

## STATUTES OF CHRIST CHURCH OXFORD

### PREAMBLE

In 1525 Cardinal Wolsey obtained by letters patent permission to found a College on a magnificent scale, and the first stone of Cardinal College was laid on 17th July 1525. All the revenues of this Foundation fell to King Henry the Eighth on Wolsey's attainder in 1529.

A second Foundation under the name of King Henry the Eighth's College lasted only from 1532 to 1545, when the College was suppressed and its possessions again reverted to the King.

He then established, in November 1546, the Collegiate Foundation, styled "Ecclesia Christi Cathedralis Oxon: ex fundatione Regis Henrici Octavi", traditionally known as "the House". The corporate designation of the House remains, to the present day, "The Dean and Chapter of the Cathedral Church of Christ in Oxford of the Foundation of King Henry the Eighth".

The Foundation of 1546 consisted of a Dean, 8 Canons, 100 Students (to which number one was added in 1664), 8 Chaplains, an Organist, 8 Lay Clerks, 8 Choristers, and 24 Almsmen.

King Henry the Eighth died within a few weeks of its foundation without having signed any Statutes for the House. The King's draft Statutes formed the basis on which the House was governed without material alteration for more than three hundred years, until Ordinances were drawn up for Christ Church by the first Oxford University Commission in 1858 in exercise of powers conferred by the Oxford Act 1854. These were replaced by The Christ Church, Oxford, Act 1867. The Statutes then conferred were modified by successive Commissions in 1882 and 1926, and by various Orders of Her Majesty in Council since then, including major revisions in 1963 and in 2011.

These Statutes are made wholly for Christ Church within the meaning of the Universities of Oxford and Cambridge Act 1877, section 30, as set out in the Schedule to the Universities of Oxford and Cambridge Act 1923.

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## THE FOUNDATION, THE FABRIC AND THE GOVERNING BODY

### I. - CONSTITUTION OF THE HOUSE; THE GOVERNING BODY AND ITS GENERAL POWERS

#### *1. The Foundation and membership of the House*

(a) The Foundation of the House shall consist of the Dean, Canons, Students and Scholars, together with the Cathedral Chaplains, Schoolteacher, Organist, Lay Clerks and Choristers attached to the service of the Cathedral Church.

(b) There are six Residentiary Canonries, and there may be up to two Lay Canonries. Four of the Residentiary Canonries are annexed respectively to the Regius Professorships of Divinity, and Moral and Pastoral Theology, the Lady Margaret's Professorship of Divinity, and the Archdeaconry of Oxford. The person appointed by the Crown to hold the Regius Professorship of Ecclesiastical History shall during the currency of the appointment hold either a Residentiary Canonry or a Lay Canonry.

(c) There shall be at least one Cathedral Chaplain, but the Dean and Chapter shall have the power to appoint additional Cathedral Chaplains.

(d) For the purpose of these Statutes:-

(i) "Canons" means the holders for the time being of the Residentiary Canonries referred to in sub-clause (b) of this clause, together with (if a Lay Canon) the Regius Professor of Ecclesiastical History.

(ii) "Dean and Canons" means the Dean and the Canons referred to in Statute I.1(d)(i).

(iii) "Dean and Chapter" means the Dean and Canons, together with the additional Residentiary Canon of the Cathedral appointed by the Bishop of Oxford under section 42 of the Cathedrals Measure 1963.

(iv) "Students" means Official Students, Ordinary Students, Fixed Term Students and Research Students elected or admitted under the provisions of these Statutes.

(v) "undergraduate members of the House" means Scholars, Exhibitioners and Commoners and other members of the House reading for a first degree in the University.

(vi) "members of the House" means members of the Foundation and all others whose names are on the books of the House.

(vii) "revenues of the House" has the meaning given to it by Statute XXVIII.4.

## *2. The objects of the House*

The objects of the House are

(a) the advancement of religion, education and learning, in particular but not exclusively by:

(i) the provision, support, conduct and maintenance of Christ Church Cathedral as the Cathedral of the Diocese of Oxford, together with its Choir;

(ii) the provision, support, conduct and maintenance of Christ Church as a college within the University of Oxford; and

(iii) the promotion of research in any branch of learning;

and, in so far as it is not incompatible with the objects set out in (a) above,

(b) the advancement of the arts, culture, heritage and science, in particular but not exclusively by:

(i) the preservation and conservation of collections of articles of historical, aesthetic or scientific interest;

(ii) the preservation and conservation of the Cathedral and its appurtenances including the Chapter House; and

(iii) the preservation and conservation of the other buildings of the House and its curtilage including the Meadow.

## *3. The Governing Body*

(a) The Governing Body shall comprise

(i) the Dean,

(ii) the Canons,

(iii) (subject to the provisions of sub-clause (c) of this clause) all the Students, and

(iv) such other persons as under the provisions of Statute XVI.3(a)(iii) may be elected members of the Governing Body.

(b) Seniority in the Governing Body is determined as follows

(i) the Dean,

(ii) the Canons, in each case reckoned from the date from which membership of the Governing Body as a Canon has been continuous, and

(iii) the Students (including for this purpose such other persons as under the provisions of Statute XVI.3(a)(iii) may be elected members of the Governing Body) in each case reckoned from the date from which membership of the Governing Body as a Student has been continuous.

(c) A person admitted as an Ordinary Student under Statute XIII.3(a)(ii) shall not be a member of the Governing Body unless either the Governing Body has had an opportunity to exercise a voice in the election of the person to the Professorship, or it has decided by a majority of votes that he or she shall be a member of the Governing Body.

#### *4. The powers of the Governing Body*

(a) Except only as provided in clauses 5 and 6 of this Statute, the government of the House, and the disposal and management of its possessions and revenues (including property held in trust for purposes connected with the House) shall be vested in the Governing Body, and all powers and authorities in connection with the House shall be exercised by the Governing Body.

(b) The Governing Body shall have power to appoint an Executive Council consisting of the Dean and such *ex officio* and elected members of the Governing Body and with such powers as may from time to time be determined by the Governing Body by By-laws made for that purpose.

#### *5. The powers reserved to the Dean and Chapter*

(a) There shall be excepted out of the powers assigned to the Governing Body under clause 4(a) of this Statute, and reserved to the Dean and Chapter, all powers hitherto lawfully exercised by the Dean and Canons or the Dean and Chapter in respect of:

(i) the Cathedral Church and its fabric and appurtenances, including the Chapter House; and

(ii) the Cathedral Chaplains, Organist, Lay Clerks, and Choristers, and other officers of the Cathedral Church; and

(iii) the residentiary houses at the date of these Statutes assigned for occupation by the Dean and the Canons together with Cloister House.

The Dean and Chapter shall have, in respect of such things and persons, all the powers now vested in them, or ordinarily vested in the Dean and Chapter of a Cathedral Church, subject only to the provision of Statute IV.

(b) The Dean and Chapter shall have the exclusive disposal of the moneys to be annually set apart under the provisions of Statutes VI and VII as the "Cathedral Fabric Fund" and the "Chapter Fund", but shall present their accounts to the Governing Body at least once in every year.

(c) In the exercise of the powers reserved to them under this clause of this Statute, and in the disposal of the Cathedral Fabric Fund and the Chapter Fund, the Dean and Chapter shall be subject only to the legal authority of the Visitor.

*6. The powers reserved to the Dean and Canons*

(a) There shall be excepted out of the powers assigned to the Governing Body under clause 4(a) of this Statute, and reserved to the Dean and Canons all powers hitherto lawfully exercised by the Dean and Canons in respect of the Schoolteacher. The Dean and Canons shall make arrangements for the education (under the supervision of the Schoolteacher) of the Choristers.

(b) In the exercise of the powers reserved to them under this clause of this Statute, the Dean and Canons shall be subject only to the legal authority of the Visitor.

II. - THE COLLEGE SEAL AND THE CHAPTER SEAL

*1. The College Seal*

In addition to the continued use of the duplicate of "the Large Seal" of the House on a reduced scale, the Governing Body may provide and use a smaller reproduction of the obverse of such duplicate. Either of such seals when used shall be the College Seal, and shall be retained for the use of the Governing Body in the exercise of the powers herein conferred upon it. The affixing of the College Seal shall be sufficient to pass all interest in real and personal estate, the property of the House or held in trust for purposes connected with the House, the disposal and management of which is vested in the Governing Body pursuant to Statute I.4(a). The affixing of the College Seal shall be witnessed by the Dean or one of the Canons, and by one other member of the Governing Body.

*2. The Chapter Seal*

"The Small Seal" shall be the Chapter Seal, and shall be retained for the exclusive use of the Dean and Chapter and the Dean and Canons in the exercise of the powers reserved to them in these Statutes and all other powers ordinarily vested in the Dean and Chapter of a Cathedral Church (except such as are specially conferred by these Statutes on the Governing Body).

III. - CONTRACTS

*1. The making of contracts on behalf of the House*

Contracts on behalf of the House may be made as follows:

(a) A contract which if made between private persons would be required by law to be in writing, and to be executed as a deed, may be made on behalf of the House in writing under the College Seal;

(b) A contract which if made between private persons would be required by law to be in writing, signed by the parties to be charged therewith, may be made on behalf of the House in writing signed by any person acting under its authority;

(c) A contract which if made between private persons would by law be valid although made by parol only, and not reduced into writing, may be made by parol on behalf of the House by any person acting under its authority.

*2. Variation and discharge of contracts*

A contract made according to this Statute may be varied or discharged in the same manner in which it is authorised by this Statute to be made.

#### IV. - USE OF THE CATHEDRAL

The Cathedral is the College Chapel of the House and the Cathedral of the Diocese of Oxford, and the Dean and Chapter shall facilitate its use in both of these capacities.

#### V. - RIGHT TO PRESENT TO LIVINGS

The right to present to vacant benefices in the gift of the House shall belong to the Governing Body, and shall be exercised by a Benefices Committee consisting of the Dean and Chapter, the Treasurer and two members of the Governing Body to be elected annually. The Benefices Committee shall report to the Governing Body at its next meeting any action taken by it in exercise of its powers under this Statute.

#### VI. - DECENNIAL SURVEYS; THE CATHEDRAL FABRIC FUND AND THE GENERAL FABRIC FUND

*1. Decennial surveys*

At least once every ten years, the Governing Body shall obtain from an appropriately qualified surveyor a written report on the annual expenditure which is likely to be required during the following ten years for the repairs and proper maintenance of

(a) the Cathedral and its appurtenances, including the Chapter House; and

(b) the other buildings of the House and the Meadow.

*2. The Cathedral Fabric Fund*

The Governing Body shall set apart annually, for the cost of the repairs and maintenance of the Cathedral and its appurtenances, such a sum as shall be reasonable and appropriate, taking account of the state of the revenues of the House and the evidence of the surveyor's reports. The annual sums so set apart shall form a separate fund, the "Cathedral Fabric Fund", and shall be applied to the repairs and maintenance of the Cathedral and its appurtenances under the exclusive control of the Dean and Chapter.

### *3. The General Fabric Fund*

The Governing Body shall set apart annually, for the cost of the repairs and maintenance of the other buildings of the House and the Meadow, such a sum as shall be reasonable and appropriate, taking account of the state of the revenues of the House and the evidence of the surveyor's reports. The annual sums so set apart shall form a separate fund, the "General Fabric Fund".

## VII. - FUNDS FOR CHAPTER PURPOSES

### *1. The Chapter Fund*

(a) The Governing Body shall set apart annually, for the purposes set out in sub-clause (b) of this clause, such a sum as shall be reasonable and appropriate, taking account of the state of the revenues of the House. The annual sums so set apart shall form a separate fund, the "Chapter Fund", and shall be applied to these purposes under the exclusive control of the Dean and Chapter.

