.

ii. With effect from 1 October 2014, members of academic 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.

iii. Eligible members of academic 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.

iv. Only one period of Ordinary Paternity Leave is available to members of academic staff irrespective of whether more than one child is born as the result of the same pregnancy.
v.  (a) Where a child is born before 5 April 2015, or is placed for adoption before 5 April 2015, members of academic 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 also be eligible for the College’s Additional Statutory Paternity Leave (ASPL) scheme.

Here, parents are able to choose to transfer up to six months of unused maternity/adoption leave to the father or partner once the mother/primary adopter has returned to work. Where the mother chooses to return to work at any point between 21 and 26 weeks’ maternity leave and the father chooses to take over childcare, eligible employees are entitled to claim up to 6 weeks’ leave at full pay. If the employee chooses to take a longer period of leave than the remaining full pay leave period ‘transferred’ by the child’s mother, any additional leave will be paid at the statutory rates.

Full details are available from the relevant policy: www.exeter.ox.ac.uk/information/policies/employee_handbook

(b) 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 SharedParental Leave which can be used by either parent/partner.

vi.  (a) Statutory Paternity Pay (SPP) is paid for either one or two consecutive weeks as the member of academic staff has chosen. The rate of SPP is the same as the standard rate of SMP.

(b) Members of academic 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).

vii. These benefits apply to both full-time and part-time members of academic staff (on a pro rata basis as far as the levels of payments to part-time staff are concerned).

viii. Qualifying members of academic staff must inform the College (through the Rector) of their intention to take Paternity Leave, in accordance with the notification procedures outlined in the relevant policy: www.exeter.ox.ac.uk/information/policies/employee_handbook

ix. Members of academic staff taking Paternity Leave are entitled to the benefit of their normal terms and conditions of employment, except remuneration.

x. Arrangements relating to Keeping in Touch (KIT) days and returning to work will be as outlined in the relevant policy: www.exeter.ox.ac.uk/information/policies/employee_handbook

xi. A member of academic staff who is on a fixed-term contract, and who meets the conditions above to qualify for the College paternity pay scheme, may have his/her 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.
Shared Parental Leave

i. A member of academic 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/adopter 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, which is available at: www.exeter.ox.ac.uk/information/policies/employee_handbook. 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.

ii. 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 does not need to return to work before her 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.

iii. 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.

iv. Any member of academic 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 relevant policy: www.exeter.ox.ac.uk/information/policies/employee_handbook

v. During the full period of Shared Parental Leave, the member of academic staff is entitled to the non-pay contractual benefits of the terms and conditions of employment which would have applied to her/him had s/he 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 academic staff elects on his/her return to work to pay his/her outstanding contributions for any period of unpaid leave, the College will do likewise.

vi. Arrangements relating to Shared Parental Leave in Touch (SPLIT) days and returning to work will be as outlined in the relevant policy: www.exeter.ox.ac.uk/information/policies/employee_handbook

vii. A member of academic staff who is on a fixed-term contract, and who meets the
conditions above to qualify for the Shared Parental Leave scheme, may have his/ her 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.

viii. A member of the academic staff who begins his/ her Shared Parental Leave during the probationary period of his/ her contract will return to the remaining term of his/ her probationary period.

(g) Shared Parental Pay

i. 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, his/her partner will not be eligible.

For more information, see the relevant policy: www.exeter.ox.ac.uk/information/policies/employee_handbook

ii. A member of the academic staff shall be entitled to the benefits of the College Shared Parental Pay scheme if they fulfil all of the following conditions:

a) he/ she holds a current contract of employment with the College;

b) he/ she has 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

c) he/ she follows the proper notification procedures set out in the relevant policy: www.exeter.ox.ac.uk/information/policies/employee_handbook

iii. Subject to how much maternity/ adoption leave has already been taken, and how leave and pay are shared between the parents, a member of academic staff may be entitled to (in chronological order of Shared Parental Leave):

- **up to 24 weeks’ 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.

iv. The above benefits apply to both full-time and part-time members of academic staff (on a pro rata basis as far as the levels of payments to part-time staff are concerned).

v. In the event that a member of academic 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 academic staff will be asked to sign to accept these terms.

(h) College Parental Leave

i. Members of academic 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: www.exeter.ox.ac.uk/information/policies/employee_handbook

ii. 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.

iii. Full details of entitlements and notification procedures can be found in the relevant policy: www.exeter.ox.ac.uk/information/policies/employee_handbook

(i) Time Off for Dependents

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 academic 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 from www.exeter.ox.ac.uk/information/policies/employee_handbook.
II STIPENDS AND ALLOWANCES

1 Stipends

(a) The stipend of the Rector shall be recommended to the Governing Body by the Remuneration Committee prior to appointment.

(b) The stipend payable in respect of his or her Fellowship to an Official Fellow shall be £200 per annum.

(c) The stipend payable in respect of his or her Lectureship to a Lecturer who is an Official Fellow of the College shall be such sum as will, when added to his/her stipend in respect of his/her Fellowship and any stipend payable to him/her by the University in respect of a Lectureship of the University, make the total at a point on the scale commensurate with skills and experience up to the joint maximum as shown in the tables below, provided that:

i if the University has decided that in the stipend payable to him/her as a Lecturer of the University s/he shall not for a period benefit from incremental progression, s/he 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 him/her if his/her incremental progression as a Lecturer of the University had not been halted; and

ii if s/he holds 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

iii if s/he holds a stipendiary University Readership the stipend shall (unless the Governing Body decides otherwise in any individual case) be such sum as will, when added to his/her University stipend as Reader, make a total which is the sum of (a) the general total at a point in the table for University Lecturers below and (b) the difference between the Joint Maximum for University Lecturers and the Joint Maximum for Readers; and

iv if upon his/her election to an Official Fellowship the College decides, with his/her concurrence, that the number of hours teaching required of him/her shall be smaller than the number which would otherwise be appropriate under Bylaw III 2, the stipend shall be decided by the College in each individual case; and

v 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.

Where applicable, increments are normally effective from 1 August in each year.

(d) The annual stipends of College Officers shall be as shown in the tables below.

Note: in case of necessity, the Dean of Degrees shall be entitled to arrange for some other person to be present for him/her; and the Bursar shall pay that other person the fee stated in the tables below for each occasion, to be deducted from the stipend
of the Dean of Degrees.

2 Allowances in Addition to Stipends

(a) A Housing Allowance at the annual rate shown in the tables below shall be paid to any Official or Research Fellow who resides out of the main Turl Street site. 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.

(b) An Establishment and Entertainment Allowance at the annual rate shown in the tables below shall be available to the Rector in respect of necessary expenses of establishment and necessary entertainment in connection with his/her office.

(c) An Entertainment Allowance at the annual rate shown in the tables below shall be available to any Lecturer who is also an Official Fellow in respect of necessary entertainment in connection with his/her Lecturship. The Entertainment Allowance is spent on entertainment of undergraduate and graduate students, in particular the School’s Dinner.

(d) 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 tables below: Sub-Rector, Chaplain, Academic Dean, Junior Dean, Assistant Junior Dean and the Bursar.

(e) The College will purchase books (and other academic equipment) for academic use in relation to his/her Lecturship for each Lecturer of the College who is an Official Fellow up to the annual amount (known as the Book Allowance) shown in the tables below. 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.

