



**DARWIN COLLEGE, CAMBRIDGE**

**ORDINANCES**

**2016**

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## **I. COMMITTEES AND OTHER BODIES**

### **A. General Provisions and Conflicts of Interest**

1. Except where the Statutes prescribe otherwise, the periods of tenure of elected or appointed members of Committees shall end on 30 September of the relevant year.
2. Save in exceptional circumstances, the nature of which shall be recorded on each occasion in the Minutes of the electing or appointing body, no member of a Committee shall be elected or appointed to serve for more than three consecutive periods of tenure.
3. Except where the Statutes prescribe otherwise, the quorum for meetings of the Governing Body, the Council, and Committees shall be the number of members which least exceeds one-half of the total membership of the body concerned (not including those members who are on leave).
4. No student of the College shall be present, whether as a member or otherwise, at a meeting of the Council or any Committee of the College, for the discussion of, or decision on, any matter which the Chairman of the meeting declares to be reserved. The following matters shall be reserved:
  - (a) the employment or promotion, or any matter relating to the employment or promotion, of individuals by the College;
  - (b) the admission and academic assessment of individuals;
  - (c) any other matter at the discretion of the Chairman.
5. The Governing Body and the Council shall have power to invite such persons as they may deem appropriate to address them on particular items of business and to invite them to take part in the discussion thereof.
6. A Statutory Committee shall have power to invite such persons as they may deem appropriate to address them on particular items of business and to invite them to take part in the discussion thereof, provided that such an invitation shall have been agreed in advance of the meeting of that Committee. All such invitations shall be subsequently notified to the Governing Body or the Council, as appropriate, in the termly report of the Committee or in such other way as the Governing Body or the Council may direct.
7. When a Committee is initially established, the Governing Body and the Council shall in order to ensure an orderly rotation of membership, have power to appoint one or more Fellows for a period shorter than the normal prescribed tenure.
8. The College's policy for managing conflicts of interest is as follows
  - (a) The following rules, with the exception of those contained in paragraphs (d)(vii) and (viii) below, shall apply with necessary modifications to the Governing Body and to committees, working parties and other bodies constituted by the Governing Body or the Council, as they apply to the

Council, except in so far as they may be specifically dis-applied by decision of the Council.

- (b) Any member of the Council or other body who has a material interest, not being an excluded interest, in any matter of business before the meeting shall declare that fact on each occasion that that business is under consideration. Each agenda shall contain an early item "Declaration of Interests".
- (c) "Material interest" is defined as follows:
  - (i) Subject to paragraph (d)(ii) below, a material interest is any matter which may influence the judgment of the person possessing it, or may reasonably appear as capable of influencing that person's judgment, so that the judgment may not be exercised wholly and exclusively in the interests of the College.
  - (ii) An interest shall not be a material interest unless the person having that interest either knew about it or should reasonably have been aware of it. Any position as a company director or charity trustee shall not constitute a material interest unless there is a reasonable possibility that the company or charity, as the case may be, may be engaged in any business, appeal, or transaction involving the College.
- (d) "Excluded interest" is defined as follows:
  - (i) An excluded interest is an interest:
    - (I) which arises from the holding of an office or position in the College, where the other persons holding such an office or position in the College have a similar interest; or
    - (II) which arises from membership of a Faculty or Department in the University, or the holding of an office or position in the University, where the other members of the Faculty or Department or the other persons holding such an office or position in the University, as the case may be, have a similar interest.
  - (ii) In particular, an interest which arises from a general review of College stipends is excluded.
  - (iii) A Fellow's interest in his or her election or re-election to a Fellowship or appointment or re-appointment to any paid office or position in the College is not excluded, but matters concerning appointment or re-appointment to any unpaid position in the College are excluded.
  - (iv) If the material interest in question is a pecuniary interest, then the member declaring it shall withdraw from any meeting at which the business is under consideration, and shall not speak or vote on the matter.
  - (v) If the material interest is not a pecuniary interest, then the member declaring it shall withdraw from any meeting at which the business is under consideration, and shall not speak or vote on the matter, unless the meeting shall have resolved to the contrary.
  - (vi) Where a member withdraws from a meeting in accordance with

paragraph (d)(iv) or (v) above, that fact shall be recorded in the Minutes of the meeting. Any resolution of the meeting under paragraph (iv) above shall be recorded in the Minutes of the meeting at which it is made.

(vii) Members of the Council, on election or re-election to the Council, shall register their material interests with the Bursar, who shall record that information in a register kept for the purpose. Members of the Council shall notify the Bursar of any new material interest occurring during the course of their membership whenever such new material interest occurs. The register shall include a statement of membership of any Faculty or Department in the University, and the holding of any office or position in the University. The register of interests shall be available for inspection in the Bursary by any Fellow.

(viii) If the Master considers that any member or members of the Council may have an interest which should be treated as a material interest for the purposes of this policy, then the Master may ask the Council to determine the matter. The Council shall then determine it in the absence of the member or members concerned, after hearing his, her or their views, and the Council's decision shall be binding on the member or members concerned. For the purpose of this paragraph, the Council may set aside the rules above relating to excluded interests.

#### **B. The Governing Body**

1. The Annual Meeting of the Governing Body, to which the audited accounts are submitted, shall be held on the Monday of the last week of Full Michaelmas Term.
2. In any contested election or appointment by the Governing Body voting shall be by ballot.

#### **C. The Darwin College Students' Association**

1. The DCSA shall consist of all the students of the College on the register of the Admissions Committee, excluding any who have given notice to the Dean of opting out of membership of the DCSA, together with such non-voting Associate members as the DCSA may determine.
2. A student may opt out of membership of the DCSA by giving written notice to the Dean within twenty-eight days from the date of his or her registration as a student of the College. A decision to opt out may be revoked by written notice to the Dean. Revocation shall take effect from 1 October next following such notice.
3. The elected officers of the DCSA shall seek to promote the effective participation of members of the College in the academic and social activities of the College.

4. The elected officers of the DCSA shall bring to the attention of the appropriate College body or officer any matter concerning the welfare of the students of the College which may come to their notice and in which the College may properly be concerned.
5. In matters 'subject to the general direction of the Council' the Council shall ensure that the DCSA does not undertake commitments to expenditure exceeding the funds available to the Association, and that funds are used only for the objects of the Association as defined by the Statutes. The Council shall not direct the DCSA to undertake any particular commitments.
6. The Constitution of the DCSA shall provide for the election of student members of Committees of the College. The Constitution and any amendments of it shall require the approval of the College Council. The Constitution as a whole shall be reviewed by the Council at intervals not greater than five years.
7. When the constitution of a non-Statutory Committee of the College provides for a member or members appointed by the DCSA, it shall be competent for the DCSA to delegate the power of appointment to the DCSA Committee.
8. No society shall be entitled to use the name of the College or receive any subvention from the College unless it has been recognised by the Council on the recommendation of the DCSA. The Council, after consultation with the DCSA, shall have power to withdraw recognition from any Society. The Council shall maintain a list of Recognised Darwin College Societies which shall be available for inspection in the Bursar's office.
9. It shall be permissible for the Finance Committee to invite the Treasurer of the DCSA to attend their meetings and to supply the Treasurer with the agenda, papers, and minutes of those meetings. In making such arrangements the Finance Committee shall observe the provisions for reserved business.
10. The accounts of the DCSA and the termly reports of the Senior Treasurer to the Council on the finances of the DCSA shall be available in the Bursar's Office for inspection by members of the College.
11. Any proposal of the DCSA to affiliate to an organisation external to the College shall be notified to the College Council and shall be submitted for decision to a General Meeting of the DCSA together with details of any subscription or similar fee to be paid and any donation to be made to the organisation.
12. The DCSA shall submit annually to the College Council and shall publish a list of the external organisations to which it has been affiliated in the past year and details of subscriptions or similar fees paid or donations made to such organisations in that year. The list shall be subject to annual confirmation at a General Meeting of the DCSA, with a secret ballot on affiliation to any particular organisation, if that is requested.

