

STATUTES MADE FOR BALLIOL COLLEGE, OXFORD

BY THE UNIVERSITY OF OXFORD COMMISSIONERS ACTING IN PURSUANCE OF THE UNIVERSITIES OF OXFORD AND CAMBRIDGE ACT 1923 AND AMENDED BY THE UNIVERSITY COMMISSIONERS ACTING IN PURSUANCE OF THE EDUCATION REFORM ACT 1989

and further amended, as approved by Her Majesty the Queen in Council on 10 December 2003, 9 April 2008, and 11 March 2020.

We, the University of Oxford Commissioners, under and by virtue of all and every power in this behalf enabling us contained in the Universities of Oxford and Cambridge Act, 1923, do by this present Instrument under our Seal make the Statutes hereunto annexed for the Master and Scholars of Balliol College in the University of Oxford, being Statutes wholly for the College.

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I. The College

1. The College. The Master and Scholars of Balliol College (hereinafter called ‘the College’) shall continue to be a body corporate having that name.
2. The Charity and its Objects. Balliol College is a charity (no. 1144032) registered with the Charity Commission of England and Wales. The charitable objects of the College shall continue to be to advance education, religion, learning, and research; and to be a college within the University of Oxford.
3. Governing Body of the College. The Governing Body of the College shall continue to be the Master and Fellows of the College, exclusive of Emeritus Fellows, Supernumerary Fellows, Honorary Fellows, Foundation Fellows, those Research Fellows without Governing Body membership, and Fellow Commoners.

In these Statutes the expression ‘the Master and Fellows’ means the Governing Body (also traditionally known as ‘College Meeting’) so constituted. Unless explicitly stated to the contrary, the expressions ‘the Fellows’ and ‘a Fellow’ do not include within their reference Research Fellows without Governing Body membership, nor Emeritus Fellows, nor Supernumerary Fellows, nor Honorary Fellows, nor Fellow Commoners, nor Foundation Fellows.

4. The Trustees of the Charity. The Governing Body shall constitute the Board of Trustees of the College and oversee its activity as a charitable body.

II. The Master

1. The Master. In elections to the Mastership the electors shall choose the person who is, in their judgement, most fit for the government of the College as a place of education, religion, learning, and research, and as a college within the University of Oxford.
2. Right of Election to the Mastership. The right of election to the Mastership shall be vested in the Fellows present at the meeting for the election.
3. Election of the Master.
 - (a) When a vacancy occurs in the Mastership, the senior Official Fellow shall arrange for a meeting of the Fellows for the purpose of electing a new Master; which meeting shall be held within two calendar months of the vacancy, unless such vacancy shall take place between the 30th day of June and the 1st day of September; in which case the meeting may be held on any day not later than the 30th day of October next following.
 - (b) The senior Official Fellow shall give at least four weeks’ notice in writing of the meeting to each of the Fellows in the manner thereafter provided for.
 - (c) At the meeting for the election the votes shall be given in writing to the two senior Official Fellows present, and the Master shall be elected by an absolute majority of the Fellows present and voting.

(d) In the event of no candidate obtaining an absolute majority, the Senior Fellow will call a further vote, which will be administered in the same way as the first; and the process will be repeated until a candidate achieves an absolute majority.

(e) The meeting for the election may be adjourned from day to day.

(f) Notwithstanding the provisions of clause (a) hereof with regard to the date of the election of a Master, when the Mastership is about to become vacant at a known date by resignation or superannuation, and provided that the Master and Fellows shall have authorized such a course by a two thirds majority of those present and voting at a Stated General College Meeting, an election may be made not more than eighteen calendar months before the date of the vacancy by the same procedure as if the Mastership had already become vacant. Such election shall take effect from such date as shall be determined at the time of the election.

4. The Role of the Visitor.

(a) As soon as may be after the election, one of the Fellows, deputed for that purpose, shall present the Master so elected to the Visitor, and shall deliver to the Visitor a letter under the College Seal (which shall for that purpose be affixed and attested by the senior Official Fellow present and voting) announcing the result of the election. The Master shall, in the presence of the Visitor and of the Fellow so deputed, make a declaration faithfully to perform the duties of the Master's office, and observe the Statutes and By-laws of the College for the time being.