3 Payment of Officers during Sickness

(a) The College shall pay Statutory Sick Pay to those Officers who are eligible in accordance with the appropriate legislation and Bylaw I 3 (c).

(b) 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 CUF and UL lecturers 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).

(c) No deductions shall be made from payments at half pay paid under Bylaw I 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.

(d) Where appropriate, a period of three ‘waiting days’ shall be allowed before any
deductions are made under the provisions of this decree.

(e) The days on which an Officer is required to work are Monday to Friday.

4 Stipend and Allowance Tables with effect from 1st August 2015

Notes: (i) Bylaw II 1 and 2 applies, so that columns 2-4 are for information only;
(ii) subject to Bylaw II 1 and 2, the College totals for Official Fellows who are Lecturers of the College and who hold no stipendiary University appointment will be the same as the General Totals in (b) and (c);
(iii) the amounts listed are annual.

(a) Rector. The stipend of the Rector is as recommended to the Governing Body by the Remuneration Committee.

(b) Stipends of Official Fellows who are Lecturers of the College. The University figure is for information only. The figures include £200 paid for Fellowship duties.

Main Lecturer Grade 10a: salaries with effect from 1 August 2015

<table>
<thead>
<tr>
<th>Scale Point</th>
<th>Total Combined Salary *</th>
<th>UL scales</th>
<th>% from Univ</th>
<th>CUF scales</th>
<th>% from Coll</th>
<th>Faculty Lecturer Univ Coll</th>
<th>% from Coll</th>
</tr>
</thead>
<tbody>
<tr>
<td>42</td>
<td>44,620</td>
<td>37,422</td>
<td>7,198</td>
<td>84</td>
<td>17,731</td>
<td>26,889</td>
<td>50</td>
</tr>
<tr>
<td>43</td>
<td>45,954</td>
<td>38,541</td>
<td>7,413</td>
<td>84</td>
<td>18,261</td>
<td>27,693</td>
<td>50</td>
</tr>
<tr>
<td>44</td>
<td>47,328</td>
<td>39,694</td>
<td>7,634</td>
<td>84</td>
<td>18,807</td>
<td>28,521</td>
<td>50</td>
</tr>
<tr>
<td>45</td>
<td>48,743</td>
<td>40,881</td>
<td>7,862</td>
<td>84</td>
<td>19,369</td>
<td>29,374</td>
<td>50</td>
</tr>
<tr>
<td>46</td>
<td>50,200</td>
<td>42,103</td>
<td>8,097</td>
<td>84</td>
<td>19,948</td>
<td>30,252</td>
<td>50</td>
</tr>
<tr>
<td>47</td>
<td>51,702</td>
<td>43,362</td>
<td>8,340</td>
<td>84</td>
<td>20,545</td>
<td>31,157</td>
<td>50</td>
</tr>
<tr>
<td>48</td>
<td>53,248</td>
<td>44,659</td>
<td>8,589</td>
<td>84</td>
<td>21,160</td>
<td>32,088</td>
<td>50</td>
</tr>
<tr>
<td>49</td>
<td>54,840</td>
<td>45,995</td>
<td>8,845</td>
<td>84</td>
<td>21,792</td>
<td>33,048</td>
<td>50</td>
</tr>
<tr>
<td>50</td>
<td>56,483</td>
<td>47,372</td>
<td>9,111</td>
<td>84</td>
<td>22,445</td>
<td>34,038</td>
<td>50</td>
</tr>
<tr>
<td>51</td>
<td>58,172</td>
<td>48,789</td>
<td>9,383</td>
<td>84</td>
<td>23,116</td>
<td>35,056</td>
<td>50</td>
</tr>
<tr>
<td>52</td>
<td>59,914</td>
<td>50,250</td>
<td>9,664</td>
<td>84</td>
<td>23,809</td>
<td>36,105</td>
<td>50</td>
</tr>
</tbody>
</table>

* = to be updated by Cost of Living, once confirmed

(c) Readers. The Lecturership stipend for Official Fellows who are Lecturers of the College and University Readers depends on the University stipend as Reader (see Bylaw II 1 (c) iii). The Joint Maxima for University Lecturers and Readers are £59,914.
(d) **Stipends of other College officers**

<table>
<thead>
<tr>
<th>Officer</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sub-Rector</td>
<td>6,266</td>
</tr>
<tr>
<td>Finance and Estates Bursar</td>
<td>59,914</td>
</tr>
<tr>
<td>Academic Dean</td>
<td>58,172</td>
</tr>
<tr>
<td>Chaplain</td>
<td>26,882</td>
</tr>
<tr>
<td>Catechist</td>
<td>618</td>
</tr>
<tr>
<td>Fellow Librarian</td>
<td>2,506</td>
</tr>
<tr>
<td>Computing Fellow</td>
<td>2,506</td>
</tr>
<tr>
<td>Editor of the Register</td>
<td>2,506</td>
</tr>
<tr>
<td>Keeper of Archives</td>
<td>815</td>
</tr>
<tr>
<td>Wine Steward</td>
<td>1,200</td>
</tr>
<tr>
<td>Junior Dean</td>
<td>3,363</td>
</tr>
<tr>
<td>Assistant Junior Dean</td>
<td>1,000</td>
</tr>
<tr>
<td>Clerk to the Governing Body</td>
<td>0</td>
</tr>
<tr>
<td>Undergraduate Adviser</td>
<td>258</td>
</tr>
</tbody>
</table>

If the Officer is an Official Fellow, s/he receives in addition £200 per annum as such (see Bylaw II 1 (b)).

The fee to be paid to any person who acts for the Dean of Degrees shall be £120 for each occasion.

(e) **Allowances**

<table>
<thead>
<tr>
<th>1 August 2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>* = to be updated by Cost of Living,</td>
</tr>
</tbody>
</table>
Housing Allowance for Official and Research Fellows * 8,400
Rector's Establishment and Entertainment Allowance 8,715

<table>
<thead>
<tr>
<th>Entertainment Allowance</th>
</tr>
</thead>
<tbody>
<tr>
<td>for:</td>
</tr>
<tr>
<td>Official Fellows who are Lecturers of the College (per FTE Pupil) 51.90</td>
</tr>
<tr>
<td>Advisers-Per Advisee 7.48</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Entertainment Allowance for:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sub-Rector 2,397</td>
</tr>
<tr>
<td>Chaplain 6,071</td>
</tr>
<tr>
<td>Finance and Estates Bursar 584</td>
</tr>
<tr>
<td>Junior Dean 620</td>
</tr>
<tr>
<td>Assistant Junior Dean 310</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Book Allowance for Official Fellows who are Lecturers of the College</th>
</tr>
</thead>
<tbody>
<tr>
<td>611</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Conference and Research Allowance</th>
</tr>
</thead>
<tbody>
<tr>
<td>581</td>
</tr>
</tbody>
</table>

The calculation of the number of pupils and advisees for whom a Fellow is responsible shall be made on the first day of Michaelmas Term.
III TEACHING DUTIES OF LECTURERS WHO ARE OFFICIAL FELLOWS OF THE COLLEGE

1 A Lecturer shall be required to study for the advancement of learning, to offer University lectures or classes under the authority of a Faculty Board, Division or Department, and to undertake such tuition and supervision as is assigned to him or her by the Governing Body on the recommendation of the Tutorial Board.