13. If any student or group of students is dissatisfied in dealings with the DCSA or claims to have been unfairly disadvantaged by having opted out of membership of the DCSA, and a complaint thereon is made to the College Council, the Council shall appoint an independent person to investigate and report on the complaint.

**D. The Strategic Planning Committee**

1. There shall be a Strategic Planning Committee, who shall be responsible to the Governing Body and the Council for:
  - (a) Devising a long-term development policy for the College estate, in accordance with the educational policies of the College;
  - (b) Advising on the procurement and sale of land and property;
  - (c) Identifying, planning and prioritising a programme of major improvements to the College estate;
  - (d) Managing major development projects.
2. The Master shall *ex-officio* be the Chairman of the Committee, and the Bursar or the Domestic Bursar shall *ex-officio* be Secretary. The Vice-Master, Bursar, and the Domestic Bursar shall be members and the Governing Body shall appoint four additional Fellows as members for periods of two years each. The DCSA shall appoint one student as a member for a period of one year at a time.
3. The Committee shall report primarily to the Council and, if required on occasion, directly to the Governing Body.

**E. The Buildings and Grounds Committee**

1. There shall be a Buildings and Grounds Committee, who shall be responsible to the Council for:
  - (a) Establishing a maintenance policy for the College estate, including improvements to student accommodation;
  - (b) Implementing the programme of maintenance and improvements to College buildings, facilities and gardens;
  - (c) Advising on the procurement and sale of furniture and furnishings, including works of art.
2. The Vice-Master shall *ex-officio* be Chairman of the Committee, the Domestic Bursar shall *ex-officio* be Secretary, and the Gardens Officer shall *ex officio* be a member. The Governing Body shall appoint three Fellows as members for periods of two years each. Prior to the first meeting of the academic year, the DCSA shall appoint up to three students as members for periods of one year each.
3. The Committee shall report to the Council in such form and with such frequency as the Council may direct. The Minutes of each meeting of the Buildings and Grounds Committee shall be received by Governing Body.

**F. The Information Services Committee**

1. There shall be an Information Services Committee, who shall, under the direction of the Council:
  - (a) oversee College computer facilities provided for use by the members of the College as a whole;
  - (b) make recommendations on the maintenance and development of IT facilities;
  - (c) plan and implement website design, development and maintenance.
2. The Chairman and Secretary of the Committee shall be a Fellow appointed by the Council. The Domestic Bursar shall be a member and the Governing Body shall appoint two further Fellows as members of the Committee for periods of two years each. At least one of the Fellows shall be a member of the Council. The DCSA shall appoint up to six students as members of the Committee, including the DCSA Communications Officer, for periods of one year each. The IT Manager will be in attendance.
3. The Committee shall have power to co-opt up to two members. Co-opted members shall serve to 30 September following the date of their co-option.
4. The Committee shall make an annual report to the Council and such other reports as the Council shall require.

**G. The Education and Research Committee**

1. There shall be an Education and Research Committee, who shall:
  - (a) promote the wider development of Education and Research in the College and co-ordinate and administer the general academic activities of the College, but not the election of Research Fellows nor those activities acknowledged to be within the province of the Dean;
  - (b) organise the Darwin Lecture Series;
2. The Committee shall have power to appoint Sub-committees, not necessarily composed of its own members, to administer particular activities.
3. The Governing Body shall appoint four Fellows as members of the Committee for periods of two years each. The Governing Body shall designate as Chairman of the Committee one of the Fellows appointed by them. The Secretary of the Committee shall be appointed by the Committee. The DCSA shall appoint up to five students as members for periods of one year each.
4. The Committee shall receive an annual allocation of funds, of an amount to be determined by the Finance Committee. The funds of the Committee shall be administered by the Bursar.
5. The Master and the Vice-Master shall receive all the papers of the Committee and shall have the right to attend any Committee meetings as observers.

**H. The Library Committee**

1. There shall be a Library Committee, who shall advise the Librarian on the discharge of the Librarian's Statutory responsibilities.
2. The Librarian shall *ex-officio* be Chairman and Secretary of the Committee. The Moses and Mary Finley Research Fellow in Ancient History, the Munby Visiting Fellow in Bibliography, the student librarian and the deputy student librarian shall *ex officio* be members. The Governing Body shall appoint two Fellows as members for periods of two years each. The DCSA shall appoint up to three further students as members for periods of one year each.
3. The Committee shall have power to co-opt up to two members. Co-opted members shall serve to 30 September following the date of their co-option.
4. The Committee shall report primarily to the Council and, if required on occasion, directly to the Governing Body.

**I. The Meals Committee**

1. There shall be a Meals Committee, whose duty shall be to advise the Domestic Bursar, under the direction of the Council, on policy relating to meals and the conduct of the kitchen.
2. The Governing Body shall appoint three Fellows, one of whom shall be Chairman, as members of the Committee for periods of two years each. The Wine Steward shall be *ex-officio* a member, and the Domestic Bursar shall *ex-officio* be Secretary. The DCSA shall appoint up to three students as members for periods of one year each.
3. The Committee shall report to the Council in such form and with such frequency as the Council may require.

**J. The Nominations Committee**

1. There shall be a Nominations Committee, whose duty shall be to advise the Governing Body on appointments of Fellows to Statutory and other Committees and to solicit nominations for that purpose.
2. The Committee shall present to the Governing Body such nominations as the Committee have received and shall add such others as they deem necessary or expedient.
3. The Master, the Bursar, and the College Secretary shall *ex-officio* be members of the Committee, and the College Secretary shall *ex-officio* be Secretary of the Committee. The Governing Body shall appoint three Fellows as members of the Committee for periods of two years each.

**K. The Wines Committee**

1. There shall be a Wines Committee, whose duty shall be to advise the Wine Steward on policy relating to the purchase of wines and the supervision of the day-to-day operation of the College Wine Cellar.
2. The Chairman of the Committee, who shall bear the title of Wine Steward, shall be appointed by the Governing Body for periods not exceeding five years at a time. The Bursar and the Domestic Bursar shall be members of the Committee *ex-officio*. Other members of the Committee shall be appointed by the Chairman for such periods as the Chairman shall think fit.
3. The Committee shall receive an allocation of funds determined by the Finance Committee.
4. The Committee shall make an annual report to the Council and such other reports as the Council shall require.

**L. The Darwin College Society Committee**

1. There shall be a Darwin College Society Committee, who shall, under the direction of the Council:
  - (a) arrange and promote social events and interactions amongst former members in College and in and around Cambridge and London in conjunction with the College Development Office;
  - (b) assist and advise the Development Director in:
    - (i) providing a channel of regular communication between former members and the College;
    - (ii) maintaining and keeping up to date records of former members; and
    - (iii) promoting the creation and encourage the maintenance of alumni groups;
  - (c) administer the Darwin College Society and control its funds, and records.
2. The Chairman of the Committee shall be a former member elected, so far as practicable, by a postal ballot of the members of the Darwin College Society.
3. The Treasurer of the Society, elected in the same way as the Chairman, shall be *ex-officio* a member of the Committee.
4. The Governing Body shall appoint an Official Fellow to be Secretary of the Committee. The Development Director shall *ex-officio* be a member of the Committee.
5. Two former members, elected in the same way as the Chairman, one former or Emeritus Fellow, appointed by the Council, and one nominee of the Darwin College Students' Association shall be members of the Committee.

6. The Committee shall report to the Council in such form and with such frequency as the Council may require.

**M. The Health and Safety Committee**

1. There shall be a Health and Safety Committee, whose duty shall be to advise the Council on matters relating to health and safety.
2. The Governing Body shall appoint two Fellows as members of the Committee for periods of two years each, and one of these Fellows shall be appointed as Chairman. In addition, there will be *ex-officio* appointments to the Committee of the Chairman of the Buildings and Grounds Committee, the DCSA President, the Bar Chairman, the heads of the staff departments, and the Domestic Bursar as Secretary. Each contractor appointed as health and safety consultant to the College shall appoint a representative as a member. The Committee shall have power to co-opt up to two additional members.
3. The Committee shall meet at least once each Term.
4. The Committee shall report primarily to the Council and, if required on occasion, directly to the Governing Body.