(b) The purposes to which the Chapter Fund may be applied are:

(i) payment of stipends or salaries to the Cathedral Chaplains, Schoolteacher, Organist, Lay Clerks, Choristers, and other officers of the Cathedral Church, and of all outgoings and expenses whatever (other than those provided for by the Cathedral Fabric Fund) on account of or in relation to the Cathedral Church or the celebration of services therein;

(ii) payment of Cathedral alms and pensions;

(iii) payment to the Dean of such sums as shall be appropriate by way of stipend or emoluments in respect of the office of Dean of the Cathedral Church and the exercise of the Dean's powers under Statute I.5 and 6; and

(iv) payment to the Canons of their stipends or emoluments.

### *2. The Choir School*

The Governing Body may at its discretion from time to time, and on such terms as it shall decide:

(a) provide buildings and/or land for the use or occupation of any school (the "Choir School") in which the Choristers shall be educated pursuant to Statute I.6(a);

(b) contribute, having regard to the funds at its disposal, such a sum as it shall consider requisite for the maintenance of the Choir School and the buildings provided to the Choir School by the Governing Body.

*3. Payment of rates and taxes on the houses occupied by the Dean and Canons*

The Governing Body may at its discretion from time to time contribute, having regard to the funds at its disposal, such a sum as is necessary to pay all or part of the rates and taxes on the houses occupied by the Dean and Canons.

VIII. - TUITION AND THE SALARIES BOARD

*1. Tuition*

The Governing Body shall provide courses of instruction for the undergraduate members of the House during at least twenty-four weeks in the academic year.

*2. The Salaries Board*

(a) There shall be a Salaries Board for the consideration of questions relating to the salaries and expenses of those engaged in teaching members of the House and to other expenses connected with such teaching.

(b) It shall also consider questions relating to the salaries and expenses of those engaged in research and to other expenses connected with such research.

(c) It shall also consider questions relating to the remuneration generally of members of the Governing Body, save those concerning matters which are reserved to the Dean and Chapter by Statute VII.1(b).

(d) It may also consider such other questions relating to emoluments and allowances and such other financial questions as the Governing Body may from time to time determine.

(e) The Salaries Board shall consist of the Dean, four Official Students and three persons who are not members of the Governing Body.

(f) The Salaries Board shall not make a recommendation to the Governing Body concerning the remuneration of members of the Governing Body unless it has been approved by a majority of those members of the Board who are not members of the Governing Body.

(g) In determining any question relating to the remuneration of its members, the Governing Body shall not approve any arrangement which would confer on any of its members a greater benefit than that recommended in relation to those members by the Salaries Board.

## IX. - BY-LAWS

The Governing Body may from time to time make, amend and repeal By-laws, not inconsistent with these Statutes, in order to give effect to the Statutes or to provide for any matter not provided for in the Statutes. The By-laws shall be binding on all members of the Governing Body, all Officers of the House and all members of the House *in statu pupillari*.

## X. - MEETINGS OF THE GOVERNING BODY

### 1. *Meetings*

There shall be at least one meeting of the Governing Body in each term.

### 2. *Chairmanship of meetings*

At all meetings of the Governing Body the Dean or (in the absence of the Dean) the Censor Theologiae or (in the absence of the Censor Theologiae) the senior Canon present or (in the absence of all the Canons) the senior Student present shall preside, and shall be entitled to vote. Whenever the votes at a meeting are equal the Dean (or the Dean's deputy) shall have an additional casting vote.

## XI. - COMMITTEES OF THE GOVERNING BODY

### 1. *The Committees*

In addition to the Benefices Committee referred to in Statute V, and the Salaries Board referred to in Statute VIII there shall be such standing committees, and such other committees, of the Governing Body as the Governing Body may from time to time appoint. Their constitution and functions shall be regulated by By-laws.

### 2. *Chairmanship of Committees*

At all meetings of Committees of the Governing Body the Dean shall preside, provided that:

(a) the Dean may appoint the Censor Theologiae or any member of the Committee to deputise at any meeting of a Committee; and

(b) if the Dean is not present and has not appointed a deputy under sub-clause (a) of this clause, the Censor Theologiae (if present as a member of the Committee) or (in the absence of the Censor Theologiae) the senior Canon present as a member of the Committee or (in the absence of all the Canons) the senior Student present as a member of the Committee, shall preside.

## THE DEAN, STUDENTS AND OFFICERS OF THE HOUSE

### XII. - THE DEAN

#### *1. The Dean's powers and responsibilities*

Subject to the provisions of these Statutes, the Dean shall be responsible for order and discipline and the general superintendence of the House.

#### *2. The Censor Theologiae*

(a) The Dean shall appoint a Censor Theologiae from among the members of the Governing Body.

(b) The Censor Theologiae shall act as the Dean's deputy in all matters relating to order and discipline and the general superintendence of the House, in case of the Dean's illness or absence from Oxford or any other cause by which the Dean is prevented from acting in such matters.

#### *3. The Dean's stipend, allowances and pension*

(a) The Governing Body shall have the power to pay to the Dean:

(i) a stipend out of the Corporate Revenue, in addition to the payments made out of the Chapter Fund under the provisions of Statute VII.1(b)(iii); and

(ii) allowances in respect of expenses of entertainment and establishment incurred in the discharge of the duties of the office of Dean.

(b) The Governing Body may make such arrangements with the Dean as it considers reasonable on a contributory or non-contributory basis during the Dean's tenure of office towards the provision of any pension (including the provision of any payment in lieu (wholly or partly) of such a pension).

(c) The Governing Body may, having regard to the Dean's period of service and to any pension or payment in lieu thereof to which the Dean may be entitled from other ecclesiastical and academic sources, make payment to the Dean in retirement of a pension (including the payment in lieu (wholly or partly) of such a pension). Such payments shall be made from the Corporate Revenue.

#### *4. Tenure of office of Dean*

The office of Dean shall be tenable until the 30th September immediately preceding the holder's 71st birthday.

## XIII. - THE STUDENTS

### 1. *The Students*

The categories of Student shall be Official Students, Ordinary Students, Fixed Term Students and Research Students, as provided in this Statute. The Governing Body may also confer the titles of Honorary Student and of Emeritus Student in accordance with Statute XV.

### 2. *Official Students*

(a) Official Students are persons who are elected by the Governing Body under the provisions of these Statutes on condition of engaging in the teaching work of the House.

(b) Of the Official Studentships, at least half shall be held by University Lecturers and other similar persons appointed under the provisions of any university Statute or Decree in force for the time being. Before electing to an Official Studentship associated with a teaching post the House shall consult the Board or Boards of the appropriate Faculty or Faculties or the appropriate Board of Studies.

(c) An Official Student shall be elected in the first instance for a period not exceeding five years, and may be re-elected to the retirement date fixed in accordance with clause 8(b) of this Statute, or for such other period or periods as the Governing Body shall determine. Any person who has held and subsequently resigned an Official Studentship may again be elected by the Governing Body to an Official Studentship for a period not exceeding five years, and may subsequently be re-elected to the age of retirement.

(d) An Official Student shall take such part in the educational and administrative work of the House as shall be assigned to him or her by the Governing Body, and shall not hold any office or carry on any additional educational or administrative work which is in the judgment of the Governing Body incompatible with the full performance of his or her duties as an Official Student.

(e) (i) Subject to the following provisions of this sub-clause, every Official Student is entitled to permission to take Sabbatical Leave (that is, to be absent or to suspend teaching) during one term for every six completed teaching terms in the House as an Official Student.

(ii) Sabbatical Leave may be taken as soon as it is due or may be postponed or accumulated, save that whenever an Official Student is entitled to three terms of leave no subsequent term of teaching before he or she has taken the first term of such leave shall count towards any further entitlement.

(iii) Sabbatical Leave shall be without any diminution of the salary which the Official Student receives under sub-clause (f) of this clause, or of the benefits and allowances which he or she receives under clause 7 of this Statute.

(f) The salaries of Official Students shall be determined by the Governing Body.

- (g) (i) If an Official Student desires to reduce the amount of educational work done by him or her, or to be relieved from educational work altogether, for the purpose of undertaking a definite task related to his or her academic work, the Governing Body may grant Special Leave for this purpose. The required task shall be specified in the resolution of the Governing Body by which this Special Leave is given.
- (ii) Special Leave may be granted upon such conditions, as to salary, benefits, allowances and otherwise, as the Governing Body shall decide.
- (h) The Governing Body may also in case of sickness, or for any other sufficient reason, give an Official Student such leave of absence as it may think fit, on such conditions, as to salary, benefits, allowances and otherwise, as the Governing Body shall decide.

### 3. *Ordinary Students*

- (a) (i) The Regius Professors of Hebrew, Greek and Medicine shall, upon their appointment, be admitted as Ordinary Students.
- (ii) The holders of any other Professorships allocated to the House by the Council of the University under any University Statute made or to be made under the powers of the Universities of Oxford and Cambridge Act 1923, shall (upon their appointment or election, but subject to the provisions of Statute I.3(c)) be admitted as Ordinary Students.
- (b) The Governing Body may elect to an Ordinary Studentship in the House:-
- (i) The Treasurer, the Steward, the Librarian, the Curator of Pictures, the Development Director and the College Chaplain.
- (ii) University Professors, University Readers, and holders of other University offices which are declared by any University Statute or Decree to qualify the holder for a Professorial Fellowship. In making such election, the House shall take into consideration the needs of the University.
- (iii) Any person distinguished in literature, science, art, learning or the public service, whose election may be deemed to advance the interests of education or learning in the House.
- (iv) Lecturers appointed under Statute XVII.1 who carry a substantial tutorial responsibility and whose election may be deemed to advance education and learning in the House. Before electing to an Ordinary Studentship under this section of this sub-clause, the House shall consult the Board or Boards of the appropriate Faculty or Faculties or the appropriate Board of Studies.
- (v) Any distinguished person whose election may be deemed to broaden the expertise of the Governing Body.
- (c) Ordinary Studentships shall be without salary.

#### *4. Fixed Term Students*

(a) The Governing Body may, if and when the funds at its disposal permit, elect persons to Fixed Term Studentships on condition of their engaging in the teaching work of the House and in advanced study or research, and on such other terms and conditions as the Governing Body shall determine.

(b) The salaries of Fixed Term Students shall be determined by the Governing Body.

(c) The period of tenure of each Fixed Term Studentship shall be determined by the Governing Body, and shall in no case exceed five years; Fixed Term Studentships may not be renewed.

#### *5. Research Students*

(a) The Governing Body may, if and when the funds at its disposal permit, elect to Research Studentships persons who have done or are doing valuable work in any branch of knowledge, or have attained special distinction therein, on condition that they shall undertake to perform some definite academic work in the House or in the University or (with the permission of the Governing Body) elsewhere.

(b) A Research Student shall be elected in the first instance for a period not exceeding five years, and may be re-elected for further periods, but no Research Student shall hold a Studentship after his or her retirement date fixed in accordance with clause 8(b) of this Statute unless the Governing Body shall resolve by the votes of not less than two thirds of the number of persons present and voting to extend the tenure of the Studentship for a further period or periods.

(c) The salaries of Research Students shall be determined by the Governing Body. A limited amount of teaching may be undertaken by a Research Student, subject to the consent of the Student concerned and of the Governing Body.

#### *6. Students' membership of Congregation*

Any Student not a member of Congregation who is qualified to supplicate for a degree which would entitle him or her to such membership shall supplicate for such degree within one year of becoming so qualified. A Student failing to comply with this provision shall vacate his or her Studentship, unless the Governing Body shall deem it just on special grounds to allow the supplicating for such degree to be postponed for a further period not exceeding, except in the case of ill health, one year.

#### *7. Students' residence and housing allowances*

(a) The Governing Body may make and vary By-laws with respect to the residence of Official Students and Research Students.