2 A Lecturer shall have a contractual commitment to teach undergraduates of the University an agreed number of hours, a stint, and may be required by the Tutorial Board to teach up to a maximum of 12 'weighted' hours per week (averaged over the 3 terms of the academic year) and this shall not include University lectures, classes etc. or graduate supervision; provided that in the case of a Lecturer who holds a University Lecturership other than CUF the maximum number required shall normally be 6 'weighted' hours per week, and in the case of a Lecturer who is a University Reader the number required shall be the same as the maximum number of hours per week of College teaching permitted to the Reader by the terms of his/her University appointment (normally 6 or 8 'weighted' hours). The Tutorial Board may agree to reduce the stint of a Lecturer for a defined period if the Lecturer is in receipt of special research funding or is holding a College or University Office. In these circumstances the provisions of clause 6 will relate to the reduced stint while those special arrangements remain in force. A Lecturer shall be required to record his or her teaching, including teaching by exchange, on OxCORT or such other system as may be used to record teaching in the University.

3 A Lecturer may be required by the Tutorial Board to undertake the teaching of undergraduates who are not members of the College so as to bring his or her 'weighted' teaching hours up to 12 or 6 per week as the case may be (averaged over the 3 terms of the academic year), but not to a higher number than 12 or 6 as the case may be.

4 A Lecturer shall not undertake any teaching which interferes with the proper discharge of his or her duties under clause 1 above. S/he shall not undertake any regular teaching commitment to another College, or to another institution except the University, without the approval of the Tutorial Board. Subject to these conditions s/he may undertake teaching of undergraduates or others who are not members of the College.

5 A Lecturer's undergraduate teaching hours (including hours of undergraduate teaching under clause 4) shall not exceed 12 'weighted' hours per week, averaged over the three terms of the academic year, except with his or her own consent, and in no case shall they exceed 17. The meaning of 'hours' shall be determined in accordance with recommendations made from time to time by the Senior Tutors’ Committee, unless the Tutorial Board determines otherwise. 'Weighted' hours shall be calculated as one single tutorial = 1 weighted hour; one paired tutorial = 1.25 weighted hours; one tutorial of three or more students = 1.5 weighted hours.

6 A Lecturer may receive special remuneration for any undergraduate teaching done in excess of 12 or 6 'weighted' hours per week as the case may be (averaged over the three terms of the academic year), in accordance with arrangements agreed from time to time by the Tutorial Board. Currently, each hour of such 'overtime' will be remunerated at the rate of one 'single' tutorial hour per hour taught over stint. A Lecturer shall not be entitled to any special remuneration for undergraduate teaching unless s/he has taught and recorded her or his full stint.
It shall be the responsibility of the Academic Dean to secure each term a statement of the undergraduate teaching hours of each Lecturer and to inform the Bursar during Trinity Term of any extra payments due to Lecturers in respect of the current academic year under clause 6 above.

Payment in respect of tuition given by a Lecturer to undergraduates who are not members of the College shall (unless tuition is given by exchange) be charged to the societies of which those undergraduates are members, at rates approved by the Tutorial Board, and shall be made to the Bursar. Special arrangements shall pertain to the teaching of Williams College Visiting Students on the Williams-Exeter Program at Oxford (WEPO). The stint relating to the Rankin Fellow and the Boskey Fellows shall be recorded in the WEPO agreements. If any Lecturer who has not taught his/her full stint is asked to teach a WEPO student, that tuition shall be counted as contributing to that Tutor’s stint. If a Tutor who has fulfilled his/her stint teaching College undergraduates or undergraduates by exchange, or is on course to do so over the academic year, is asked, in addition, to teach a WEPO student, payment at the WEPO hourly rate will be made by Williams College direct to the Tutor and not to the Bursar as provided for above. For the avoidance of doubt, a Lecturer who is under stint must not accept ad hominem payment for such Williams teaching, but count it as stint, and at the same time, if a Lecturer has taught in excess of his/her stint, the teaching of WEPO students will be excluded from the calculation of the excess for the purposes of such ‘overtime’ payment as provided for in clause 6.

In the case of a Lecturer who holds a post in the University under conditions which restrict his/her maximum teaching hours to fewer than the number which might otherwise be required under clause 2 above, special arrangements shall be made by the Governing Body in view of the particular circumstances.

In this Bylaw, ‘undergraduate’ shall include all those engaged in a course of study which would normally render them liable to pay College fees at undergraduate level.
IV POWERS AND DUTIES OF OFFICERS OF THE COLLEGE

1. The Rector shall:
   
   (a) reside in the College during Term and during such other times as the conduct of College business shall require his/her 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 his/her discretion, leave for the use of the Hall, Chapel, Lodgings Drawing Room and Lodgings Dining Room for any purpose (see also 2 (d) and 3 (g) below);

   (e) arrange the assignment of rooms to undergraduates in such manner as s/he shall think fit;

   (f) 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;

   (g) act as Freedom of Information Officer.

2. The Sub-Rector shall:
   
   (a) have direct responsibility for welfare and discipline of the undergraduate and graduate members of College;

   (b) arrange for the Matriculation of members of the College;

   (c) incorporate in the "Red Book" of rules and regulations all College Orders and other regulations affecting undergraduates, and submit any revisions recommended by the Rules Committee at the Stated General Meeting in June each year for approval, amendment or rejection;

   (d) grant, at his/her discretion, leave for the use of the Hall and Chapel for performance of College concerts and for meetings of College clubs and societies (see also 1 (d) above and 3 (g) below);

   (e) grant, at his/her discretion, leave for the use of the Saskatchewan Lecture Room, the Quarrell Room, the Morris Room, the Stapeldon Room and the Old Bursary for any College purpose (see also 3 (g) below).

   (f) 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.

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 Bursar to implement Bylaw III 7;
(c) inform the Bursar at the end of each term of the payments for tuition due to persons who are not stipendiary Lecturers of the College;

(d) calculate in accordance with the general rate agreed under Bylaw III 6 the extra payments due to stipendiary Lecturers of the College who are not Official Fellows 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 Bursar of the payments due;

(e) collect at the end of each term reports on the progress of undergraduates tutored by persons who are not Fellows or Lecturers of the College;

(f) ensure that all such matters as require the consideration of the Tutorial Board are brought before it;

(g) grant, at his/her discretion, leave for the use of the Hall, the Saskatchewan Lecture Room, the Quarrell Room, the Morris Room, the Stapeldon Room, the Harvard Room and the Balsdon Room 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 1 (d), 2 (d) and 2 (e) above);

(h) 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.

4 The Bursar shall:

(a) oversee the operational finance function and supervise the work of the College Accounts Office;

(b) advise the College on its financial strategy and on the investment and management of the College’s endowment.

(c) be responsible for ensuring the routine maintenance of the College and its Oxford residential properties within any budget that may be agreed by the Finance & Estates Committee;

(d) be responsible for the oversight, financial management and risk management of major capital projects;

(e) advise the College on changes to governance and regulation requiring revision to Statutes, Bylaws or operating practices;

(f) act as College Health and Safety Officer, performing the duties set out in the College Health and Safety Policy;

(g) act as Data Protection Officer.

5 The Chapel shall not be used for any purpose other than the customary College services, except by permission of the Rector, the Sub-Rector and the Chaplain.

6 The Computing Fellow shall oversee the implementation of College IT policy.
V SCHOLARS AND EXHIBITIONERS

1 Elections to undergraduate Scholarships and Exhibitions shall be made by the Governing Body after considering the recommendations of the Tutorial Board.