**N. The Development Committee**

1. There shall be a Development Committee, which shall be responsible to the Governing Body and the Council for:
  - (a) advising the College on the cases for support, objectives and priorities for fundraising on behalf of the College in accordance with the College's strategic goals;
  - (b) advising and supporting the Development Director.
2. The Master shall *ex-officio* be the Chairman of the Committee, and the Bursar or the Development Director shall *ex-officio* be Secretary. The Governing Body shall appoint at least three additional Fellows as members for periods of two years each. The Committee shall have power to co-opt one or two Emeritus Fellows and up to four external members. Co-opted members may be appointed for terms not exceeding four years and may be reappointed.
3. The Committee shall report primarily to the Council and, if required on occasion, directly to the Governing Body.

**O. The Finance Committee (constituted under Statute XV)**

1. The Finance Committee shall have power to co-opt up to three external members to attend meetings which the Committee designates meetings to consider the management of the College's investments. Co-opted members may be appointed for terms not exceeding four years and may be reappointed. The Domestic Bursar and the College Accountant shall be in attendance.

2. There shall be a Remuneration Sub-Committee of the Finance Committee to make recommendations to the Finance Committee on:
  - (a) The College's policy in relation to College officer stipends, and employee salaries and benefits generally;
  - (b) Specific stipends or salaries payable on the appointment of senior College officers;
  - (c) Annual cost of living awards in relation to the College single salary spine.
3. The Remuneration Sub-Committee shall consist of the Bursar *ex-officio* and 2 Fellows (not currently serving as trustees on Council) appointed by the Finance Committee from among the fellows on Finance Committee, one of whom shall act as chair, and who shall serve for the duration of their terms as members of the Finance Committee.

## **II. COLLEGE OFFICERS**

### **A. General Provisions**

1. The initial stipends and allowances of the Master and the Bursar shall be determined by the Governing Body on the recommendation of the Finance Committee after consultation with any Committee established by the Governing Body to advise on the filling of vacancies in those two offices. Thereafter changes in the stipends and allowances of the Master and the Bursar shall be determined by the Finance Committee under authority delegated by the Governing Body.
2. The stipends and allowances of other College Officers shall be determined by the Finance Committee under authority delegated by the Governing Body.
3. The following shall be the procedure for appointments to each of the offices of Vice- Master, Dean, and College Secretary:
  - (a) Nominations for the office shall be invited from members of the Governing Body.
  - (b) The Master, Vice-Master, Dean, Bursar, and College Secretary, together with two Fellows appointed by the Governing Body to serve on each Committee, shall meet to elicit nominations and make the enquiries necessary to enable them to report to the Governing Body the names of persons willing to serve, provided always that the incumbent of any office shall not be a member of the Committee to consider his or her successor.
  - (c) The appointment shall then be made by the Governing Body.

### **B. The Master**

The Master shall have the use of the Master's Study free of all charges and shall be provided with such secretarial services as he or she may require for the performance of the duties of the office.

**C. The Vice-Master**

The Vice-Master shall have the use of a room in College free of all charges.

**D. The Dean**

The Dean (to be known as Dean and Senior Tutor) is formally responsible to the Council and Governing Body for the College's students from admission, teaching, welfare and pastoral support to graduation and must ensure that the University's requirements in respect of the students are complied with. The Dean shall be provided with an office and secretarial services necessary for the performance of his or her duties.

**E. The Deputy Deans**

There shall be the College Office of Deputy Dean. The Deputy Deans shall be appointed by the Governing Body for periods not exceeding three years at a time.

The duties of the Deputy Deans shall be to assist the Dean in the performance of his or her duties and to deputise for the Dean when the Dean is absent.

The Deputy Deans shall be provided with office and secretarial services necessary for the performance of their duties.

At least one of the Dean or the Deputy Deans shall be a man and at least one a woman.

**F. The Bursar**

The duties of the Bursar shall include the following, except insofar as, subject to the Statutes, any of them may be specifically assigned by the Governing Body or by these Ordinances to some other Officer or Fellow of the College or to a Committee:

- (a) having the College property under his or her general care;
- (b) keeping the College accounts;
- (c) demanding and receiving payments of all rents and monies due to the College;
- (d) maintaining necessary bank accounts and making payments necessary in connection with the management of the College and its affairs;
- (e) during any vacancy in the office of Domestic Bursar, or of Development Director, the duties of those offices as set out in these Ordinances.

#### **G. The Domestic Bursar**

There shall be the College Office of Domestic Bursar. The Domestic Bursar shall be appointed by the Governing Body for periods not exceeding five years at a time.

The duties of the Domestic Bursar except insofar as, subject to the Statutes, any of them may be specifically assigned by the Governing Body or by these Ordinances to some other Officer or Fellow of the College or to a Committee, shall be the management and budgeting of the following specific areas of the daily, internal workings of the College:

- (a) the oversight and management of specific departments: maintenance, catering, housekeeping, accommodation, IT and the porters;
- (b) the effective care and maintenance of college buildings, houses, flats, and other external properties, including the furniture and fittings;
- (c) the fire, health & safety, and security of College premises;
- (d) the appointment, and the personnel administration, of College assistant staff;
- (e) the effective implementation of all relevant domestic legislation and regulations e.g. health, safety, employment, anti-terrorism and licensing law, including the duties of Licensee;
- (f) the use of the College buildings for functions and events by members and outside bodies;
- (g) appropriate formal and informal consultation and liaison with students and staff.

#### **H. The Development Director**

There shall be a College Office of Development Director. The Development Director shall be appointed or re-appointed by the Governing Body for periods not exceeding five years at a time.

The duties and responsibilities of the Development Director shall be:

- (a) to implement the College's Development Fundraising Strategy, to review and develop the strategy from time to time in conjunction with the Development Committee and College Council, and to recommend and gain acceptance from the Fellowship to the strategy and its implementation;
- (b) to lead and manage the College's Development and Alumni-Relations Office, including setting the priorities, administration and budgetary control of that office.

#### **I. The College Secretary**

1. There shall be a College Office of College Secretary.
2. The College Secretary shall be Secretary of the Governing Body and of the Nominations Committee.
3. The College Secretary shall ensure that the University's requirements in respect of the Fellowship are complied with.

4. The College Secretary shall be appointed by the Governing Body for periods not exceeding three years at a time.
5. The College Secretary shall be provided with an office and secretarial services necessary for the performance of his or her duties.

**J. The College Praelector**

There shall be a College Praelector, who shall be responsible for seeing that members of the College proceeding to degrees do so in accordance with University requirements. The College Praelector shall receive reimbursement of expenses necessarily incurred in the performance of his or her College duties, up to a maximum to be determined by the Finance Committee under authority delegated by the Governing Body.

**III. THE FELLOWS**

**A. General Provisions**

1. The number of Professorial and Official Fellows taken together (excluding the Lloyd Dan David Fellow if appointed to an Official Fellowship) shall not exceed fifty.
2. The number of Research Fellows, whether stipendiary or non-stipendiary, (excluding the Lloyd Dan David Fellow if appointed to a Research Fellowship) shall not exceed twenty.
3. An Official Fellow who retires before the prescribed retiring age or who changes his or her major occupation but continues to be able unconditionally to satisfy the residence requirements of Statute II A 4, shall tender to the Governing Body his or her resignation from the Fellowship. The Governing Body shall seek the advice of the Fellowships Committee on whether to accept the resignation.
4. Fellows shall apply to the Governing Body for leave of absence if such leave exceeds two weeks in Full Term. If the period of absence for Fellows other than College Officers does not exceed one Full Term, the Master may grant such leave on behalf of the Governing Body and report subsequently to the Governing Body. If the period exceeds one Full Term, or in the case of a College Officer exceeds two weeks in Full Term, the approval of the Governing Body shall be sought.
5. During any period of absence a Fellow shall be entitled to retain the privileges of a Fellow. If such a period exceeds one Full Term, a Fellow shall not normally retain membership of any College Committee.
6. Fellows shall receive research grants as may be determined by the Finance Committee on authority delegated by the Governing Body.