(b) The two Censors elected under Statute XVI.1 and all Students engaged in the teaching work of the House shall, upon declaring their intention to use the rooms for work approved by the Governing Body, be entitled to rooms in the House free of rent, rates and taxes. The Governing Body may assign rooms in the House free of rent, rates and taxes to any other Students for work approved by the Governing Body, and to any Students for residence.

(c) To any Official Student who does not reside within the House the Governing Body may also

(i) assign such residential accommodation as shall be deemed necessary for the proper performance of his or her official duties upon such terms and conditions (including *inter alia* the payment or non-payment of rent, rates and taxes) as it shall think fit; and/or

(ii) pay, over and above his or her salary as Official Student, an annual housing allowance as it may from time to time determine.

(d) To any Fixed Term Student who does not reside within the House the Governing Body may pay, over and above his or her salary as Fixed Term Student, an annual housing allowance as it may from time to time determine.

(e) The Governing Body may pay to any Research Student who does not reside within the House an annual housing allowance as it may from time to time determine.

#### *8. Vacation and deprivation of Studentships; Retirement*

(a) A Student shall vacate his or her Studentship

(i) on the acceptance of the Headship of the House or any other College or of a Fellowship carrying membership of the Governing Body in any other College within the University, whether or not any emolument is attached to it; or

(ii) if he or she holds any paid office or engages in any occupation either of which, in the opinion of the Governing Body, interferes with the discharge of his or her duties to the House.

(b) Save as provided in clause 5(b) of this Statute and in Statute XVI.3(a)(i), a Student, other than one admitted under clause 3(a) of this Statute, shall vacate his or her Studentship on the 30th September immediately preceding his or her 66th birthday.

(c) A Student admitted under clause 3(a) of this Statute or elected under clause 3 (b) (i), (ii) or (iv) of this Statute shall vacate his or her Studentship on ceasing to hold any Office in the University or in the House in virtue of which he or she was admitted or elected to the Studentship.

## XIV. - DR. LEE'S READERS; THE LEE FUND

### *1. The Lee's Readers*

The titles of Lee's Reader in Anatomy, in Chemistry, and in Physics shall be retained in memory of Dr. Matthew Lee, and may be bestowed by the Governing Body on any Student who is engaged in the teaching work of the House in Medicine, Chemistry, and Physics respectively, or in research in those subjects under the provisions of these Statutes. The number of Students with such titles shall not exceed three.

### *2. Application of the Lee Fund*

(a) The Governing Body shall pay the salaries of the Lee's Readers out of the revenue from the Lee Fund or, if such revenue shall not be sufficient, out of the Corporate Revenue.

(b) The Governing Body may also apply out of the revenue of the Lee Fund a sum (not exceeding in any year such a maximum as it shall from time to time determine) to expenses incidental to the teaching or the research of the Lee's Readers.

(c) The Governing Body may apply any accumulated revenue of the Lee Fund to the furtherance of any branch of medical or scientific teaching or research.

## XV. - HONORARY STUDENTS AND EMERITUS STUDENTS

### *1. Honorary Students*

(a) The Governing Body may confer the title of Honorary Student on distinguished persons. The number of Honorary Studentships held at any one time, not counting any held by former Deans, shall not exceed 30.

(b) Notice of a motion to elect an Honorary Student shall be given at a meeting of the Governing Body held at least 14 days before the meeting at which the election is to take place.

### *2. Emeritus Students*

The Governing Body may confer the title of Emeritus Student on former Canons or Students of the House who have been members of the Governing Body for a period of not less than 12 years.

### *3. Privileges of Honorary Students and Emeritus Students*

Honorary Students and Emeritus Students shall not as such receive any salary, nor be members of the Governing Body, but they shall be entitled to enjoy the rights accorded to them in Statute XXXI.5, and such other privileges and advantages as the Governing Body shall by resolution from time to time determine.

## XVI. - OFFICERS OF THE HOUSE

### *1. The Officers*

(a) There shall be, as heretofore, a Senior Censor (the "Censor Moralis Philosophiae") and a Junior Censor (the "Censor Naturalis Philosophiae") who shall be elected by the Governing Body from amongst the Official Students.

(b) There shall be a Treasurer, a Librarian, a Curator of Pictures, a Steward and a College Chaplain.

(c) The Governing Body may institute such other offices as it shall think necessary for the better management of the property, revenue, and affairs of the House, and for the discipline of its members, and shall have power from time to time to suppress any such office the continuance of which it may deem unnecessary.

### *2. Duties and benefits of Officers*

Officers of the House shall perform such duties as may from time to time be assigned to them by the Governing Body. They shall be paid such sums by way of salary or other benefits as the Governing Body shall think fit.

### *3. Particular Officers*

#### *(a) The Treasurer, the Steward, the Librarian and the Curator of Pictures*

(i) These Officers, if not already Students, may be elected to Ordinary Studentships under Statute XIII.3(b)(i). They shall not continue in office after the 30th September immediately preceding their 66th birthday unless the Governing Body shall resolve by the votes of not less than two-thirds of the number of persons present and voting to extend their tenure of office. They may be elected or re-elected as Ordinary Students for their tenure of office during such period or periods.

(ii) The Governing Body may assign to them free of rent, rates and taxes such rooms in the House (if any) as it shall think necessary for the proper performance of their official duties and may also assign to them such residential accommodation, and upon such terms and conditions, as it shall think fit.

(iii) The Governing Body shall have power to elect to its membership any person who is appointed to discharge the duties of Treasurer or Steward during the absence or incapacity, for any period, of either of those officers. Such persons, if elected to the Governing Body, shall take rank as to seniority with the Students, but shall receive no emoluments as a Student, and on ceasing to discharge such duties their membership of the Governing Body shall terminate.

*(b) The College Chaplain*

(i) The College Chaplain shall be a person in Holy Orders of the Church of England or of some Church in communion therewith.

(ii) The College Chaplain shall undertake the pastoral care of resident members of the House, and perform such duties with respect to Chapel services and the educational work of the House as the Governing Body may from time to time direct.

(iii) The College Chaplain shall be appointed for a period of up to five years, and may be re-appointed for a further period or periods. The College Chaplain may be elected to an Ordinary Studentship under Statute XIII.3(b)(i).

(iv) The College Chaplain shall be entitled to rooms in the House free of rent, rates and taxes, and shall reside in them during Full Term unless the Governing Body shall have granted leave to reside elsewhere upon such conditions as it may determine.

## LECTURERS, RESEARCH FELLOWS AND SENIOR SCHOLARS

### XVII. - LECTURERS, JUNIOR RESEARCH FELLOWS AND SENIOR SCHOLARS

#### *1. Lecturers*

The Governing Body may appoint Lecturers and shall have power to terminate such Lectureships when it thinks fit. The salaries of Lecturers and other conditions as to work and residence shall be determined by the Governing Body. No Lecturer shall be appointed or shall continue in office after the 30th September immediately preceding his or her 66th birthday, unless the Governing Body shall resolve by the votes of not less than two-thirds of the number of persons present and voting so to appoint or renew for a period or periods.

#### *2. Junior Research Fellows*

(a) The Governing Body may appoint as Junior Research Fellows persons who are well qualified to engage in original research in any branch of knowledge, subject to the condition that they shall undertake to perform some definite academic work in the House or in the University or (with the permission of the Governing Body) elsewhere, and shall submit an annual report of their work to the Governing Body. If the funds at the disposal of the Governing Body permit, at least one Junior Research Fellowship shall be offered in each year.

(b) The salaries of Junior Research Fellows and other conditions as to work and residence shall be determined by the Governing Body. Such Fellows shall be appointed for such period or periods, not exceeding in total four years, as the Governing Body shall decide. A limited amount of teaching may be undertaken by Junior Research Fellows, subject to the consent of the Governing Body.

#### *3. Senior Scholars*

(a) The Governing Body may appoint as Senior Scholars persons who are well qualified to carry out work at graduate level in any branch of knowledge, subject to the condition that they shall undertake to perform some definite academic work in the House or in the University or (with the permission of the Governing Body) elsewhere, and shall submit an annual report of their work to the Governing Body. Appointments to Senior Scholarships may be made from time to time, when the funds at the disposal of the Governing Body permit.

(b) The emoluments of Senior Scholars and other conditions as to work and residence shall be determined by the Governing Body. Senior Scholars shall be appointed for such period or periods, not exceeding in total three years, as the Governing Body shall decide. A limited amount of teaching may be undertaken by Senior Scholars, subject to their consent and to that of the Governing Body.

*4. Rooms and housing allowances for Lecturers, Junior Research Fellows and Senior Scholars*

The Governing Body may assign a room or rooms in the House free of rent, rates and taxes to any Lecturer, Junior Research Fellow or Senior Scholar for residence or for work approved by the Governing Body. It may further pay to any Lecturer, Junior Research Fellow or Senior Scholar who does not reside within the House an annual housing allowance as it may from time to time determine.

XVIII. - SENIOR ASSOCIATE RESEARCH FELLOWS AND  
POSTDOCTORAL RESEARCH FELLOWS

*1. Senior Associate Research Fellows*

(a) The Governing Body may appoint as Senior Associate Research Fellows persons who are well qualified to carry out research at an advanced level in any branch of knowledge, subject to the condition that they shall undertake to perform some definite academic work in the House or in the University or (with the permission of the Governing Body) elsewhere.

(b) The emoluments of Senior Associate Research Fellows and other conditions as to work and residence shall be determined by the Governing Body. Such Fellows shall be appointed for such period or periods as the Governing Body shall decide.

*2. Postdoctoral Research Fellows*

(a) The Governing Body may appoint as Postdoctoral Research Fellows persons who are well qualified to engage in research at an appropriate level in any branch of knowledge, subject to the condition that they shall undertake to perform some definite academic work in the House or in the University or (with the permission of the Governing Body) elsewhere, and shall submit an annual report of their work to the Governing Body.

(b) The emoluments of Postdoctoral Research Fellows and other conditions as to work and residence shall be determined by the Governing Body. Such Fellows shall be appointed for such period or periods, not exceeding in total five years, as the Governing Body shall decide. A limited amount of teaching may be undertaken by Postdoctoral Research Fellows, subject to the consent of the Governing Body.

*3. Rooms for Senior Associate Research Fellows and Postdoctoral Research Fellows*

The Governing Body may assign a room or rooms in the House free of rent, rates and taxes to any Senior Associate Research Fellow or Postdoctoral Research Fellow for residence or for work approved by the Governing Body.

## SCHOLARS, EXHIBITIONERS AND OTHER MEMBERS OF THE HOUSE

### XIX. - OPEN SCHOLARSHIPS

#### *1. Elections to Open Scholarships*

(a) The Governing Body may elect to Open Scholarships in each year those members of the House reading for an undergraduate degree of the University who appear to it to be of the greatest merit and fit to be Scholars of the House.

(b) The Governing Body shall have the power from time to time to delegate to a committee the election of the Christopher Tatton Organ Scholar and Academical Clerks.

#### *2. Tenure and conditions of Open Scholarships*

(a) Subject to Statute XXVI, an Open Scholarship shall be tenable for such period or periods (not exceeding in total five years) as the Governing Body shall from time to time decide, and every Scholar shall hold his or her Scholarship upon such conditions as to his or her course of study as the Governing Body may prescribe.

(b) The annual value of an Open Scholarship shall be as the Governing Body may from time to time determine.

#### *3. Funding of Open Scholarships*

(a) The Douglas Jerrold Scholarship in English Literature, the Edward Marjoribanks Scholarship in Classics, the St. Cyres Scholarships in Modern History, and the Christopher Tatton Organ Scholarships, shall be charged on the funds of the appropriate Trusts.

(b) If and in so far as the funds referred to in sub-clause (a) are insufficient, the support of Open Scholars shall be charged on the Corporate Revenue.

