

STATUTES

of the

KING'S HALL AND COLLEGE

OF BRASENOSE

IN OXFORD

MADE ON 28 APRIL, 1954

IN THE MANNER PROVIDED BY THE

UNIVERSITIES OF OXFORD

AND CAMBRIDGE ACT, 1923

WITH AMENDMENTS MADE BETWEEN THAT DATE

AND

NOVEMBER 2012

PREAMBLE

*This College was founded by William Smyth, Bishop of Lincoln, and Sir Richard Sutton, Knight, under a Charter of King Henry the Eighth, dated the 15th of January in the third year of his Reign, for objects set forth in the Preamble of the Statutes given by Sir Richard Sutton, dated the 1st day of February in the thirteenth year of the same Reign, as follows, viz.:

`In nomine sanctae et individuae Trinitatis, Patris, Filii, et Spiritus Sancti, ac beatissimae Dei Genetricis Mariae, Virginis Gloriosae, Sanctorumque Hugonis et Ceddae Confessorum, necnon Sancti Michaelis Archangeli. Nos Willielmus Smith, permissione divina Lincolniensis Episcopus, et Richardus Sutton, Armiger, de summi Creatoris ope confisi, qui vota cunctorum in eo fidentium cognoscit, dirigit, ac disponit, de bonis quae in hac vita, non nostris meritis sed de suae plenitudinis gratia, accepimus abundanter, unum perpetuum Collegium pauperum et indigentium scholarium, in Universitate Oxoniensi, in philosophia ac sacra theologia studere ac proficere debentium; *The King's Haule and Colledge of Brasenose in Oxford* vulgariter nuncupatum; ad laudem, gloriam et honorem omnipotentis Dei, gloriosae Virginis Mariae, Sanctorumque Hugonis et Ceddae Confessorum, Sancti Michaelis Archangeli, et omnium Sanctorum, et ad sustentationem et exaltationem fidei Christianae, Ecclesiae Sanctae profectum, et divini cultus augmentum, auctoritate regia fundamus, instituimus, et stabilimus, prout in chartis et literis Regis desuper confectis plenius continetur.'

STATUTE I

Constitution and Government

1. The name of the College as a body corporate is 'The Principal and Scholars of the King's Hall and College of Brasenose in Oxford'. In these Statutes it is referred to as 'the College'.
2. The object of the College is to advance education, learning, religion and research, for the public benefit, through the provision, support and conduct of a perpetual College in the University of Oxford.
3. The College shall be governed by a Governing Body comprising the Principal and Fellows, exclusive of Fellows in the first year of their probation, of Visiting Fellows, of such Emeritus or Supernumerary Fellows as have not been elected to membership of the Governing Body, and of Honorary Fellows:
Provided that no holder of a Professorship allocated to the College who has been appointed to his Professorship by a Board of Electors so constituted that the Governing Body has not had the right to nominate at least one elector thereon shall be a member of the Governing Body unless he has been co-opted to membership of it by the votes of not less than two thirds of those present and voting.
4. The Governing Body may at any time and from time to time delegate any of its powers (except those of electing to the office of Principal or to any Fellowship or of alienating, whether by sale or otherwise, any real property of the College) to an Executive Council, consisting of the Principal, College Officers being Fellows, and such other of the Fellows as it thinks fit. The Governing Body may at any time revoke any delegation of power.
5. In these Statutes and in any By-Laws made under them, unless the contrary intention appears, words importing the masculine gender shall include females.

STATUTE II

The Principal

1. The Principal shall be elected by the Governing Body. All Fellows who are members of the Governing Body shall be entitled to vote.
2. The electors shall choose the person who, being not less than thirty nor more than seventy years of age, is in their judgement most fit for the government of the College as a place of religion, learning and education. No person shall be incapable of being elected Principal by reason of his not being or not having been a Fellow.
3. (1) Whenever the office of Principal falls vacant, the Vice-Principal or if the Vice-Principal is for any reason unable to act, the senior member of the Governing Body who is able to act, shall as soon as may be affix a notice to the door of the Chapel declaring the vacancy and the date on which it occurred. He shall also send a copy of the notice to the Visitor and to every Fellow individually.

(2) The election of a new Principal shall be held on a day and at an hour to be determined on a motion made by any member of the Governing Body at a subsequent Stated

General Meeting in Full Term, seven clear days' notice having been given that such motion will be made. The day of the election shall be that of a subsequent Stated General Meeting not more than six calendar months after the day on which the vacancy occurred, or (if the vacancy occurred in June, July or August) not more than seven calendar months after that day.

(3) The Fellow who presided at the Stated General Meeting at which the day and hour of the election were determined, or if that Fellow is for any reason unable to act, the senior Fellow who was present at the meeting and is able to act, shall on the same day affix to the door of the Chapel a notice announcing the said day and hour and shall also send written notice thereof to the Visitor and to each elector who was absent from the Meeting.

4. (1) Subject to the provisions of this clause the electors may pre-elect a Principal before a vacancy in the office of Principal occurs. The Principal about to retire shall take no part in a pre-election.

(2) Any elector may move after giving not less than twenty-one clear days' notice at any Stated General Meeting in Full Term held not more than sixteen calendar months before the day on which the vacancy is expected to occur, that a pre-election shall be held.

(3) If such motion is accepted the pre-election shall be held on a day and at an hour to be determined on a motion made by any member of the Governing Body at a subsequent Stated General Meeting in Full Term, seven clear days' notice having been given that such motion will be made. The day of the pre-election shall be that of a subsequent Stated General Meeting not more than eight calendar months after the date of the Stated General Meeting mentioned in sub-clause (2) of this clause.

(4) The Fellow who presided at the Stated General Meeting at which the day and hour of the pre-election were determined, or if that Fellow is for any reason unable to act, the senior Fellow who was present at the meeting and is able to act, shall on the same day affix to the door of the Chapel a notice announcing the said day and hour, and shall also send written notice thereof to the Visitor and to each elector who was absent from the Meeting.

5. The Visitor may, on a petition by a majority of the electors made at a Stated General Meeting in Full Term, extend the period hereinbefore limited for the election or pre-election of a Principal, notwithstanding that it may already have expired.

6. The votes at the election or pre-election shall be given in writing to the Vice-Principal and to the senior Fellow present not being Vice-Principal, or if the Vice-Principal is for any reason unable to act, to the two senior Fellows present, and the Principal shall be elected by an absolute majority of all the Fellows present and voting.

If on the first voting no candidate obtains an absolute majority, the Vice-Principal, or in his absence the senior Fellow present, shall announce the number of votes given for each candidate and shall adjourn the meeting till the next day, not being a Sunday, after which adjournment the votes shall again be taken, and if no candidate obtains an absolute majority that person shall be declared to be elected for whom the largest number of votes has been given; and in case of equality between two or more candidates the Vice-Principal, if he is not one of those who have received an equal number of votes, shall have a casting vote. If the Vice-Principal be absent or be one of those who have received an equal number of votes, the casting vote shall rest

with the senior Fellow present who is not one of those who have received an equal number of votes.

7. As soon as may be after the election or pre-election one of the Fellows, deputed for the purpose, shall deliver to the Visitor a letter under the College seal announcing the result of the election or pre-election.

8. Having received the letter announcing the result of the election or pre-election the Visitor shall, immediately if a vacancy in the office of Principal has already occurred, or if such vacancy has not yet occurred then as soon as the vacancy occurs, proceed according to the ancient custom of the College to admit the person so elected or pre-elected to the office of Principal, and as soon as may conveniently be after the receipt of the Visitor's order for his admission, or in default of such order after the expiration of at least five days from the date of the election or from the occurrence of a vacancy in the office of Principal whichever be the later, the Principal-elect shall make a solemn declaration in the presence of the Fellows to the effect that he will faithfully perform and observe the Statutes and By-laws of the College in force for the time being and shall thereupon become Principal of the College.