**B. Professorial, Official, Research, and Visiting Fellows**

1. Professorial, Research, and Visiting Fellows shall endeavour to make themselves known within the College and to take as much part in College activities as they are able. Official Fellows shall to the maximum extent possible take an active part in the academic and social life of the College and in the work of College Committees.
2. Professorial, Official, Research, and Visiting Fellows shall seek to promote the effective participation of students of the College in the academic and social activities of the College.
3. Such Fellows shall bring to the attention of the Dean or other appropriate College Officer any matter, whether academic, social, financial or personal, concerning the welfare of the students of the College generally or of any individual student, which may come to their notice and in which the College may properly be concerned.
4. Such Fellows shall whenever appropriate assist the students of the College by means of any special knowledge, skill, or experience which they may possess.
5. At the request of the Master, Vice-Master, Bursar, or Dean such Fellows shall give special assistance to a particular student of the College in any way in which they properly and reasonably can, provided that, if such assistance be in academic matters, they shall take account, where possible, of the views of any person or body entrusted by the University with academic responsibility for the student.

**C. Emeritus Fellows**

1. So far as possible the Governing Body shall consider elections to Emeritus Fellowships of Professorial and Official Fellows in advance of the date of their retirement or resignation.
2. In considering elections to Emeritus Fellowships the Governing Body shall have regard to the length of service of Professorial and Official Fellows and the contributions that they have made to the College. No one shall normally be elected an Emeritus Fellow whose length of such service has been less than ten years and unless he or she is judged by the Fellowships Committee to have made a major contribution to the College.

**D. Honorary Fellows**

1. The Governing Body shall consider nominations from the Fellowships Committee of persons in the following categories for election to Honorary Fellowships:
  - (a) Distinguished members of the College who have achieved important positions not directly connected with the College.
  - (b) Distinguished individuals, not being members of the College, who have made or are likely to make important contributions to the welfare of the College.

**E. Research Fellows - Stipendiary and Non-Stipendiary**

1. The Governing Body may determine a general field of research to which a Research Fellowship shall be applied.
2. Applications for Research Fellowships shall be invited by public advertisement.
3. Four rooms on the main College site shall be made available for Research Fellows, and further rooms shall be made available to them in College houses as required. Research Fellows allocated a College room shall have the right to retain it for two years. Research Fellows shall pay for their rooms at student rates.
4. Holders of the Moses and Mary Finley Research Fellowships and the Adrian Research Fellowships shall receive a stipend which the Fellowships Committee shall be authorised to determine, subject to the approval of the Finance Committee.
5. The Fellowships Committee shall be authorised to determine, subject to the approval of the Finance Committee, a research allowance for non-stipendiary Research Fellows. On the basis of merit one of the non-stipendiary Research Fellows elected in each year shall be designated a Charles and Katherine Darwin Research Fellow and shall receive a research allowance twice as large as the standard one.

**F. Advanced Research Fellowships**

1. The Governing Body shall consider occasional nominations from the Fellowships Committee of individuals identified as particularly suitable for election, under Title A, to Official Fellowships generically denominated *advanced research fellowships*.
2. Those eligible to be recommended by the Fellowships Committee will:
  - (a) Be funded researchers, working at Cambridge, holding high-status research fellowships (for example, *The Royal Society University Research Fellowships*, or other similar national or international fellowships).
  - (b) Not hold an established position in the University of Cambridge.
  - (c) Not normally be eligible for a fellowship under the existing terms of a Darwin College stipendiary or non-stipendiary research fellowship as detailed under Title D or E and Ordinance III E.

3. Those elected to an Official Fellowship as an advanced research fellow by the Governing Body will:
  - (a) Be elected, initially, for a period of up to 5 years.
  - (b) Be eligible for renewal of that fellowship for further periods of up to 5 years.
  - (c) Only retain an Official Fellowship at the College coterminously with the continued award or retention of the qualifying external national or international research fellowship.
  - (d) Not normally exceed 5 in number at any time, which number shall count within the total number of fellows defined at Ordinance III A.
4. Each individual Official Fellowship awarded under this Ordinance will normally be identified using the title of the external awarding body (for example, *Royal Society Research Fellow*), subject to the agreement of that external body.

**G. The Munby Fellowship**

1. A Munby Fellow in bibliography shall be offered by the Governing Body a Visiting Fellowship of the College, provided that the College shall have been represented on the appointment committee.
2. Not more than one Munby Fellow shall be elected to a Visiting Fellowship in any one academical year unless the Governing Body shall have agreed in advance of an election to waive this provision.

**H. The Lloyd Dan David Fellowship**

1. A Lloyd Dan David Fellow, working on the Comparative Study of any aspect of Science and Civilization in the Ancient World at the Needham Research Institute, shall be offered by the Governing Body either an Official Fellowship or a Research Fellowship, as appropriate, provided that the College shall have been represented on the appointment committee.
2. Not more than one Lloyd Dan David Fellow shall be elected in any one academical year unless the Governing Body shall have agreed in advance of an election to waive this provision. Candidates shall be assessed according to procedures to be determined by the Fellowships Committee.

**I. Privileges of Fellows**

1. Professorial, Official, Research, and Visiting Fellows shall be entitled to take meals at the College Table whenever they are served, of which seven a week may be taken free of charge. They may bring guests, normally not exceeding two guests on any one occasion, for lunch or dinner, subject to the availability of accommodation and payment of the appropriate charges, except that each such Fellow may entertain at lunch or dinner, free of charge, a total of ten guests in any one quarter of the year.

2. Emeritus Fellows shall be entitled to lunch or dine in College when the kitchens are open, and shall have the right to up to seven free meals a week. They shall have the right to enrol for attendance at College guest nights and to be invited to the Darwin Dinner and the Commemoration Dinner. They shall be included in the list of those receiving circulated College information and shall be sent the Minutes of meetings of the Governing Body.
3. Honorary Fellows shall be entitled to lunch or dine in College when the kitchens are open, and shall have the right to up to seven free meals a week. They shall have the right to enrol for attendance at College guest nights and to be invited to the Darwin Dinner. They shall be included in the list of those receiving circulated College information.
4. Any Fellow shall be entitled to reserve a guest room on payment of the appropriate charge. Fellows may reserve a public room free of charge, provided the room is to be used for a College purpose. Private use of these rooms shall be subject to the payment of a charge determined by the Domestic Bursar on the authority of the Finance Committee.
5. Former Professorial and Official Fellows who have resigned their Fellowships to take up a post outside Cambridge shall have the right to take meals in College at guest rates when the kitchens are open and to take one free meal a week. They shall have the right to enrol at College guest nights and to be invited to the Darwin Dinner. They shall have the right to book a guest room for their own use subject to the rules and charges in force at the time.
6. Other former Professorial and Official Fellows shall have the right to take meals in College at guest rates when the kitchens are open and the right to one free meal a week.
7. Former Research Fellows shall have the right to take meals in College at guest rates when the kitchens are open and to book a guest room for their own use, subject to the rules and charges in force at the time. They shall also have the following privileges for one year in the first instance, renewable for a maximum of two further years: the right to one free meal a week and the right to enrol at College guest nights.
8. Widows and widowers of Fellows shall have the same privileges as would have been enjoyed by their former spouses.
9. After expiry of their Fellowships, Visiting Fellows shall have the same privileges as former Professorial and Official Fellows.