### XX. - OPEN EXHIBITIONS AND SMITH OPEN EXHIBITIONS

#### *1. Elections to Open Exhibitions*

The Governing Body may elect to Open Exhibitions and Smith Open Exhibitions in each year those members of the House reading for an undergraduate degree of the University who appear to it to be of sufficient merit and fit to be Exhibitioners of the House.

*2. Tenure and conditions of Open Exhibitions and Smith Open Exhibitions*

(a) Subject to Statute XXVI, an Open Exhibition and Smith Open Exhibition shall be tenable for such period or periods (not exceeding in total five years) as the Governing Body shall from time to time decide, and every Exhibitioner shall hold his or her Exhibition upon such conditions as to his or her course of study as the Governing Body may prescribe.

(b) The annual value of an Open Exhibition or a Smith Open Exhibition shall be as the Governing Body may from time to time determine.

*3. Funding of Open Exhibitions and Smith Open Exhibitions*

(a) The Smith Open Exhibitions shall be a charge on the Smith Benefaction.

(b) The Exhibitions of the Foundations of Archbishop Boulter for Servitors, Mr. Pauncefort, Dr. Gardiner, Bishop Frampton, Dr. Cotton and Mrs. Paul shall be applied to the support of Open Exhibitors and Smith Open Exhibitors.

(c) If and in so far as the funds referred to in sub-clauses (a) and (b) are insufficient, the support of Open Exhibitors and Smith Open Exhibitors shall be charged on the Corporate Revenue.

XXI. - HOLFORD SCHOLARSHIPS AND EXHIBITIONS; THE  
HOLFORD TRUST FUND

*1. Elections to Holford Scholarships and Exhibitions; the Holford Trust Fund*

(a) The Governing Body may elect to Holford Scholarships and Exhibitions in each year. They shall be as many as the Governing Body, having regard to the state of the Holford Trust Fund, shall determine.

(b) Holford Scholarships and Exhibitions shall be charged on the Holford Trust Fund.

*2. Tenure and conditions of Holford Scholarships and Exhibitions*

(a) Subject to the provisions of this Statute, Holford Scholarships shall be governed by the provisions of Statute XIX, and Holford Exhibitions shall be governed by the provisions of Statute XX.

(b) Holford Scholars and Exhibitors shall be persons educated at the Charterhouse School for at least two of the three years immediately preceding their matriculation in the University.

XXII. - WESTMINSTER SCHOLARSHIPS AND EXHIBITIONS;  
DR. SOUTH'S TRUST

*1. Elections to Westminster Scholarships and Exhibitions; Dr. South's Trust*

(a) The Governing Body may elect to Westminster Scholarships and Exhibitions in each year. They shall be as many as the Governing Body, having regard to the state of the one-fifth contribution of Dr. South's Trust, shall determine.

(b) Westminster Scholarships and Exhibitions shall be charged on the one-fifth contribution of Dr. South's Trust, but if and in so far as that contribution is insufficient, Westminster Scholarships and Exhibitions shall be charged on the Corporate Revenue.

*2. Tenure and conditions of Westminster Scholarships and Exhibitions*

(a) Subject to the provisions of this Statute, Westminster Scholarships shall be governed by the provisions of Statute XIX, and Westminster Exhibitions shall be governed by the provisions of Statute XX.

(b) Westminster Scholars and Exhibitioners shall be persons educated at Westminster School for at least two of the three years immediately preceding their matriculation in the University.

XXIII. - FELL, BOULTER AND BOSTOCK PRIZES; THE FELL,  
BOULTER AND BOSTOCK FUND

*1. Elections to Fell, Boulter and Bostock Prizes; the Fell, Boulter and Bostock Fund*

(a) The Governing Body may award Fell Prizes, Boulter Prizes and Bostock Prizes in each year. They shall be as many as the Governing Body, having regard to the state of the Fell, Boulter and Bostock Fund, shall determine.

(b) The Governing Body shall award Fell Prizes, Boulter Prizes and Bostock Prizes only to members of the House reading for an undergraduate degree of the University who are Commoners.

(c) The Fell, Boulter and Bostock Prizes shall be charged on the Fell, Boulter and Bostock Fund.

*2. Tenure and conditions of Fell, Boulter and Bostock Prizes*

(a) Fell Prizes, Boulter Prizes and Bostock Prizes shall be tenable for such period or periods as the Governing Body shall from time to time decide, and every recipient of such a Prize shall hold his or her Prize upon such conditions as to his or her course of study as the Governing Body may prescribe.

(b) The annual value of a Fell Prize, a Boulter Prize and a Bostock Prize shall be as the Governing Body may from time to time determine.

XXIV. - SURPLUS REVENUES OF SCHOLARSHIP, EXHIBITION  
AND PRIZE FUNDS

*1. Application of the Statute*

(a) The provisions of this Statute shall apply to the surplus revenues of the House arising in any year from any of the funds applicable to the maintenance of any Scholarship, Exhibition or Prize within the House, which are specified in sub-clause (c) of this clause, the trustees or governing bodies of which have consented to the provisions of this Statute and notwithstanding any provisions of the endowments, benefactions or trusts establishing such funds.

(b) For the purposes of sub-clause (a) of this clause, revenues shall be surplus only after payment of

(i) contributions for University purposes in accordance with the provisions of Statute XXXI.1(b);

(ii) the emoluments of the Scholarship, Exhibition or Prize in question;  
and

(iii) any grants permitted to be paid from, and any other payments charged on, the fund in question.

(c) The funds referred to in sub-clause (a) of this clause are:

- (i) The Dukes Prize Fund  
The Douglas Jerrold Trust Fund  
The Marjoribanks Scholarship Fund  
The Wilson Scholarship Fund
- (ii) The Allen Exhibition Fund  
The Holford Trust Fund  
The Shelton Memorial Exhibition Fund
- (iii) The Christopher Tatton Scholarship Fund  
The Fell, Boulter and Bostock Fund  
The Hawkins Scholarship Fund  
The Foundations referred to in Statute XX.3(b)
- (iv) The Carey Trust Fund  
The Timmis Exhibition Fund

*2. Surplus in funds applicable to particular subjects*

Any such surplus revenues arising in any year from any of the funds specified in sub-clause (c)(i) of clause 1 (which are applicable to the maintenance of Scholarships, Exhibitions or Prizes within the House in particular subjects) may be applied for the furtherance of the study of that particular subject in the House.

### *3. Surplus in funds attached to particular schools*

Any such surplus revenues arising in any year from any of the funds specified in sub-clause (c)(ii) of clause 1 (which are applicable to the maintenance of Scholarships or Exhibitions within the House tenable by those previously attending a particular school or one of several particular schools) may be applied by the Governing Body as grants for any of the following purposes:

(a) on special grounds of need and merit to any resident member of the House reading for an undergraduate degree of the University who has been educated at the school or one of the schools related to the fund in question;

(b) to assist any former pupil of that school or one of those schools in residence at the House to read for a second Honour School or an Advanced or Research Degree or to pursue any other authorised course of postgraduate studies or research which the Governing Body considers him or her qualified to pursue provided that:

(i) he or she is of not more than seven years' standing from matriculation and continues to reside at the House (unless given special permission by the Governing Body to reside elsewhere); and

(ii) any such grant shall be made for a maximum period of one year in the first instance but may be renewed up to a total period not exceeding four years;

(c) to assist in training for or establishing themselves in a career former pupils of that school or one of those schools who, having graduated at the House and being of not more than seven years' standing from matriculation, have their own way to make in the world and require financial assistance.

### *4. Surplus in other funds*

Any such surplus revenues arising in any year from any of the funds specified in sub-clause (c)(iii) of clause 1 (which are applicable to the maintenance of Scholarships, Exhibitions or Prizes within the House not falling within either of the two preceding paragraphs) may be applied by the Governing Body as grants for any of the following purposes:

(a) on special grounds of need and merit to any resident member of the House reading for an undergraduate degree of the University who is the holder or former holder of, or satisfies the conditions of candidacy for, such a Scholarship, Exhibition or Prize or, in the case of the Fell, Boulter and Bostock Fund, is the holder or former holder of an Open Scholarship or Exhibition;

(b) to assist any member of the House who is the former holder of, or satisfied the conditions of candidacy for, such a Scholarship, Exhibition or Prize or, in the case of the Fell, Boulter and Bostock Fund, is the former holder of an Open Scholarship or Exhibition, in residence at the House to read for a second Honour School or an Advanced or Research Degree or to pursue any other authorised course of postgraduate studies or research which the Governing Body considers him or her qualified to pursue provided that:

(i) he or she is of not more than seven years' standing from matriculation and continues to reside at the House (unless given special permission by the Governing Body to reside elsewhere); and

(ii) any such grant shall be made for a maximum period of one year in the first instance but may be renewed up to a total period not exceeding four years;

(c) to assist in training for or establishing themselves in a career those who

(i) in the case of the Fell, Boulter and Bostock Fund, are members of the House; and

(ii) in the case of other funds, are the former holders of, or satisfied the conditions of candidacy for, the Scholarship or Exhibition in question and who, having graduated at the House and being of not more than seven years' standing from matriculation, have their own way to make in the world and require financial assistance.

#### 5. *Further surpluses*

Any such surplus revenues arising in any year from any of the funds specified in sub-clause (c)(iv) of clause 1, and any surplus revenues arising in any year from any of the funds specified in sub-clauses (c)(ii) and (iii) of clause 1 after payment of any grants under clauses 3 and 4 of this Statute, may be applied by the Governing Body at its discretion to any charitable purposes relative to the House and conducive to the advancement of education or learning.

### XXV. - ASSISTANCE FUND

The Governing Body may, if it thinks fit, set apart out of the Corporate Revenue in every year a sum to be applied in granting assistance to members of the House *in statu pupillari* in cases of need.

### XXVI. - DISCIPLINE OF SCHOLARS, EXHIBITIONERS AND OTHER MEMBERS OF THE HOUSE

#### 1. *Annual review of Scholars and Exhibitioners; vacation and deprivation*

In the case of all Scholars and Exhibitioners:

(a) the Governing Body shall review annually the work and general conduct of each Scholar and Exhibitioner, and shall, if not satisfied, refuse to renew his or her Scholarship or Exhibition or, as the case may be, shall exercise the power of deprivation in respect of any remaining period of tenure contained in clause (c) of this Statute;

(b) a Scholar or Exhibitioner shall vacate his or her Scholarship or Exhibition

(i) on election to a Studentship, or to a place on the foundation of any other Collegiate body within the University; or

(ii) if he or she shall without written permission from the Governing Body cease to read for Honours.

(c) A Scholar or Exhibitioner may be deprived of his or her Scholarship or Exhibition, or any part of the emoluments thereof, by the Governing Body for any misconduct which, in its judgment, shall merit deprivation.

## *2. General regulations and discipline*

Every member of the House *in statu pupillari* shall be required to conform to such general regulations as to residence and discipline as may be made from time to time by the Governing Body.

## FINANCIAL MATTERS

### XXVII. - INVESTMENT POWERS

#### *1. Application of the Statute*

This Statute shall apply to the following funds:

- (a) All funds and endowments of the House which are not held on any specific trust.
- (b) Any endowment, benefaction or trust for purposes connected with the House
  - (i) which was created by an instrument which came into operation not less than 60 years before 1 January 2000 or
  - (ii) of which the House is the Trustee or Governing Body and has consented to the provisions of this clause.

#### *2. Investment powers*

The funds to which this Statute applies may (subject as hereinafter provided) be invested by the Governing Body upon or in such securities, shares, stocks, funds or other investments (including land) in any part of the world, and whether involving liability or not, as the Governing Body shall in its absolute discretion think fit so that the Governing Body shall be empowered to invest and transpose the investments of such funds in the same unrestricted manner as if it were the beneficial owner thereof.