2 The emolument of a Scholarship shall be £200, and of an Organ Scholarship shall be £320, and of an Exhibition shall be £150; provided that the emoluments of a Scholar or Exhibitioner who holds his/her Scholarship or Exhibition for less than one year shall be reduced pro rata.
VI  COLLEGE MEETINGS

1  **Stated General Meetings** shall be held on the Monday next after the eighth week of full term in June and December respectively, on the Thursday before full term in Michaelmas Term, and on such other days as the Governing Body may from time to time resolve.

2  **Ordinary Meetings** shall be held regularly on the Thursday before full term in Hilary and Trinity terms and on the fourth Wednesday in every full term, and in Hilary Term also on the Monday next after the eighth week of full term.

3  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 his/her absence, by the Sub-Rector).

4  It shall be the duty of the **CONVENER** of each of the Standing Committees (or of some other member of the Committee duly appointed by the convener) to submit to the Governing Body at the College Meeting next after a meeting of the Committee such part of the Committee’s proceedings as requires its consent, and to 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.

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.

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 entered in the Order Book (see also Bylaw I 4).

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.

8  The Governing Body shall invite the President & Secretary of the Junior Common Room and the President & Vice President of the Middle Common Room to attend such portions of each Stated and Ordinary Meeting as the Rector (or in his/her absence the Sub-Rector) shall on each occasion decide. Such persons shall not have the right of voting.
VII COLLEGE COMMITTEES

1 The Finance and Estates Committee shall consist of the Rector, the Bursar, the Academic Dean, three other Fellows of the College, the Deputy Bursar and the College Accountant, with the Development Director in attendance. The Committee shall exercise a general supervision over the finances of the College and advise the Governing Body on the financial policy; it shall also approve the overall budget, revisions to the budget and statutory accounts for the College. 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. At the start of Trinity Term the F & E Committee shall present the budget for the forthcoming year and between each term shall review progress against the budget and investigate any anomalies. It shall 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. The convener shall be the Bursar.

Under College Order 15/170, the Governing Body has approved that in the year 2015/16 the FINANCE & ESTATES COMMITTEE be authorised under Bylaw VII 1 to expend up to £25,000 annually. During times when the Committee is unable to meet (such as the long vacation) and payments need to be made urgently due to unforeseen circumstances, that the Bursar, College Accountant and one other Fellow from F & E jointly be authorised to expend up to £50,000 at any one time.

2 The Investment and Accounts Committee shall consist of the Rector, the Bursar, three other Fellows of the College, four persons who are not members of the College, and the College Accountant. The Committee shall:

(a) manage, monitor and modify stock market investments of the College with the help of professional advisors, and

(b) manage, modify and adapt the College's portfolio of investment properties.

In order to achieve these purposes the Committee shall meet:

i. on a quarterly basis, approximately, to discuss investments (including property investments in general) and portfolio allocation in order to consider the perspective of Old Members who are senior figures in the financial community.

ii. on an ad hoc basis to deal with major project issues relating to investment properties.

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. The convener shall be the Bursar.

3 The Rector and Tutors’ Committee shall consist of the Rector, the Sub-Rector, the Bursar, the Academic Dean and four Official Fellows who are Lecturers of the College, with the Junior Dean, Academic Registrar and Chaplain in attendance. The four Fellows, who shall be nominated by the Rector with the approval of the Governing Body, shall each serve for a period of three years and shall not be immediately re-eligible except by express resolution of the Governing Body. The convener shall be the Sub-Rector.
The Committee shall control the admission of Junior Members (see Bylaw IX 3) and, under the oversight of the Sub-Rector, shall enforce the discipline and promote the diligence of all members of the College who are Junior Members of the University by such regulations 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 Rector and Tutors’ Committee. The Committee shall decide, after consultation with the tutors concerned, whether a Junior Member who is not a graduate student and who wishes to change his/her course of study shall be permitted to do so (see Bylaw IX 3). The Committee may at its discretion 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. All grants, loans and exemptions shall be reported to the Governing Body at its next Ordinary or Stated General Meeting.

In accordance with Statute IV-2(d), the Committee shall appoint, with effect from the start of each academic year, no more than six Fellows to be members of the Undergraduate Adviser Panel, who shall be the Advisers for Junior Members reading for undergraduate degrees; moreover the Committee shall assign each Junior Member who is reading for a postgraduate degree to an Adviser. The Committee shall be responsible for the allocation of all Access (or Hardship) Funds transferred to the College by the University.

Under College Order 15/169, the Governing Body confirmed that in the year 2015-16, the Rector & Tutors Committee is authorised to expend to the following levels:

<table>
<thead>
<tr>
<th>Funded from the Annual Fund:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>College Academic Fund</td>
<td>£12,000</td>
</tr>
<tr>
<td>Sports &amp; Arts Grants</td>
<td>£5,000</td>
</tr>
<tr>
<td>Exonian Bursaries (Hardship)</td>
<td>£31,500</td>
</tr>
<tr>
<td>Research Fund for Fellows and DPhil students</td>
<td>£8,333</td>
</tr>
<tr>
<td>Internship Grants</td>
<td>£5,500</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>£62,333</strong></td>
</tr>
</tbody>
</table>

1 Note that the medical electives and Earth Science mapping project grants are in addition to this figure.

The Tutorial Board shall consist of the Rector, the Academic Dean and all Official Fellows of the College, together with such other Fellows or Officers of the College (if any) as the Governing Body may from time to time add to its number, with the Academic Officer in attendance. The Board may at its discretion invite to its meetings any Lecturer of the College who is not a Fellow, but no such Lecturer shall have a vote on any question under consideration by the Board. The Bursar will receive Minutes and papers in advance and may speak to matters with a financial implication. The Board shall be convened at least once near the beginning of each Term, or more often, as may be found desirable. By custom, such meetings are held on Wednesdays in weeks two and seven of each term. The
Board shall advise the Governing Body on all questions of educational policy, and shall exercise general supervision over the work and studies of members of the College in statu pupillari. In particular it shall make recommendations to the Governing Body on the election of Junior Members of the College to Scholarships and Exhibitions. It shall also make recommendations to the Governing Body about the award of Studentships or other emoluments which are offered for competition among members of the College, and of certain prizes established by Trust (see Bylaw X). The Board may at its discretion award College prizes to Junior Members for academic merit, provided that each such award shall be reported to the Governing Body at its next Ordinary or Stated General Meeting. The convener shall be the Academic Dean.

5 **The Staff Committee** shall consist of the Rector, the Sub-Rector, the Bursar, and normally four other Fellows of the College, with the HR Officer in attendance. The Committee shall determine the conditions of service of the College Staff, and shall control their engagement and dismissal. It shall make recommendations to the Governing Body concerning the salaries of the permanent staff. The convener shall be the Bursar.

6 **The Library and Archives Committee** shall consist of the Rector, the Fellow-Librarian, the Keeper of the Archives, the Bursar and two other Fellows of the College, with the Deputy Development Director, Librarian, Library Assistant, MCR Representative and JCR Representative in attendance. The Committee shall control the College Library and the expenditure of the Library Funds. The convener shall be the Librarian.

7 **The Chapel Committee** shall consist of 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 him/her upon the Committee for so long as s/he holds the office of Chaplain. The convener shall be the Chaplain or if s/he is not a member then the Sub-Rector.

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.

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.

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.