#### **IV. STUDENTS**

##### **A. Categories of Student Membership**

1. There shall be the following categories of student members of the College:
  - (a) Category I - Graduates with the status of Graduate Student in the University of Cambridge.
  - (b) Category II – Graduates reading for a postgraduate qualification of the University of Cambridge who have not the status of Graduate students
  - (c) Visiting Students - These are members of the College who:
    - (i) are student visitors to Faculties and Departments of the University;
    - (ii) have tenure for up to twelve months on any one occasion, but shall be capable of being renewed after an interval on a subsequent visit to Cambridge;
    - (iii) pay a fee determined by the Governing Body on the recommendation of the Finance Committee;
    - (iv) are entitled to meals at the subsidised rate but not to College accommodation.
2. Student membership is granted by the Admissions Committee.
3. Students whose course of study has come to an end shall normally become Ordinary Members in accordance with Membership Category V.6.

##### **B. Awards to Students**

1. Grants from the College Travel Fund and the St John's Travel Fund shall be made competitively to students of the College once a term by a Committee of which a Deputy Dean shall be Chairman.
2. Finley Bursaries shall be awarded competitively once a year by a Committee of which a Deputy Dean shall be Chairman.
3. College Book Prizes, of a level to be determined by Finance Committee, shall be awarded by Admissions Committee to students of the College who have demonstrated outstanding performance against the criteria for academic excellence agreed by Admissions Committee.

##### **C. Darwin College Philosophy Studentships Fund**

1. The sums donated to support students of the College in pursuing graduate studies in the Faculty of Philosophy of the University of Cambridge shall form a Fund called the Darwin College Philosophy Studentships Fund.
2. The Managers of the Fund shall be the Dean, or a deputy appointed by the Dean, and two University Officers on the establishment of the Faculty of

Philosophy appointed by the Degree Committee for the Faculty to serve for periods determined by that Degree Committee. Appointed Managers shall be eligible for re-appointment.

3. The investment of the capital of the Fund shall be determined by the Finance Committee.
4. The income of the Fund shall be used to provide studentships, called Darwin College Philosophy Studentships, for graduate students pursuing courses under the supervision of the Degree Committee for the Faculty of Philosophy who are, or intend to be, members of the College.
5. If in any year the income of the Fund is not completely expended in providing studentships, the surplus may at the discretion of the Managers either be added to the capital of the Fund or be used to make grants to assist students of the College in pursuing courses under the supervision of the Degree Committee for the Faculty of Philosophy in whatever manner the Managers shall deem appropriate.

#### **V. CATEGORIES OF MEMBERSHIP**

In addition to the Master, Fellows, and Students there shall be the following categories of membership of the College:

1. Distinguished Associate
2. Senior Member
3. Bye-Fellow
4. Visiting Researcher
5. Research Associate
6. Ordinary Members

Admission to the category of Distinguished Associate shall be determined by the Governing Body. Admission to the categories of Senior Member, Bye-Fellow, Visiting Researcher and Research Associate shall be determined by the Fellowships Committee, who shall report their decisions to the Governing Body.

1. Distinguished Associates shall:
  - (a) be distinguished persons from industry, public service, technology, science or the arts and be expected to provide valuable connections between the College and the outside world;
  - (b) be limited in number to twelve at any one time;
  - (c) be elected by the Governing Body, on the nomination of the Fellowships Committee, for periods of five years at a time which shall be renewable;
  - (d) be entitled to meals at the guest rate;
  - (e) be entitled to attend Guest Nights and to bring in guests at their own expense; and
  - (f) pay no fee, and have no entitlement to College accommodation.

2. Senior Members shall:
  - (a) be relatively permanent members of the staff of the University or of associated research institutes proposed by Fellows;
  - (b) be limited in number to thirty at any one time;
  - (c) be appointed initially for up to three years, and be eligible for re-appointment for periods of up to four years at a time;
  - (d) be entitled to meals at the guest rate but not to College accommodation;
  - (e) be entitled to attend Guest Nights and bring in guests at their own expense; and
  - (f) be expected to take part in the activities of the College
  
3. Bye Fellows shall:
  - (a) be persons whose engagement with the College would be of benefit, nominated by a Fellow and approved by Fellowships Committee;
  - (b) be limited in number to twelve at any one time;
  - (c) have tenure for up to three years;
  - (d) pay a fee, the level of which is to be determined by Finance Committee from time to time, which may be waived by Fellowships Committee
  - (e) be entitled to meals at the guest rate, but shall have no entitlement to College accommodation; and
  - (f) be entitled to attend Guest Nights and bring in guests at their own expense.
  
4. Visiting Researchers shall:
  - (a) normally be academic short-term visitors;
  - (b) be limited in number to six at any one time;
  - (c) have tenure for up to six months;
  - (d) pay a fee, the level of which is to be determined by Finance Committee from time to time; and
  - (e) be entitled to meals at the guest rate.
  
5. Research Associates shall:
  - (a) be of post-doctoral standing, at an early stage in their career, and may be sponsored by the Master or by a Fellow to whom they are academically associated or may be admitted by a periodic process to be determined by Fellowships Committee;
  - (b) have tenure for an initial period of one year, renewable for up to a further two years;
  - (c) be entitled to meals at the guest rate;
  - (d) pay no fee, and have no entitlement to College accommodation;
  - (e) be entitled during their tenure to membership of the Darwin College Students' Association;
  - (f) after completion of a period of one year become members of the Darwin College Society.

6. Ordinary Members:
  - (a) shall be either former Student Members whose course of study has come to an end and are in good standing with the College, or other persons not former Student Members of the College but formerly qualified for membership under any provision of Statute or Ordinance;
  - (b) members in this category shall enjoy such entitlements as the College may from time-to-time determine;
  - (c) on the recommendation of the Dean, the Governing Body may expel or suspend from membership such members, or may suspend the entitlements of membership, if it considers it to be in the interests of the College to do so.

## **VI. COLLEGE ENTERTAINMENT**

### **A. Commemoration Dinner**

1. The recognition of Darwin College as an Approved Foundation on 29 January 1965, on the approval on that date of the revised Statute H of the University by Her Majesty in Council, shall be commemorated by a dinner.
2. The Commemoration Dinner shall be held in each year on the Thursday closest to 29 January and shall be at the expense of the College.
3. A number of students, representative of the Student Body and including Officers of the Darwin College Students' Association, shall be invited to the dinner.

### **B. Darwin Dinner**

1. There shall be a dinner, to be called the Darwin Dinner, to be held each Easter Term at the expense of the College on a date to be determined by the Council.
2. Distinguished guests shall be invited, as shall be decided by the Master after considering any proposals by members of the Governing Body.

### **C. Guest Nights**

1. There shall be at least one ordinary Guest Night each Term.
2. The dates of the Guest Nights shall be determined by the Council.
3. There shall be a welcoming dinner for Fellows in the Michaelmas Term on a date determined by the Council.

## **VII. PROCEDURES**

### **A. Appointments and Conditions of Service**

The Finance Committee shall:

- (a) determine the numbers of the domestic and clerical staff of the College; and
- (b) report the general terms and conditions of service of domestic and clerical staff to the Council.

### **B. The Common Seal**

1. The Common Seal may be used for the sealing of documents concerned with dealings in land and property, or with pension schemes in which the College participates, or with the establishment and administration of trusts, provided that any such document or the transaction to which the document relates has first been approved by the Council or by the Finance Committee.
2. At meetings of the Governing Body at which the use of the Common Seal is reported, a note of the documents to which the seal has been affixed shall be available for inspection.

### **C. Student Discipline**

1. If the Dean is satisfied, after a full investigation of the matter, that a student has failed to observe the Statutes, Ordinances and regulations of the College, or is guilty of conduct prejudicial to the good order and discipline of the College, he or she shall ensure that the student is fully apprised of the nature and circumstances of the offence and of the student's rights under Statute XVIII. The Dean shall inform the student of any penalty that the Dean has decided to impose or of the Dean's decision to refer the matter to the Disciplinary Committee.
2. A student shall give notice in writing to the Secretary of the Council of any appeal to the Disciplinary Committee, or to the Council, as appropriate, and of the grounds for such appeal.
3. In this Ordinance the term 'Dean' shall mean the Dean or, in the Dean's absence, another officer of the College designated by the Council.

