



**College Statutes  
and  
Regulations of the Council**

**November 2009**

## ***PREFACE***

This preface is not part of the Statutes or Regulations of the College.

Royal Holloway, as part of the University of London, is subject to the Statutes and Ordinances made under the University of London Act, 1994.

The College's own regulatory framework derives from the Royal Holloway and Bedford New College Act 1985. The first Statutes of the College were set out in a schedule to the Act. The Statutes published in this booklet are essentially the first Statutes, subsequently modified by the Privy Council. The first modifications were introduced by the University Commissioners, using powers conferred on them by Section 204 of the Education Reform Act 1988. These modifications were published in Statutory Instrument 1993, No. 1015, having been approved by the Privy Council on 31 March 1993.

Section 8 of the Royal Holloway and Bedford New College Act gives the Council the power to make regulations, and the current Council regulations are also published in this booklet.

In the Statutes and Regulations words importing the masculine shall include the feminine and, unless the context otherwise requires, words in the singular shall include the plural and words in the plural shall include the singular.

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# *The Statutes of the College*

## The Statutes of the College

*This Index is not part of the Statutes of the College*

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# THE STATUTES OF THE COLLEGE

## INTERPRETATION

1. In these statutes unless the context otherwise requires -

"the Academic Board" means the Academic Board established in accordance with statute 16;

subject to statute 25 "the academic staff" means all persons holding appointments of Professor, Reader, Senior Lecturer or Lecturer at the College or appointed to any other posts designated by the Council as posts on the academic staff of the College;

"the academic-related staff" means all persons who are members of the academic staff, as defined above, other than those persons who are members of the academic teaching staff, as defined below;

"the academic teaching staff" means all persons holding appointments of Professor, Reader, Senior Lecturer or Lecturer at the College;

"the Act" means the Royal Holloway and Bedford New College Act 1985;

"appointed members" means the members of the Council appointed in accordance with statute 3(1)(b);

"elected members" means the members of the Council elected in accordance with statute 3(1)(c)(i) and (ii);

"the Faculties" means the Faculties of the College established in accordance with statute 17;

"the Finance Committee" means the Committee appointed in accordance with statute 15;

"senior research staff" means members of the research staff of postdoctoral status or the equivalent and of three years' standing or more at that level in the College or in a comparable institution;

"student members" means the President of the Students' Union and the member of the Council elected in accordance with statute 3(1)(c)(iii);

"the Students' Union" means the Students' Union established in accordance with statute 23.

In these statutes words importing the masculine shall include the feminine and, unless the context otherwise requires, words in the singular shall include the plural and words in the plural shall include the singular.

## COMMENCEMENT

2. This statute shall come into operation on the passing of this Act and the remainder of these statutes shall come into operation on the appointed day.

## COUNCIL

3. (1) The Council shall consist of twenty-five members as follows:
  - (a) Ex officio members being -
    - The Principal;
    - The President of the Students' Union;
  - (b) Members appointed by the Council (who shall not be in the employ of the College nor students of the College) being -
    - (i) one nominated by the Lord President of the Council;
    - (ii) one nominated by the Council of the University of London;
    - (iii) one nominated by the Surrey County Council;
    - (iv) one nominated by the Runnymede Borough Council;
    - (v) two nominated by such associations of former students of Royal Holloway College, Bedford College, and of the College as may from time to time be recognised by the Council as representative of the former students;
    - (vi) ten other persons whose interests shall reflect the interests of the College. The procedures for selecting those persons shall be prescribed in the regulations;
  - (c) Seven elected members being -
    - (i) one elected by the members of the Academic Board from among the members of the Academic Board who are members of the academic teaching staff;
    - (ii) two elected from among their own number by the academic teaching staff;
    - (iii) three elected in accordance with the procedure specified in the current regulations from among their own number by the staff of the College who are not academic teaching staff;
    - (iv) one student of the College elected by the whole student body.
- (2) The Council shall make regulations for the election of members to the Council and in particular ensure that the student members and the members elected under statute 3(1)(c)(i) and 3(1)(c)(ii) have been properly elected and are genuinely representative of the whole student body or the group of staff by whom they are elected.

## **OFFICERS OF THE COUNCIL**

### **Chair and Vice-Chair**

4. (1) The Chair and Vice-Chair of the Council shall be elected by a majority of the other members present and voting at a meeting of which not less than fourteen days' notice has been given and at which not less than two-thirds of the total membership of the Council are present and shall hold office for such period as the Council thinks fit but for not more than five years from the date of election and then retire but shall be eligible for re-election for one further period not exceeding five years.

### **PERIOD OF OFFICE**

5. (1) The appointed members of the Council shall hold office for five years from the date of their appointments and shall then retire but shall be eligible for re-appointment;
- (2) The members of the Council elected by the Academic Board, by the academic teaching staff, by the academic-related staff and by the staff who are not members of the academic staff shall hold office for three years from 1st October in the year of their election and shall then retire but shall be eligible if otherwise qualified for re-election for one further period of three years after which they shall not be eligible for re-election until the lapse of one year after retirement;
- (3) The elected student members shall hold office from 1st August in the year of their election to 31st July in the following year and shall then retire.

### **FILLING OF VACANCIES**

6. A casual vacancy in the members appointed by the Council shall be filled by the appointment by the Council, where appropriate on the nomination of the body or person concerned, of a new member and a casual vacancy among the elected members including elected student members shall be filled by the election of a new member by the body or persons concerned. The new member filling the casual vacancy shall hold office until the date on which the member vacating office would have retired and shall then retire but shall be eligible for re-appointment or re-election. In the case of an elected member the eligibility for re-election shall be as if the member elected to the casual vacancy had held office for three years.

## **VACATION OF OFFICE**

7. (1) Ex officio members of the Council shall vacate their office of councillor on ceasing to hold the relevant office.
- (2) Members of the Council appointed in accordance with sub-paragraphs (v) and (vi) of statute 3(1)(b) shall vacate office if they cease to satisfy the conditions of those sub-paragraphs or of any regulation concerning their appointment.
- (3) Members of the Council appointed in accordance with statute 3(1)(b) shall vacate office if they are retained by the College as consultants for reward.
- (4) Elected members including elected student members shall cease to be members of the Council if they cease to be eligible in the categories in which they were elected.
- (5) Any member who is absent from five consecutive ordinary meetings shall cease to be a member unless the Council decides otherwise.
- (6) The Council may require a member who is incapacitated by physical or mental illness from discharging the functions of a member of the Council to retire from membership.
- (7) The Council may require any member who has a receiving order made against him or makes an arrangement or composition with his creditors or who is convicted on indictment of a criminal offence to retire from membership.

## **RESPONSIBILITY OF INDIVIDUALS**

8. All members of the Council shall have equal status, rights, powers and duties and shall share collective responsibility for all the acts and decisions of the Council but subject to the limitation on the participation of student members specified in statute 27. All members shall speak and act in their own right contributing to the deliberations of the Council whatever special knowledge and advice they can, and exercising their own judgement to the best of their ability in the interests of and for the good of the College as a whole.

## **MEETINGS OF THE COUNCIL**

9. (1) The Council shall hold its ordinary meetings at such times and places as it shall determine but shall meet at least four times each academic year.
- (2) The Chair may at any time and the Secretary shall at the written request of any six or more members summon a special meeting for any cause that seems to the Chair or to the six or more members to be sufficient.

## **QUORUM OF THE COUNCIL**

10. The quorum for a meeting of the Council shall be twelve, a majority of whom must be members appointed by the Council under Statute 3(1)(b).

## **CHAIRING OF MEETINGS OF THE COUNCIL**

11. At any meeting the Chair shall preside. In the absence of the Chair, the Vice-Chair shall preside. In the absence of both the Chair and the Vice-Chair the members present and voting shall by resolution passed by a majority appoint one of their number as Chair of the meeting.

## **DECISION TAKING**

12. The Council shall act by a resolution passed by a majority of the members present and voting at the meeting. Where the votes for and against a resolution are equal, the Chair of the meeting shall have a second or casting vote.

## **MINUTES**

13. The Council shall keep written minutes of all resolutions and proceedings of Council and any committees appointed under statutes 14, 15 and 20. The minutes, if signed by the Chair of a succeeding meeting of the Council or committee, shall be prima facie evidence of the facts stated in them.