(b) The Visitor shall deliver to the Master a written notification of this declaration having been made, and the Master shall, on the earliest opportunity, read this notification to the Fellows assembled in the College Chapel.

5. The Master's Term of Office.

(a) The Master shall hold office from the day of election, or, if elected under the provisions of Statute II.3(f) above, from such date as shall be determined at the time of election, until a term of 15 years has been served, or whatever shorter term was agreed upon election.

(b) Upon completion of the Master's term of office as determined upon appointment, if it be less than fifteen years, the Fellows may re-elect for a further term of office; and they may subsequently re-elect for further terms of office thereafter, providing that the total period of the Mastership shall not exceed fifteen years, and providing also that the re-election and any subsequent re-elections enjoy the consent of the Visitor, whose view should be sought by the senior Official Fellow and communicated to the Fellows at each election.

6. Residence.

(a) The Master shall reside in Oxford, in College or in another residence to be provided by the College if required, for at least seven calendar months in each year, and in particular during not less than six weeks of each Full Term.

(b) But in case of the Master's sickness or from any other urgent cause, the Visitor may dispense with the requirement of residence for such period as seems to the Visitor to be required by the necessity of the case.

(c) The Fellows may, with the consent of the Visitor, allow the Master to be absent from the University for any purpose approved by them, and for a period not exceeding one year at a time, upon such terms as to the reduction of stipend during the period of absence as may appear to them to be reasonable.

(d) If the Master wishes to retire from office before the expiry of the maximum term provided by Statute II.5 above, the Governing Body shall be given one year's notice of that intention, unless it is in the circumstances impracticable to do so.

7. The Master's Duties. The Master shall superintend the discipline and education of the College and shall be advised of any important matter regarding its property and domestic arrangements, and shall take part in the educational work of the College. The Master shall normally chair Governing Body, and chair or otherwise participate in any other committees or other bodies of the College as agreed by Governing Body.

8. The Vicegerency. The Master may, from time to time, in case of sickness or absence, appoint one of the Fellows of the College to act as Vicegerent for such period (not exceeding, except with the consent of the Visitor, three calendar months) as the Master deems requisite.

(a) If in such case a Vicegerent be not appointed by the Master, or during a vacancy in the Mastership, the senior Official Fellow for the time being in residence at the University shall, if need require, act as Vicegerent during such sickness, absence, or vacancy.

The Vicegerent shall have the same powers and duties as the Master.

(c) The Governing Body, having taken the advice of the Remuneration Committee, may assign to the Vicegerent such remuneration for services from the corporate revenues of the College as they may think reasonable.

III. The Fellowship

1. The Size of the Fellowship. The number of Fellows of the College shall be such as the Master and Fellows may from time to time determine, subject to the conditions laid down in subsequent clauses of this Statute.

2. The Right of Election.

(a) The right of election to every Fellowship shall be vested in the Master and Fellows.

(b) An election to a Fellowship may be held at any Stated General Meeting, as defined in Statute VII.2, called with not less than two weeks' clear notice of the business to be transacted thereat; but no election shall be made to a Professorial or

Emeritus or Senior Research or Supernumerary Fellowship, save by the votes of not less than two-thirds of those present and voting.

3. The Categories of Fellowship. The Fellowships which may be held in the College shall be of the following classes:

(a) Official Fellowships tenable by

(i) Persons who hold Tutorial or other administrative appointments in the College, or the office of College Chaplain;

(ii) Persons appointed to Associate Professorships and similar positions under the provisions of any University Statute or Decree in force for the time being;

in both cases, subject to their eligibility to serve as the Trustee of a charity in England and Wales.

(b) Professorial Fellowships, election to which shall be restricted to

(i) University Professors, University Readers, and holders of other University Offices which are declared by any University Statute or Decree to qualify the holder for a Professorial Fellowship; or

(ii) persons holding posts within the University whom the Master and Fellows deem worthy of appointment to such a Fellowship.

In both cases, election is subject to the incumbent's eligibility to serve as the Trustee of a charity in England and Wales.