### **D. Wolfson College, Oxford**

Any reciprocal privileges agreed upon with Wolfson College, Oxford for the taking of meals or the booking of guest rooms shall be restricted to current members of the two Colleges.

### **VIII. ORDINANCES MADE FOR THE PURPOSES OF STATUTE XXVII**

(To be used only in conjunction with the Statute)

1. (1) The following ordinances are made in pursuance of the requirements of Statute XXVII and references in them to 'the statute' are references to that Statute.

(2) The expression 'full-time' in these ordinances in relation to a College office means an office which is the principal source of remuneration of the office-holder (disregarding any office or employment held otherwise than in the College or the University); provided that, in respect of any particular appointment to an office, the Governing Body may resolve that the office is part-time only, having regard to the duties and remuneration of the office, and where the office would not normally be the principal source of remuneration of the office holder.

#### *Application of the Statute*

2. (1) The offices of Vice-Master, Bursar, Dean, and College Secretary are hereby designated as offices to which the statute applies by virtue of Section 3(1) of the statute when they are held full-time and a full-time holder of such an office is accordingly a person to whom the statute applies.

(2) A person who is employed by the College in teaching or research on a part-time basis only and does not hold an office designated under paragraph (1) of this ordinance is hereby excluded from the scope of Section 3(2) of the statute on the ground that the duties in that regard are only of a limited nature, and accordingly such a person is not, by virtue of that employment, a person to whom the statute applies.

(3) A person holding a Research Fellowship is not a person employed by the College to carry out teaching or research within the meaning of Section 3 of the statute and accordingly is not by virtue of that award a member of the academic staff to whom the statute applies.

(4) Where it is proposed that a Fellow or College officer who is not a member of the academic staff within the meaning of the statute should be dismissed for good cause or for medical incapacity, the determination of such good cause or medical incapacity shall be regulated by the provisions specified in Parts III and IV of the statute and in these ordinances in respect of members of the academic staff, and (without prejudice to any other right of appeal they may enjoy) such Fellows and College officers shall have the same rights of appeal under Part V of the statute as members of the academic staff, save that the provisions of this paragraph shall not confer any rights in respect of the termination of an appointment by expiry of tenure.

*Hearing by a Disciplinary Committee under Part III of the Statute*

3. (1) If the Master has determined that a charge or charges against a member of the academic staff should be considered by a disciplinary committee, he or she shall summon a special meeting of the Governing Body forthwith to appoint such a committee under Section 15 of the statute. The person charged shall not be entitled to attend the meeting.
  - (2) The Governing Body shall appoint three persons selected from the panel constituted under Section 16 of the statute, and shall designate one of the persons so appointed to be chairman. The Governing Body may at the same time conditionally appoint a further person or persons from the panel to serve in place of any person who is unable or unwilling to serve on the committee. The person to be charged before the committee shall be informed of the appointments by the College Secretary and shall be entitled within 2 days to object for good cause to any member appointed to serve on the committee. The Governing Body shall rule on any such objection and their decision shall be final. The College Secretary shall forthwith send a copy of the statute and of those ordinances to the person to be charged.
  - (3) If any person selected is unwilling or unable to serve on the committee, he or she shall immediately inform the College Secretary, and if no further person has already been conditionally appointed the Governing Body shall thereupon appoint another person to act in his or her place; but no replacement shall be made after a person has agreed to serve.
  - (4) The Governing Body shall appoint:
    - (i) a suitable person to act as secretary or clerk of the committee; and
    - (ii) a suitable person to formulate a charge or charges in writing and to present, or arrange for the presentation of, the charges before the committee.
  - (5) With the consent of the Governing Body, the chairman may appoint a legal adviser to assist the committee in such manner as the committee may decide; provided that the committee shall alone make any findings, determinations and recommendations.
4. (1) If, after the committee has been appointed, a member of the committee becomes unable or unwilling to act, the remaining members shall continue to act, so long as there remain two members willing and able to act, but not otherwise. If more than one member becomes unwilling or unable to act, the Governing Body shall appoint a new committee to act *de novo* in the matter.
  - (2) A decision of the committee may be taken by a majority thereof. Where there remain only two members of the committee, any decision shall be unanimous.

5. (1) The parties to a hearing by the committee shall be:
  - (i) the person charged;
  - (ii) the person presenting the charges;
  - (iii) any person who shall be added as a party by the committee on application or on their own motion.
- (2) Any party to a hearing by the committee shall be entitled to be represented by another person, whether such person is legally qualified or not, in connection with or at any hearing by the committee. The party wishing to be so represented shall inform the chairman and the other parties in writing of the appointment or dismissal of any representative on his or her behalf, and shall give notice whether any papers or notices in connection with the case should be sent to that representative in substitution for or in addition to the person charged.
6. (1) The person presenting the charges shall send to the secretary of the committee written notice of the charges to be brought before the committee and the particulars thereof, and shall send with the notice a copy of any documents which it is proposed to produce and a list of all witnesses whom it is proposed to call, together with statements of the evidence that they are expected to give.
- (2) After consultation with the person charged and with the party presenting the charges, the chairman of the committee shall fix the date, time and place of the hearing, and he or she shall have power, if the circumstances require it, to cancel a hearing so arranged at any time before the commencement of the hearing, and to appoint a different date, time, and place.
- (3) Not later than 14 days (or such shorter period as may be agreed between him or her and the parties) before the date so fixed the secretary of the committee shall send to each party (a) a notice of the hearing which shall contain information and guidance as to attendance at the hearing, the calling of witnesses and the production of documents, representation by another person and the use of written submissions, and (b) a copy of the charge or charges, together with a copy of the other documents and information specified in paragraph (1) of this ordinance.
- (4) Not later than 2 days before the date appointed for the hearing the person charged and any other person who has been added as a party shall forward to the secretary of the committee and to the other parties a copy of any documents he or she wishes to present and a list of all witnesses he or she proposes to call, with statements of the evidence they are expected to give.
- (5) It shall be the duty of the person presenting the charges to make any necessary arrangements for the summoning of witnesses, the production of documents and generally for the proper presentation of the case before the committee.
- (6) No new witness or documentary evidence may be introduced by the person presenting the charges, beyond those of which notice has been given under paragraph (1) of this ordinance, without the consent of the committee, and that consent shall not be given except for good reason. If such late introduction is

permitted, the person charged shall be allowed an adjournment sufficient to allow him or her to consider and respond to the new evidence and to introduce further evidence in rebuttal.

7. (1) The fact that any person has been or is liable to be prosecuted in a court of law in respect of an act or conduct which is the subject of the proceedings before the committee shall not affect the jurisdiction and powers of the committee under the statute; but the committee shall consider the advisability of referring the matter to the police and if the matter is so referred (by the committee or otherwise), they may adjourn their proceedings for such time as is reasonable in the circumstances to enable a prosecution to be undertaken.

(2) Evidence that a person has been convicted of an offence by or before any court of law, or that any court of law has found an offence with which he or she was charged proved, shall, for the purpose of proving that he or she committed the offence or was guilty of any act or conduct in respect of which he or she was so charged or convicted, be admissible in any proceedings before the committee.

8. (1) A charge shall not be determined without an oral hearing at which the person charged and any other parties to the hearing are entitled to be present together with their representatives, if any. Where the person charged is unrepresented, he or she shall be entitled to be accompanied at the hearing by another person who is not a witness to the proceedings.

(2) The committee shall have power, if they think appropriate in the circumstances, to hear charges against two or more persons at the same hearing.

(3) The committee may sit in public or *in camera* at the discretion of the chairman, provided that if the person charged so requests the committee shall normally sit *in camera*.

(4) The committee shall have power to proceed with a hearing in the absence of the person charged or of his or her representative and, notwithstanding the provisions of paragraph (1) of this ordinance, the chairman shall have power to exclude any person from a hearing if in his or her opinion such exclusion is necessary for the maintenance of order.