## **COMMITTEES OF THE COUNCIL**

14. (1) The Council may at any time appoint a Committee consisting either wholly of members of the Council or partly of members of the Council and partly of other persons to enquire into, report on or, with the delegated authority of the Council, take action over any matter within the Council's powers.
- (2) The Council may also appoint Committees consisting of such persons as it thinks fit, whether members of the Council, staff or students of the College or not, for the purpose of considering and reporting on any subjects referred to such Committees by the Council.
- (3) The Council may amend the membership and terms of reference of such committees and may dissolve them.

- (4) In appointing a Committee, the Council shall indicate the quorum.
- (5) Nothing in this statute shall enable the Council to delegate their power to reach a decision under paragraph 10(2) of statute 25.

### **THE FINANCE COMMITTEE**

15. (1) The Council shall appoint from among its members a Finance Committee. The number and method of appointment of members shall be prescribed in the regulations save that the number of members appointed by the Council from among the appointed members of the Council shall not be less than three-fifths of the total membership of the Committee.
- (2) The Finance Committee shall exercise a scrutiny of the College finances, control expenditure and advise the Council accordingly:

provided that the Council may from time to time fix a sum above which (otherwise than in respect of ordinary periodical payments) no liability may be incurred or payment made except upon a resolution of the Council passed after receipt of a report from the Finance Committee.
- (3) The Chair of the Finance Committee shall be elected by the Council from among the members of the Council by a majority of those present and voting at a meeting of which not less than fourteen days' notice has been given and shall hold office for such period as the Council thinks fit within the limit of his term of office as a member of the Council. The Chair of the Finance Committee shall not be in the employment of the College or of the University or of a College of the University nor be a student of the College.

### **THE ACADEMIC BOARD**

16. (1) The Academic Board shall be composed of -
  - (a) The Principal, who shall be Chair;
  - (b) Ex-officio members being -
    - The Vice-Principals;
    - The Deans of the Faculties;
    - The Dean of the Graduate School;
    - The Director of Information Services;
    - The Deputy Director of Information Services & Librarian

- (c) Representative members being -

The Heads of the Academic Departments or, should the Head of a Department be an ex-officio member of the Academic Board, another representative of the Department appointed by the procedure prescribed in the regulations;

- (d) Elected members being -

(i) the three members of the Council elected by the academic teaching staff in accordance with statute 3(1)(c)(i);

(ii) members elected by the academic teaching staff together with the senior research staff from among their own number to a number which brings the total of elected and ex-officio members equal to the total number of representative members, provided that not more than two of these members shall be senior research staff and that Professors, Readers and Senior Lecturers shall form the majority of the membership of the Academic Board:

- (e) Student members being -

Three full-time students of the College, one of whom shall be a postgraduate student, elected by the whole student body.

- (2) The Academic Board may co-opt up to five members, and shall report such co-options to the Council.
- (3) (a) Except in the case mentioned in sub-paragraphs (b) and (c) below, elected members shall hold office for three years from 1st October in the year of their election but shall be eligible for re-election for one further period of three years after which they shall not be eligible for re-election until the lapse of one year after retirement;
- (b) Members elected by the Board as members of the Council in accordance with statute 3(1)(c)(i) shall remain elected members of the Academic Board for the duration of their period of office as members of the Council;
- (c) Elected members of the Academic Board including student members shall cease to be members of the Board if they cease to be eligible in the categories in which they were elected.
- (4) Student members shall hold office from 1st August in the year of their election to 31st July in the following year and shall then retire. A student member shall vacate office immediately on ceasing to be a student.

- (5) Without prejudice to Section 9 of the Royal Holloway and Bedford New College Act 1985, and subject as appropriate to the Statutes, Ordinances and Regulations of the University of London, the powers and duties of the Academic Board shall be:
- (a) To regulate and control all teaching and the duration and structures of degree programmes;
  - (b) To regulate and control all teaching and the duration and structures of diploma and certificate programmes;
  - (c) To recommend the award of undergraduate and postgraduate degrees of the University to persons who have fulfilled the conditions of the award;
  - (d) To award certificates, diplomas, or other academic awards to persons who have fulfilled the conditions of award;
  - (e) To regulate the admission of persons to programmes of study
  - (f) To plan the academic development of the College;
  - (g) To award College scholarships, prizes and other distinctions;
  - (h) To award honorary titles other than Emeritus Reader, Emeritus Professor, or Visiting Professor;
  - (j) To regulate all College examinations and to appoint internal, visiting and external examiners;
  - (k) To terminate the appointment of any examiner for negligence, misconduct, or other good cause;
  - (l) To promote research in the College and to require reports on research from time to time;
  - (m) To assure the quality of teaching and research in the College;
  - (n) To elect members of the Board to the Council in accordance with the provisions of statute 3;
  - (p) To establish Faculty Boards, as appropriate, and to determine their constitution, terms of reference and standing orders;
  - (q) To establish committees, boards or panels, and to delegate responsibilities to such bodies as appropriate, in accordance with any requirements laid down in the statutes or by the Council;
  - (r) To consider any matter referred to the Board by the Council or the Principal.

- (6) Subject to the provisions of these statutes, the regulations and any directions of the Council, the Academic Board may regulate its procedures and the conduct of its business and may with the Council's approval make standing orders for these purposes.

### **THE FACULTIES**

17. (1) There shall be such Faculties of the College as the Council after consultation with the Academic Board may from time to time determine, save that on the appointed day there shall be combined Faculties of Arts and Music and a Faculty of Science.
- (2) Every Faculty shall consist of all the full-time and part-time academic teaching staff and senior research staff in all departments in that Faculty, and such other members as the Faculty shall from time to time determine.
- (3) Deans and Deputy Deans of all Faculties shall be appointed by the Principal to hold office for such periods and on such terms as he shall determine. The procedures for appointment shall be as prescribed in the regulations.
- (4) The Faculties meeting severally or jointly shall have power to advise the Academic Board on all academic matters and may advise on other matters relating to the general management of the College.

### **THE ACADEMIC DEPARTMENTS**

18. (1) There shall be such Academic Departments of the College as the Council after consultation with the Academic Board shall from time to time determine.
- (2) The arrangements for the administration of Departments shall be as prescribed in the regulations.

## **THE PRINCIPAL**

19. (1) There shall be a Principal of the College appointed by the Council to hold office on such terms and conditions (subject to statute 25) as the Council shall determine
- (2) The Principal shall be the chief academic and administrative officer of the College. The powers and duties of the office shall be as prescribed in these statutes and in the regulations and as shall be determined by the Council from time to time.

## **JURISDICTION OVER STUDENTS**

20. (1) The Principal shall be responsible for the acceptance or rejection of candidates for admission but may delegate responsibility in whole or in part. The Principal may refuse to admit any person without giving any reason.
- (2) The Academic Board shall be the body empowered to terminate the membership of the College of any student on academic grounds, but for each student concerned there shall be a reasonable opportunity of being heard and a right of appeal in the manner prescribed by the regulations.
- (3) (a) The Council shall appoint a Committee which shall be the body empowered to terminate the membership of the College of any student on other than academic grounds on the recommendation of the Principal, but for each student concerned there shall be a reasonable opportunity of being heard and a right of appeal in the manner prescribed by the regulations.
- (b) The membership of the Committee shall be determined by the Council and prescribed by the regulations and shall include members elected by the Students' Union from among their own number, members of the academic teaching staff and appointed members of the Council.

## **THE VICE-PRINCIPALS**

21. There shall be a Vice-Principal or Vice-Principals of the College, appointed by the Council to hold office on such terms and conditions (subject to Statute 25) as the Council shall determine. The Council may designate one of the Vice-Principals as Senior Vice-Principal.

### **THE SECRETARY**

22. There shall be a Secretary of the Council appointed by the Council to hold office on such terms and conditions (subject to statute 25) as the Council shall determine.

### **THE STUDENTS' UNION**

23. (1) There shall be a Students' Union of the College for the benefit of the students of the College.
- (2) The functions of the Students' Union shall be as follows -
- (a) to promote co-operation among members for educational, cultural, social and sporting purposes;
  - (b) to cater for the welfare of its members and to represent them in all matters affecting their interests.
- (3) The Students' Union shall conduct and manage its own affairs in accordance with a constitution approved by the Council.