9. The Principal shall be entitled to hold his office until the thirty-first day of July next following his attainment of the age of seventy years or, if he attains that age on the thirty-first day of July, then until that thirty-first day of July, subject to the power of removal hereinafter given:

Provided that the Governing Body may, by the votes of not less than two thirds of the members present and voting at a meeting specially summoned with at least two months' notice of the business to be transacted thereat and held at least six months before the Principal would otherwise retire, permit the Principal to retain his office for such further terms not exceeding five years as the Governing Body shall at that meeting determine.

10. The Principal shall be required to reside in such a place as the Governing Body shall agree to be consistent with the due performance of his duties:

Provided that, in case of the Principal's sickness or for any other reasonable cause, the Governing Body may dispense with this requirement for such a period as may seem to it to be called for by the circumstances of the case.

11. (1) The Principal shall receive such stipend, allowances and services as the Governing Body may from time to time determine, and shall be entitled to occupy free of rent, rates and taxes such lodgings or premises as may, with his consent, be assigned to him by the Governing Body.

(2) The provisions of sub-clauses (2) and (3) of Statute III.10 shall apply *mutatis mutandis* to the Principal.

(3) The regulations currently in force for the provision of Insurance and Pensions for Fellows of the College shall apply to the Principal unless other provision is made, with his consent, to the satisfaction of the Governing Body.

12. (1) If and so long as the Principal holds the office of a Professor or any other paid office in the University (other than that of Vice-Chancellor) the annual emoluments of which

exceed £300, the stipend of the Principalship shall be reduced by such sum as the Governing Body after discussion with the University, shall decide.

(2) (a) The Principal may voluntarily surrender his right to the emoluments specified in cl. 13(1), or part thereof, without ceasing to be Principal or losing any claim to any statutory privileges.

(b) He may resume such a right by giving notice in writing to the Vice-Principal not less than three calendar months before any Stated General Meeting of the Governing Body. The notice so given shall be reported to the stated General Meeting, and shall take effect from the date of that meeting.

13. The Principal shall be Head of the College and shall exercise a general supervision over all the affairs of the College and the well-being of its members; and over the education and discipline of its junior members. He shall see that the Statutes and By-Laws of the College are observed and that all members of the College perform the duties pertaining to their respective offices or positions.

STATUTE III

The Fellows

1. The Fellows of the College may be of the following classes, namely:

(1) Professorial Fellows, who may be

(a) holders of Professorships in the University;

(b) holders of Readerships in the University;

(c) persons holding such offices in the University as under the provisions of any University Statute or Decree may be declared to qualify the holders for election to Professorial Fellowships.

(2) Official Fellows, who may be

(a) College Officers;

(b) persons holding any teaching or research post in the University other than a professorship.

(3) Senior Research Fellows, who shall be persons who have done valuable work in letters, science, or education, or have attained special distinction in some branch of knowledge, and who shall undertake to pursue literary or scientific work in the College, or in the University, or elsewhere with the permission of the Governing Body or the University. A Senior Research Fellow shall be eligible to College offices on the same conditions as an Official Fellow and, provided that he has given his own consent in writing to this course, he may be assigned a share in the educational work of the College.

(4) Junior Research Fellows, who shall be persons likely in the opinion of the Governing Body to conduct valuable advanced study or research in some branch of Letters or Science.

(5) Emeritus Fellows, who shall be persons who have held the Principalship or who, having held Professorial, Official or Senior Research Fellowships in the College, have vacated them on reaching the retiring age fixed by any University Statute or Decree or by clauses 13 or 14 of this Statute or have at whatever age vacated them after not less than twenty years' service in the College, whether as Fellows or otherwise.

(6) Supernumerary Fellows, who shall be persons who have vacated Fellowships in the College without qualifying for election to Emeritus Fellowships or who hold teaching, research or administrative appointments in the University qualifying them for membership of Congregation, or who are, in the judgement of the Governing Body, likely to make a valuable contribution to the academic functions of the College.

(7) Visiting Fellows.

2. (1) The number of Fellowships in the College shall not be restricted, and it shall accordingly be lawful for the Governing Body to create Fellowships of any class.

(2) There shall be at least two Professorial Fellowships in the College.

3. (1) Except when this Statute otherwise expressly provides, the Governing Body shall fill all Fellowships by election.

(2) (a) The Camden Professor of Ancient History and the Professor of Civil Engineering, and the holders of any other Professorships which may from time to time be allocated to the College by the Council of the University, shall by virtue of their offices be Professorial Fellows of the College:

Provided always that the number of Professorships allocated to the College by the Council of the University shall not exceed the proportion to other Fellowships prescribed in the Statutes of the University made by the Commissioners under the powers of the Universities of Oxford and Cambridge Act 1923, or prescribed by those Statutes as modified by any subsequent amendment to which the College has given its assent.

(b) All other Professorial Fellows shall be elected by the Governing Body and, subject as hereinafter provided, shall continue to hold their Fellowships until they resign or otherwise vacate their qualifying offices.

(3) Every Official Fellow shall be elected for such term not exceeding ten years as the Governing Body shall determine and shall be eligible for re-election for such further terms each not exceeding ten years as the Governing Body subject to the provisions of clauses 13 or 14 of this Statute determines, but so that, unless the Governing Body determines otherwise by the votes of not less than two-thirds of those present and voting, he shall be elected on probation.

(4) At some time not later than the end of the fifth year after the election of an Official Fellow elected on probation the Governing Body shall determine whether he shall be confirmed in his Fellowship or not, and such confirmation shall require the votes of not less than two-thirds of those present and voting. In the absence of such confirmation his Fellowship shall be vacated, save that the Governing Body may decide to extend his probation for a further limited period. At the end of this further period, if the Governing Body does not confirm him in his Fellowship by a two-thirds majority as aforesaid, his Fellowship shall be vacated.

(5) Before proceeding to an election to an Official Fellowship in virtue of a qualification which is a teaching office the Governing Body shall consult the Board of the appropriate Faculty or the appropriate Board of Studies.

(6) Every Official Fellow shall be elected on the understanding that his duties include the prosecution of research:

Provided that the Governing Body may elect a Bursar to an Official Fellowship without such obligation.

(7) Every Official Fellow shall vacate his Fellowship unless he holds a qualification entitling him to be an Official Fellow under clause 1(2) of this Statute.

(8) Every Senior Research Fellow shall be elected for such term not exceeding seven years and upon such conditions as the Governing Body determines, and shall be eligible for re-election by the votes of not less than two-thirds of the members of the Governing Body present and voting for such further term or terms each not exceeding seven years as they shall determine.

(9) Every Junior Research Fellow shall be elected upon the condition of his undertaking to engage in advanced study or research approved from time to time by the Governing Body and after he has satisfied the Governing Body of his capacity for such advanced study or research either (i) by examination or (ii) by submitting to it original work done by him or (iii) by other evidence.

(10) Every Junior Research Fellow shall hold his Fellowship for three years and shall not be re-eligible.

(11) Every Junior Research Fellow, unless the Governing Body determines by the votes of not less than two-thirds of those present and voting to admit him without probation, shall be on probation for a period not exceeding one year from the date of his first election: and he shall do no teaching, examining, or other work not connected with his research in the College or elsewhere without the consent of the Governing Body.

(12) Any Junior Research Fellow may, subject to his assent given in writing, be assigned a share in the educational work of the College or any College Office.

(13) At some time not later than the end of the first year after the election of a Fellow elected on probation the Governing Body shall determine whether he be confirmed in his Fellowship or not, and such confirmation shall require the votes of not less than two-thirds of the members of the Governing Body present and voting. In the absence of such confirmation his Fellowship shall be vacated.

(14) Every Emeritus Fellow and every Supernumerary Fellow shall be elected for such term and upon such conditions as the Governing Body shall decide and unless elected for life, shall be eligible for re-election.

(15) Every Visiting Fellow shall be elected for a period not exceeding one year but the Governing Body may permit him to retain his Fellowship for one further period so that however the tenure of his Fellowship shall in the aggregate not exceed two years.