8 **The Domus and Garden Committee** shall consist of the Rector, Bursar and two other Fellows of the College, with the Deputy Bursar in attendance. The Committee shall, when necessary, advise and assist the Rector in matters connected with structural alterations, redecoration and furnishing of the College, and in matters connected with the Gardens. The convener shall be the Rector.
The Fellowship Review Committee shall consist of the Rector, the Academic Dean, four other Fellows of the College, and the Bursar in attendance. The Committee shall advise the Governing Body on all matters connected with Fellowships of the College except those in the jurisdiction of the Remuneration Committee, and shall, in particular, make recommendations on (a) elections to Honorary, Emeritus, and Visiting Fellowships (b) re-election of any Fellow whose tenure is about to end and is eligible for and seeks re-election. Before making such proposals the Committee shall make such enquiries as it sees fit. The convener shall be the Rector.

The Use of the Garden Committee shall consist of the Rector, the Chaplain (if a Fellow) and one other Fellow of the College, with the Deputy Bursar in attendance. The Committee shall advise the College whether to grant permission for the use of the Fellows' Garden. The convener shall be the Rector.

The Fellows' Rooms Committee shall consist of the Rector, Sub-Rector and two other Fellows of the College, with the Academic Dean in attendance. The Committee shall advise the Governing Body annually on the assignment of rooms to Fellows. The convener shall be the Bursar.

The Health and Safety Committee shall consist of the Rector, the Bursar, one other Fellow of the College, and members of the College Staff appointed ex officio. The Committee shall exercise general supervision over implementation of the College's Health and Safety Policy and shall advise the Governing Body on necessary changes to that Policy. The Committee shall render an annual report to the Governing Body each Hilary Term as required under Bylaw XIV 3. The convener shall be the Bursar.

The Equality Review Committee shall consist of the Rector, the Sub-Rector, the Bursar, the Academic Dean, the Harassment Officers, the Presidents of the Junior and Middle Common Rooms (or their representatives), the Academic Registrar, HR Officer, and Junior Dean, affirmed by such other College members and members of College staff as may, in the opinion of the Rector, most accurately reflect the diversity of backgrounds and experiences within the College. The Committee shall 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 staff, students, contractors and suppliers, visitors and others closely associated with the College. The Committee shall meet termly and shall report to the Governing Body annually in Hilary Term as to the effectiveness of the College's equality policies and procedures. The convener shall be the Sub-Rector.

The IT Committee shall consist of the Rector, the Computing Fellow and three other Fellows; if possible, one from the Sciences and one from the Arts. The three Fellows shall be nominated by the Rector with the approval of the Governing Body. The Bursar, Development Director, Academic Registrar, College Accountant, Computing Systems Manager and a representative each from the MCR and JCR shall be in attendance on the Committee but shall have no voting rights.

The Committee shall be responsible for providing IT policy advice to Governing Body and for the formation of long-term strategic developments in College IT. It shall review and advise the Finance & Estate Committee on the annual IT budget and any significant capital items, and endorse any changes to the College Rules regarding IT. It shall be responsible for monitoring progress of all IT projects within College, monitoring day-to-day computing activities and agree equipment and resource allocation priorities. The Convenor shall be the Computing Fellow.
15 The Development Committee shall consist of the Rector, Bursar, Academic Dean, Development Director, two other Fellows and the College Accountant. The two Fellows shall be nominated by the Rector with the approval of the Governing Body. The Chairman 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 Committee shall review the main fund-raising and alumni relations related activities of the Development Office. It shall ensure alignment between Development Office goals and activities and those of the Fellowship. It shall examine resources available for meeting those goals and make recommendations. The convenor shall be the Development Director.

16 The Buildings Committee shall consist of the Rector, Bursar, Sub-Rector, Academic Dean, Director of Development (in attendance or full member depending on Fellowship status), two other Fellows, the Deputy Bursar and College Accountant, together with external invitees (e.g. architect, lawyer, alumnus) when appropriate.

The Committee shall meet a minimum of twice per term and once in the summer vacation. The Committee shall be responsible for considering proposals regarding buildings and property development work arising from the College’s policies, and in consultation with other relevant committees, for making reports and recommendations to Governing Body, and in addition for monitoring progress of existing projects and reporting to the Governing Body. The convenor shall be the Bursar.

17 The Governance and Policy Committee shall consist of the Rector, the Sub-Rector, the Bursar and three other Fellows. The Committee shall review College Statutes and Bylaws from time to time and shall be responsible for guiding the College on matters of University and Charity regulation. The Committee shall 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. The Committee shall have responsibility for maintaining the Standing Orders of the College. The convenor shall be the Bursar.

18 The Gift Acceptance Committee shall consist of the Rector, the Bursar and normally two other Fellows, with the Development Director in attendance. 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 him/her. 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. The convenor shall be the Rector.

19 The Remuneration and Benefits Committee shall consist of a minimum of five members proposed by the Finance & Estates Committee, as and when required, and approved by the Governing Body, with the Rector, Bursar and one tutorial Fellow in attendance. Voting members 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 Committee shall 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. The Committee shall 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. It shall also keep under review, and advise the Governing Body, on the financial benefits provided to Governing Body Fellows. 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. The convener shall be the Committee Chair.

**All Members of the above Committees** who are not such *ex officio* shall, subject to the provisions of Clause 2, be elected annually at the Stated General Meeting in the Trinity Term to serve from the first day of September following, and any member so elected shall be eligible for re-election. 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, when they shall be re-eligible. 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 his/her absence the Sub-Rector if s/he 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.

**The Duties of the Convener** of each of the above Committees shall be to notify members of the time and place of meetings that have been arranged, to summon any extra meetings which the Rector, or the convener in consultation with the Rector, shall deem necessary, to circulate any papers that may be necessary, to submit the proceedings of the Committee to the Governing Body so far as is required under Bylaw VI 4, and to keep Minutes of the Committee’s proceedings, which shall be signed by the Rector.

For the **Rules Committee** and the **Appeals Committee** see Bylaw XIII.

**Election For Appointment Committees** In any case where the Governing Body has decided in principle to make an election to an Official Fellowship and Lecturership of the College, or a Fellowship by Special Election and Lecturership of the College, an *ad hoc* Committee normally consisting of the Rector, the Academic Dean, and three other Fellows of the College, or in the case of a CUF joint appointment, two other Fellows of the College, shall be appointed to liaise with any University or Departmental Committee appointing to a University post to be held in conjunction with the College post; or in the case of a UL joint appointment, the College will appoint two Fellows who shall normally be the Academic Dean and one other; to advertise the Fellowship, and issue further particulars; to draw up a short list of candidates for interview by the Committee and the College; and to make a report to the College on the merits of the short-listed candidates. The convener shall be the Academic Dean.

In any case where the Governing Body has decided in principle to make an election to a Research Fellowship of the College, an *ad hoc* Committee consisting of the Rector and three other Fellows of the College should normally be appointed to advertise the Fellowship and issue further particulars; to draw up a short list of candidates for interview by the Committee and the College; and to make a report to the College on the merits of the short-listed candidates. The Committee shall consult with such persons as it sees fit. The convener shall be the Rector.
VIII  CUSTODY OF THE COMMON SEAL

The Common Seal and its keys shall be in the charge of the 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. 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 s/he thinks unworthy of further consideration.

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 s/he thinks unworthy of further consideration.