#### *3. Delegation of investment powers*

(a) The Governing Body may from time to time appoint a suitably qualified person as Investment Manager to carry out on its behalf the duties prescribed by this Statute on such terms as (subject to and in accordance with this Statute) the Governing Body shall think fit. There may be more than one Investment Manager appointed and acting in accordance with this Statute at any one time.

(b) A person (which expression in this Statute includes a person, persons, firm or company) shall be suitably qualified to be Investment Manager if the Governing Body is satisfied that:

(i) he or she (or, in the case of a subsidiary company whose obligations under the relevant terms of appointment will be guaranteed by the parent company, that parent company) has appropriate experience in the City of London (or other appropriate financial centre in the United Kingdom) of investment business; and

(ii) that he or she is entitled to carry on investment business in accordance with the Financial Services and Markets Act 2000 (or other relevant legislation replacing that Act).

(c) The Governing Body may pay reasonable and proper remuneration to an Investment Manager appointed and acting in accordance with this Statute.

(d) The Governing Body may delegate to an Investment Manager appointed and acting in accordance with this Statute power at his discretion (but always in accordance with this Statute and the terms of his appointment) to buy and sell investments held on behalf of the House; and such delegation may permit those investments to be held by a nominee.

(e) The terms of appointment of any Investment Manager shall be in writing and shall:

(i) specify the relevant investment policy of the Governing Body and the scope of the Investment Manager's discretion; and

(ii) require the Investment Manager to comply with the terms of his appointment and with these Statutes, the relevant University Statutes and the general law (including any provision relating to the keeping and supply of records and accounts); and

(iii) prohibit the Investment Manager from sub-delegating or assigning his appointment; and

(iv) specify the extent to which the Investment Manager can delegate his powers to buy and sell investments held on behalf of the House; and

(v) specify the amount and/or method of calculation of the Investment Manager's remuneration; and

(vi) entitle the Governing Body to terminate the appointment at any time on reasonable notice; and

(vii) specify the other circumstances in which the appointment may be terminated by either party and (subject to earlier termination) its maximum duration which shall not exceed 24 months on any one occasion (but subject if so specified to renewal from time to time by mutual agreement); and

(viii) specify the relevant advisory, reporting and accounting procedures; and

(ix) state whether or not the investments may be held on behalf of the House in the name of a nominee and (if so) on what basis and by whom.

(f) The Governing Body shall take reasonable steps (and if necessary shall take appropriate advice) to satisfy itself when making any such appointment that its terms are in accordance with best practice at the relevant time and that (in particular) to ensure that the Governing Body always has adequate information as to and appropriate control over the investments and funds (or other assets of whatever nature) to which the appointment relates the Investment Manager shall be required:

(i) to review and report in writing to the Governing Body at least once each calendar year on the Governing Body's investment policy and the performance of and the future prospects for the House's investments, and to give any relevant advice; and

(ii) to report to the Governing Body at once on any significant change since the last such review and report which may in his view require early attention by the Governing Body.

(g) The College Seal shall not be affixed to any document by the Investment Manager and this Statute shall not affect Statute II.

*4. Property loans to Official Students and Officers of the House*

(a) Subject to such provisions (if any) as may from time to time be contained in the By-laws but without prejudice to the powers of investment contained in clause 2 of this Statute the Governing Body may make a property loan to an Official Student or Officer of the House mentioned in Statute XVI.1 who does not reside in the House.

(b) For the purposes of sub-clause (a) of this clause, a property loan is

(i) the loan of a principal sum, to be secured on the property to be purchased or improved and upon such terms and conditions as to repayment of the principal sum and as to the payment or non-payment of interest thereon as the Governing Body may think fit;

(ii) which is made for the purpose of assisting the Official Student or Officer of the House to purchase or improve a property, whether freehold or leasehold, which is either situated in the City of Oxford or is in the opinion of the Governing Body situated sufficiently near thereto to enable the Official Student or Officer of the House properly to perform his or her official duties and which is intended to be occupied by the Official Student or Officer of the House as his or her principal place of residence.

*5. Equity sharing arrangements for Official Students, Officers and other persons employed by the House*

(a) Subject to such provisions (if any) as may from time to time be contained in the By-laws but without prejudice to the powers of investment contained in clause 2 of this Statute the Governing Body may enter into equity sharing arrangements with an Official Student, Officer mentioned in Statute XVI.1 or other person employed by the House who does not reside in the House.

(b) Subject as aforesaid, the Governing Body may dispose of any interest in a property acquired under an equity sharing arrangement to any co-beneficiary of the trust of land on such terms as it thinks fit.

(c) For the purposes of sub-clauses (a) and (b) of this clause, an equity sharing arrangement is an arrangement to purchase property jointly with an Official Student, Officer or other person employed by the House and with family members of such persons.

## XXVIII. - EXPENDITURE POWERS

### *1. Application of the Statute*

This Statute shall apply to the following funds:

- (a) All funds and endowments of the House which are not held on any specific trust.
- (b) Any endowment, benefaction or trust for purposes connected with the House
  - (i) which was created by an instrument which came into operation not less than 60 years before 1 January 2000 or
  - (ii) of which the House is the Trustee or Governing Body and has consented to the provisions of this clause.

### *2. Definitions*

In this Statute:

- (a) "fair value" means the amount at which an asset could be exchanged in an arm's length transaction between informed and willing parties, other than in a forced or liquidation sale;
- (b) "total return" means return in terms of both income, whether received or accrued, and capital appreciation, whether realised or unrealised.

### *3. Expenditure powers*

The Governing Body may appropriate for expenditure for the purposes of a fund to which this Statute applies and for purposes within Statute XXXI.4 so much of the fair value of the particular fund as is prudent in all the circumstances having regard to the total return achieved and reasonably to be expected in the long term of the funds to which this Statute applies.

### *4. Meaning of the revenues of the House for the purposes of these Statutes*

Any reference in these Statutes to revenue or to the revenues of the House shall include the total sums appropriated in accordance with clause 3 of this Statute.

## XXIX. - POWERS TO BORROW AND TO DELEGATE EXECUTION OF DOCUMENTS RELATING TO PROPERTY

### *1. Power to borrow*

The Governing Body may borrow money and give security for loans and other obligations.

*2. Power to delegate execution of documents relating to property*

The Governing Body may delegate to any two members of the Governing Body the power to approve land transactions, including the disposal of property and any mortgage, and the power to give any certificate to be provided in accordance with Part V of the Charities Act 1993 (or other relevant legislation replacing that Act).

XXX. - POWERS OF INVESTMENT AND EXPENDITURE WHERE THE GOVERNING BODY IS NOT THE TRUSTEE OF ASSETS HELD FOR PURPOSES CONNECTED WITH THE HOUSE

*1. Application of the Statute*

The provisions of this Statute apply to the funds and endowments which are listed in the schedule to this Statute ("the Scheduled Funds") being for purposes connected with the House but where the trustees are not the Governing Body and of which the trustees have consented to this Statute.

*2. Investment and expenditure powers*

Notwithstanding the present powers of the trustees of the Scheduled Funds they shall henceforth have powers of investment equivalent to those of the Governing Body under Statute XXVII and powers of expenditure equivalent to those of the Governing Body under Statute XXVIII.

Schedule

[NONE]

XXXI. - DISPOSAL OF REVENUE

*1. Contributions for University purposes*

(a) The application of the revenues of the House (other than those applicable wholly to purposes external to it) under the provisions and for the purposes of these Statutes shall be subject to any Statute or Statutes made for the University under the powers of the Universities of Oxford and Cambridge Act 1877, and the Universities of Oxford and Cambridge Act 1923, for enabling or requiring the House to make contributions out of its revenues to University purposes, and to the payment of the charges imposed thereby.

(b) (i) Revenue to which this sub-clause applies may be applied in or towards the payment of any contributions for University purposes imposed on the House by any Statute or Statutes made for the University from time to time under the powers of the Universities of Oxford and Cambridge Act 1877, and the Universities of Oxford and Cambridge Act 1923, to the extent to which any such contributions are so imposed in respect of such revenue.

(ii) This sub-clause applies to revenue arising from any property held on trust by or on behalf of the House or for purposes connected with the House in accordance with Section 4 of the Universities and Colleges (Trusts) Act 1943.

## *2. Academic grants*

(a) The Governing Body may make grants to the Dean, to any Canon, Student, Lecturer appointed under Statute XVII, Junior Research Fellow and Senior Scholar, and to the College Chaplain, to assist them in meeting the expenses of any academic work that they may undertake.

(b) The grants made to any one person shall not in any academic year exceed in aggregate such a maximum sum as the Governing Body shall from time to time determine. The Governing Body may determine different maximum sums for different categories of persons.

## *3. Expenditure*

The expenditure which the House shall have power to incur shall include

- (i) the payment of contributions for University purposes under the terms of clause I of this Statute;
- (ii) the application of revenue to the purposes of these Statutes;
- (iii) reasonable and customary expenditure (not inconsistent with these Statutes) for the purposes of the House;
- (iv) extraordinary expenditure (when required) on estates;
- (v) any reasonable charitable donations; and
- (vi) any payment made to the Dean under the provisions of Statute XII.3.

## *4. Application of surplus revenues*

(a) This clause applies where there is a surplus revenue of the House: that is, where the revenues of the House have become more than sufficient to provide for its expenditure.

(b) Subject to the right of the Visitor to exercise the powers contained in sub-clause (c) of this clause, any surplus revenue shall from time to time be applied by the Governing Body at its discretion to any purposes relative to the House and not inconsistent with these Statutes, or (subject to the Statutes of the University in force for the time being) to any purposes relative to the University which advance education or learning.

(c) The Visitor shall have the power to make an order directing that any part of any surplus revenue shall be set apart and applied to purposes connected either with the House or with the University, according to a scheme to be submitted by the Governing Body and approved by the Visitor.

(d) The Governing Body, or any three members of the Governing Body, may at any time make a representation to the Visitor requesting the exercise, if the Visitor thinks fit, of the power contained in sub-clause (c) of this clause. But this provision shall not affect the Visitor's right to exercise such powers *proprio motu*.

(e) Before any scheme is confirmed by the Visitor, the Governing Body shall communicate it to the Vice-Chancellor for the information of the Council of the University and the Visitor shall consider any representations which the Council may judge it expedient for the interests of the University to make with reference to the scheme.

(f) Any sums directed to be set apart by an order made by the Visitor under this clause shall be applied only in accordance with the order. An order made by the Visitor confirming a scheme submitted by the Governing Body shall continue in force until a new scheme varying it or in substitution for it shall have been submitted and confirmed in like manner.

(g) The powers of this clause of this Statute shall not be used to make any addition to the emoluments of the Dean or of any Studentship or Scholarship in the House, nor to make any payments to any fund of the House in respect of which the payments from the Corporate Revenue are limited by these Statutes. But this sub-clause shall not prohibit or restrain the House from making payments out of its surplus revenue for research or other work in any department of education or learning.

#### 5. *Common Table*

The Governing Body may, if it thinks fit, allocate moderate and reasonable sums of money from the Corporate Revenue, to pay for the whole cost of a Common Dinner and the whole or part of the cost of a Common Luncheon, of which the Dean, Canons, Students, Honorary Students and Emeritus Students shall be entitled to partake. The Governing Body may also grant similar entitlement, with such limitations as it may determine, to any Lecturer, Research Fellow, Senior Scholar, or any other person at its discretion.

### XXXII. - PENSIONS

The House shall participate in appropriate pension schemes and the Governing Body may from time to time make such By-laws as it considers necessary to give effect to such participation.