(16) Every Visiting Fellow shall receive such emoluments or enjoy such privileges and advantages as the Governing Body may from time to time determine.

4. (1) The Governing Body shall allocate to each Official and Research Fellow such stipend and emoluments, if any, as it shall from time to time determine.

(2) The Governing Body may also make a special grant of money to a Fellow from the Corporate Revenues of the College as a contribution to meet the whole or part of any unusual expenses involved by the work on which he is engaged.

(3) (a) A Fellow of the College may voluntarily surrender the whole or part of the stipend allocated to him without thereby ceasing to be a Fellow or losing his claim to any statutory privileges.

(b) Any Fellow who has made such a surrender may at any time resume such right by giving notice in writing to the Principal not less than three calendar months before any Stated General Meeting of the Governing Body. The notice so given shall be reported to the Stated General Meeting, and shall take effect from the date of that meeting.

5. The Governing Body may at any Stated General Meeting, elect as Honorary Fellows distinguished persons who are or have been members of the College or persons who have rendered signal service to it. Persons so elected shall not be members of the Governing Body or receive any stipend as Fellows, but may enjoy such other privileges and advantages as the Governing body may from time to time determine. The Governing Body shall from time to time determine the conditions of eligibility to, and tenure of, Honorary Fellowships, and the mode of election thereto.

6. No person shall be eligible to

(a) an Official or Junior Research Fellowship unless he has either passed all the examinations required for the Degree of Bachelor of Arts of the University or, in the judgement of the Governing Body, holds an equivalent qualification;

(b) a Junior Research Fellowship if since passing the examinations required for the Degree of Bachelor of Arts or, as the case may be, for obtaining the equivalent qualifications as aforesaid, he has spent more than seven years in full-time education or research.

And every such Fellow who at the time of his election is a Bachelor of Arts or is entitled to supplicate for that Degree shall be required to proceed as soon as may be to the Degree of Master of Arts or some higher Degree in the University if he does not already hold such a Degree.

7. The precedence of Fellows being members of the Governing Body in the College shall be determined according to the priority of their original election or admission to a Fellowship:

Provided that if a Fellow has ceased at any time to be a Fellow of the College, and has subsequently been elected to a Fellowship, his precedence shall date from his election or admission to such last-mentioned Fellowship, unless the Governing Body otherwise determines.

8. Any Fellow who accepts the Principalship shall thereupon vacate his Fellowship. No Fellowship (other than an Honorary or Emeritus Fellowship) shall be tenable with the Headship

of another College within the University or with a Fellowship at such a College other than an unpaid Fellowship which does not qualify the holder for membership of that College's Governing Body.

9. If a Fellow other than a Professor whose chair is attached to the College by the Statutes of the College or a Statute or Decree of the University shall contumaciously persist in disobeying any of the Statutes or By-laws of the College in force for the time being, or shall accept or retain any office or employment which is incompatible with the full performance of his duties to the College or the fulfilment of the purpose of his Fellowship, or shall be guilty of grave immorality or misconduct, he may be deprived of his Fellowship by the Visitor after due inquiry, on a motion of the Governing Body made by the votes of not less than two-thirds of those present at a Stated General Meeting in Full Term. Provided that subject to the provisions of clause 7(1) of Statute XVI nothing in this clause shall apply to the removal of any member of the academic staff to whom Statute XVI applies.

10. (1) Every Official Fellow shall, unless dispensed by the Visitor with the consent of the Governing Body, be bound to reside during the usual College Terms within five miles of Carfax, and (if the Governing Body so required) in the College or in a residence provided by the College, except during temporary absence for which leave has been granted by the Governing Body.

(2) The Governing Body may if it thinks fit instead of providing such residence for an Official Fellow assist such Fellow to acquire and/or to improve his own residence or to pay off an existing mortgage on such residence in whole or in part by way of loan upon such terms and at such interest if any as the Governing Body may think fit.

(3) For the purposes of the preceding sub-clause the Governing Body shall make by-laws providing for a maximum amount of any such loan, the interest if any to be paid thereon, the instalments and the period within which repayment is to be made, and any other matters which to the Governing Body may seem appropriate, but no such loan shall be made under the said by-laws until the said by-laws shall have been submitted to and approved by the Visitor.

(4) No dispensation shall be given unless it appears to the Governing Body and to the Visitor that the place of residence proposed is within such distance from Oxford as not to be incompatible with the full discharge by the applicant of his duties to the College as Official Fellow or otherwise.

11. The Governing Body may, in case of serious but temporary illness or for any other cause which may in its judgement form a reasonable ground for such indulgence, grant to an Official Fellow such temporary leave of absence or other dispensation from the obligations of his Fellowship as may seem to it consistent with the interests of the College.

12. The Governing Body shall make by-laws allowing Fellows who are Tutors or Lecturers of the College to claim as of right leave of absence at intervals of not more than seven years, and may for special reasons grant leave of absence at its discretion to any Fellow on such terms as it may on each occasion determine.

13. No Official Fellow whose tenure of his Fellowship began before 1st October 1989 and no other Fellow whose tenure began before that date and in respect of whom the College contributes to the Universities Superannuation Scheme shall continue to hold his Fellowship after the 30th September immediately preceding his sixth-eighth birthday.

14. Every Fellow, other than an Emeritus or Honorary Fellow, whose tenure of his Fellowship begins after 30 September 1989 and has not otherwise been terminated, shall vacate his Fellowship on the 30th September immediately preceding his sixty-sixth birthday: provided that any such Fellow who holds a teaching, research or administrative post in the University and who is permitted by the University to hold that post until at least his sixty-seventh birthday, shall vacate his Fellowship on the 30th September immediately preceding his sixty-eighth birthday.

STATUTE IV

The Officers of the College

1. There shall be among the College Officers a Vice-Principal, who shall always rank next in precedence to the Principal, one or more Bursars, one or more Deans, a Chaplain, a Librarian, and such number of Tutors as the Governing Body may from time to time determine.

2. The Officers of the College shall be elected by the Governing Body.

3. No person shall be eligible for the office of Vice-Principal or Tutor who is not a Fellow of the College.

4. During the period of a vacancy in the office of Principal, and during the absence of the Principal, the Vice-Principal, or any other Fellow of the College who may be authorized by any Statute or By-law or by the Governing Body to act in place of the Principal, shall, so far as may be necessary, and except as herein otherwise provided, perform all the functions and duties of the Principal and exercise all his powers.

5. The Governing Body may from time to time regulate as it thinks fit the number, duties and reasonable emoluments of the Officers of the College, and the time for which they shall hold office, and, notwithstanding the provisions of clause 1 of this Statute, may abolish Offices which it thinks obsolete, useless, or inexpedient, and appropriate their emoluments to others, and may institute such new Offices as it deems necessary for the better management of the affairs of the College and the instruction and discipline of its members, and may assign to such new Offices such reasonable stipends or emoluments as it thinks proper:

Provided that the Visitor may, upon the petition of the Principal or any one or more of the Fellows, or of any Officer of the College whose stipend or emoluments may have been diminished in exercise of the foregoing power, disallow such regulation or assignment, if he thinks fit; and provided also that the Principalship shall not be deemed an Office within the meaning of this clause.

6. The Governing Body may, at a Stated General Meeting after due inquiry and subject to the provisions of Statute XII, clause 5, remove any Officer of the College for incapacity, neglect of duty, or other sufficient cause.

Provided that subject to the provisions of clause 7(1) of Statute XVI nothing in this clause shall apply to the removal of any member of the academic staff to whom Statute XVI applies.

STATUTE V

Scholarships and Exhibitions

1. There shall be in the College such Scholarships and Exhibitions as the Governing Body shall from time to time determine.
2. Subject to the provisions of these Statutes the Governing Body shall from time to time make such regulations as it shall think fit with respect to the designation, tenure and emoluments of Scholarships and Exhibitions, the mode of election to them and such other matters pertaining to them as the Governing Body shall consider to be appropriate.
3. A Scholarship or Exhibition awarded to a member of the College who has attended one of the Schools specified in the Schedule appended to this clause shall bear the title which is indicated against that School in the same Schedule and shall be paid out of the fund which is likewise indicated.