3. Subject to clauses 1 and 2 the Rector and Tutors’ Committee shall control the admission of Junior Members and shall have authority to grant or refuse admission.

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 Rector and Tutors’ Committee (see Bylaw VII 3), such permission being normally restricted to courses of study which the College usually provides.
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 Tutorial Board:

(a) **Alstead Prize** (1992), awarded to a person reading Jurisprudence in his or her 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 his or her 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 his or her 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 his or her final year;
(o) **Patrick Mathematics Prize** (1967), awarded to a person reading Mathematics in his or her 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 his or her 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.

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.

(d) **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.

(e) **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.

(f) **Helen Taylor Prize** (2014), awarded to the highest-achieving Medical Sciences student at Exeter College in first year examinations.
XI PENSIONS

1 Approved Pension Schemes

The following pension schemes are approved by the Governing Body:

- The Universities Superannuation Scheme (USS)
- The National Health Service Superannuation Scheme (NHSSS)
- The Oxford University Staff Pension Scheme (OSPS)
- Church of England Pension Scheme (CoE)
- National Employment Savings Trust (NEST)

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 prescribed in 2(b).

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

(a) 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.

(b) The rates at which Members and the College shall contribute shall be 7.5% and 16% respectively of the Member’s annual stipend as defined in (a) above for those members in the Final Salary Scheme. For those members in the Career-average scheme (CARE), the contributions shall be 6.5% and 16%, respectively.

(c) Nothing in this Bylaw shall be taken to affect the vested interest of a member of either the Federated Superannuation System for Universities or the National Health Service Superannuation Scheme.

(d) All those to whom membership of the Universities Superannuation Scheme is open shall be contractually enrolled into the scheme. The member can choose to opt out of the scheme after they have been enrolled, but they will continue to be subject to auto-enrolment regulations should they choose to do so.

3 Oxford University Staff Pension Scheme

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.

The University of Oxford is the principal employer in relation to the scheme and acts in consultation with staff, the associated employers and the current trustees. Five trustees are appointed by the Council of the University and five other trustees (who must be active members or pensioners of the scheme) are appointed by staff representative bodies.

The chairman of trustees is appointed personally by the Vice-Chancellor after consultation with all of the other trustees. Each trustee is appointed for a term of three
years and is eligible for reappointment upon expiry of each term.

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 61. 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.

Eligible employees will be contractually enrolled into the scheme, but can choose to opt out once they have been enrolled. These employees will continue to be subject to the auto-enrolment regulations should they choose to opt out. Members can choose to contribute 5.6%, 6.6% or 7.8% of their basic salary to the scheme, with different accrual rates pertaining to the different levels. The College contribution is as recommended by the trustees and is currently 21.5% of basic salary.

Day-to-day liaison with OSPS is undertaken by the Bursar and matters requiring action or note to be taken by the College shall be introduced through the Staff Committee. Where matters affect contribution rates, they shall additionally be scrutinised by the Finance & Estates Committee.

4 Church Of England Pension Scheme

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

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 LOANS**

The College may make a mortgage loan to enable a Fellow to buy or improve a house or flat in accordance with the following scheme.

1. The College loan may be made to a Fellow, other than a Junior Research Fellow, who is a member of the Governing Body and who resides or intends to reside in a house or flat of his/her own ownership (the "property") in or in the vicinity of Oxford, and shall be on the mortgage of that property.

2. The mortgage may be a first mortgage or a second mortgage.

3. If such a Fellow is married, the property in which s/he resides or intends to reside shall either be purchased in the joint names of the Fellow and his/her spouse and the loan shall be made to and the mortgage shall be made by the Fellow and his/her spouse jointly, or if the property is purchased or already owned in his/her own name, his/her spouse shall in writing postpone her/his rights and interests (if any) in the property to the rights of the College under the mortgage.

4. Either
   
   (a) The loan shall equal the difference between 110% valuation of the property and the largest amount that can reasonably be obtained from a Building Society or other mortgagee approved by the College and shall not exceed £10,000, and the total of all loans on the property shall not exceed the purchase price of the property;
   
   or
   
   (b) The loan shall be not more than £6,000 or at the time the loan is made one half of the Fellow’s combined College and University annual stipend (whichever is the less); provided that in either case the borrower shall effect a mortgage protection policy under the College’s Group Scheme for the full amount of the College’s loan, the premiums on such a policy to be paid by deduction from the Fellow's stipend where possible, and the policy to be held by the College by way of additional security for the loan.

5. If the loan is a second mortgage the Borrower shall produce evidence to the College that the First Mortgagee has been informed of and approves the proposed loan.

6. The property shall be insured throughout the period of the loan for its full current value, but the College will rely on the cover arranged by a prior mortgagee if the College’s interest is noted on the insurance policy.

7. The loan shall be repaid by annual sums over an agreed period which shall not exceed twenty-five years in accordance with a scheme which shall be agreed between the mortgagor or mortgagors (as the case may be) and the College.

8. Interest shall be charged on the outstanding part of the loan at a rate equal to the market rate. The interest shall be paid monthly in arrear and deducted from stipend where possible. For this purpose "market rate" shall be taken to mean the lending rate from time to time advised by Abbey National plc, or if no such rate is advised then the rate most commonly charged by Building Societies from time to time.

9. It shall be a term of the mortgage that the College may call in the loan or the Fellow or the Fellow and his/her spouse (as the case may be) may repay the loan at the expiration of six months’ notice in writing given by either party to the other party expiring on any date.
10. The loan shall also be repayable on the death of the Fellow, on his/her ceasing to be a member of the Governing Body, or on his/her ceasing to reside in the property whether or not his/her spouse continues to reside there.

11. Notwithstanding Sections 99 and 100 of the Law of Property Act 1925 if it should transpire that the Fellow wishes to allow some part of the mortgaged premises to be occupied by some third party jointly with the Fellow and his/her family, s/he shall first apply for the written consent of the College to do so, which the College shall have an absolute discretion to grant or refuse.

12. The powers of leasing or agreeing to lease and of accepting the surrender of leases conferred on a mortgagor in possession by Sections 99 and 100 of the Law of Property Act 1925 shall not apply to the mortgage and the mortgagor will not without the written consent of the College create any tenancy or lease or part with possession of the mortgaged premises.
XIII DISCIPLINE

1 Responsibility for Discipline

College discipline is the responsibility of the Rector and Tutors’ Committee, but its day-to-day administration is the duty of the Sub-Rector assisted by the Junior Dean and Assistant Junior Dean.

2 Conduct of Junior Members

(a) Junior Members of the College shall observe a standard of conduct appropriate to the purpose of the College as an academic and residential community.

(b) 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.

3 The Rules Committee

(a) The Rules Committee shall consist of the members of the Rector and Tutors’ Committee, together with two undergraduates qualified to be full members of the Stapeldon Society and one graduate qualified to be a full member of the William Petre Society, to be appointed by the Stapeldon Society and the William Petre Society respectively.

(b) The Rules Committee shall meet in Trinity Term, and at such other times as may be necessary in order to consider the rules included in the Red Book.

(c) The Sub-Rector shall submit the Committee’s recommendations for the approval of the Governing Body.