### **HONORARY FELLOWS**

24. (1) The Council shall have power to appoint as Honorary Fellows of the College eminent persons, who have rendered, or are in a position to render, signal service to the College, or have achieved distinction in other ways.
- (2) The maximum number of Honorary Fellows who may be appointed and the method of appointment shall be prescribed in the regulations.
- (3) An Honorary Fellowship may be resigned by informing the Secretary of the Council in writing.

## ACADEMIC STAFF

### 25. PART 1 - CONSTRUCTION, APPLICATION AND INTERPRETATION

#### Construction

1. This statute and any regulations 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 academic staff 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, promote learning and engage in research efficiently and economically; and
  - (c) to apply the principles of justice and fairness.

#### Reasonableness of Decisions

2. No provision in Part II or Part III shall enable the body or person having the duty to reach a decision under the relevant Part to dismiss any member of the academic staff unless the reason for his dismissal may in the circumstances (including the size and administrative resources of the College) reasonably be treated as a sufficient reason for dismissing him.

#### Application

3. (1) This statute shall apply -
  - (a) to Professors, Readers, Senior Lecturers, Lecturers and persons appointed to any other post designated by the Council as a post on the academic staff of the College;
  - (b) to the Secretary;
  - (c) to the Principal to the extent and in the manner set out in the Annex to this statute. (*See pages 30 & 31*)
- (2) In this statute any reference to "academic staff" is a reference to persons to whom this statute applies.

## Interpretation

### Meaning of "dismissal"

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.

### Meaning of "good cause"

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 Tribunal appointed under Part III to be such as to render the person convicted unfit for the execution 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 office; or
  - (d) physical or mental incapacity established under Part IV.
- (2) In this paragraph -
- (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.

### Meaning of "redundancy"

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 member of the academic staff concerned was appointed or employed by the College, or has ceased, or intends to cease, to carry on that activity in the place in which the member concerned worked; or
  - (b) the fact that the requirements of that activity for members of the academic staff to carry out work of a particular kind, or for members of the academic staff to carry out work of a particular kind in that place, have ceased or diminished or are expected to cease or diminish.

### Incidental, supplementary and transitional matters

7. (1) In any case of conflict, the provisions of this statute shall prevail over those of any other statute and over those of any regulations and the provisions of any regulation made under this statute shall prevail over those of any other regulation:

provided that Part III of and the Annex to 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.
- (2) Nothing in any appointment made, or contract entered into, shall be construed as over-riding or excluding any provision made by this statute concerning the dismissal of a member of the academic staff by reason or redundancy or for good cause:

provided that nothing in this sub-paragraph shall prevent waivers made under section 142 of the Employment Protection (Consolidation) Act 1978 from having effect.
- (3) Nothing in any other statute or in any regulations made thereunder shall authorise or require any person to sit as a member of any Committee, Tribunal or body appointed under this statute or to be present when any such Committee, Tribunal or body is meeting to arrive at its decision or for the purpose of discussing any point of procedure.

- (4) Any reference in this statute to the University, to the Vice-Chancellor of the University or to Appointed Teachers of the University is a reference to the University of London, or to the Vice-Chancellor or Appointed Teachers of the University of London as the case may be.
- (5) In this statute references to numbered Parts, paragraphs, and sub-paragraphs are references to Parts, paragraphs, and sub-paragraphs so numbered in this statute.

## PART II - REDUNDANCY

### Purpose of Part II

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

### Exclusion from Part II of persons appointed or promoted before 20th November 1987

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

### The Appropriate Body

10. (1) the Council shall be the appropriate body for the purposes of this Part.
- (2) This paragraph applies where the appropriate body has decided that it is desirable that there should be a reduction in the academic staff -
  - (a) of the College as a whole; or
  - (b) of any faculty, school, department or other similar area of the Collegeby way of redundancy.

11. (1) Where the appropriate body has reached a decision under paragraph 10(2) it shall appoint a Redundancy Committee to be constituted in accordance with sub-paragraph (3) of this paragraph to give effect to its decision by such date as it may specify and for that purpose
  - (a) to select and recommend the requisite members of the academic staff for dismissal by reason of redundancy; and
  - (b) to report their recommendations to the appropriate body.
- (2) The appropriate body shall either approve any selection recommendation made under sub-paragraph (1), or shall remit it to the Redundancy Committee for further consideration in accordance with its further directions.
- (3) A Redundancy Committee appointed by the appropriate body shall comprise -
  - (a) a Chair; and
  - (b) two members of the Council, not being persons employed by the College; and
  - (c) two members of the academic staff nominated by the Academic Board.

#### Notices of intended dismissal

12. (1) Where the appropriate body has approved a selection recommendation made under paragraph 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 appropriate body.
- (3) Each separate notice shall sufficiently identify the circumstances which have satisfied the appropriate body that the intended dismissal is reasonable and in particular shall include -
  - (a) a summary of the action taken by the appropriate body under this Part;
  - (b) an account of the selection processes used by the Redundancy Committee;
  - (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 (Appeals); and
  - (d) a statement as to when the intended dismissal is to take effect.

## PART III - DISCIPLINE, DISMISSAL AND REMOVAL FROM OFFICE

### Disciplinary Procedures

13. (1) Minor faults shall be dealt with informally.
- (2) Where the matter is more serious but falls short of constituting possible good cause for dismissal the following procedure shall be used -

#### *Stage 1 - Oral Warning*

If conduct or performance does not meet acceptable standards the member of the academic staff will normally be given a formal ORAL WARNING. The member will be advised of the reason for the warning, that it is the first stage of the disciplinary procedure and of the right of appeal under this paragraph. A brief note of the oral warning will be kept but it will be spent after 12 months, subject to satisfactory conduct and performance.

#### *Stage 2 - Written Warning*

If the offence is a serious one, or if a further offence occurs, a WRITTEN WARNING will be given to the member of the academic staff by the Head of Department. This will give details of the complaint, the improvement required and the timescale. It will warn that a complaint may be made to the Secretary seeking the institution of charges to be heard by a Tribunal appointed under paragraph 16 if there is no satisfactory improvement and will advise of the right of appeal under this paragraph. A copy of this written warning will be kept by the Head of Department but it will be disregarded for disciplinary purposes after 2 years subject to satisfactory conduct and performance.

#### *Stage 3 - Appeals*

A member of the academic staff who wishes to appeal against a disciplinary warning shall inform the Secretary within two weeks. A Vice-Principal shall hear all such appeals and his decision shall be final.

### Preliminary examination of serious disciplinary matters

14. (1) If there has been no satisfactory improvement following a written warning given under Stage 2 of the procedure in paragraph 13, or in any other case where it is alleged that conduct or performance may constitute good cause for dismissal or removal from office, a complaint seeking the institution of charges to be heard by a Tribunal appointed under paragraph 16 may be made to the Secretary who shall bring it to the attention of the Principal.

- (2) To enable the Principal to deal fairly with any complaint brought to his attention under sub-paragraph (1) he shall institute such investigations or enquiries (if any) as appear to him to be necessary.
- (3) If it appears to the Principal that a complaint brought to his attention under sub-paragraph (1) relates to conduct or performance which does not meet acceptable standards but for which no written warning has been given under paragraph 13 or which relates to a particular alleged infringement of rules, regulations or byelaws for which a standard penalty is normally imposed in the College or within the faculty, school, department or other similar area, or is trivial or invalid he may dismiss it summarily, or decide not to proceed further under this Part.
- (4) If the Principal does not dispose of a complaint under sub-paragraph (3) he shall treat the complaint as disclosing a sufficient reason for proceeding further under this Part and, if he sees fit, he may suspend the member on full pay pending a final decision.
- (5) Where the Principal proceeds further under this Part he shall write to the member of the academic staff concerned inviting comment in writing.
- (6) As soon as may be following receipt of the comments (if any) the Principal shall consider the matter in the light of all the material then available and may -
  - (a) dismiss it himself; or
  - (b) refer it for consideration under paragraph 13; or
  - (c) deal with it informally himself if it appears to the Principal appropriate to do so and if the member of the academic staff agrees in writing that the matter should be dealt with in that way; or
  - (d) direct the Secretary to prefer a charge or charges to be considered by a Tribunal to be appointed under paragraph 16.
- (7) If no comment is received within 28 days the Principal may proceed as aforesaid as if the member concerned had denied the substance and validity of the alleged case in its entirety.