Schedule

<u>School</u>	<u>Title</u>	<u>Fund</u>
Manchester Grammar Somerset School Iver	Somerset Iver	
St. John's School, Marlborough Thornhill	Somerset Thornhill	Somerset
Hereford Cathedral School	Somerset Thornhill	Somerset Thornhill
St. John's School, Leatherhead	Collins	T. F. Collins
Tonbridge School Harrow School	Fisher Heberden	Fisher Harrow
Repton School	Lance Lewis	Lance Lewis Memorial
Haileybury College	Ware	J.H.Ware
Queen Elizabeth's School, Middleton, Lancs	Nowell	Nowell

4. If the Governing Body declares itself dissatisfied with a Scholar or Exhibitioner it may at any time for just cause deprive him of his Scholarship or Exhibition or suspend or remove his emoluments in whole or in part, subject to the provisions of Statute XII.5.

STATUTE VI

Application of Surplus Income of Trusts

1. This Statute shall apply to each of the Trusts, Endowments, Foundations and Schemes set out in the Schedule appended hereto (hereinafter referred to as a Trust) and to such other Trusts, Endowments, Foundations and Schemes as may be added to the Schedule from time to time.
2. The Governing Body may from time to time use for the general educational purposes of the College any surplus income of the Trusts.
3. In the foregoing clause surplus income means income unexpended in any year after making full provision for the Trusts for that year (whether wholly by income from the Trusts or partly by income from the Trusts and partly by other means).

SCHEDULE

Somerset Trust (Thornhill)
Somerset Trust (Iver)
Clayton Bequest
T.F. Collins Scholarships
Colquitt Exhibitions
Fisher Trust
Heath Harrison Scholarships
Harrow Scholarship
Heberden Organ Scholarship
Arthur Jupp Exhibition
Lance Lewis Memorial Scholarship
J.H. Ware Exhibition
John Watson Scholarship
Francis Humphreys Scholarship
Wordsworth Trust
Bridgeman Trust
Arthur Jupp Grave Maintenance Fund
The benefactions given by Queen Elizabeth
I and Dr. Alexander Nowell, Dean of St.
Paul's, for the foundation of Scholarships

The benefaction given by Ann Walker for the foundation of
Scholarships

The benefaction given by Dr. Samuel Radcliffe for the foundation of
Scholarships, together with his benefaction to the College for the
Librarian or *custos jocalium*, and for the deadhouse

The three several yearly sums of £4 each given by John,
Lord Mordaunt, to maintain three Scholars, together with the
emoluments of the Scholarships founded by Richard Reed.

STATUTE VII

The Government of the College

1. The Governing Body shall ensure that tuition or supervision is provided for junior members of the College.
2. The Governing Body shall make regulations for the admission of junior members of the College and for the residence, instruction, discipline, and attendance on Divine Worship of undergraduate members of the College (subject to the provisions of the Universities Tests Act, 1871), and may enforce such regulations by such penalties as it thinks fit.
3. Every member of the College, not being a Fellow, shall be deemed to be a junior member as long as he is recognized by the Governing Body as pursuing or being under engagement to pursue studies under its direction whether within the University or elsewhere.
4. The Governing Body shall make provision, as required by the Universities Tests Act, 1871, for the performance of Divine Service, according to the Liturgy of the Church of England, in the College Chapel, and for this purpose may pay out of the Corporate Revenues a reasonable sum for the conduct and performance of such Service, and may make use of any funds now applicable to the maintenance of Divine Service in the said Chapel.
5. There shall be at least two Stated General Meetings of the Governing Body in every year on such days as the Governing Body shall appoint. Any Stated General Meeting may be adjourned by resolution of the meeting to a day specified in the resolution. The Governing Body may from time to time make such rules not inconsistent with these Statutes as it deems expedient for regulating the proceedings of College meetings, and for determining what business shall be transacted thereat, and for fixing, if it thinks fit, the notice to be given before holding any meeting or before bringing forward any question.
6. The Principal may at any time, and shall upon the requisition in writing of any three Fellows, summon a General Meeting (not being a Stated General Meeting) of the Governing Body.
7. The Seal of the College shall not be affixed to any Act or document except as the Governing Body shall authorise and a record shall be kept of every sealing.
8. Voting at Meetings of the Governing Body shall be subject to the following regulations:
 - (a) Every member shall have one vote, except that in the case of an equality of votes the Principal, or in his absence the Vice-Principal, may also give a second or casting vote;
 - (b) All questions arising at meetings of the Governing Body shall, except where these Statutes require the concurrence of a specified fraction of the members of the Governing Body present and voting, be determined by a majority of the votes of those present and voting.
9. The Governing Body shall appoint such committees as it shall from time to time find necessary for the due conduct of its business.
10. Subject to the provisions of these Statutes, the Governing Body shall from time to time make such regulations as it may deem necessary or expedient respecting the mode of conducting

the elections of Fellows, the residence of Fellows, the distribution of the rooms, the use of the Hall, Library and other common rooms or buildings of the College, the penalties for offences of members of the College not being such as to require deprivation, the service of the College, progresses and other matters relative to the supervision and management of the property of the College; and generally respecting all other matters not expressly provided for by these Statutes.

11. Every person elected or admitted to a Fellowship or to the office of Vice-Principal or Bursar, shall at the time of his election or admission make a declaration in a form determined by the Governing Body, to the effect that he will faithfully perform the duties of such Fellowship or Office, and obey the Statutes and By-laws of the College in force for the time being so far as they may concern him; and the electors to the Principalship and to Fellowships shall before electing make a declaration, in a form determined by the Governing Body, to the effect that they will elect the person best qualified in their judgement for such place or office.

STATUTE VIII

Superannuation

1. The Governing Body shall apply the Universities Superannuation Scheme to the Principal, Fellows and other persons to whom the Scheme is applicable and who elect to join the Scheme and may make such By-Laws as it may from time to time think fit for the administration of the Scheme.

STATUTE IX

Powers of Investment

1. The Governing Body may at its discretion invest all funds and endowments of the College which are not required for immediate use and are not held on any specific trust 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 said Governing Body shall at its discretion think fit, so that the Governing Body shall be empowered to invest and transpose the investment of such funds in the same unrestricted manner as if it were the beneficial owner thereof.

2. The Governing Body shall make provision in a By-Law for the obtaining in the formulation of its investment policy, of the advice of a member of a Merchant Bank or similar institution, or a Stockbroker, or some other suitably experienced person.

3. The investment of moneys held by the College on Trust shall be subject to the provisions of the Order of the King in Council made on the 25th day of November 1949 for Brasenose College, Oxford,¹ under the Universities and Colleges (Trusts) Act, 1943, and of any amendments thereto.

4. The Governing Body may apply a total return approach to its investments which means that it may appropriate for expenditure for the purposes of a fund to which this Statute applies so much of the fair value of the particular fund as is prudent in all the circumstances having regard

¹. Appended to these Statutes
Brasenose College Statutes Nov 2012

to the total return achieved and reasonably to be expected in the long term of the funds of the College to which this Clause applies.

This Clause shall apply to the following funds, namely

- (a) all funds and endowments of the College which are not held on any specific trust
- (b) any endowment benefaction or trust for purposes connected with the College (1) which was created by an instrument which came into operation not less than sixty years before 1st January 2000 or (2) of which the College is a Trustee or Governing Body and has consented to the provisions of this clause.

In this Clause:

“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.

“total return” means return in terms of both income, whether received or accrued, and capital appreciation, whether realised or unrealised.

STATUTE X

Disposal of Revenue

1. The application of the revenues of the College under the provisions and to 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 Colleges to make contributions out of their revenues to University purposes and to the payment of the charges imposed thereby.

2. (1) Income to which this clause applies may be applied in or towards the payment of any charges for University purposes imposed on the College 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 charges are so imposed in respect of such income.