(c) Research Fellowships, falling into one of the following categories, as determined at the time of election:

(i) Senior Research Fellowships. The Master and Fellows may elect to such Fellowships persons who have done valuable work in letters, science, or education, and who shall undertake to perform some definite literary, scientific, or educational work in the College or in the University or (with the approval of the College) elsewhere; which work shall be specified in the resolution of the College by which the Fellow is elected. Senior Research Fellows may, by the decision of the Master and Fellows, be made members of Governing Body, subject to their eligibility to serve as a Trustee of a charity in England and Wales.

(ii) Research Fellowships. The Master and Fellows may elect to such Fellowships persons who in their opinion are likely to do valuable research in some branch of letters or science or education, and who shall undertake to pursue some course of higher study or research in the College or in the University or (with the approval of the Governing Body) elsewhere. Subject to the preceding provisions of this sub-clause, the Master and Fellows may at their discretion restrict eligibility for election to such Fellowships to persons at an early stage of their academic careers.

(iii) Research Fellowships by Special Election. The Master and Fellows may additionally elect to a Research Fellowship by Special Election any person who in their opinion is likely to do valuable research in some branch of letters or science or

education, and who shall undertake to pursue some course of higher study or research in the College or in the University or (with the approval of the Governing Body) elsewhere.

(d) Supernumerary Fellowships, falling into one of the following categories, as determined at the time of election:

(i) Supernumerary Fellowships, to which the Master and Fellows may elect persons who are to engage in teaching, research, or other activities in furtherance of the College's charitable objects. The Master and Fellows may newly elect to such a Supernumerary Fellowship a person holding an Official, a Professorial, or a Research Fellowship upon resignation (or otherwise the termination) of that previous Fellowship.

(ii) Special Supernumerary Fellowships, to which the Master and Fellows may elect persons distinguished in literature, science, art, education, or public affairs.

(iii) Supernumerary Emeritus Fellowships, to which the Master and Fellows may elect persons who have held Fellowships of the College, but who are not qualified to be Emeritus Fellows as defined in Statute III.3 (e) below.

(iv) A Supernumerary Fellowship held by the George Eastman Visiting Professor, whose holder may receive such privileges as may be assigned under Statute VIII.5.

(e) Emeritus Fellowships, to which the Master and Fellows may elect persons who have held Official or Professorial Fellowships in the College, and have resigned from that post after not less than fifteen years' service to the College (whether as Fellows or otherwise) or have retired while still in post.

(f) Honorary and Foundation Fellowships and Fellow Commoners. An Honorary Fellow, or Foundation Fellow, or Fellow Commoner shall not receive any pecuniary emolument in their capacity as Fellow, but may enjoy such other privileges and advantages as the Master and Fellows may from time to time determine, including the payment of honoraria for services to the College.

(i) Honorary Fellowships. The Master and Fellows may elect any distinguished person to an Honorary Fellowship; provided that no person who, on the ground of having held a Fellowship, is eligible for election to an Emeritus Fellowship under Statute III.3(e) above, shall be eligible for election to an Honorary Fellowship. Former Fellows who have subsequently served as Master are exempted from this provision.

(ii) Foundation Fellowships. The Master and Fellows may elect any major benefactor of the College to a Foundation Fellowship.

(iii) The Master and Fellows may elect any person to the status of Fellow Commoner in recognition of an outstanding contribution to the College.

(g) Career Development Fellowships, to which the Master and Fellows may elect academics at an appropriate stage of their careers for a fixed and non-renewable term.

4. Constitution of Governing Body. Governing Body ('the Master and Fellows' or 'College Meeting') comprises the Master, Official Fellows, Professorial Fellows,

and those Research Fellows who have been elected members of Governing Body. Other categories of Fellowship are not members of Governing Body and hence do not serve as Trustees of the charity. Not fewer than one-half of the Governing Body at any one time shall be Official Fellows.

5. Vacation of a Fellowship.

(a) Official or Professorial Fellows shall vacate their Fellowship upon ceasing to hold the post within the University in respect of which they were last elected or re-elected.