#### Institution of Charges

15. (1) In any case where the Principal has directed that a charge or charges be preferred under paragraph 14(6)(d), he shall request the Council to appoint a Tribunal under paragraph 16 to hear the charge or charges and to determine whether the conduct or performance of the member of the academic staff concerned constitutes good cause for dismissal or otherwise constitutes a serious complaint relating to the member's appointment or employment.

- (2) Where the Council has been requested to appoint a Tribunal under paragraph 16 the Secretary or, if he is unable to act, another officer appointed by the Principal shall take charge of the proceedings.
- (3) The officer in charge of the proceedings shall formulate, or arrange for the formulation of, the charge or charges and shall present, or arrange for the presentation of, the charge or charges before the Tribunal.
- (4) It shall be the duty of the officer in charge of the proceedings
  - (a) to forward the charge or charges to the Tribunal and to the member of the academic staff concerned together with the other documents therein specified, 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 Tribunal.

#### The Tribunal

16. A Tribunal appointed by the Council shall comprise:
  - (a) a Chair; and
  - (b) a member of the Council, not being a person employed by the College; and
  - (c) one member of the academic staff nominated by the Academic Board:

Provided that in any case where the member of the academic staff concerned is an Appointed Teacher of the University, the Tribunal shall include, in addition to the members referred to under sub-paragraphs (b) and (c), two members nominated by the University, not being persons employed by the College.

#### Provisions Concerning Tribunal Procedure

17. (1) The procedure to be followed in respect of the preparation, hearing and determination of charges by a Tribunal shall be that set out in regulations made under this paragraph.

- (2) Without prejudice to the generality of the foregoing such regulations shall ensure -
- (a) that the member of the academic staff concerned is entitled to be represented by another person, whether such person be legally qualified or not, in connection with and at any hearing of charges by a Tribunal;
  - (b) that a charge shall not be determined without an oral hearing at which the member of the academic staff concerned and any person appointed by him to represent him are entitled to be present;
  - (c) that the member of the academic staff and any person representing the staff member may call witnesses and may question witnesses upon the evidence on which the case against him is based; and
  - (d) that full and sufficient provision is made -
    - (i) for postponements, adjournments, dismissal of the charge or charges for want of prosecution, remission of the charge or charges to the Principal for further consideration and for the correction of accidental errors; and
    - (ii) for appropriate time limits for each stage (including the hearing) to the intent that any charge thereunder shall be heard and determined by a Tribunal as expeditiously as reasonably practicable.

#### Notification of Tribunal Decisions

18. (1) A Tribunal 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 and to each party to the proceedings.
- (2) A Tribunal shall draw attention to the period of time within which any appeal should be made by ensuring that a copy of Part V (Appeals) accompanies each copy of its decision sent to a party to the proceedings under this paragraph.

#### Powers of the appropriate officer where charges are upheld by Tribunal

19. (1) Where the charge or charges are upheld and the Tribunal finds good cause and recommends dismissal or removal from office, but in no other case, the appropriate officer shall decide whether or not to dismiss the member of the academic staff concerned.

- (2) In any case where the charge or charges are upheld, other than where the appropriate officer has decided under sub-paragraph (1) to dismiss the member of the academic staff concerned, the action available to the appropriate officer (not comprising a greater penalty than that recommended by the Tribunal) may be -
- (a) to discuss the issues raised with the member concerned; or
  - (b) to advise the member concerned about his future conduct; or
  - (c) to warn the member concerned; or
  - (d) to suspend the member concerned for such period as the appropriate officer shall think fair and reasonable, not to exceed 3 months after the Tribunal's decision; or
  - (e) any combination of any of the above or such further or other action under the member's contract of employment or terms of appointment as appears fair and reasonable in all the circumstances of the case.
- (3) Where the appropriate officer has decided under paragraph (1) to dismiss a member of the academic staff who is an Appointed Teacher of the University, the officer shall inform the Vice-Chancellor of the University so that, subject to the outcome of any appeal made by the member of the academic staff under Part V, the University may withdraw from the Teacher the status or title of Professor or Reader of the University.

#### Appropriate Officers

20. (1) The Principal shall be the appropriate officer to exercise the powers conferred by paragraph 19 and any reference to the appropriate officers includes a reference to a delegate of that officer.
- (2) Any action taken by the appropriate officer shall be confirmed in writing.

#### PART IV - REMOVAL FOR INCAPACITY ON MEDICAL GROUNDS

21. (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 references to the appropriate officer are references to the Principal or an officer acting as his delegate to perform the relevant act.

- (4) 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 in addition to (or instead of) that member.
22. (1) Where it appears that the removal of a member of the academic staff on medical grounds would be justified, the appropriate officer -
- (a) shall inform the member accordingly; and
  - (b) shall notify the member in writing that it is proposed to make an application to the member's doctor 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 shares that view the College shall meet the reasonable costs of any medical opinion required.
- (3) If the member does not share that view the appropriate officer shall refer the case in confidence, with any supporting medical and other evidence (including any medical evidence submitted by the member), to a Board comprising one person nominated by the Council; one person nominated by the member concerned or, in default of the latter nomination, by the Academic Board; and a medically qualified chair jointly agreed by the Council and the member or, in default of agreement, to be nominated by the President of the Royal College of Physicians.
- (4) The Board may require the member concerned to undergo medical examination at the College's expense.

#### Termination of Employment

23. If the Board determines that the member shall be required to retire on medical grounds, the appropriate officer shall direct the Secretary or his delegate to terminate the employment of the member concerned on those medical grounds.

### PART V - APPEALS

#### Purpose of Part V

24. 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.

### Application and interpretation of Part V

25. (1) This part applies -
- (a) to appeals against the decisions of the Council as the appropriate body (or of a delegate of that 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 under paragraph 13 (Appeals against disciplinary warnings);
  - (c) to appeals against dismissal otherwise than in pursuance of Part II or Part III;
  - (d) to appeals against discipline otherwise than in pursuance of Part III; and
  - (e) to appeals against decisions reached under Part IV
- and "appeal" and "appellant" shall be construed accordingly.
- (2) No appeal shall however lie against -
- (a) a decision of the appropriate body under paragraph 10(2);
  - (b) the findings of fact of a Tribunal under paragraph 18(1) 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 finding by a Board set up under paragraph 22(3).
- (3) In this Part references to "the person appointed" are references to the person appointed by the Council under paragraph 28 to hear and determine the relevant appeal.
- (4) The parties to an appeal shall be the appellant and the Secretary and any other person added as a party at the direction of the person appointed.

### Institution of Appeals

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

### Time for appealing and notices of appeal

27. (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-paragraph (3).
- (2) The Secretary shall bring any notice of appeal received (and the date when it was served) to the attention of the Council and shall inform the appellant that he has done so.
- (3) Where the notice of appeal was served on the Secretary outside the 28-day period the person appointed under paragraph 28 shall not permit the appeal to proceed unless he considers that justice and fairness so require in the circumstances of the case.

### Persons appointed to hear and determine appeals

28. (1) Where an appeal is instituted under this Part the Council shall appoint a person described in sub-paragraph (2) to hear and determine that appeal.
- (2) The persons described in this sub-paragraph are persons not employed by the College holding, or having held, judicial office or being barristers or solicitors of at least ten years' standing.
- (3) Subject to sub-paragraph (5) the person appointed shall sit alone unless he considers that justice and fairness will best be served by sitting with two other persons.
- (4) The other persons who may sit with the person appointed shall be -
  - (a) a member of the Council not being a person employed by the College;  
and
  - (b) one member of the academic staff nominated by the Academic Board.
- (5) In the case of an appeal against a decision taken under paragraph 19 to dismiss a member of the academic staff who is an Appointed Teacher of the University the person appointed shall sit with -
  - (a) a member of the Council not being a person employed by the College;  
and
  - (b) a member of the academic staff nominated by the Academic Board; and
  - (c) two persons nominated by the University not being persons employed by the College.