(2) This clause applies to income arising from any endowment, benefaction or trust, and applicable to the maintenance of any Fellowship Scholarship or Exhibition within the College, or to any other purpose for the benefit of the College or of the Principal or any other member of the College, in every case where the endowment, benefaction or trust

(a) was created by an instrument which came into operation not less than 60 years before the 1st day of December 1937, or

(b) is included among the endowments, benefactions, or trusts specified in the Schedule appended to this clause, the trustees or governing bodies whereof have consented to the provisions of this clause.

THE SCHEDULE

The John Wordsworth Prize, 1887.

The Rev. Albert Watson's Benefaction for the Library, 1899.

Sir. Heath Harrison's Benefaction for Exhibitions, 1907 and 1925.
Mrs. Henry Pelham's Benefaction for the Library, 1909.
Dr. Charles Buller Heberden's Benefaction for a Harrow Scholarship, 1916.
The Rev. Canon Horace Evelyn Clayton's Bequest for an Exhibition, 1916.
Mr. David Leopold Lewis's Benefaction for a Lance Lewis Memorial
Scholarship, 1917.
Dr. Charles Buller Heberden's Bequest for an Organ Scholarship, 1921.
Mr. John Ambrose Jupp's Benefaction for an Arthur Jupp Exhibition, 1927.
Mrs. S.H. Reynold's Benefaction for a Prize, 1932.
Mrs. J.H. Ware's Benefaction for an Exhibition, 1933.
The W.T.S. Stallybrass Memorial Fund for Exhibitions or Scholarships, 1952.

3. If at any time it appears to the Visitor that the revenues of the College have become more than sufficient to provide for its expenditure, the Visitor may, if he thinks fit, make an order directing that any part of the surplus revenue shall be set apart and applied to purposes relative either to the College or to the University, according to a scheme submitted or to be submitted to him by the Governing Body and approved by him. After an order so made by the Visitor any sums thereby directed to be set apart shall be applied in conformity with a scheme submitted to and approved by the Visitor as aforesaid, and under an order of the Visitor confirming the same, and not otherwise.

4. The expenditure of the College shall, in the foregoing clause, be deemed to include as well the payment of charges for University purposes imposed by Statutes made for the University as aforesaid as the application of revenue to the purposes of these Statutes, reasonable and customary expenditure (not inconsistent with them) for College purposes, extra-ordinary expenditure (when required) on estates, and any reasonable donations for any purpose relative to the University and conducive to the advancement of learning, science or education, or for any educational or charitable objects, or connected with the duties of the College as the holders of property.

5. 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 of the University; and the Visitor shall consider any representations which the Council of the University may judge it expedient in the interests of the University to make with reference to such scheme.

6. An order made by the Visitor confirming a scheme submitted to him by the Governing Body shall continue in force until a new scheme varying it or in substitution for it has been submitted and confirmed in like manner.

7. The Governing Body or any three members of it may at any time make a representation to the Visitor requesting him to exercise, if he thinks fit, the powers of this Statute. But this provision shall not be deemed to affect the Visitor's right to exercise such powers *proprio motu*.

8. Subject to the right of the Visitor to exercise the powers hereby given to him, any surplus of the revenues of the College shall from time to time be applied by the Governing Body at its discretion to any purposes relative to the College 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 and conducive to the advancement of learning, science, or education.

STATUTE XI

Accounts and Audit

1. The Governing Body shall in every year cause the Bursar to prepare and deliver to the University for publication such information relating to the accounts of the College as may be prescribed by any statute of the University in force for the time being.

STATUTE XII

The Visitor

1. The Visitor of the College, and also of the Scholarships upon the Foundation of Sarah, Duchess of Somerset, is the Bishop of Lincoln for the time being; or, if he is under an incapacity or is absent in foreign parts, the Vicar-General of the diocese; or, if the See is vacant, the guardian of the spiritualities thereof.

2. If in any case it appears to the Visitor that owing to any cause the revenues of the College are insufficient to provide for the charges created by these Statutes and to defray the rest of its expenditure, he may, on a petition presented to him by order of the Governing Body at a General Meeting held after notice of the business to be transacted thereat, direct that any vacant Scholarship shall, either permanently or during any limited period, be kept vacant or that 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 specifically imposed by these Statutes for University purpose unless thirty days' notice thereof has been previously given to the Vice-Chancellor of the University.

3. The Visitor may, in person or by his Commissary or Commissaries duly appointed, once in every ten years (or oftener if and whenever he deems it expedient for enforcing the due observance of the Statutes current for the time being to do so), without any request or application by the College or any of its members, visit the College, and may exercise at such visitation all the powers which are by law incident to the office of General Visitor of a College, any Statute or usage of the College to the contrary notwithstanding.

The Visitor may at any such visitation, or, if he thinks fit, at other times, require the Governing Body to answer in writing touching any matter as to which the Visitor may deem it expedient to inquire for the purpose of satisfying himself whether the Statutes in force for the time being are duly observed.

4. Whenever any question arises on which the Governing Body are unable to agree, depending wholly or in part on the construction of any of the Statutes of the College, the Governing Body, or the Principal, or any three of the Fellows, may submit the same to the Visitor; and the Visitor shall declare what is the true construction of such Statute or Statutes with reference to the case submitted to him.

5. The Principal or any Fellow, if he conceives himself aggrieved by any act or decision of the Governing Body, and any Scholar or Exhibitioner who may have been deprived of his Scholarship or Exhibition, may appeal against such act or decision or sentence to the Visitor; and

the Visitor shall adjudicate on such appeal, and disallow and annul such act or decision, and reverse or vary such sentence as he may deem just.

6. The Visitor may either *proprio motu* or on the complaint of the Principal or any of the Fellows, disallow and annul any By-law or resolution of the Governing Body which is, in the Visitor's judgement, repugnant to any of the Statutes of the College in force for the time being.

7. Any decision given by the Visitor under these Statutes shall be binding on the Governing Body and upon the Principal and every Fellow of the College and upon every person affected by the Statutes of the College.

8. In accordance with the provision 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 XVI 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 XVI.

STATUTE XIII

Provisions relative to the University

1. If at any time it appears to the Council of the University that any provision of these Statutes, or of any other Statutes of the College in force for the time being, respecting the accounts of the College, or the audit or publication thereof, or the exercise of the borrowing powers of the College, or any other provision of such Statutes, by the non-observance of which any interest of the University is liable to be prejudicially affected, is not duly observed, the Council of the University 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 he shall deem just for enforcing the due observance of the said Statutes in the matter to which the representation shall relate.

The Council of the University may in like manner make a representation to the Visitor if it appears that regard is not had by the Governing Body in electing its Research Fellows to the requirements of the different branches of study pursued in the University.

2. Before any representation is made under clause 1 of this Statute the Vice-Chancellor shall communicate the matter of the proposed representation to the Principal for the information of the Governing Body, and when a representation is made shall forthwith send him a copy of it for communication to the Governing Body.

STATUTE XIV

Rooms and Common Meals

1. The Governing Body may, if it thinks fit, assign rooms in College, on whatever conditions it may determine, to any Fellow who declares that he intends to make use of such rooms for residence or for work approved by the Governing Body.
2. The Governing Body may, if it thinks fit, set apart and allow such moderate sums of money from the Corporate Revenues of the College as may from time to time be required for the provision of a common College luncheon and a common College dinner to be served either in Hall or in some other public room of the College. Of these common meals every member of the Governing Body and every Fellow on probation and every Visiting Fellow shall be entitled to partake without charge, and the Governing Body may allow any Emeritus Fellow or Supernumerary Fellow who is not a member of the Governing Body, and any Honorary Fellow and any Lecturer or Officer of the College, not being a Fellow, to partake of either or both of these common meals without charge as often and on such conditions as it may determine.