(b) If a Fellow be elected to and accept the Mastership of the College or the Headship of any other College or a Fellowship (other than an Honorary Fellowship) in any other College within the University, then that Fellow shall thereupon vacate the Balliol Fellowship.

(c) If a Fellow shall accept any paid office or engage in any occupation either of which, in the opinion of the Master and Fellows, interferes with the discharge of duties to the College, the Master and Fellows may, by the resolution of a meeting of Governing Body called with not less than fourteen days' notice of the business to be transacted, call upon that Fellow to give up such office or occupation, or to vacate the Fellowship; provided that the Fellow so called upon shall have the right to appeal to the Visitor, whose decision shall be final.

(d) A Fellow and member of Governing Body who becomes ineligible to serve as a Trustee of a charity in England and Wales, must declare that circumstance to the Master and resign their Fellowship with immediate effect. The Master and Fellows may subsequently elect such a person to a Supernumerary Fellowship as laid down in Statute III. 3 (d) (i).

6. Declaration following Election. Every Fellow shall as soon as possible after election make before the Master a declaration to be true and faithful to the College, to observe its statutes and by-laws, and to promote its interests and studies.

7. Election to Official Fellowships.

(a) The Master and Fellows may by a majority of those present and voting at any Stated General Meeting elect to an Official Fellowship any person qualified in terms of Statute III.3(a) above.

(b) Before any person is elected to an Official Fellowship connected with the tutorial work of the College or with the post of University Lecturer or Demonstrator, the Master shall consult the appropriate Board or Boards of Faculty or Board of Studies.

(c) The provisions contained above in this clause respecting the first election of an Official Fellow shall not apply to subsequent re-election. Official Fellows may be re-elected by a majority of those present and voting at any Stated General Meeting, called with two clear weeks' notice of the business to be transacted thereat, within one year previous to the expiration of the term to which the Fellow was previously elected.

8. Term of Official Fellowships.

(a) An Official Fellowship shall be tenable for seven years from the day of election, or for such shorter period as the College may at the time of election determine, and the holder thereof shall subsequently be eligible for re-election for further periods, not exceeding in each case seven years until retirement.

(b) Official Fellowships held in association with a University post will be subject to the University's current practice regarding retirement. In accordance with Statute III.5(a), the cessation of the University post in respect of which the Fellowship is held will be deemed simultaneously to terminate that Official Fellowship.

(c) Persons holding Official Fellowships not held in association with a University post will be subject to the College's published policy regarding retirement, as agreed by Governing Body and enjoying the consent of the Visitor.

9. Duties of Official Fellows. An Official Fellow shall take such part in the educational or administrative work of the College as may be assigned by the Master and Fellows.

10. Professorial Fellowships. The holders of any Professorships or other University offices which may from time to time be allocated to the College under any Statute or Decree of the University may, by the decision of the Master and Fellows, be elected to a Professorial Fellowship, which they shall hold during the tenure of their respective Professorship or other University office. The conditions of election to a Professorial Fellowship shall be those which are laid down in Statutes III.2(b) and III.3(b). Holders of such posts within the University may alternatively be elected, as the Master and Fellows determine, to Supernumerary Fellowships (as defined in Statute III(d)(i)). The George Eastman Visiting Professor shall be a Supernumerary Fellow of the College during the tenure of the Professorship on the conditions laid down in Statute III.3(d)(iv).

11. Disciplines of Research Fellows. In electing to Research Fellowships, the Master and Fellows shall as far as possible pay regard to the claims of different subjects of study.

12. Terms of Research Fellowships.

(a) Senior Research Fellows, Research Fellows, and Research Fellows by Special Election shall be elected in the first instance for a period not exceeding three years, and if at the end of one year they shall not have complied with the conditions laid down by the Master and Fellows in regard to their work, it shall be lawful for the Master and Fellows to terminate the tenure of the Fellowship.

(b) At the end of the period for which first elected, a Senior Research Fellow may be re-elected for a further period not exceeding three years, by a majority of those present and voting at a Stated General Meeting.