Provisions concerning appeal procedures and powers

29. (1) The procedure to be followed in respect of the preparation, consolidation, hearing and determination of appeals shall be that set out in regulations made under this paragraph.
- (2) Without prejudice to the generality of the foregoing such regulations shall ensure -
- (a) that an appellant is entitled to be represented by another person, whether such person be 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 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 to the Council as the appropriate body (or any issue arising in the course of such an appeal) for further consideration as the person or persons hearing the appeal may direct; or
  - (b) remit an appeal arising under Part III for re-hearing by a differently constituted Tribunal to be appointed under that Part; or
  - (c) remit an appeal from a decision of the appropriate officer under Part IV for further consideration as the person or persons hearing the appeal may direct; or
  - (d) substitute any lesser alternative penalty that would have been open to the appropriate officer following the finding by the Tribunal which heard and pronounced upon the original charge or charges.

### Notification of decisions

30. The person appointed shall send the reasoned decision, including any decision reached in exercise of his powers under paragraph 29(3)(a), (b) or (c), on any appeal together with any findings of fact different from those come to by the Council as the appropriate body under Part II or by the Tribunal under Part III, as the case may be, to the Principal, to the parties to the appeal and to the Vice-Chancellor of the University in the case of an appeal by a member of the academic staff who is an Appointed Teacher of the University.

## PART VI - GRIEVANCE PROCEDURES

### Purpose of Part VI

31. The aim of this Part is to settle or redress individual grievances promptly, fairly and so far as may be, within the faculty, school, department or other similar area by methods acceptable to all parties.

### Application

32. 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.

### Exclusions and Informal Procedures

33. (1) If other remedies within the faculty, school, department or other similar area have been exhausted the member of the academic staff may raise the matter with the Head of the faculty, school, department or other similar area.
- (2) If the member of the academic staff is dissatisfied with the result of an approach under sub-paragraph (1) or if the grievance directly concerns the Head of the faculty, school, department or other relevant area, the member may apply in writing to the Principal for redress of the grievance.

- (3) 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 Grievance Committee accordingly.
- (4) 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;
  - (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 and the Grievance Committee accordingly.

- (5) If the Principal does not reject the complaint under sub-paragraph (3) or if he does not defer action upon it under sub-paragraph (4) 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.

#### Grievance Committee Procedure

34. If the grievance has not been disposed of informally under paragraph 33(5), the Principal shall refer the matter to the Grievance Committee for consideration.
35. The Grievance Committee to be appointed by the Council shall comprise -
  - (a) a Chair;
  - and
  - (b) a member of the Council not being a person employed by the College;
  - and
  - (c) one member of the academic staff nominated by the Academic Board.

#### Procedure in connection with determinations; and right to representation

36. The procedure in connection with the consideration and determination of grievances shall be determined in regulations 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.

#### Notification of decisions

37. The Committee shall inform the Council whether the grievance is or is not well-found and if it is well-found the Committee shall make such proposals for the redress of the grievance as it sees fit.

ANNEX

**PROVISIONS AS TO THE PRINCIPAL**

1. The Council may request its Chair to remove the Principal from office for good cause in accordance with the procedure described in this Annex.
  - (1) A complaint seeking the removal from office of the Principal for good cause may be made by not less than three members of the Council to the Chair of the Council.
  - (2) If it appears to the Chair of the Council, on the material before him, that the complaint raises a prima facie case and that this could, if proved, constitute good cause for dismissal or removal from office he shall request the Council to appoint a Tribunal to hear and determine the matter.
  - (3) If it appears to the Chair of the Council that a complaint made to him under sub-paragraph (1) does not raise a prima facie case or is trivial or invalid, he may recommend to the Council that no further action be taken upon it.
  - (4) When the Council has appointed a Tribunal under sub-paragraph (2) it shall instruct a solicitor or other suitable person to formulate a charge or charges and to present, or arrange for the presentation of, the charges before the Tribunal.
  - (5) A Tribunal appointed by the Council shall comprise:
    - (a) an independent Chair; and
    - (b) a member of the Council not being a person employed by the College; and
    - (c) one member of the academic staff.
  - (6) Subject to the principles of justice and fairness the Tribunal may determine its own procedure.
  - (7) The Tribunal shall send its reasoned decision on any charge referred to it together with its findings of fact regarding the charge and its recommendations, if any, as to the appropriate penalty to the Chair of the Council and to the Principal drawing attention to the period of time within which any appeal should be made.
  - (8) Persons appointed to hear such an appeal shall be persons independent of the College holding, or having held, judicial office or being barristers or solicitors of at least 10 years' standing and the person so appointed shall, subject to the principles of justice and fairness, determine the procedure to be adopted in hearing the appeal.

- (9) A person appointed shall send the reasoned decision on the appeal, together with any findings of fact different from those come to by the Tribunal and his recommendations, if any, as to the appropriate penalty, to the Principal and to the Chair of the Council.
- (10) Where a charge or charges have been upheld by the Tribunal and not dismissed on appeal, the Chair of the Council shall decide whether or not to dismiss the Principal.
2. Where a complaint is to be referred to a Tribunal under this statute, the Chair of the Council may suspend the Principal from his duties and may exclude the Principal from the precincts of the College or any part thereof without loss of salary.
3. "Good cause" in this Annex has the same meaning as in paragraph 5 of this statute.
4. For the purpose of the removal of the Principal for incapacity on medical grounds, Part IV of this statute shall have effect subject to the following modifications:-
- (a) for references to a member of the academic staff there shall be substituted references to the Principal;
  - (b) for any reference to the office of Principal there shall be substituted a reference to the office of Chair of the Council;
  - (c) for paragraph 23 there shall be substituted -  
  
"23. If the Council determines that the Principal should be required to retire on medical grounds, it shall ask the Chair of the Council as the appropriate officer, to decide whether or not to terminate the appointment of the Principal on those medical grounds."

## **NO DISCRIMINATION**

26. The College will treat fairly all its staff, students, applicants for employment or study, visitors and other persons in contact with the College and will seek to ensure they have equality of opportunity without regard to their race, gender, disability, sexual orientation, religion and belief or age.

## **RESERVED AREAS OF BUSINESS**

27. Student members of the Council and of the Academic Board and of the Committees of either or of such Committees and other bodies as the Council may from time to time determine shall not be entitled to participate in the consideration of reserved areas of business. Reserved areas of business shall be disciplinary matters concerning individual staff or students, the terms and conditions of employment of individual members of staff and any other matters affecting named individual members of staff. Papers for consideration at meetings of any such bodies and minutes and other records relating to such matters shall not at any time be made available to a student member. The Chair of the meeting shall decide in any case of doubt whether a matter is one to which this statute applies and his decision shall be final.

## **ESTIMATES AND ACCOUNTS AND AUDITOR**

28. (1) The Council shall before the beginning of each financial year of the College arrange for the preparation of an estimate of income and expenditure for the year and shall ensure that accounts of all income, receipts, expenditure and payments and of all assets and liabilities of the College are kept and that an annual statement of the College's accounts is prepared and published.
- (2) There shall be an audit of the College's accounts with a report on its financial position made every year and published by the Council.
- (3) The Auditor shall be appointed by the Council and shall be a member of one or more of the following bodies:-

The Institute of Chartered Accountants in England and Wales;

The Institute of Chartered Accountants of Scotland;

The Chartered Association of Certified Accountants;

The Institute of Chartered Accountants in Ireland;

Any other body of accountants established in the United Kingdom and for the time being recognised for the purposes of section 389(1)(a) of the Companies Act 1985 by the Secretary of State;

but a Scottish firm may be so appointed if each of the partners is qualified to be so

appointed. No person shall be appointed or remain Auditor who is or any one of whose partners is a member of the Council or of the staff of the College.

## **INVESTMENTS**

29. (1) Moneys and other assets in the hands of the College and available for investment may be invested by the College in accordance with the policy of investment promulgated by the Council from time to time by:
- (a) placing moneys on deposit with any bank or other authorised institution;
  - (b) applying them in the purchase of or at interest upon any shares, stocks, funds, securities, policies of insurance or other investments or property (including land of any tenure or interest therein) within the United Kingdom or elsewhere whether producing income or not and whether including liability or not and with or without security and without the need for diversification;
  - (c) applying them in the purchase or entry into of any stocklending agreement, financial futures contract, rate or currency swap transaction, forward rate transaction, equity swap or option, bond or interest rate option, floor or collar transaction or any other contract or agreement relating to any derivative or financial instrument (and for all or any of these purposes the College may grant any security over all or any of the assets of the College and give or enter into any indemnity, warranty, undertaking or covenant or do any other act required for such purpose or purposes);

in such manner as the Council may in its absolute discretion think fit provided that, in the case of moneys held by the College as trustee, the powers conferred by this statute shall be exercised in accordance with and subject to the provisions of the law relating to trustees.