(5) Each party to a hearing before the committee, or his or her representative, shall be entitled to make opening statements, to give evidence, to call witnesses, to question any witness concerning any relevant evidence, and to address the committee after the evidence has been heard; provided that, if the person charged chooses to be represented by any other person, he or she shall not also be entitled to speak at the hearing, otherwise than as a witness, without the consent of the chairman.

(6) Subject to the provisions of the statute and of these ordinances, the committee shall regulate their own procedure. The chairman may set time-limits for each stage of the proceedings, and any meeting may be postponed or adjourned at the discretion of the chairman. It shall be the duty of the committee and of the chairman to ensure that a charge is heard and disposed of as

expeditiously as is reasonably practicable.

- (7) The committee shall have power to dismiss a charge for want of prosecution.
9. (1) The committee shall not find a charge proved unless they are satisfied that the charge has been proved beyond reasonable doubt.
- (2) If the person charged chooses not to give evidence or refuses, without good cause, to answer any question, the committee, in determining whether the charge has been proved, may draw such inferences as appear proper from the failure of the person charged to give evidence or his or her refusal, without good cause, to answer any question.
- (3) If the committee finds a charged proved they shall give the parties an opportunity to address them in respect of the penalty to be recommended.
10. (1) The secretary and the committee's legal adviser, if any, shall be entitled to be present throughout the hearing and at any meeting of the committee, and the secretary shall keep a sufficient record of the proceedings of the committee; and the decision of the committee shall be recorded in a document signed by the chairman which shall contain:
- (i) their findings of fact;
  - (ii) the reasons for their decision; and
  - (iii) their recommendations.
- (2) The chairman shall have power by certificate under his or her hand to correct in the document recording the decisions of the committee any clerical errors arising from accidental mistakes or omissions.
- (3) The secretary of the committee shall send a copy of the decision of the committee, together with their findings of fact and their recommendations, to the Master, the person charged and any person who shall have been added as a party.
- (4) The 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) of the statute accompanies each copy of their decision sent to a party to the proceedings.
11. The College shall meet all proper costs of members of the committee and of their secretary and legal adviser, if any.

*Hearings by a Medical Board under Part IV of the Statute*

12. (1) Where it appears to the Governing Body (or in any case of urgency the Master) that it is necessary to refer a case to a medical board under the provisions of Part IV of the statute, the Governing Body shall appoint a person to present the case to the board. The College Secretary shall forthwith send a copy of the statute and of these ordinances to the member of the academic staff whose possible retirement on medical grounds is to be considered by the board, herein referred to as the member concerned.

- (2) When the board has been constituted under the provisions of Section 23(3) of the statute, the Governing Body shall appoint a secretary to the board on the nomination of the board's chairman.
- (3) With the consent of the Governing Body, the chairman may appoint a legal adviser to assist the board in such manner as the chairman may decide; provided that the board shall alone determine the case referred.
13. (1) If, after the board has been constituted, a member of the board (other than the chairman) becomes unable or unwilling to act, the remaining members shall continue to act, provided (a) that the party who nominated that member (or his or her representative) consent and (b) that there remain two members willing and able to act. In any other case the Master shall discharge the board and a new board shall be constituted in accordance with the provisions of Section 23(3) of the statute.
- (2) A decision of the board may be taken by a majority thereof. Where there remain only two members of the board, any decision shall be unanimous.
14. (1) The parties to a hearing by the board shall be:
- (i) the member concerned; and
  - (ii) the person appointed by the Governing Body to present the case to the board.
- (2) The member concerned shall be entitled to be represented by another person, such person is legally qualified or not, in connection with and at any hearing by the board. The appointment of such a representative shall be made in writing by the member concerned or by any person having authority in law to act on his or her behalf, and the appointment may similarly be revoked in writing at any time. Notice of any appointment or revocation shall be given to the secretary of the board and to the person presenting the case. Service on the representative of any paper or notice in connection with the case shall constitute sufficient service upon the member concerned; and any consultation with the representative, and any action taken by the representative within the scope of his or her authority, shall be binding on the member concerned. References in these ordinances to the member concerned shall, where appropriate, refer to or include reference to his or her representative.
15. (1) The person presenting the case shall send to the secretary of the board a written statement of the case and all relevant medical evidence, and shall send with the statement a copy of any documents which it is proposed to produce and a list of all witnesses it is proposed to call, together with statements containing the evidence they are expected to give.
- (2) After consultation with the member concerned and with the person presenting the case, the chairman of the board shall appoint a date, time and place of the hearing, and he or she shall have power, if the circumstances require it, to cancel a hearing so appointed at any time before the commencement of the hearing and to appoint a different date, time or place.

(3) Not later than 14 days (or such shorter period as may be agreed by him or her with the parties) before the date appointed for the hearing, the secretary of the board shall send a notice of the hearing to each party and to any representative appointed under Ordinance 14(2). The notice shall include (a) information and guidance as to attendance at the hearing, the calling of witnesses and the bringing of documents, representation by another person and written submissions, and (b) a statement of the case, together with a copy of the documents and other information specified in paragraph (1) of this ordinance.

(4) Not later than 2 days before the date appointed for the hearing the member concerned, or his or her representative, shall send to the secretary of the board and to the person presenting the case a copy of any documents he or she wishes to present and a list of all witnesses he or she proposes to call, with statements of the evidence they are expected to give.

(5) It shall be the duty of the person presenting the case to make any necessary arrangements for the summoning of witnesses, the production of documents and generally for the proper presentation of the case to the board.

(6) No new witnesses or documentary evidence may be introduced by the person presenting the case on behalf of the College without the consent of the board, and such consent shall not be given save for good reason. If such late introduction is permitted, the member concerned shall be allowed an adjournment sufficient to allow him or her to consider the additional evidence and respond to it, and to introduce further evidence as appropriate.

16. (1) The case shall not be determined without an oral hearing at which the member concerned shall be entitled to be represented.

(2) Any hearing before the board shall take place *in camera*. At any hearing at which the member concerned is present, he or she may be accompanied by another person who is not a witness in the proceedings.

(3) The board shall have power to proceed with a hearing in the absence of the member concerned or of his or her representative and, notwithstanding the provisions of paragraph (1) of this ordinance, the chairman shall have power to exclude any person from a hearing if in his or her opinion such exclusion is necessary for the maintenance of order.

(4) Each party to a hearing before a medical board, or his or her representative, shall be entitled to make an opening statement, to give evidence and to address the board after the evidence has been heard; provided that, if the member concerned chooses to be represented by another person, he or she shall not also be entitled to speak at the hearing otherwise than as a witness, without the consent of the chairman.

(5) Subject to the provisions of the statute and of these ordinances, the board shall regulate their own procedure and any meeting may be postponed or adjourned at the discretion of the chairman. It shall be the duty of the board and

of the chairman to ensure that the case is heard and determined as expeditiously as is reasonably practicable.

17. (1) The board may require the member concerned to undergo medical examination at the College's expense.  
(2) The College shall meet all proper costs of members of the board and of their secretary and legal adviser, if any.
18. The board shall not determine that any person should be required to retire by reason of incapacity on medical grounds unless they are satisfied that the incapacity has been proved beyond reasonable doubt.
19. (1) The secretary and the board's legal adviser, if any, shall be entitled to be present throughout the hearing and at any meeting of the board, and the secretary shall keep a sufficient record of the proceedings of the board.  
(2) The determination of the board shall be recorded in a document signed by the chairman which shall contain:
  - (i) their medical findings;
  - (ii) their findings of fact; and
  - (iii) their determination and the reasons therefor.  
(3) The chairman shall have power by certificate under his or her hand to correct in documents recording the determination of the medical board any clerical errors arising from accidental mistakes or omissions.  
(4) The secretary of the board shall send a copy of the document specified in paragraph (2) above to the Master, to the person responsible for presenting the case to the board, and to the member concerned.  
(5) The board shall draw attention to the period of time within which any appeal should be made by ensuring that a copy of Part V (Appeals) of the statute accompanies each copy of their determination sent to the parties to the proceedings.