STATUTE XV

Special and Temporary Provisions

1. In administering the benefactions of Elizabeth Morley given in 1516 and of John Cox given in 1520 the Governing Body may, in lieu of the appointment of Fellows as Priests to discharge the ecclesiastical duties directed by the Benefactors of the Churches of St. Margaret's Westminster and Kirtlington respectively, pay the statutable stipends to the Incumbents of St. Margaret's Westminster and Kirtlington respectively.
2. The rents and other profits accruing from the benefaction of William Grimbaldson, given in 1725, shall be applied to the maintenance and improvement of the College Library, and the Governing body may pay out of such rents and profits a reasonable stipend to the Librarian, and defray the cost of repairs and other expenses incident to the proper maintenance of the Library.
3. The various payments directed to be made by Richard Sutton and John Port, William Porter and Edward Darbie, Joyce Frankland, John Claymond, Humphrey Ogle, Matthew Smith and Sir John Port, Richard Harper, James Binks alias Stoddard, George Palin, John Barneston and William Hutchins, Hugh Henley and Thomas Church, Thomas Yate, Thomas Weston, and Sir John Cheshire, shall be henceforth discontinued, and the amount of such payments shall be consolidated with, and treated as part of the Corporate Revenues of the College except as hereinbefore otherwise provided.
4. All payments directed by the Founders and by various Benefactors to be made to the Principal, Fellows, and others present at Morning Prayer in the College Chapel on certain specified days shall henceforth be discontinued, and the amounts of such payments shall be consolidated with and treated as part of, the Corporate Revenues of the College, except the payment directed by Sarah, Duchess of Somerset, to be made on 17th February which shall be consolidated with, and treated as part of, the revenues of the Somerset Iver Foundation.
5. The sum of £20 a year formerly paid in respect of the benefaction of Sir Francis Bridgeman for the delivery of a Latin speech in Chapel once a year shall be paid into a fund

which shall be used to provide prizes for essays or dissertations to be written by members of the College *in statu pupillari* on subjects to be arranged by the Governing Body.

6. There shall be no payment or reimbursement by the College in respect of Income Tax on any stipend or salary payable under these Statutes.

STATUTE XVI

Academic Staff

[See separate document : approved at a Special Meeting of the Governing Body : 10 November 1999]

STATUTE XVII

Repeal

Save in so far as is expressly provided in these Statutes, the existing Statutes of the College are hereby repealed without prejudice to any right acquired, liability incurred, or thing done thereunder, or to any repeal effected thereby.

STATUTE XVIII

Power to alter Statutes

The Governing Body may alter these Statutes, or any part thereof from time to time at any General Meeting specially summoned for that purpose by the votes of not less than two thirds of those present and voting on the question, pursuant to the provisions of the Universities of Oxford and Cambridge Act, 1923, Section 7.

These Statutes are made wholly for Brasenose College 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.

* * * *

Appendix

Trust Pool Scheme

Made under Section 3(5), Universities and Colleges (Trusts) Act 1943 on 1st September 1949 and approved by His Majesty in Council on 25th November 1949 and varied by a supplemental scheme made on 15th July 1983 and approved by Her Majesty in Council on 13th February 1985.

1. Application of Scheme. This Scheme applies to the trusts shortly specified in the First Schedule hereto (Clause 15) being trusts all administered by the College itself.

2. Property included in Scheme: the Fund. All the property held by the College (or by the Minister of Agriculture and Fisheries on its behalf) on or after 31st December, 1947, on the said specified trusts shall be administered by the College as a single Fund (which with all additions thereto is hereinafter called the Fund) except that the assets specified in the Second Schedule hereto (Clause 16) shall be excluded from the Fund and the Scheme. The property included (or represented by assets included) in the Fund (as such property existed on 31st December, 1947) is specified in the Third Schedule hereto (Clause 17) and the said second and third Schedules show to which of the trusts specified in the First Schedule hereto the said assets and property were respectively attributable at the end of the year 1947. In the general or comprehensive Accounts of the College the Fund shall be identified by the name of The Trusts Fund or any other distinctive name which the College may from time to time select as suitable.

3. Transfer by the Minister of Agriculture and Fisheries. [omitted]

4. Initial Valuation: shares in the Fund. The constituents of the Fund shall be valued as on 31st December, 1947, (i) as to stock exchange investments at the mid-market prices thereof certified by the Chartered Accountant being the Auditor for the time being of the Accounts of the College (ii) as to mortgage debts at their face value, and (iii) as to real and leasehold property (including rentcharges secured on land or on title redemption Stock) at the value thereof estimated and certified by Chartered Surveyors nominated by the College. The total value of the Fund thus ascertained shall be treated as divided into the number of equal shares required for the following allocation and there shall be allocated to each of the said specified trusts so many equal shares of the Fund as there are sums of £10 in the value (ascertained as aforesaid) of the property attributable in that trust and included in the Fund (any ultimate fraction of £10 being disregarded if less than £5 or being treated as a sum of £10 if it is not less than £5).

5. Yearly Valuation. The College shall in each year cause the Fund to be revalued as on 31st July and its value (with the values of the shares belonging to the respective trusts concerned) to be recorded and such revaluation shall be made in the manner prescribed for the initial valuation by the last foregoing clause. Any reserve shall be included in the Fund as thus revalued or as valued under any other clause of this Scheme.

6. Distribution of income. Subject to the provisions hereinafter contained the net income of the Fund (and of any reserve) shall be allocated to and periodically distributed among the trusts concerned in proportion to the shares of the Fund for the time being belonging to such trusts respectively and any income placed to a reserve account shall be treated as belonging to the trusts concerned in the like proportion.

7. Advances of Capital. In the case of any trust by the terms of which capital is authorised to be advanced advances by withdrawal of capital from the Fund may be made for any purpose authorised by such terms up to the value of the shares of the Fund for the time being belonging to such trust (or the less amount authorised by the said terms) and for the purpose of any such advance the values of the Fund and of the shares thereof at the date of the advance shall be treated as being those ascertained under clause 4 or clause 5 of this Scheme as on the 31st July next before that date, except that any addition to or withdrawal from the fund made since such 31st July shall be taken into account and that in any case in which the College shall consider a new valuation to be required in fairness (by reason of recent change of general values or any other special circumstances) the Fund shall be valued as at the date of the advance in the same manner as is prescribed by clause 4 of this Scheme. In each case the shares of the fund belonging to all the trusts concerned shall be readjusted in due course in accordance with the result of the said values or valuation and the amount of the advance but so that the unit of each share shall be £10 and ultimate fractions of £10 shall be dealt with as mentioned in the said clause 4. The provisions of this clause shall apply in the same way to the withdrawal for any trust of money representing income belonging to such trust which may have been accumulated or left by way of addition to the Fund.

8. Reserve Account. The College in its discretion may at or for any time or times when it shall consider such a course to be prudent and advisable in the circumstances retain and invest and place to a reserve account (for the purpose of eliminating or reducing fluctuations of income) any part or parts of the net income of the Fund (and of any reserve) not exceeding 5 per cent of such net income. And the College in its discretion may at any time or times resort to and realise and apply any such reserves or any part or parts thereof for supplementing the actual income derived from the Fund by the trusts concerned and if the College shall be required to pay any contribution for University purposes in respect of the income placed to the reserve account the said contribution shall be paid out of the said reserve itself.

9. Reimbursement of certain expenses. The College may also retain for itself in or towards reimbursement of the expenses incurred by it in the administration of the Fund any yearly sum not exceeding 4 per cent of the gross income for the time being of the Fund (and of any reserve).

10. Investment. The College may at its discretion invest all funds and endowments of the Trusts which are not required for immediate use 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 College shall at its discretion think fit, so that the College shall be empowered to invest and transpose the investment of such funds in the same unrestricted manner as if it were the beneficial owner thereof.

The College may appropriate for expenditure for the purposes of a fund to which this Clause applies 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 trust pool funds to which this Clause applies.

In this Clause:

“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.

“total return” means return in terms of both income, whether received or accrued, and capital appreciation, whether realised or unrealised.

The College shall make provision in a By-Law for the obtaining in the formulation of its investment policy, of the advice of a member of a Merchant Bank or similar institution, or a Stockbroker, or some other suitably experienced person.