- (2) The Council shall have power at any time and from time to time by writing to appoint (and in like manner to revoke or to vary the terms of any such appointment) any person or persons including a company or firm to act as investment advisers or investment managers and to permit any moneys, investments or other property belonging to or in the hands of the College to be registered or held in the name or names of any nominee or nominees within the United Kingdom or overseas on behalf of the College without being liable for any loss occasioned thereby in each case subject to such conditions and upon such terms (including the payment of remuneration) as shall from time to time be agreed in writing between the Council and such person or persons as aforesaid.

### **RAISING OF MONEY**

30. Subject to the provisions of any trust deed under which the College holds any property as trustee the College shall have power to borrow and otherwise raise moneys for any purpose considered by the Council to be conducive to the attainment of the objects of the College and on such terms (including the sale, conversion or calling in of all or any part of the property of the College, and/or the granting of any security over all or any part of the property of the College) as the Council may in its absolute discretion think fit provided that no lender nor any purchaser or mortgagee paying or advancing money on a sale, conversion, calling in or grant of security shall be concerned to see that such money is required or that no more than is required is raised or otherwise as to the application thereof.

### **THE SEAL**

31. The Council shall have the custody and sole use of the Common Seal of the College and arrangements for its safe keeping and manner of authentication shall be as prescribed by the regulations.

### **GENERAL SAVING**

32. (1) All acts done by any meeting of the Council or a Committee appointed by the Council in accordance with statutes 14, 15 and 20 or by any meeting of the Academic Board or of a Committee appointed by the Board, or by any person acting in the name and with the authority of the Council, Board or Committee shall, even though it is afterwards discovered that there was some defect or irregularity in the appointment of the Council, Board, Committee or person, or that they or any of them were disqualified, be as valid as if the Council, Board, Committee or person had been duly appointed or qualified.
- (2) No act, proceeding or resolution of the Council or of any Committee appointed by the Council under the provisions of statutes 14, 15 and 20 or of the Academic Board shall be invalidated or questioned by reason of the existence of any vacancy in its membership or the disqualification or any irregularity in the appointment of any member or by reason of the accidental omission to give any member notice of the meeting or of the non-receipt by any member of that notice.

# *Regulations of the Council*

## Regulations of the Council

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## **REGULATIONS OF THE COUNCIL**

### **THE COUNCIL**

#### **1. Appointment of members of the Council (Statute 3(1))**

1.1 Recommendations for appointment to the Council under Statute 3(1)(b)(vi) shall be made by a Nominations & Honorary Awards Committee, whose terms of reference, constitution and membership shall be determined by the Council.

1.2 Statute 5(1) stipulates that members of the Council appointed under Statute 3(1)(b)(vi) shall be eligible for re-appointment after one term of office. Such a re-appointment for a second term of office will be made by decision of the Council on the recommendation of the Nominations & Honorary Awards Committee. Re-appointment for any further term or terms of office may be made only in exceptional circumstances and shall be by decision of the Council on the recommendation of the Nominations & Honorary Awards Committee.

[Note 1: Regulations for the election of members, in accordance with Statute 3(2), were adopted by the Council on 12.2.87]

#### **2. Vacation of office by members of the Council (Statute 7) and responsibility of individual members (Statute 8)**

The Secretary shall provide each newly appointed or newly elected member of the Council with a copy of the College Act, Statutes and Regulations; and shall draw the member's attention to the provisions of Statutes 7 and 8.

#### **3. Meetings of the Council (Statute 9)**

Each session the Secretary shall prepare a calendar of meetings of the Council to be held in the following session. This shall be approved by the Council and published in the College.

#### **4. Agenda**

An agenda paper shall be despatched at least three working days before each meeting of the Council. At any meeting of the Council consideration of any subject not specified in the agenda paper may be adjourned by the Chair until the next meeting.

#### **5. Notice of special meetings of the Council**

Written notice of any special meeting of the Council shall be despatched six working days before the date of the meeting except that, where in the opinion of the Chair there is

urgency and he so directs, the notice may be despatched three working days before the date of the meeting.

**6. Travelling expenses**

The reasonable travelling expenses of members of the Council in attending meetings of the Council and in making any other journeys at the request of or with the approval of the Council may be paid by the College.

**7. Declaration of Personal or Financial Interests**

7.1 Members of the Council and senior College officers shall provide once each year, at the request of the Secretary, a written declaration of their personal or financial interests in any areas relevant to College activities. These declarations will be kept on file by the Secretary and will be made available on request, under the Freedom of Information Act 2000.

7.2 Members of the Council and senior College officers shall also declare any personal or financial interests in matters which are considered or presented to meetings of the Council, or other College committees, or at other relevant times and shall take no part in any decisions relating to such matters. The Chair may require a member to withdraw from any meeting while such business is under discussion.

**COMMITTEES (Statutes 14 and 15)**

**8. Effectiveness review**

The Council shall review, every three years, all the Committees which it has appointed and shall publish in the College a list of its Committees and their membership.

**9. Chair of Council**

9.1 The Chair of Council shall be elected as set out in Statute 4(1). The Nominations & Honorary Awards Committee shall normally submit a nomination to the Council; this shall be decided at a meeting of the Nominations & Honorary Awards Committee at which time the present Chair and any other interested party shall withdraw.

9.2 On appointment, the Chair's term of office as a member of the Council will be altered so as to be the same as his term of office as Chair.

9.3 The Chairman of Council will be elected for a period of five years, with a review after 12 months. It would normally be expected that he would step down at the end of this period. In particular circumstances, however, and following an appraisal and consideration by the Nominations & Honorary Awards Committee (or its successor), the period of office may be extended for up to a further two years to allow the particular circumstances to be dealt with.

## 10. **Principal**

The Principal shall be an ex officio member of all committees established by the Council and the Academic Board other than those cases when the committee's terms of reference and procedures stipulate otherwise.

## 11. **Appointments to Committees and Period of Office**

11.1 Appointments to Committees shall normally take effect from the first day of October each year. A casual vacancy in any Committee may be filled at any time by the Council or other proper appointing body, as the case may be, but any Committee may act notwithstanding a vacancy or vacancies, subject to the quorum specified for that Committee.

11.2 The term of office for lay members appointed to a committee of the Council shall normally be three years. The Council may re-appoint members for a second term of office, of three years or less, and may, if the circumstances justify it, re-appoint members for a third term.

11.3 If elected staff members of committees are away from the College for periods in excess of six weeks (for sabbatical or maternity leave, for example, or because of illness), arrangements will normally be made to reallocate their committee responsibilities. If the absence is close to the end of the member's term of office, it would be appropriate to make a new appointment to cover the unexpired portion of the term of office, together with a normal three-year term of office. Other cases will normally be dealt with by a temporary appointment to cover the period of absence.

## 12. **Finance Committee (Statute 15)**

12.1 In addition to the Chair of the Committee appointed by the Council under Statute 15(3), the Finance Committee shall consist of the Principal, the Vice-Chair of Council, four lay members of the Council, the Director of Resources and the Director of Finance, to make a three-fifths majority of lay members, with other appropriate senior officers in attendance. The President of the Students' Union may attend as an observer.

12.2 The Committee shall for each session elect a Vice-Chair from among its members.

## 13. **Elections**

13.1 For the purposes of Statutes 3(1)(c), 3(2), 5(2) and 16(1)(d), all full-time staff and part-time staff, other than those employed on casual or non-established teaching

terms and conditions of service, shall be eligible to stand and vote in elections for the Council and Academic Board.

13.2 The Regulations for the Election of Staff Members of the Council are set out in full on pages 50 and 51.

**14. The Status of Committee Papers**

Other than papers and minutes containing Reserved Area Business, the agendas, papers and minutes of all Council, Academic Board, Faculty Boards and Committee papers will be released on enquiry under the Freedom of Information Act 2000, subject to any appropriate exclusions.

**THE ACADEMIC BOARD (Statute 16)**

**15. Chair of the Academic Board**

The Principal is ex officio Chair of the Academic Board. In the absence of the Principal, the Senior Vice-Principal shall take the Chair. In the absence of both Principal and Senior Vice-Principal, one of the other Vice-Principals shall chair the meeting.