### XXXIII. - ACCOUNTS AND AUDIT

#### 1. *Form of accounts*

(a) The Governing Body shall cause proper accounts of income and expenditure to be kept and published in the form required by law and by the Statutes of the University made under the powers of the Universities of Oxford and Cambridge Act 1923.

(b) Separate accounts shall be kept of all property held in trust for any purpose other than the general purposes of the House, and of income and expenditure in respect of such property.

*2. Audit of the accounts*

The accounts of the House shall be audited at least once in every year in the manner required by the Statutes of the University made under the powers of the Universities of Oxford and Cambridge Act 1923.

*3. Provision of information to the University; publication of the accounts*

(a) The Governing Body shall in every year cause to be prepared and delivered to the appropriate Committee of the University for publication such information relating to the accounts of the House as may be prescribed from time to time by any Statute of the University made under the powers of the Universities of Oxford and Cambridge Act 1923.

(b) The Governing Body shall in every year provide to the appropriate Committee of the University such information as may be required for determining the amount to be paid by the House as a contribution for University purposes under any Statute of the University made under the powers of the Universities of Oxford and Cambridge Act 1923.

#### XXXIV. - DOCTOR JOHN KIDD'S ESTATE

*1. Doctor John Kidd's estate*

Subject to clause 2 of this Statute, the Governing Body shall hold the property devised to the Dean and Chapter of Christ Church by the Will of Doctor John Kidd as freehold land of the House discharged from the trusts and conditions imposed by the said Will, but the net annual revenue accruing from the said property (after paying all usual outgoings), or from any investments arising from any sale of the property, shall be applied by the Governing Body to any purposes relative to the University which advance education or learning.

*2. Occupation of the property*

As long as the property has not been sold, and is not otherwise let or occupied, the Governing Body may permit a Student holding the title of Lee's Reader personally to occupy the same or some part or parts thereof upon such terms (not being terms more onerous than those contained in the said Will) as the Governing Body may think fit.

## XXXV. - BISHOP WOOD'S ESTATE

### *1. Bishop Wood's estate*

Except only as provided in clause 2 of this Statute, no clause or provision contained in these Statutes shall extend to or include the estate held under the Will of Bishop Wood for the benefit of the Senior Masters of the House, being Students, or any payments or allowances which may be made out of the estate pursuant to that Will, but so that only Official Students and the Treasurer and the Steward, if Students, shall be deemed Students of the House within the meaning of the Will.

### *2. Application of Statute XXVIII*

Statute XXVIII shall apply to the estate held under the Will of Bishop Wood for the benefit of the Senior Masters of the House.

## THE VISITOR; MISCELLANEOUS PROVISIONS

### XXXVI. - THE VISITOR

#### *1. The Visitor*

The Visitor of the House is the Crown.

#### *2. Visitations*

The Visitor, by Commissary or Commissaries duly appointed, once in ten years (or oftener, if and whenever the Visitor shall deem it expedient for enforcing the due observance of the Statutes in force for the time being to do so), without any request or application by the House or any of its members, may visit the House, and exercise at such visitation all the powers which are by law incident to the office of general Visitor of a College, notwithstanding any Statute or usage of the House to the contrary. The Visitor shall continue to have such power of depriving any member of the House as before the approval of these Statutes by Her Majesty in Council may have been legally vested in the Visitor notwithstanding anything contained in these Statutes.

#### *3. Insufficient revenues of the House: directions of the Visitor*

If at any time it shall be made to appear, to the satisfaction of the Visitor, that, owing to any cause, the revenues of the House are, or without the exercise of the power hereby conferred would be likely to become, insufficient to meet the charges created by these Statutes and to defray the rest of its necessary or ordinary expenditure, it shall be lawful for the Visitor, on a petition in writing presented by order of the Governing Body, to direct that

(a) any vacant Studentship or Scholarship shall, either permanently or during any limited period, be kept vacant; and/or

(b) the charges created by these Statutes shall be rateably diminished, either permanently or for a limited period; provided that no such diminution shall be made in any charges or contributions specifically imposed by these Statutes for University purposes, unless thirty days' notice thereof shall have been previously given to the Vice-Chancellor of the University.

#### *4. Inquiries by the Visitor*

The Governing Body shall, as often as it may be required to do so, answer in writing concerning any matter as to which the Visitor may deem it expedient to inquire for the purpose of ascertaining whether the Statutes in force for the time being are duly observed. The Dean and Chapter or the Dean and Canons shall in like manner, and for the like purpose, answer any such inquiry as to themselves, the exercise of their reserved powers, and the persons and things under their control.

*5. Appeals to the Visitor*

It shall be lawful for the Dean, or for any Canon or Student, aggrieved by any act, decision, or sentence of the Governing Body, to appeal against such act or decision or sentence to the Visitor; and it shall be lawful for the Visitor to adjudicate upon any appeal, and to disallow or annul such act or decision, and to reverse or vary such sentence, as the Visitor shall deem just.

*6. Effect of Education Reform Act 1988*

In accordance with the provisions of the Education Reform Act 1988, nothing in these Statutes shall enable or require the Visitor -

(a) to hear any appeal or determine any dispute relating to a member of the academic staff to whom Statute XXXIX applies which concerns the member's appointment or employment or the termination of that appointment or employment; or

(b) to disallow or annul any By-law made under or having effect for the purposes of Statute XXXIX.

*7. Annulment of by-laws*

It shall be lawful for the Visitor, on the complaint of the Dean or of any member of the Governing Body, to disallow and annul any By-law which shall in the judgment of the Visitor be inconsistent with any of the Statutes of the House in force for the time being.

*8. Determination of construction of Statutes by the Visitor*

As often as any question shall arise on which the members of the Governing Body shall be unable to agree, depending wholly or in part on the construction of a Statute of the House, it shall be lawful for the Governing Body, or any three members thereof, to submit the same to the Visitor, and the Visitor may thereupon declare what is the true construction of such Statute with reference to such question. Any like question which may arise between the Governing Body and the Dean and Canons or the Governing Body and the Dean and Chapter may be in like manner submitted to the Visitor by the Governing Body or by the Dean and Canons or by the Dean and Chapter.

*9. Representations to the Visitor by the University*

(a) If at any time it appears to the Council of the University that

(i) any provision of the Statutes of the House in force for the time being concerning the accounts of the House, or the audit or publication thereof, or the exercise of the borrowing powers of the House, is not observed; or

(ii) any other provision of such Statutes is not observed, by the non-observance of which any interest of the University is liable to be prejudicially affected; or

(iii) the provisions of Statute XIII.2(b) are not observed

the Council may submit a representation to the Visitor, and the Visitor shall, upon receiving such representation, inquire into the matter, and after considering any representation made by the Governing Body, make such order therein as the Visitor shall deem just for enforcing the due observance of the said Statutes in the matter to which the representation shall relate.

(b) Before any representation is made to the Visitor under sub-clause (a) of this clause, the Vice-Chancellor shall communicate the matter of the proposed representation to the Dean for the information of the Governing Body, and when a representation is made shall forthwith send him a copy of it.

## XXXVII. - POWER TO ALTER OR REPEAL

### *1. Universities of Oxford and Cambridge Act 1923*

These Statutes shall be subject to alteration in the manner provided by the Universities of Oxford and Cambridge Act 1923, that is to say from time to time by statute made by the House under that Act and passed at a general meeting of the Governing Body specially summoned for the purpose by the votes of not less than two-thirds of the number of persons present and voting, provided that notice of any proposed statute shall be given to the University before the statute is submitted to Her Majesty in Council, and a statute which affects the University shall not be altered except with the consent of the University.

### *2. Alteration of trusts*

No statute shall be made under any of the provisions of the Universities of Oxford and Cambridge Act 1923 for altering a trust, except with the consent of the trustees or governing body of the trust, unless 60 years have elapsed since the date on which the instrument creating the trust came into operation, but this shall not prevent the making of a statute increasing the endowment of any emolument or otherwise improving the position of the holder thereof.

## XXXVIII. - TEMPORARY PROVISIONS

The existing Statutes of the House and all Amendments to them are hereby repealed; but this repeal shall not revive any Statute, Ordinance, Enactment, Provision, Restriction or Requirement expressly or by implication repealed or abrogated by the said repealed Statutes and Amendments or any of them; and shall not affect anything already done or any right or interest already acquired under the said repealed Statutes or Amendments or any of them, or the conditions of tenure of any emolument held by virtue of such a right or interest.

**REDUNDANCY, DISCIPLINE AND INCAPACITY OF ACADEMIC STAFF; GRIEVANCE  
PROCEDURES**

XXXIX. - REDUNDANCY, DISCIPLINE AND INCAPACITY OF  
ACADEMIC STAFF; GRIEVANCE PROCEDURES

*Part I - Construction, application and interpretation*

1. This Statute and any By-law made under this Statute shall be construed in every case to give effect to the following guiding principles, that is to say:

(a) to ensure that members of the academic staff of the House have freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their jobs or privileges;

(b) to enable the House to provide education, to promote learning, and to engage in research efficiently and economically; and

(c) to apply the principles of justice and fairness.

2. No provision in Part II, Part III, Part IV or Part VII shall enable any member of the academic staff to be dismissed unless the reason for the dismissal may in the circumstances (including the size and administrative resources of the House) reasonably be treated as a sufficient reason for dismissal.

3.(a) This Statute shall apply -

(i) to any person holding a full-time Office designated by the Governing Body as one to which this Statute applies;

(ii) to any person employed by the House to carry out teaching or research save for those holding appointments which have been excluded by the Governing Body from the scope of this Statute on the ground that the duties in that regard are only of a limited nature; and

(iii) to the Dean, to the extent and in the manner set out in Part VII of this Statute.

(b) In this Statute any reference to a "member of the academic staff" is a reference to a person to whom this Statute applies.

4. In this Statute "dismiss" and "dismissal" refer to dismissal of a member of the academic staff and -

(a) include "remove" or, as the case may be, "removal" from office; and

(b) in relation to employment under a contract, shall be construed in accordance with section 95 of the Employment Rights Act 1996.

5.(a) For the purposes of this Statute “good cause” in relation to the dismissal or removal from office or place of a member of the academic staff, being in any case a reason which is related to conduct or to capability or qualifications for performing work of the kind which the member of the academic staff concerned was appointed or employed to do, means -

(i) conviction for an offence which may be deemed by a Disciplinary Committee appointed under Part III to be such as to render the person convicted unfit for the performance of the duties of the office or employment as a member of the academic staff; or

(ii) conduct of an immoral, scandalous or disgraceful nature incompatible with the duties of the office or employment; or

(iii) conduct constituting failure or persistent refusal or neglect or inability to perform the duties or comply with the conditions of office or employment; or

(iv) physical or mental incapacity established under Part IV.

(b) In this clause -

(i) “capability”, in relation to such a member, means capability assessed by reference to skill, aptitude, health or any other physical or mental quality; and

(ii) “qualifications”, in relation to such a member, means any degree, diploma or other academic, technical or professional qualification relevant to the office or position held by that member.

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

(a) the fact that the House has ceased, or intends to cease, to carry on the activity for the purposes of which the person concerned was appointed or employed or has ceased, or intends to cease, to carry on that activity in the place in which the person concerned worked; or

(b) the fact that the requirements of that activity for members of the academic staff of the House to carry out work of a particular kind in that place have ceased or diminished or are expected to cease or diminish.

7.(a) In any case of conflict, the provisions of this Statute shall prevail over those of any other Statute of the House in force on the date on which the instrument making these modifications was approved under subsection (9) of section 204 of the Education Reform Act 1988, and over those of any By-law, and the provisions of any By-law made under this Statute shall prevail over those of any By-law made under such other Statutes:

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

Provided also that disciplinary proceedings in relation to anything done or omitted to be done before that date may continue or be instituted after that date under the relevant Statutes in force before that date.