11. Extension of Scheme: additions to the Fund. The College in its discretion may at any time extend this Scheme to any trust or trusts administered by or for purposes connected with the College (and capable of being included in the Scheme under Section 2(1)(i) of the said Universities and Colleges (Trusts) Act 1943) or to any further property or money (or any accumulated income) which may belong to any trust already included in the Scheme but in each case so that no property (other than cash) not authorised as an investment by clause 10 of this Scheme shall be added to the Fund. And on and for the purpose of any such extension as aforesaid the value of the Fund shall be decided and the shares thereof adjusted in accordance with the principle of clause 7 of this Scheme.

12. Payment of costs. All costs of valuation under clause 5 or clause 7 or clause 11 of this Scheme and any other costs or expenses incurred from time to time in connection with the Fund or in or for the negotiation preparation completion or carrying out of this Scheme (and not otherwise provided for) shall be paid out of the capital or income of the Fund and may in the discretion of the College be paid wholly or partially out of income though usually or normally attributable to capital.

13. Commencement date. [omitted]

14. The College's power to act and delegate. The College shall for all the purposes of this Scheme act by its Governing Body or otherwise as authorised or directed by its Statutes for the time being and shall have full power to delegate any duties or discretions imposed or given hereby.

THE FIRST SCHEDULE

15. Schedule 1 (Clause 1)

LIST OF TRUSTS ADMINISTERED BY THE COLLEGE

Morley (1515)
Cox (1518)
Fisher (1562)
Nowell (1565)
Cartwright (1665)
Radcliffe (1648)
Walker (1675)
Mordaunt (1571) and Reed (1676)
Somerset (Thornhill and Thornhill Manor) (1686)
Somerset (Iver) (1686)
Grimbaldson (1725)
Jackson Benefaction (1725)
Parker's Charity (1778)
Lingard (1833)
Poor of Didcot (1841)
Colquitt (1842)
Joseph Hodgkinson for Rector of Didcot (1851)
John Watson Scholarship (1875)
Wordsworth (1887)
Albert Watson Benefaction (1899)
Heath Harrison Exhibition (1907 and 1925)
Pelham Benefaction (1909)
Harrow Scholarship (1916)
Clayton Benefaction (1916)
Lance Lewis Memorial Scholarship (1917)
Heberden Organ Scholarship (1921)
Arthur Jupp Exhibition (1927)
Arthur Jupp:Grave Maintenance Fund (1927)
Reynolds Prize (1932)
John Hubert Ware Exhibition (1933)
N. ff. Eckersley Bequest (1935)
T. F. Collins Bequest (1939)
Profumo Benefaction (1940)
Margaret Thomas and D. G. Donald Jones Prize (1943)
[The Second and Third Schedules are omitted]

DECLARATIONS

1. *To be made before the election of a Principal or Fellow.*

Principal (or Vice-Principal): The Statutes of this College require that, before proceeding to the election now about to be made, we shall each promise to elect into the place to be filled only a person duly qualified *or* (if there be more persons under consideration than one) the person best qualified in our judgement for the place. I so promise.

Other Electors: I so promise.

2. *To be made by the Principal on admission.*

I, A.B., Principal-elect of the King's Hall and College of Brasenose in Oxford, solemnly declare that I will to the best of my ability faithfully perform the duties of my office, and observe the Statutes and By-laws of the College in force for the time being.

3. *To be made by persons elected to Fellowships or to the office of Vice-Principal or of Bursar.*

I, A.B., elected to an Official Fellowship* under the Statutes of the College now in force, declare that I will faithfully perform the duties of Official Fellow* and obey the Statutes and By-laws of the College in force for the time being so far as they may concern me.

*Where 'Official Fellowship' and 'Official Fellow' are irrelevant the appropriate terms are to be used instead.

STATUTE XVI

Academic Staff

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 College 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 College 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 College) reasonably be treated as a sufficient reason for dismissal.

3. (1) This Statute shall apply -

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

(b) to any person employed by the College 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

(c) to the Principal, to the extent and in the manner set out in Part VII.

(2) 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" mean 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 55 of the Employment Protection (Consolidation) Act 1978.

5. (1) 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 -

- (a) 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
- (b) conduct of an immoral, scandalous or disgraceful nature incompatible with the duties of the office or employment; or
- (c) conduct constituting failure or persistent refusal or neglect or inability to perform the duties or comply with the conditions of the office or employment; or
- (d) physical or mental incapacity established under Part IV; or
- (e) wilful disruption of the activities of the College; or
- (f) wilful disobedience of any of the Statutes or By-Laws of the College in force for the time being.

(2) In this clause -

- (a) "capability", in relation to such a member, means capability assessed by reference to skill, aptitude, health or any other physical or mental quality; and
- (b) "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 College 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 College to carry out work of a particular kind in that place have ceased or diminished or are expected to cease or diminish.

7. (1) In any case of conflict, the provisions of this Statute shall prevail over those of any other Statute of the College 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 other By-Law made under such other Statutes:

Provided that Part III, Part IV, and Part VII of this Statute 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 College Statutes in force before that date.

(2) 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 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.

(3) For the avoidance of doubt it is hereby declared that nothing in Part III shall be construed as affecting the Statutes and By-Laws of the College concerning re-election on the expiry of a fixed term of a Fellowship.

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

(5) Nothing in any other Statute shall enable the Governing Body to delegate its power to reach a decision under clause 10(2).

(6) 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.

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

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

(b) he is promoted on or after that date.

(2) 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 20 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. (1) The Governing Body shall be the appropriate body for the purposes of this Part.

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

(a) of the College as a whole; or

(b) of any area of academic work within the College

by way of redundancy.

11. (1) Where the Governing Body has reached a decision under clause 10(2) of this Statute -

(a) 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

(b) it shall appoint a Redundancy Committee to be constituted in accordance with sub-clause (3) of this clause to give effect to its decision by such date as it may specify and for that purpose

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

(ii) to report its recommendations to the appropriate body.

(2) The Governing Body shall either approve any selection recommendation made under sub-clause (1)(b)(i), or shall remit it to the Redundancy Committee for further consideration in accordance with its further directions.

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

(a) a Chairman; and

(b) two members chosen from amongst the Fellows, including Honorary and Emeritus Fellows, to whom this Statute does not apply; and

(c) two members chosen from amongst the Fellows, to whom this Statute applies.

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

12. (1) Where the Governing Body has either itself made a selection or has approved a selection recommendation made by the Redundancy Committee under clause 11 (1) it may authorise an officer of the College as its delegate to dismiss any member of the academic staff so selected.

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

(3) 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 -

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

(b) an account of the selection processes it has used;

(c) 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; and

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

PART III Discipline, Dismissal and Removal from Office

13. (1) If the conduct or performance of a member of the academic staff does not meet acceptable standards, but does not constitute sufficient cause for dismissal, an oral warning may be given by the Principal who shall keep a note of the matter. The member of the academic staff concerned shall be informed of the reason for the warning; that it constitutes the first stage of the disciplinary procedure; and that a right of appeal exists under this clause. An oral warning shall be disregarded for disciplinary purposes after 12 months.

(2) If the offence is a serious one, or if a further offence occurs, a written warning may be given by the Principal, who shall keep a copy of the warning. The member of the academic staff concerned shall be informed of the reason for the warning; the improvement required and the time within which that must be achieved; that charges may be instituted under clause 14 if there is no satisfactory improvement; and that a right of appeal exists under this Clause. A written warning shall be disregarded for disciplinary purposes after 2 years.

(3) A member of the academic staff who wishes to appeal against a disciplinary warning given under this Clause shall inform the Principal within two weeks. A Grievance Committee appointed under Part VI shall hear the appeal and the Committee's decision shall be final.

14. (1) If there has been no satisfactory improvement following a written warning given under clause 13(2), or in any other case where it is alleged that the conduct or performance of a member of the academic staff 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 1 may be made to the Principal.