4 Disciplinary Procedure

(a) Preliminary stages of the disciplinary procedure

i. The disciplinary procedure may be initiated by any member, employee or agent of the College 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.

ii. Where the seriousness of an alleged breach of the Disciplinary Code justifies it, the Sub-Rector shall have the authority to suspend the Junior member with immediate effect, for as long as the disciplinary procedure is in operation.

iii. All judgments in this disciplinary procedure and any appeals will be made on the balance of probabilities.

iv. Where a Junior Member has been found guilty of an offence, an official record will be kept. Where this was a decision taken by the Sub-Rector, Junior Dean or Assistant Junior Dean under 4(c) i-v below or by the Minor Appeals Committee in 6(f) below, this record shall remain on file for 6 months. Where this was a decision taken by Rector and Tutors’ Committee under 4(d) i-iii
below, or by the Major Appeals Committee under 7(e) below, this record shall remain on file for 18 months.

v 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.

(b) Breaches also contravening other University or criminal codes

i. The Sub-Rector or the Junior Dean may refer an alleged offence to the Police or the Proctors. If an alleged 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.

ii. Any Junior Member who has been rusticated by the University will be rusticated for the same period by the Rector and Tutors' Committee; and the Rector and Tutors' 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 offender a hearing.

(c) Disciplinary proceedings before the Sub-Rector or Junior Dean

i. 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.

ii. At the interview the Sub-Rector or Junior Dean shall inform the alleged offender of the offence, and provide him/her with an opportunity to answer the case against him/her.

iii. If the Sub-Rector or Junior Dean finds the charge proved, he/she shall either (a) impose such penalty, if any, as s/he thinks fit, not exceeding two weeks' rustication or prohibition from entering College property; or (b) refer the matter to the Rector and Tutors' Committee.

iv. At any stage of the disciplinary procedure the Sub-Rector may refer the matter to Rector and Tutors' Committee.

v. 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.

(d) Disciplinary proceedings before a panel of Rector and Tutors' Committee

i. If an alleged offence is referred to the Rector and Tutors' 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.

ii. The panel shall, as soon as is conveniently possible, summon the alleged offender and any witnesses to a hearing, giving at least 24 hours' notice. The notification of the hearing shall include particulars of the alleged offence.

iii. If the panel finds the charge proved, it shall so report to the Rector and Tutors' 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 offender and shall advise the Governing Body to expel the offender.
Disciplinary proceedings before the Governing Body

i. The Governing Body may expel a Junior Member from membership of the College on the advice of the Rector and Tutors' Committee or the Major Appeals Committee.

ii. The Junior Member shall have no right to make further representations (whether oral or written) to the Governing Body.

5 Appeals

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 Rector and Tutors' Committee's disciplinary decisions or its advice to the Governing Body to expel a Junior Member. For this purpose, disciplinary decisions of the Rector and Tutors' 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.

6 The Minor Appeals Committee

(a) The Minor Appeals Committee shall consider appeals by Junior Members against the disciplinary decisions of the Sub-Rector or Junior Dean under clause 4 (c) above. Appellants must deliver notice of appeal to the Sub-Rector within one week of the decision being communicated to them.

(b) The Committee shall consist of the Rector, or in his/her absence a Fellow of the College nominated by the Rector, who shall act as chairman; two persons (other than the Sub-Rector and Junior Dean) appointed by the Rector and Tutors' Committee from among its own members; and one or two Junior Members of the College, who shall sit only if the appellant so wishes.

(c) The Junior Members of the Committee shall be chosen, when required, by lot from a list, drawn up at the beginning of each Hilary Term and taking effect from the beginning of the following Trinity Term, of those Junior Members who intend to be in residence for that Trinity Term and the two terms following and who shall signify their willingness, if chosen, to serve on the Committee. In the event of any Junior Member chosen from the list declining to serve, the selection by lot shall continue until two Junior Members shall have consented to serve or until six Junior Members shall have declined to serve.

(d) The role of the Committee shall be to determine:

i. if there has been a proper interpretation of the rules;
ii. if the punishment is appropriate;
iii. if the proper procedures have been followed;
iv. that, with respect to the facts, the conclusion reached has not been perverse.

(e) Subject to 6(d) above, there shall be no appeal on the facts, and the Committee shall not make a finding on the facts.
(f) The Committee shall determine its own procedure, provided that:

i. the appellant shall have an opportunity to appear before it to state his/her case and to answer the case against him/her in writing or orally or through his/her Adviser or through any other person s/he may choose to represent him/her at his/her choice;

ii. 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 Rector and Tutors’ Committee;

iii. the Sub-Rector or Junior Dean shall have an opportunity to appear before it to justify his/her actions; and

iv. decisions of the Committee shall be taken by a simple majority of those members present and voting.

(g) If the Committee receives information which it believes to be relevant and believes not to have been considered by the Sub-Rector or the Junior Dean, it shall ask the Sub-Rector or Junior Dean to reconsider its decision or its penalty or both, and shall proceed with determining the appeal after that reconsideration has been reported to it.

(h) 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.

7 The Major Appeals Committee

(a) The Major Appeals Committee shall consider appeals by Junior Members against the disciplinary decisions of the Rector and Tutors’ Committee or against the advice of the Rector and Tutors’ 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.

(b) The Committee shall consist of three Fellows of the College nominated by the Rector who have not been involved in the case previously.

(c) The role of the Committee shall be to determine:

i. if there has been a proper interpretation of the rules;

ii. if the punishment is appropriate;

iii. if the proper procedures have been followed;

iv. that, with respect to the facts, the conclusion reached has not been perverse.

(d) Subject to 7(c) above, there shall be no appeal on the facts, and the tribunal shall not make a finding on the facts.

(e) The Committee shall determine its own procedure, provided that:

i. the appellant shall have an opportunity to appear before it to state his/her case and to answer the case against him/her in writing or orally or through his/her Adviser or through any other person s/he may choose to represent him/her at his/her choice;
ii. 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 Rector and Tutors’ Committee;

iii. the Sub-Rector or other representative of Rector and Tutors' Committee shall have an opportunity to appear before it;

iv. if the Committee receives information which it believes to be relevant and believes not to have been considered by the Rector & Tutors' Committee, it shall ask the Rector & Tutors' 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;

v. decisions of the Committee shall be taken by a simple majority of those members present and voting.

(f) 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 Rector & Tutors’ 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.

8 Disciplinary Code

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 his or her 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 his or her 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) 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 of 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.

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’.

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’.
XIV HEALTH AND SAFETY

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.

2 The Governing Body shall review its health and safety policy annually and authorise the incorporation of those proposed amendments of which it approves.

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.

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  ACADEMIC STAFF

Redundancy Procedure

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

Stage 1 - Governing Body Meeting (Clause 10(2) of Statute XII)

1.1 In the event that a reduction in academic 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 s/he 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, s/he shall be entitled to seek a postponement of the meeting by written notice to the Rector to be delivered to him/her 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 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 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.

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 who appear to be personally affected or likely to be so affected shall be chosen. No member 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 s/he...
has 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).

**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 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 he/she considers 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 his/her choice.

3.4 The Governing Body may request a member of the Redundancy Committee (where appointed), being the Chair or his/her 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 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 his/her 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 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.

All the above procedures also refer to Academic-Related staff.
Disciplinary Procedure

1 Informal Stage

Where it appears to the Rector that the conduct or performance of a member of academic 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 his/her 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 him/her.

2 Disciplinary Warnings

2.1 In any case where it seems to the Rector that the performance and/or conduct of a member of academic 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 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 him/her 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. S/he shall have the opportunity to be accompanied or represented by a colleague or representative from any professional body or trade union of which he/she is 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.