(b) Nothing in any appointment made, or contract entered into, shall be construed as overriding or excluding any provision made by this Statute concerning the dismissal of a member of the academic staff of the House by reason of redundancy or for good cause:

Provided that this shall not invalidate any waiver made under section 142 of the Employment Protection (Consolidation) Act 1978.

(c) For the avoidance of doubt it is hereby declared that nothing in Part III of this Statute shall be construed as affecting the operation of procedures provided by the Statutes and By-laws of the House concerning re-election on the expiry of a fixed term of a Studentship.

(d) In any case where an officer of the House or any person is designated to perform any duties or exercise any powers under this Statute, and that officer or person is himself or herself involved in the matter in question, the Governing Body may appoint an alternate to act in his or her place under procedures presented by By-laws made under this Statute.

(e) Nothing in any other Statute shall enable the Governing Body to delegate its power to reach a decision under clause 10(b).

(f) No one shall sit as a member of any of the bodies established under this Statute, and no one shall be present at a meeting of such body when the body is considering its decision or discussing a point of procedure, except as provided by this Statute or by By-laws made under this Statute.

(g) In this Statute references to numbered Parts, clauses, and sub-clauses are references to Parts, clauses, and sub-clauses so numbered in this Statute.

## *Part II - Redundancy*

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

9.(a) Nothing in this Part of this Statute shall prejudice, alter or affect any rights, powers or duties of the House or apply in relation to a person unless -

(i) his or her appointment is made, or his or her contract of employment is entered into, on or after 20th November 1987; or

(ii) he or she is promoted on or after that date.

(b) For the purposes of this clause in relation to a person, a reference to an appointment made or a contract entered into on or after 20th November 1987 or to promotion on or after that date shall be construed in accordance with subsections (3) to (6) of section 204 of the Education Reform Act 1988.

10.(a) The Governing Body shall be the appropriate body for the purposes of this Part.

(b) This Part applies only where the Governing Body has decided that there should be a reduction in the academic staff -

(i) of the House as a whole; or

(ii) of any area of academic work within the House

by way of redundancy.

11.(a) Where the Governing Body has reached a decision under clause 10(b) -

(i) it may itself decide to select the requisite members of the academic staff for dismissal by reason of redundancy if such a course satisfies the guiding principles set out in clause 1; or

(ii) it shall appoint a Redundancy Committee to be constituted in accordance with sub-clause (c) of this clause to give effect to its decision by such date as it may specify and for that purpose:

(aa) to select and recommend the requisite members of the academic staff for dismissal by reason of redundancy; and

(bb) to report their recommendations to the Governing Body.

(b) The Governing Body shall either approve any selection recommendation made under sub-clause (a)(ii)(aa), or shall remit it to the Redundancy Committee for further consideration in accordance with its further directions.

(c) A Redundancy Committee appointed by the Governing Body shall comprise -

(i) a Chairman; and

(ii) four Official Students; and

(iii) two members of the Governing Body who are not Official Students.

(d) A member of the academic staff shall not be selected for dismissal under this clause unless he or she has been afforded a reasonable opportunity to make representations to the Governing Body.

12.(a) Where the Governing Body has either itself made a selection or has approved a selection recommendation made by the Redundancy Committee under clause 11(a) it may authorise an officer of the House as its delegate to dismiss any member of the academic staff so selected.

(b) Each member of the academic staff selected shall be given separate notice of the selection approved by the Governing Body.

(c) Each separate notice shall sufficiently identify the circumstances which have satisfied the Governing Body that the intended dismissal is reasonable and in particular shall include -

(i) a summary of the action taken by the Governing Body under this Part;

(ii) an account of the selection processes it has itself used or which have been used by the Redundancy Committee;

(iii) a reference to the rights of the person notified to appeal against the notice

and to the time within which any such appeal is to be lodged under Part V (Appeals); and

(iv) a statement as to when the intended dismissal is to take effect.

*Part III - Discipline, dismissal and removal from office*

13.(a) If it appears to the Dean that there are grounds for believing that the conduct or performance of a member of the academic staff is or has been unsatisfactory, he or she shall inquire into the matter. If the Dean concludes after investigation that the member is or has been at fault, he or she may issue an oral warning to the member. The Dean shall specify the reason for the warning, shall indicate that it constitutes the first stage of the College's disciplinary procedure, and shall advise the member that or she may appeal against the warning under sub-clause (d) of this clause.

(b) If the Dean concludes after investigation that the fault is sufficiently serious to justify it, or if a further offence occurs, he or she may issue a written warning to the member. Such a warning shall specify the complaint made against the member, the improvements required in the member's conduct or performance, and the period of time within which such improvements are to be made. The Dean shall advise the member that he or she may appeal against the warning under sub-clause (d), and shall indicate that, if no satisfactory improvement takes place within the stated time, a complaint may be made seeking the institution of charges to be heard by an Academic Disciplinary Committee.

(c) The Dean shall keep a written record of any warning issued under sub-clause (a) or sub-clause (b). No further account shall be taken of an oral warning when one year has elapsed after the date of issue, and no further account shall be taken of a written warning when two years have elapsed after the date of issue.

(d) A member of the academic staff who wishes to appeal against a disciplinary warning shall inform the Dean within two weeks. A Grievance Committee appointed under Part VI shall hear the appeal and the Committee's decision shall be final. If the appeal is allowed, the warning shall be disregarded.

14.(a) If there has been no satisfactory improvement following a written warning given under clause 13(b), or in any case where it is alleged that conduct or performance may constitute good cause for dismissal or removal from office, a complaint seeking the institution of charges to be heard by an Academic Disciplinary Committee appointed under clause 15 may be made to the Dean.

(b) To enable the Dean to deal fairly with any complaint brought to his or her attention under sub-clause (a), he or she shall institute such enquiries (if any) as appear to him or her to be necessary.

(c) If it appears to the Dean (whether on receipt of a complaint or otherwise) that there are grounds for believing that the conduct or performance of a member of the academic staff of the House could constitute good cause for dismissal, he or she shall write to the person concerned inviting comment in writing and may suspend the person concerned from the performance of his or her duties without loss of emoluments.

(d) As soon as may be following the comments (if any) or in any event not later than 28 days after they were invited the Dean shall consider the matter in the light of all the available material and may dismiss the matter summarily, or issue a formal warning to

the person concerned, or direct that the matter be considered by an Academic Disciplinary Committee appointed under clause 15.

15. If the Dean has determined that the matter is to be considered by an Academic Disciplinary Committee, he or she shall request the Governing Body to appoint such a committee to hear the charge or charges and to determine whether the conduct or performance of the person charged constitutes good cause for dismissal or otherwise constitutes a serious complaint relating to his or her appointment or employment, and to make recommendations concerning the action (if any) to be taken as a result of the Committee's findings. Pending the consideration of such recommendations, the Dean, after consulting the Governing Body, may suspend the person charged from the performance of his or her duties without loss of emoluments.

16.(a) An Academic Disciplinary Committee shall consist of three persons selected by the Governing Body from a panel of seven persons appointed annually by the Governing Body.

(b) In selecting members of the panel for appointment as members of an Academic Disciplinary Committee, the Governing Body shall exclude the person charged, and any person who has been involved in or associated with the making of the complaint or any part of it, or who has been involved in any preliminary hearing or investigation.

17.(a) When an Academic Disciplinary Committee has been appointed, the Governing Body shall instruct a solicitor or other suitable person to formulate the charge or charges and to present, or arrange for the presentation of, the charges before the Committee.

(b) It shall be the duty of the person formulating the charge or charges -

(i) to forward the charge or charges to the Committee and to the member of the academic staff concerned, together with the other documents therein specified and a list of all witnesses the House proposes to call, with statements containing the evidence they are expected to give; and

(ii) to make any necessary administrative arrangements for the summoning of witnesses, the production of documents and generally for the proper presentation of the case before the Committee.

18.(a) The procedure to be followed in respect of the preparation, hearing, and determination by an Academic Disciplinary Committee shall be prescribed by By-laws made under this clause.

(b) Without prejudice to the generality of the foregoing, such By-laws shall ensure:

(i) that the member of the academic staff concerned is entitled to be represented by another person, whether such person is legally qualified or not, in connection with and at any hearing of charges by the Committee;

(ii) that a charge shall not be determined without an oral hearing at which the person charged and any person appointed to represent him or her are entitled to be present;

(iii) that witnesses may be called, both on behalf of the person charged and by the person presenting the charge, and may be questioned concerning any relevant evidence;

(iv) that no new witness or documentary evidence may be introduced by the person presenting the charge without the Committee's consent, which shall not be given save for good reason, and that if late introduction is allowed, the member of the academic staff shall be allowed an adjournment sufficient to allow him or her to consider and respond to the new evidence; and

(v) that any charge is heard and determined as expeditiously as is reasonably practicable.

19.(a) The Academic Disciplinary Committee shall send its decision on any charge referred to it (together with its findings of fact and the reasons for its decision regarding that charge and its recommendations, if any, as to the appropriate penalty) to the Dean, the person charged, the person presenting the charge and any person who shall have been added as a party by the Academic Disciplinary Committee.

(b) The Academic Disciplinary Committee shall draw attention to the period of time within which any appeal should be made by ensuring that a copy of Part V (Appeals) accompanies each copy of its decision sent to a party to the proceedings under this clause.

20.(a) Where any charge is upheld and the Academic Disciplinary Committee finds good cause and recommends dismissal or removal from office, but in no other case, the Dean shall consult the Governing Body and shall decide whether or not to dismiss the person concerned. If the Dean decides to accept the Academic Disciplinary Committee's recommendation he or she may forthwith dismiss that person.

(b) Where any charge is upheld, other than where the Dean has decided under sub-clause (a) to dismiss the person concerned, the action available to the Dean, after consulting the Governing Body, (not comprising a greater penalty than that recommended by the Academic Disciplinary Committee) shall be -

(i) to discuss the issues raised with the person concerned; or

(ii) to advise the person concerned about his or her future conduct; or

(iii) to warn the person concerned; or

(iv) to suspend the person concerned for such period as the Dean shall think fair and reasonable, provided that the suspension shall not extend beyond three months after the date on which the Governing Body considered the Academic Disciplinary Committee's decision, or if the person concerned has been suspended pending the hearing, after the Academic Disciplinary Committee's decision, provided that no suspension without pay may be ordered unless the relevant contract confers such a power; or

(v) such further or other action under the person's contract of employment or terms of appointment as appears fair and reasonable in all the circumstances of the case; or

(vi) any combination of any of the above.

21.(a) The Dean shall be the appropriate officer to exercise the powers conferred by clause 20 but he or she may appoint a delegate to exercise those powers.

(b) Any action taken by the Dean or his or her delegate shall be confirmed in writing and notified to the Governing Body.

*Part IV - Removal for incapacity on medical grounds*

22.(a) This Part makes separate provision for the assessment of incapacity on medical grounds as a good cause for dismissal or removal from office.

(b) In this Part references to medical grounds are references to capability assessed by reference to health or any other physical or mental quality.

(c) In this Part the Dean shall be the appropriate officer to perform any duties or exercise any powers, but he or she may appoint a delegate to act on his or her behalf.

(d) In this Part references to the member of the academic staff for the purposes of notification, giving consent, agreement, nomination or providing evidence include, in cases where the nature of the alleged disability so requires, a responsible relative or friend or other person with authority to act on behalf of that member in addition to (or instead of) that member.

23.(a) Where it appears to the Dean that the removal of a member of the academic staff on medical grounds should be considered, the Dean -

(i) shall inform the member accordingly;

(ii) may, if the member agrees or if the Dean considers that the House might otherwise suffer significant harm, suspend the member from duty without loss of pay; and

(iii) shall notify the member in writing that it is proposed to make an application to the member's medical practitioner for a medical report and shall seek the member's consent in writing in accordance with the requirements of the Access to Medical Reports Act 1988.