(2) To enable the Principal to deal fairly with any complaint brought to his attention under sub-clause (1) of this clause, he shall institute such enquiries (if any) as appear to him to be necessary.

(3) If it appears to the Principal (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 could constitute good cause for dismissal, he shall write to the person concerned inviting comment in writing or, if he considers that the College might otherwise suffer significant harm may, at this stage or at any stage prior to the conclusion of any hearing by an Academic Disciplinary Committee appointed under Clause 15 of this Statute, suspend the person concerned from the performance of his duties without loss of emoluments.

(4) As soon as may be following receipt of the comments (if any) or in any event not later than 28 days after they were invited the Principal shall consider the matter in the light of all the available evidence and may dismiss the matter summarily, or issue an oral or written warning to the person concerned, or direct that the matter be considered by an Academic Disciplinary Committee appointed under Clause 15.

15. If the Principal has determined that the matter is to be considered by an Academic Disciplinary Committee, he 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 appointment or employment, and, if so, to recommend what action should be taken.

16. (1) An Academic Disciplinary Committee shall consist of three persons selected by Governing Body from a panel of seven persons appointed annually by the Governing Body. The members of the panel shall be members of Governing Body, Honorary Fellows or Emeritus Fellows of the College.

(2) 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. (1) 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 Disciplinary Committee.

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

(a) 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 College proposes to call, with summaries of the evidence they are expected to give; and

(b) 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. The procedure to be followed in respect of the preparation, hearing, and determination of any charge by an Academic Disciplinary Committee shall be prescribed by By-Laws made under this Statute. Such By-Laws shall ensure:

(a) that the person charged is entitled to be represented by another person, whether such person is legally qualified or not, in connection with and at any hearing by an Academic Disciplinary Committee;

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

(c) 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;

(d) 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 to consider and respond to the new evidence;

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

19. (1) 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 Principal, the person charged, the

person presenting the charge, and any other person who shall have been added as a party by the Academic Disciplinary Committee.

(2) 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 of this Statute accompanies each copy of its decision sent to a party to the proceedings under this clause.

20. (1) 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 Principal shall consult the Governing Body and shall decide whether or not to dismiss the person concerned. If he decides to accept the Academic Disciplinary Committee's recommendation he may forthwith dismiss that person.

(2) Where any charge or charges are upheld, other than where the Principal has decided under sub-clause (1) of this clause to dismiss the person concerned, the action available to the Principal, after consulting the Governing Body, (not comprising a greater penalty than that recommended by the Academic Disciplinary Committee) shall be -

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

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

(c) to warn the person concerned; or

(d) to suspend the person concerned for such period as the Principal shall think fair and reasonable, provided that the suspension shall not extend beyond 3 months after the date on which the Governing Body shall have considered the Academic Disciplinary Committee's decision, provided that no suspension without pay may be ordered unless the terms of the contract of employment of the person concerned contain provisions expressly entitling the Principal to impose such a penalty; or

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

(f) any combination of any of the above.

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

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

PART IV Removal for Incapacity on Medical Grounds

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

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

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

(4) In this Part references to the member of the academic staff 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. (1) Where it appears to the Principal that the removal of a member of the academic staff on medical grounds should be considered, the Principal -

(a) shall inform the member accordingly;

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

(c) 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.

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

(3) If the member does not elect to retire voluntarily on medical grounds the Principal may refer the case in confidence, in accordance with procedures prescribed by By-Laws made under sub-clause (5) of this clause, 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 appointed by the member concerned or, in default of the latter appointment, by the Principal; and a medically qualified chairman jointly agreed by the Governing Body and the member or, in default of agreement, to be nominated by the Principal of the Royal College of Physicians.

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

(5) 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:

(a) 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;

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

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

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

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

(2) Any action taken by the Principal 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. (1) This Part applies -

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

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

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

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

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

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

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

(2) No appeal shall however lie against -

(a) a decision of the Governing Body under clause 10(2);

(b) any finding of fact of an Academic Disciplinary Committee under clause 19(1) 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;

(c) any medical finding by a Board set up under clause 23(3) 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.

(3) 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.

(4) The parties to an appeal shall be the appellant and the Principal and 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 Principal, within the time allowed under clause 28, notice in writing setting out the grounds of the appeal.

28. (1) 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 (3) of this clause.

(2) The Principal 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 has done so.

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

29. (1) Where an appeal is instituted under this Part the Governing Body shall appoint a person described in sub-clause (2) of this Clause to hear and determine that appeal subject to sub-clause (3) of this Clause.

(2) The persons described in this sub-clause are -

(a) the person who is the Visitor; or

(b) persons not employed by the College holding, or having held, judicial office or being barristers or solicitors of at least ten years' standing.

(3) The person appointed shall sit alone unless he considers that justice and fairness will best be served by sitting with as an Appeal Tribunal with two other persons.

(4) The other persons who may sit with the person appointed, and who shall be appointed by the Governing Body, shall be -

(a) one member chosen from amongst the Fellows, including Honorary and Emeritus Fellows, to whom this Statute does not apply; and

(b) one member chosen from amongst the Fellows to whom this Statute applies.

30. (1) 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.

(2) Without prejudice to the generality of the foregoing, such By-Laws shall ensure -

(a) 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 appeal;

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

(c) 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

(d) 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.

(3) 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 -

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

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

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

(d) remit an appeal by the Principal arising under Part VII of this Statute for re-hearing or reconsideration by the same or by a differently constituted Tribunal to be appointed under that Part; or

(e) substitute any lesser alternative penalty that would have been open to the Principal 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 powers under clause 30(3)(a), (b), (c) or (d), on any appeal and a statement of 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 Principal 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 College,

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

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

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

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

- (a) a complaint under Part III; or
- (b) a determination under Part IV; or
- (c) an appeal under Part V

he 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 shall notify the member accordingly.

(4) If the Principal does not reject the complaint under sub-clause (2) of this clause or if he does not defer action upon it under sub-clause (3) of this clause he shall decide whether it would be appropriate, having regard to the interests of justice and fairness, for him to seek to dispose of it informally. If he so decides he shall notify the member and proceed accordingly.

35. If the grievance has not been disposed of informally under clause 34(4), the Principal shall refer the matter to a Grievance Committee for consideration.

36. A Grievance Committee shall comprise three Fellows of the College appointed by the Governing Body.

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 Principal from Office

39. Any ten members of the Governing Body may make complaint to the Vice-Principal seeking the removal of the Principal from office for good cause.

40. The Vice-Principal shall refer such a complaint to the Governing Body, exclusive of the Principal and the members making the complaint. If it appears to the Governing Body that the complaint is not supported by sufficient evidence of good cause for the removal of the Principal from office, it may determine that no further action shall be taken upon it.

41. If it appears to the Governing Body on the available material that the complaint is not supported by sufficient evidence of good cause for the removal of the Principal from office, it shall appoint a Tribunal to hear and determine the matter.

42. The Tribunal appointed by the Governing Body shall comprise:

- (a) an independent Chairman; and

(b) one member chosen from amongst the Fellows, including Honorary and Emeritus Fellows, to whom this Statute does not apply; and

(c) one member chosen from amongst the Fellows to whom this Statute applies.

43. 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 Vice-Principal shall perform any duty and exercise any power there assigned to the Principal; and

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

44. Where a charge or charges have been upheld and the Tribunal finds good cause and recommends dismissal, but in no other case, the Vice-Principal shall consult the Governing Body and may then dismiss the Principal.

45. Where a complaint is to be referred to a Tribunal under this clause, the Vice-Principal may, if he considers that the College might otherwise suffer significant harm, suspend the Principal from his duties in all matters relating to the government and discipline of the College without loss of salary.

46. For the purpose of the removal of the Principal from his office for incapacity on medical grounds, the provisions of Part IV of this Statute shall have effect, provided that the Vice-Principal shall perform any duty or exercise any power there assigned to the Principal.

47. For the purpose of appeals by the Principal against removal from office, the provisions of Part V shall have effect, provided that the Vice-Principal shall perform any duty or exercise any power there assigned to the Principal.