(c) A Senior Research Fellow may, after the expiration of the second period for which elected, be re-elected from time to time for further periods of not more than three years each, by the votes of not less than two-thirds of those present and voting at a Stated General Meeting.

13. Duties of Research Fellows.

(a) Senior Research Fellows shall be subject to such conditions regarding their work as the Master and Fellows may determine at the time of election or re-election. It shall be lawful for the Master and Fellows to vary such conditions from time to time at their discretion.

(b) Every Research Fellow shall within one year from election undertake some definite piece of higher study or research, to be carried out under the direction of the College or the University, and shall make a report thereon to the Master and Fellows before the end of the last term of each year of the Fellowship. The Master and Fellows may sanction any alteration which they may deem desirable in the scheme of work originally submitted by the Fellow, and may impose such conditions as they may think fit as regards the publication of the results of research and the delivery of lectures upon the subject of research, and also as regards residence within the College or University or elsewhere; and may vary such conditions from time to time at their discretion.

(c) The terms described in Statute 13(b) shall apply also to every Research Fellow by Special Election.

14. Additional Activities of Research Fellows within College. Research Fellows of any kind may, subject to their consent, be assigned a share in the educational or administrative work of the College; provided that a Research Fellow shall only be assigned such work during the first year of tenure of the Fellowship when in the opinion of the Master and Fellows it will be of direct assistance to the research work.

15. Term of Career Development Fellows. Career Development Fellows shall be elected for a period not exceeding five years. If at the end of the first year of appointment they shall not have complied with the conditions laid down by the Master and Fellows in regard to their work, it shall be lawful for the Master and Fellows to terminate the tenure of the Fellowship.

16. Term of Emeritus and Supernumerary Fellows. An Emeritus or Supernumerary Fellow may be elected for life or for any period which the Master and Fellows may determine, and at the end of that period, and at the end of each period of subsequent re-election, may be re-elected for life or for any period which the Master and Fellows may determine by the votes of not less than two-thirds of those present and voting at a Stated General Meeting.

17. Precedence. Every Fellow shall have precedence in the College according to the priority of the date specified in the College resolution which records the first election to the Fellowship; provided that it shall be lawful for the Master and Fellows to assign, at the time of election, such precedence as they may determine to any Professorial Fellow, Honorary Fellow, Emeritus Fellow, Senior Research Fellow, Supernumerary Fellow, or Official Fellow who, having previously been a Fellow of the College (of whatever kind), has later ceased to be a Fellow and is subsequently elected to an Official Fellowship.

18. The Degree of Master of Arts. Every Fellow who has received, or is entitled to suplicate for, the Degree of Bachelor of Arts shall proceed to the Degree of

Master of Arts within one year of the earliest date permitted by the Statutes of the University, unless a special dispensation for a further limited period is granted by the Master and Fellows.

19. Jowett Fellowships. The provisions of the Deed of Trust of The Jowett Fellowships Fund dated the 28th day of June 1907 shall have effect subject to the following amendments:

(a) In Clause 6, the word 'two' shall be deleted before the words 'Fellowships at the College' and the following sentence shall be added at the end of the Clause: 'The number of Jowett Fellowships maintained at the College shall not at any time exceed the total of one-sixth of the number of Fellows on the Governing Body of the College'.

(b) In Clause 12, the words '£500 per annum free of income tax (if any)' shall be deleted and there shall be substituted therefore the words '£1,000 per annum or such other sum as the Governing Body of the College may, with the consent of the Visitor, from time to time determine'.

(c) Clause 13 shall be deleted.

20. Conflict of Interests. Governing Body shall adopt, review, and from time to time publish a code on managing conflicts of interest as it applies, without exception, to the activities of the Master and Fellows.

IV The Visitor

1. Election. The Visitor shall as heretofore be elected by the Master and Fellows.

2. Vacancy. When the office of Visitor becomes vacant by death or resignation, the Master shall summon a meeting of the Master and Fellows for the election of a Visitor. Such meeting shall be held within a like period of time and with like notice, and the election shall be conducted in a like manner as is provided in Statute II.3 of these Statutes respecting the election of a Master, except that what is required in that case to be done by the two senior Official Fellows shall at the election of a Visitor be done by the Master; and the Visitor shall be elected by an absolute majority of the Master and Fellows.