(b) If the member elects to apply for early retirement on medical grounds he or she shall be allowed to do so and the House shall meet the reasonable costs of any medical opinion required.

(c) If the member does not elect to retire voluntarily on medical grounds the Dean may refer the case in confidence, with any supporting medical and other evidence (including any such evidence submitted by the member), to a Medical Board comprising one person nominated by the Governing Body; one person nominated by the member concerned or, in default of the latter nomination, by the Dean; and a medically qualified chairman jointly agreed by the Governing Body and the member or, in default of agreement, to be nominated by the President of the Royal College of Physicians.

(d) The Board may require the member concerned to undergo medical examination at the House's expense.

(e) The procedure to be followed in respect of the preparation, hearing, and determination of a case by a Medical Board under this Part shall be prescribed by By-laws made under this sub-clause. Such By-laws shall ensure:

(i) that the member concerned is entitled to be represented by another person, whether such person is legally qualified or not, in connection with and at any hearing by the Board;

(ii) that a case shall not be determined without an oral hearing at which the person charged and any person appointed to represent him or her are entitled to be present;

(iii) that witnesses may be called and may be questioned concerning any relevant evidence; and

(iv) that the case is heard and determined as expeditiously as is reasonably practicable.

24.(a) If the Board determines that the member should be required to retire on medical grounds, the Dean shall consult the Governing Body, and may terminate the employment of the member concerned on those medical grounds.

(b) Any action taken by the Dean shall be confirmed in writing and notified to the Governing Body.

#### *Part V - Appeals*

25. This Part establishes procedures for hearing and determining appeals by members of the academic staff who are dismissed or under notice of dismissal or who are otherwise disciplined.

26.(a) This Part applies -

(i) to appeals against any decision of the Governing Body to dismiss in the exercise of its powers under Part II;

(ii) to appeals arising in any proceedings, or out of any decision reached, under Part III other than appeals against disciplinary warnings under clause 13;

(iii) to appeals against any dismissal otherwise than in pursuance of Part II, Part III, Part IV or Part VII;

(iv) to appeals against any disciplinary decision otherwise than in pursuance of Part III;

(v) to appeals against any decision reached under Part IV; and

(vi) to appeals against any decision reached under Part VII

and "appeal" and "appellant" shall be construed accordingly.

(b) No appeal shall however lie against -

(i) a decision of the Governing Body under clause 10(b);

(ii) any finding of fact of an Academic Disciplinary Committee under Part III,

or of a Tribunal under Part VII save on legal grounds or save where, with the consent of the person or persons hearing the appeal, fresh evidence is called on behalf of the appellant at that hearing;

(iii) any medical finding by a Board set up under clause 23(c) save on legal grounds or save where, with the consent of the person or persons appointed, fresh evidence is called on behalf of the appellant at that hearing.

(c) In this Part references to “the person appointed” are references to the person appointed by the Governing Body under clause 29 to hear and determine the relevant appeal.

(d) The parties to an appeal shall be the appellant and

(i) in the case of an appeal within sub-clauses (a)(i), (iii) or (iv) of this clause, the Secretary to the Governing Body;

(ii) in the case of an appeal within sub-clauses (a)(ii) or (v) of this clause, the Dean;

(iii) in the case of an appeal within sub-clause (a)(vi) of this clause, the Senior ex-Censor (as defined in clause 39)

(in this Part referred to as “the respondent”) together with, in any case, any other person added as a party at the direction of the person appointed.

27. A member of the academic staff shall institute an appeal by serving on the respondent, within the time allowed under clause 28, notice in writing setting out the grounds of the appeal.

28.(a) A notice of appeal shall be served within 28 days of the date on which the document recording the decision appealed from was sent to the appellant or such longer period, if any, as the person appointed may determine under sub-clause (c).

(b) The respondent shall bring any notice of appeal received (and the date when it was served) to the attention of the Governing Body and shall inform the appellant that he or she has done so.

(c) Where the notice of appeal is served on the respondent outside the 28 day period the person appointed under clause 29 shall not permit the appeal to proceed unless he or she considers that justice and fairness so require in the circumstances of the case.

29.(a) Where an appeal is instituted under this Part the Governing Body shall appoint a person described in sub-clause (b) to hear and determine that appeal subject to sub-clause (c) of this clause.

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

(c) The person appointed shall sit alone unless he or she considers that justice and fairness will best be served by sitting with two other persons.

(d) The other persons who may sit with the person appointed shall be -

(i) one Official Student; and

(ii) one member of the Governing Body who is not an Official Student.

30.(a) The procedure to be followed in respect of the preparation, consolidation, hearing and determination of appeals shall be that set out in By-laws made under this clause.

(b) Without prejudice to the generality of the foregoing, such By-laws shall ensure -

(i) that an appellant is entitled to be represented by another person, whether such person is legally qualified or not, in connection with and at any hearing of his or her appeal;

(ii) that an appeal shall not be determined without an oral hearing at which the appellant and any person appointed by him or her to represent him or her are entitled to be present and, with the consent of the person or persons hearing the appeal, to call witnesses;

(iii) that full and sufficient provision is made for postponements, adjournments, dismissal of the appeal for want of prosecution and for the correction of accidental errors; and

(iv) that the person appointed may set appropriate time limits for each stage (including the hearing itself) to the intent that any appeal shall be heard and determined as expeditiously as is reasonably practicable.

(c) The person or persons hearing the appeal may allow or dismiss an appeal in whole or in part and, without prejudice to the foregoing, may -

(i) remit an appeal from a decision under Part II to the Governing Body as the appropriate body (or any issue arising in the course of such an appeal) for further consideration as the person or persons hearing the appeal may direct; or

(ii) remit an appeal arising under Part III for re-hearing by a differently constituted Academic Disciplinary Committee to be appointed under that Part; or

(iii) remit an appeal from a decision under Part IV for further consideration as the person or persons hearing the appeal may direct; or

(iv) remit an appeal by the Dean arising under Part VII for re-hearing or reconsideration by the same or by a differently constituted Tribunal to be appointed under that Part; or

(v) substitute any lesser alternative penalty that would have been open to the Dean following the finding by the Academic Disciplinary Committee which heard and pronounced upon the original charge or charges.

31. The person appointed shall send a reasoned decision, including any decision reached in exercise of his or her powers under clause 30(c)(i), (ii), (iii) or (iv) on any appeal together with any findings of fact different from those of the Governing Body under Part II or of the Academic Disciplinary Committee under Part III or of the Board under Part IV or of the Tribunal appointed under Part VII, as the case may be, to the Dean and to

the parties to the appeal.

*Part VI - Grievance procedures*

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

33. The grievances to which this Part applies are ones by members of the academic staff concerning their appointments or employment where those grievances relate -

(a) to matters affecting themselves as individuals; or

(b) to matters affecting their personal dealings or relationships with other staff of the House,

not being matters for which express provision is made elsewhere in this Statute.

34.(a) If other remedies within the relevant area have been exhausted the member of the academic staff may raise the matter with the Dean.

(b) If it appears to the Dean that the matter has been finally determined under Part III, IV or V or that the grievance is trivial or invalid, he or she may dismiss it summarily, or take no action upon it. If it so appears to the Dean he or she shall inform the member and may inform the Governing Body accordingly.

(c) If the Dean is satisfied that the subject matter of the grievance could properly be considered with (or form the whole or any part of) -

(i) a complaint under Part III; or

(ii) a determination under Part IV; or

(iii) an appeal under Part V

he or she shall defer action upon it under this Part until the relevant complaint, determination or appeal has been heard or the time for instituting it has passed and he or she shall notify the member accordingly.

(d) If the Dean does not reject the complaint under sub-clause (b) or if he or she does not defer action upon it under sub-clause (c) he or she shall decide whether it would be appropriate, having regard to the interests of justice and fairness, for him or her to seek to dispose of it informally. If the Dean so decides he or she shall notify the member and proceed accordingly.

35. If the grievance has not been disposed of informally under clause 34(d), the Dean shall refer the matter to a Grievance Committee for consideration.

36.(a) A Grievance Committee shall consist of three persons selected by the Governing Body from a panel of seven persons appointed annually by the Governing Body. The members of the panel shall be members of the Governing Body.

(b) In selecting members of the panel for appointment as members of an Academic Disciplinary Committee, the Governing Body shall exclude the person charged, and any person who has been involved in or associated with the making of the complaint or any

part of it, or who has been involved in any preliminary hearing or investigation.

37. The procedure in connection with the consideration and determination of grievances shall be determined in By-laws in such a way as to ensure that the aggrieved person and any person against whom the grievance lies shall have the right to be heard at a hearing and to be accompanied by a friend or representative.

38. The Committee shall inform the Governing Body whether the grievance is or is not well-founded and if it is well-founded the Committee shall make such proposals for the redress of the grievance as it sees fit.

*Part VII - Removal of the Dean from office*

39. Any seven members of the Governing Body may make complaint to the member of the Governing Body who longest ago held the office of Censor Moralis Philosophiae (in this Statute referred to as the "Senior ex-Censor") seeking the removal of the Dean from office for good cause.

40. The Senior ex-Censor shall refer such a complaint –

(a) to the Governing Body, exclusive of the Dean and the members making the complaint; and

(b) to the Chapter, exclusive of the Dean

requesting each to consider whether the complaint is supported by sufficient evidence of good cause for the removal of the Dean from office.

41. If it appears either

(a) to the Governing Body; or

(b) to the Chapter

that the complaint is not supported by sufficient evidence of good cause for the removal of the Dean from office, the Senior ex-Censor may determine that no further action shall be taken upon it.

42. If it appears both

(a) to the Governing Body; and

(b) to the Chapter

on the available material that the complaint is supported by sufficient evidence which could, if proved, constitute good cause for the removal of the Dean from office, the Governing Body and the Chapter, exclusive of the Dean shall jointly appoint a tribunal to hear and determine the matter.

43.(a) The Tribunal appointed under clause 42 shall comprise:

(i) an independent Chairman; and

- (ii) so many members of the Chapter as may be nominated by the Chapter; and
- (iii) an equivalent number of members of the Governing Body to be nominated by the Governing Body.

(b) In nominating members of the Tribunal, the Chapter and the Governing Body shall exclude the Dean, and any person who has been involved in or associated with the making of the complaint or any part of it, or who has been involved in any preliminary hearing or investigation.

44. A charge referred to the Tribunal shall be dealt with in accordance with the procedure prescribed in clauses 17 to 19, provided -

(a) that the Senior ex-Censor shall perform any duty and exercise any power there assigned to the Dean; and

(b) that the only recommendation the Tribunal may make is whether or not the Dean should be removed from his or her office.

45. Where a charge or charges have been upheld and the Tribunal finds good cause and recommends dismissal, but in no other case, the Senior ex-Censor shall consult the Governing Body (from which the members who made the complaint shall not be excluded) and may then dismiss the Dean.

46. Where a complaint is to be referred to a Tribunal under clause 42, the Senior ex-Censor, after consulting the Governing Body (from which the members who made the complaint shall not be excluded) and the Chapter exclusive of the Dean, may, if he or she considers that the House might otherwise suffer significant harm, suspend the Dean from his or her duties without loss of salary.

47. For the purpose of the removal of the Dean from his or her office for incapacity on medical grounds, the provisions of Part IV shall have effect, provided that the Senior ex-Censor shall perform any duty or exercise any power there assigned to the Dean.

48. For the purpose of appeals by the Dean against removal from office, the provisions of Part V shall have effect - provided that the other persons who may sit under clause 29(d) with the person appointed shall be -

(a) one Official Student; and

(b) one member of the Chapter nominated by the Chapter exclusive of the Dean;

And provided that the Senior ex-Censor shall perform any duty or exercise any power there assigned to the Dean.