**16. Secretary of the Academic Board**

The Academic Registrar shall be Secretary of the Academic Board.

**17. Meetings and quorum**

The Academic Board shall meet at least once a term. One third of the total membership shall form a quorum provided that there is present a majority of Professors, Readers and Senior Lecturers as required by Statute 16(1)(d)(ii).

**18. Special meetings of the Academic Board**

The Principal may at any time, and the Secretary of the Board shall at the request in writing of eight members, call a special meeting of the Board.

[Note: Arrangements for notice, conduct of meetings, procedures, etc. are covered by Standing Orders - see Statute 16(5)]

**19. Representation of academic departments**

19.1 If the Head of an academic department is an ex officio member of the Academic Board through office as Vice-Principal or Dean of a Faculty, another

representative of the department shall be appointed to the Board for the duration of such ex officio membership, on the recommendation of the Head of the department following consultations within the department and with the approval of the Chair of the Academic Board.

- 19.2 In the case of the unavoidable absence of a Head of Department from a meeting of the Academic Board, he may with the agreement of the Chair of the Board nominate another member of the department to represent the department. The representative so nominated shall have the right to vote.

**20. Members of the Senate of the University of London**

Members of the academic teaching staff of the College who are members of the Senate of the University of London under Clause 3(3) of Section 3 of University Ordinance 2, but not members of the Academic Board, shall be invited to attend meetings of the Board without the right to vote during their period of service on the Senate.

**21. Reports to the Council**

The Academic Board shall report its proceedings to the Council.

In the case of a division on any matter on which the Board makes representations or recommendations to the Council, the report to the Council shall record the substance of all motions considered by the Board and the numbers who voted for and against or who abstained from voting on each motion.

**THE FACULTIES (Statute 17)**

**22. The Appointment of Deans**

22.1 There shall be a Dean of each Faculty, appointed by the Principal.

22.3 For each Deanship appointment, an Appointments Committee shall be established, comprising the Principal, a Vice-Principal (nominated by the Principal), the Chair of the Human Resources & Equal Opportunities Committee and one member of the appropriate Faculty (nominated by the Faculty Board). The Committee shall be convened and serviced by the Director of HR. The Appointments Committee shall interview applicants at its discretion, determine the most suitable and make a recommendation to the Principal.

**23. The Appointment of Deputy Deans**

23.1 The post of Deputy Dean is part-time. The duties of a Deputy Dean are not expected to take up more than 20% of the working week.

- 23.2 There shall normally be a Deputy Dean in each Faculty. The Faculty may, at its discretion, have a second Deputy Dean paid for from its own resources. The Deputy Dean(s) will be appointed by the Principal, normally for periods of three years, with the possibility of re-appointment for a second term of three or fewer years, but then no further re-appointment. The Principal may, at his discretion, make appointments for two years to facilitate continuity and promote the effective working of the Faculty.
- 23.3 All members of the staff of the Faculty, as defined in Statute 17(2), shall be eligible to apply for the post of Deputy Dean.
- 23.4 For each appointment of a Deputy Dean, an Appointments Committee, shall be established, comprising the Principal, a Vice-Principal (nominated by the Principal) and the Dean of the Faculty. The Committee shall be convened and serviced by the Director of HR. The Appointments Committee shall interview all applicants, determine the most suitable and make a recommendation to the Council for formal approval.
- 23.5 At least nine months prior to the expiry of a Deputy Dean's term of office, all members of the Faculty will be invited to apply for the post of Deputy Dean. A statement of the duties and responsibilities of the post will be made available to all staff who wish to see it.

**24. Reports to the Academic Board**

The proceedings of each meeting of a Faculty or combination of Faculties and each joint meeting of Faculties shall be reported to the next meeting of the Academic Board.

**25. Procedures**

The Faculties may establish committees or boards to improve the conduct of Faculty business and to enable them properly to discharge any responsibilities delegated to them by the Academic Board. The constitution, terms of reference and standing orders of such committees or boards shall be determined by the Academic Board.

**THE ACADEMIC DEPARTMENTS (Statute 18)**

**26. Headships of academic departments or schools**

- 26.1 Appointments to Headships of academic departments or schools of the College shall be made by the Principal. The procedures for appointments and for review of appointments shall be in accordance with best practice.
- 26.2 For the purposes of Statute 16(1)(c) and Regulation 18, the Head of a School shall be deemed to be the Head of an academic department.

**27. Committees in academic departments**

27.1 Each academic department shall establish a departmental board to discuss any matter of concern to the department. The board shall consist of all the members of the academic teaching staff of the department, with power to co-opt other members of the staff of the department. The board shall meet at least once a term, chaired by the Head of the department or, in the case of unavoidable absence, his nominee. A written record of the meetings shall be kept.

27.2 Each academic department shall establish a joint committee of staff and students. This shall meet at least once a term. Reports from these meetings shall be submitted to the Dean of Faculty, to the Vice-President (Education & Welfare) of the Students' Union and to the departmental office.

**28. Suspension of staff**

In an emergency, the Principal may immediately suspend any member of the staff of the College. Subsequent action shall be according to procedures agreed between the Council and the appropriate trades unions.

**29. Suspension of students (Statute 20)**

In an emergency, the Principal may immediately suspend any student of the College. Subsequent action shall be according to a procedure agreed between the Council and the Students' Union.

**30. Deputy for the Principal (Statutes 19 and 21)**

In the absence of the Principal through illness or other cause, the powers and duties of the Principal shall be possessed and performed by the Senior Vice-Principal. If, for any reason, this is not possible, the Chair of the Council shall appoint another Vice-Principal.

**THE STUDENTS' UNION (Statute 23)**

31. 31.1 The Students' Union shall conduct and manage its own affairs in accordance with a constitution approved by Council (Statute 23.2). The Students' Union constitution shall be reviewed by Council at intervals of not more than five years.

31.2 Any revision of the constitution of the Union proposed by the Students' Union shall normally be considered by the Council at the meeting in the Summer term.

## **HONORARY AWARDS (Statute 24)**

### **32. Honorary Degrees of the University of London and Honorary Fellowships**

- 32.1 There shall be a Committee, appointed by the Council, to nominate candidates for the conferral of honorary degrees and honorary fellowships. The Committee shall comprise those members that the Council shall from time to time determine and shall operate according to Terms of Reference approved by the Council and specified in the Committees Handbook.
- 32.2 The Committee may nominate for honorary degrees such number of candidates per year as are from time to time stipulated in University Ordinances. The number is currently three. The nominations must first be approved by the University and then recommended to the Council for final approval.
- 32.3 There is no limit to the number of Honorary Fellows appointed, other than what is practicable in a single ceremony.
- 32.4 Once a year, the Secretary will invite nominations from all members of the College and Council. Nominations for Honorary Degrees must conform to the criteria laid down by the University and those for Honorary Fellowships to the criteria agreed for that year by the Committee. Details of both will be included with the Secretary's invitation. All proposals should indicate in what way the nomination complies with these criteria. The nomination must include the name of a proposer and seconder and should normally include the approval of the academic department most relevant to the background of the nominee. Submissions should indicate whether the proposal is for an honorary degree or an honorary fellowship, but the Committee, in considering whether to make a recommendation to Council, may decide to change the category for which the nominee is recommended.
- 32.5 Nominees for Honorary Degrees must not be told that their names are being considered until both the University and the Council have given their approval.
- 32.6 Nominees for Honorary Fellowships shall normally be told that their names are among those being considered at the point when the Committee is ready to make a recommendation to Council. When this news is imparted to them, and their agreement to accept conferment of the title is sought, it should be made clear that conferment of an honorary title is subject to Council approval. In exceptional cases, for example when the nominee will be personally known to most Council members, no contact will be made until after Council approval has been given. The decision to delay notification shall be taken by the Committee when agreement is reached to recommend a nominee to Council.

### **USE OF THE COMMON SEAL (Statute 31)**

33. The Secretary shall be responsible for the safe keeping of the Common Seal of the College and shall ensure that it is affixed to instruments only on the authority of the Council and in the presence of a member of the Council and of the Secretary of the Council, or the Director of Resources, or the Director of Finance, or the Deputy College Secretary. That member and the Secretary of the Council, or the Director of Resources or the Director of Finance, or the Deputy College Secretary shall sign each instrument to which the seal is affixed, in the presence of each other.