*Appeals under Part V of the Statute*

20. When an appeal is commenced under Part V of the statute the Governing Body shall appoint to hear and determine the appeal a person jointly agreed with the appellant or, in default of agreement, a person to be nominated by the Commissary of the University. The person so appointed shall be a person who holds or has held judicial office or who is a barrister or solicitor of at least ten years' standing. Notice of the appointment shall be sent by the College Secretary to the appellant.

21. (1) In accordance with Section 26(4) of the statute the parties to the appeal shall be:
- (i) the appellant;
  - (ii) the Master (or in the case of an appeal by the Master, the Vice-Master), acting on behalf of the College; and
  - (iii) any other person added as a party by the direction of the person hearing the appeal.
- (2) The Master (or in the case of an appeal by the Master, the Vice-Master), may appoint a suitable person as respondent to act in his or her place on behalf of the College in the matter.
22. (1) The Master shall send to the person appointed to hear the appeal and to the appellant: (a) copies of the record of the decision appealed against, (b) copies of the papers received by the body that earlier heard or considered the matter and (c) copies of the document recording the determinations of that body.
- (2) After consultation with the parties the person appointed to hear the appeal shall determine:
- (i) the date, time and place of the hearing of the appeal;
  - (ii) whether any witnesses are to be heard and the extent of the matters (if any) on which oral evidence is to be permitted;
  - (iii) whether he or she will sit alone to hear the appeal or will sit as chairman of an appeal tribunal in accordance with Section 29(4) of the statute;
- and he or she shall inform the parties accordingly.
- (3) If the person appointed decides to sit as chairman of an appeal tribunal, he or she shall appoint two persons to sit with him or her, one of whom shall be a member of the Regent House of the University not being a Fellow of the College; and he or she shall inform the parties that he or she has done so. In this event references to the person hearing the appeal shall be construed as references to the persons appointed.
- (4) With the consent of the Governing Body, the person hearing the appeal may appoint a legal adviser to assist him or her in such manner as he or she may decide, provided that the person hearing the appeal shall alone determine the appeal.
23. (1) The appellant and the respondent shall each be entitled to be represented by another person, whether such other person is legally qualified or not, in connection with and at any hearing of the appeal; provided that if either party chooses to be so represented, he or she shall not also be entitled to speak, other than as a witness, without the consent of the person hearing the appeal.
- (2) The appellant and the respondent shall notify the person hearing the appeal and each other in writing of the appointment and of the dismissal of any representative, and shall give notice whether any papers or notices in connection with the case should be sent to the representative in substitution for, or in addition to, them.

24. (1) Not later than 14 days before the date set for the hearing, the appellant and the respondent shall send to the person hearing the appeal and to each other a copy of any documents to be submitted at the hearing, a list of any witnesses to be called with statements containing the evidence they are expected to give, and a list of any legal authorities which it is intended to cite at the hearing.
- (2) The appeal shall not be determined without an oral hearing at which the appellant and his or her representative, if any, are entitled to be present.
- (3) The person hearing the appeal shall have power, if he or she thinks it appropriate in the circumstances, to hear appeals by two or more parties at the same hearing.
- (4) The hearing of the appeal may take place in public or *in camera* at the discretion of the person hearing the appeal, provided that if the appellant so requests it shall normally take place *in camera*.
- (5) The person hearing the appeal shall have power to proceed with a hearing in the absence of any of the persons entitled to be present and, notwithstanding the provisions of paragraph (2) of this ordinance, he or she shall have power to exclude any person from a hearing if in his or her opinion such exclusion is necessary for the maintenance of order.
- (6) The person hearing the appeal may agree to add any other person as a party to the appeal, if he is of the opinion that that step is desirable to give effect to the guiding principles stated in Section (1) of the statute.
- (7) Persons appearing at the hearing of the appeal shall be entitled to make opening statements and to address the person hearing the appeal. Any witnesses who are permitted to be called may be questioned concerning any evidence on permitted matters and shall be subject to cross-examination and re-examination on such evidence. Where a person seeks to adduce evidence, or to cite any legal authority, of which notice has not been given under paragraph (1) of this ordinance the person hearing the appeal may, at his or her discretion, allow such evidence or legal authority, but, if he or she does, he or she shall allow the other party an adjournment sufficient to allow him or her to consider and respond to such evidence or legal authority as the case may be.
- (8) Subject to the provisions of the statute and of these ordinances, the person hearing the appeal shall regulate his or her own procedure. He or she may set time limits for each stage of the proceedings (including the hearing itself), may postpone or adjourn any meeting at his or her discretion, and may dismiss the appeal for want of prosecution. It shall be the duty of the person hearing the appeal to ensure that the appeal is heard and disposed of as expeditiously as is reasonable practicable.
- (9) In any exercise of a discretion the person hearing the appeal shall seek to give effect to the guiding principles stated in Section (1) of the statute. Any giving of a consent, or any exercise of a discretion, by the person hearing the

appeal may be made subject to such conditions as he or she may think fit.

25. (1) Nothing contained in the modifications of the statutes of the College by the University Commissioners under the Education Reform Act 1988 shall be taken as authorising the person hearing an appeal by a member of the academic staff against dismissal to allow such an appeal on any ground not recognised by law at the time of the making of the said Act as a ground for annulling or setting aside a dismissal of a member of the academic staff.
- (2) The person hearing an appeal by a member of the academic staff against dismissal shall not have the power to make any order which would require any expenditure of money not authorised at or before the time of the decision to appoint the member concerned to the office or post from which he or she has been dismissed.
26. (1) The person hearing the appeal shall give notice of his or her decision to the parties, together with his or her reasons and a statement of any findings of fact different from those made by the bodies specified in Section 31 of the statute.
- (2) The person hearing the appeal (or the chairman in the case of an appeal tribunal) shall have power by certificate under his or her hand to correct in documents recording his or her decisions any clerical errors arising from accidental mistakes or omissions.
27. The College shall meet all proper costs of the person or persons hearing the appeal and of the legal adviser, if any.

*Grievance Procedures under Part VI of the Statute*

28. (1) When a grievance committee is constituted under Section 36 of the statute, the Governing Body shall appoint one of the members to be chairman of the committee.
- (2) A grievance shall not be disposed of without an oral hearing at which the aggrieved person and any person against whom the grievance lies shall have the right to be heard and to be accompanied by a friend or representative.
- (3) It shall be the duty of the committee to consider and determine the grievance as expeditiously as is reasonably practicable.
- (4) 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 they think fit.
- (5) The Governing Body shall consider the proposals of the committee at their next ordinary meeting. In reaching any decision upon the matter, they shall seek to give effect to the guiding principles stated in Section 1 of the statute.

*Hearings by a Tribunal under Part VII of the Statute*

29. The preceding ordinances relating to hearings by a disciplinary committee shall apply to hearings by a tribunal appointed under Part VII of the statute, provided that references in those ordinances to a disciplinary committee and to a person charged shall be construed as referring to the tribunal and to the Master respectively.

*Appointment of an alternate under Section 6(4) of the Statute*

30. (1) The Governing Body shall appoint an alternate to act in place of any person who is designated to perform any duties or exercise any powers under the statute or under these ordinances if that person is himself or herself involved in the matter in question.
- (2) In any case in which the statute or these ordinances specify particular qualifications that must be satisfied by a person designated to perform any duties or exercise any powers, a person shall not be appointed as an alternate unless he or she satisfies those qualifications so far as reasonably possible.

*Notices*

31. (1) Any notice given under the provisions of the statute or of these ordinances shall be in writing; and any documents and notices required to be sent to a person shall be sent by post or delivered to that person at his or her last known address or to his or her authorised representative. Where a document or notice is sent by post, it shall be sent by the recorded delivery service, and proof of posting by recorded delivery service shall be sufficient proof of delivery.
- (2) A party may at any time by notice to the secretary of the disciplinary committee or medical board or tribunal (or, in the case of an appeal, to the person hearing the appeal), and to the other parties change his or her address for service under these ordinances.