(a) 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.

(b) **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.

(c) **Stage 3: Appeals**

In the event that either an oral or a written warning is issued, the person concerned shall be notified of his/her 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**

In any case before the Rector on a complaint under Statue XII, Clause 14(1), s/he 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 the Statute. The Rector may suspend the person concerned at this stage in accordance with Clause 14(3).

3.1 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.

3.2 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 his/her 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.
3.3 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.

3.4 The person charged shall notify the prosecutor of any representative s/he has appointed to act for him/her, which may be a legal representative, and any further communications shall be addressed to the person charged and to any representative appointed by him/her. 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.

3.5 The Committee Chair may make any interlocutory directions s/he considers 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 his/her 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 s/he considers 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 s/he may request the Rector to consider the suspension of the person charged under Clause 14(3).

3.6 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.

3.7 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 he/she wishes to rely, a list of his/her 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.

3.8 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.

3.9 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 him/her 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.
3.10 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 his/her 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.

3.11 Subject to the right of the person charged, his/her 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.

3.12 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.

3.13 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 his/her 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.

3.14 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.

3.15 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.

3.16 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.

3.17 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 his/her representative in addition to the other parties specified in Clause 19 of the Statute. The person charged shall be notified of his/her right of appeal against the decision or against any recommendation of the Committee as to penalty.

3.18 Where any charge has been upheld and the Committee has recommended dismissal, the Rector or his/her 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.

3.19 If the Rector decides to dismiss the person charged s/he may do so forthwith or upon such terms as s/he considers fit. If the Rector decides not to dismiss, the
actions s/he 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.

3.20 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.

3.21 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.

The above ByLaw shall also apply to Academic-Related Staff.
Procedure for Removal on Medical Grounds

1 Preliminary Stage

Where from the conduct or performance of a member of academic 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 his/her 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 him/her. As required by the Disability Discrimination Act 1995, no-one shall be discriminated against on grounds of disability.

1.1 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 his/her full contractual duties. If the Rector considers it advisable, s/he 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 him/her 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.

1.2 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 his/her 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 him/her 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 Clause 23(1)(c) s/he shall ensure that the member
of staff has adequate access to materials and/or colleagues to enable him/her 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 his/her 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 him/her 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 him/her. 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, he/she 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 he/she 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 s/he has nominated to act for him/her, 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 s/he thinks 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.
A Notice of Appeal against any decision under Parts II, III, IV or VII of the Statute, except an appeal against an oral or a written warning under 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 s/he has done so. If in all the circumstances of the case the Rector in his/her discretion considers it appropriate s/he 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 his/her position in the College pending the outcome of the appeal.

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.

In the event that the notice of appeal is not served in time in accordance with Clause 28 of the Statute, the Chair shall 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.

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.

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 him/her 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.

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 his/her right at his/her 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.

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.

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.
Except as provided in Clause 8 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 him/her to represent him/her.

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.

Subject to the provisions of the Statute and of this By-law, the Appeal Body shall determine its own procedure. The Chair may at his/her 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.

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 s/he 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.

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 he/she considers appropriate.

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.

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.

This Bylaw also applies to Academic-Related Staff.
XIX ACADEMIC STAFF

Grievance Procedure

1  Bringing a Complaint

1.1 A member of academic staff to whom this Statute applies may bring a complaint under Clause 34(1) of the Statute about the matters specified in Clause 33 provided that s/he has 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 s/he wishes 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 him/her) shall consider any complaint made to him/her as quickly as is reasonable and shall take steps to investigate the matter. At this stage s/he may appoint one or more people to investigate the issues on his/her 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 his/her 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, s/he shall so inform the complainant and invite his/her 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 him/her including dismissing the complaint. The Rector shall notify the complainant of the decision at the earliest opportunity.

2.4 Provided that he/she acts 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, s/he 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, s/he 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, s/he 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 s/he sees 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 s/he 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.

This procedure shall also refer to Academic-Related Staff.
**XX EMPLOYER JUSTIFIED RETIREMENT AGE**

**Policy and Process**

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.

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.

**PART I: THE POLICY**

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.

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.

2.2 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.

2.3 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\(^1\) (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.

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:

- Safeguarding the high standards of the College in teaching and research;
- 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;
- Refreshing the academic and research workforce within the College as a route to maintaining the Collegiate University's position on the international stage;
- Facilitating succession planning by maintaining predictable retirement dates, especially in relation to the Collegiate University's joint appointment system; and
- 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.

Hereafter, references to 'academic staff' 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 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

\(^1\) 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).
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 section 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:

- 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; and
iv. Could not be completed on an employment contract with fewer working hours or of a shorter duration?

- Are there any special personal circumstances that would properly justify exceptional treatment?
- Will the proposed extension result in the creation of career development opportunities for others that would not otherwise have been created?
- 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)?
- 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?
- 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.

PART II THE PROCESS

(a) Notification and Discussions

The College has adopted the following procedure for considering requests from individuals who are due to retire on or after reaching the EJRA, and who wish to extend their employment (and are not precluded from so doing under the terms of any individual agreement).

**Step One – Notification**

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<tr>
<th>Step One: Notification</th>
<th>2 years 6 months before retirement date (30 March preceding 67th birthday)</th>
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<tr>
<td>Head of Division issues reminder about retirement date</td>
<td>Rector issues reminder about retirement date</td>
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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.

**Step Two – Discussions**

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<th>Step Two: Discussions</th>
<th>The next six months from April to September</th>
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<tr>
<td>Informal discussions if employee wishes to continue</td>
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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 his/her 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.

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.

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.

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.

It is also expected that:

i. 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;

ii. 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

iii. the individual, if granted an extension of their employment, will normally step out of their membership of the Governing Body.

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 his or her pension to supplement a reduced salary.

All post-EJRA employment will be on a fixed-term contract.

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.
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.

(b) Submission and consideration of the request to continue

*Step Three – Request to continue*

| Step Three: Request to continue | No later than 2 years before the retirement date | Request to continue working to Director of Human Resources (University) | Request to continue working to Rector |

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.

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.

The submission to the College should consist of, and set out clearly:

a) The request as made by the member of staff, including:
   - 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;
   - the duties or project to be undertaken in the course of the proposed extension;
   - 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;
   - 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; 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 he/she is 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.

The member of staff should be invited to append to the submission any supporting material s/he may consider appropriate.

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.

**Step Four – Consideration of request**

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.\(^2\)

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.

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\(^2\) 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. For more information, see ‘Step Eight: Appeal’ below.
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.

The panel will consider the request in the light of the Aims and the considerations set out in Part I section 5 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.

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.

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.

**Step Five: The panel makes a recommendation**

| Step Five: College panel makes recommendation | As soon as possible | College panel makes recommendation with respect to College employment |

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.

**Step Six: Communication**

| Step Six: Communication | As soon as possible | College panel notifies College, individual and any other employers of its recommendation |

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.
Step Seven: College makes decision

As soon as possible

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.

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 Step 1 above, and shall set an appropriate time limit in place of that set out in Step 3 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.

Step Eight: Appeal

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.

The College shall make arrangements to hear any appeal against a decision made under Step 7. The body or individual hearing the appeal must be separate from the body or individual making the decision.³

The appeal panel shall inform the College, employee and any other employer as relevant, of this decision.

³ 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 s/he considers 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, and one other person.