### **RECEIPTS, PAYMENTS AND BANKING ACCOUNTS**

#### **34. Receipts**

All monies received on account of the College shall be promptly paid into such bank or banks as the Council may select in the name of the College.

#### **35. Payments**

No payments in cash shall be made on account of the College except from the proceeds of cheques for petty cash disbursement.

#### **36. Banking accounts**

Instructions shall be given to the College's bank or banks to honour cheques signed by such officer or officers as the Council may authorise up to a value which shall from time to time be approved by the Finance Committee. Cheques for sums over the value approved shall be signed by a member of the Council in addition to the authorised officer.

[Note: Financial Regulations and Procedures were originally adopted by the Council on 28 May 1987. New Financial Regulations were adopted by the Council on 25 June 1998]

### **TRUST FUNDS**

37. Separate records shall be kept of all Trust Funds held or received by the College.

### **JURISDICTION OVER STUDENTS (Statute 20(2))**

38. On **academic** grounds - *see Student Handbook*

### **JURISDICTION OVER STUDENTS (Statute 20(3)(a))**

39. On **non-academic** grounds - *see Student Handbook*

## **SABBATICAL OFFICERS OF THE STUDENTS' UNION**

### **40. Registration**

- 40.1 All elected Officers of the Students' Union must be ordinary members of the Union, as only ordinary members have the right to stand, vote and take office in elections. As ordinary members of the Union they are registered students of the College, subject to the approved academic and non-academic disciplinary procedures.
- 40.2 In the case of full-time Sabbatical Officers, approval of an extension of the normal course of study is needed for registration to be effected and ordinary membership of the Union thus maintained. Before standing for election, students must consider the academic implications for them of taking a sabbatical year and discuss these with their tutors.
- 40.3 Application for the necessary extension of study, whether part of an undergraduate or postgraduate course, must be made in writing to the Academic Registrar within one month of election. The Academic Registrar will effect the registration at the appropriate time, provided that the proposed extension is in accordance with the College and University Regulations in force at the time.
- 40.4 No student shall be permitted an extension of study for more than one academic year in respect of election to office in the Students' Union.
- 40.5 Before taking up sabbatical office, the student must have completed at least one year of full-time study at the College to the satisfaction of the academic department or departments concerned.
- 40.6 A student elected to sabbatical office for the following session is subject to the Council's normal regulations for jurisdiction over students on academic and non-academic grounds.
- 40.7 A Sabbatical Officer of the Union shall be exempted from College tuition fees during the period of extension of study, and the Union shall be entirely responsible for the provision of a maintenance grant to the Sabbatical Officer.

***Regulations for the Election of  
Staff Members of the Council***

**REGULATIONS FOR THE ELECTION OF STAFF MEMBERS OF THE COUNCIL**  
*(Other than those elected from the academic teaching staff members of the Academic Board)*

**INTRODUCTION**

1. Statute 3 stipulates that the Council of the College shall consist of twenty-five members; two ex officio, sixteen appointed by the Council, and seven elected.
2. *The six elected staff members include:*
  - (i) *one elected by the members of the Academic Board from among the members of the Academic Board who are members of the academic teaching staff;*
  - (ii) *two elected from among their own number by the academic teaching staff;*
  - (iii) *three elected from among their own number by the staff of the College who are not academic teaching staff*

**DEFINITIONS** (See also Council Regulation 13.1)

3. (i) "The academic teaching staff" means all persons holding appointments of Professor, Reader, Senior Lecturer, or Lecturer at the College.
- (ii) "The academic staff" means all persons holding appointments of Professor, Reader, Senior Lecturer, or Lecturer at the College, and those appointed to any other posts designated by the Council as posts on the academic staff of the College.
- (iii) "The staff who are not members of the academic staff" means all staff of the College, other than those defined in sub-paragraph (ii).

**PROCEDURE**

4. The College Secretary shall act as returning officer for the elections.
5. The elections shall be conducted by postal ballots.
6. The returning officer shall issue the voting papers. Each voting paper shall set out the names (in alphabetical order) and departments of the candidates contesting the election, and against each candidate's name a box in which a vote can be indicated.
7. For the purpose of validating voting papers, each paper shall be identified by a unique number which the returning officer may record against the name of the voter. Only the returning officer will know this number. Secrecy shall be maintained with regard to such numbers.
8. Votes shall be cast and counted in accordance with a simple majority system.

9. The returning officer shall collect and scrutinise the voting papers and shall declare invalid any paper which:
  - (a) does not bear a validation number; *or*
  - (b) indicates more than one preference; *or*
  - (c) has been defaced.
10. The College Secretary shall give notice of the elections to the members of the electorate at least four weeks before the voting papers are to be sent out, and shall at the same time invite nominations.
11. Each nomination shall be signed by the candidate and by a proposer and seconder from his or her constituency, and be accompanied by a statement (not exceeding 150 words) about the candidate. Nominations shall be received by the returning officer at least one week before the voting papers are to be sent out.
12. Voting papers shall be sent to all members of the electorate at least one week before the date on which the votes are to be counted. The closing date for the receipt of voting papers shall be given on each paper.
13. If two or more candidates receive an equal number of votes, the candidate to be declared elected shall be determined by lot drawn by the returning officer.
14. The returning officer shall declare the results of the elections by notices posted throughout the College.

## **PERIOD OF OFFICE**

In accordance with Statute 5(2), the elected staff members of the Council shall hold office for three years from 1 October in the year of their election and shall then retire, but if otherwise qualified, shall be eligible for re-election for one further period of three years after which they shall not be eligible for re-election until the lapse of one year after retirement.

**These regulations were made by the Council on 12 February 1987. A number of minor amendments have subsequently been made to them.**

***Regulations for the Election of  
Former Students to the Council***

## **REGULATIONS FOR THE APPOINTMENT OF FORMER STUDENTS AS MEMBERS OF THE COUNCIL**

### **INTRODUCTION**

1. Statute 3 stipulates that the Council of the College shall consist of twenty-five members; two ex officio, sixteen - including six nominated members - appointed by the Council, and seven elected.
2. The nominated members include two, nominated by such associations of former students of Royal Holloway College, Bedford College and of the College, as may from time to time be recognised by the Council as being representative of the former students. In June 2000, the Council agreed that the recognised association would be all former students with whom the College is in touch.

### **PROCEDURE**

3. It is open to all alumni of the College, or either of its predecessors, to put themselves forward for these positions. The vacancies should therefore be announced in the alumni magazine and/or by such other means as is believed at the time to be the best way to notify as many alumni as possible.
4. The Nominations & Honorary Awards Committee (or its appropriate successor) will appoint a panel to consider the applications. This panel will comprise principally alumni of the Colleges, but should also include a number of people who are familiar with the current requirements of the Council and at least one member who is involved with selecting Council members from other categories. A representative composition might be:
  - (i) A former student nominated by the Council
  - (ii) A former student nominated by those departments of the College that work closely with alumni
  - (iii) At least one former student nominated by the Students' Union and any alumni bodies
  - (iv) Two members of Council
  - (v) A member of the Nominations & Honorary Awards Committee (or its equivalent)
  - (vi) A member of the Alumni Advisory Group (or its equivalent) and a former student nominated by this group.
5. Interested alumni will be invited to submit CVs and supporting statements and the names of at least two and up to six other alumni to support their nomination. Alumni may nominate themselves or others.
6. The panel will review these applications and arrange to interview those they consider most closely match the requirements of the Council. If necessary, the panel will call for further nominations.

7. Selection should be on objective criteria, bearing in mind the skills matrix of existing Council members and noting that:

“All members should exercise their responsibilities in the interests of the institution as a whole rather than as a representative of any constituency”

CUC Guide for Members of Higher Education Governing Bodies in the UK 2004/40

8. The panel will make a recommendation to the Nominations & Honorary Awards Committee and the final decision will be taken by the Council.
9. Practical arrangements for the Panel will be made by the secretary to the Nominations & Honorary Awards Committee (or its appropriate successor).
10. In accordance with Statute 5(1), these members of the Council shall hold office for five years and shall then retire, but shall be eligible for reappointment for one further period of five years.

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**REGULATIONS APPROVED BY THE COUNCIL 21 JUNE 2007**



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