3. Removing the Visitor from office. If at any time the Visitor shall in the opinion of a majority of the Master and Fellows be incapable of discharging the duties imposed by these Statutes, the Master and Fellows may report their opinion in this regard to the Chancellor of the University, who may, as seems fit declare the office of Visitor to be vacant. On the receipt of such declaration from the Chancellor of the University the Master and Fellows shall proceed to the election of a new Visitor.

4. Powers to visit. It shall be lawful for the Visitor as in the Visitor's view it seems fit, to visit the College in person, and to exercise, at any such visitation, all powers lawfully belonging to the Office.

5. Appeal to the Visitor on Interpretation of Statutes. If any question arise on which the Master and Fellows are unable to agree, depending wholly or in part on the

construction of any of the Statutes of the College, the Master and Fellows, or the Master, or any three of the Fellows, may submit the same to the Visitor, and the Visitor may thereupon declare the true construction of the Statutes with reference to the case submitted.

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

7. Appeal to the Visitor in case of grievance. The Master or any Fellow of the College, if aggrieved by any act of the Master and Fellows, and any Scholar or Exhibitioner of the College, if deprived of a Scholarship or Exhibition by a decision of the Master and Fellows, may appeal to the Visitor, and it shall be lawful for the Visitor to adjudicate on the appeal and confirm, reverse, or vary the act or decision, as the Visitor deems just.

8. The Visitor's Decisions. Any decision given by the Visitor under these Statutes shall be binding upon the College and upon the Master and every Fellow thereof, and upon every person affected by the Statutes of the College

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

(a) to hear any appeal or determine any dispute relating to the appointment or employment, or the termination of that appointment or employment, of any member of the academic staff who falls within the scope of the College's published policy concerning redundancy, dismissal, removal for incapacity, disciplinary measures, appeal and grievance procedures;

(b) to disallow or annul any by-law or resolution of the Governing Body made according to, or having effect for, the College's published policies on said matters.

10. Provisions Relative to the University.

(a) If at any time it appear to the Council of the University, or its equivalent body, that any provision of the Statutes of the College in force for the time being respecting the accounts of the College, or the audit or publication thereof, or the exercise of the borrowing powers of the College, or any other provision of such Statutes, by the non-observance of which any interest of the University is liable to be prejudicially affected, is not duly observed, it may submit a representation to the Visitor, and the Visitor shall, upon receiving such representation, inquire into the matter, and after considering any representation made by the College, make such order for enforcing the due observance of the Statutes in the matter to which the representation relates, as the Visitor deems just.

(b) Council, or its equivalent body in the University, may in like manner make a representation to the Visitor if it shall appear that regard is not had by the College in

electing its Research Fellows to the requirements of the different branches of study pursued in the University, and the Visitor shall act in the manner prescribed in the preceding clause.

(c) Before any representation is made to the Visitor under the foregoing clauses, the Vice-Chancellor shall communicate the matter of such representation to the Master for the information of the College, and, when a representation is made, shall forthwith send the Master a copy of it.

V. The Tutors and Lecturers

1. The Title of Tutor and Lecturer. The Master and Fellows may assign the title either of Tutor or of Lecturer to any person engaged by them for a period of not less than one term to perform educational duties in the College.

2. Undergraduate Teaching. The Master and Fellows shall ensure the provision of courses of instruction for all undergraduate members of the College during the University full term, exclusive of the time devoted to Examinations.

VI The Scholars and Exhibitioners

1. Scholarships and Exhibitions.

(a) The Master and Fellows may elect to a Scholarship or to an Exhibition any undergraduate member of the College who has completed three terms in residence at the University and who in their judgement has shown conspicuous ability in College work or in University Examinations.

(b) The provisions of the foregoing sub-clause shall govern the election to any Scholarship or Exhibition tenable at the College which by the instrument of its foundation is described by words such as 'Entrance' or 'Foundation' or 'Open', or which by such instrument is to be awarded on the results of an open competition or of any examination of candidates who are not already members of the College.

(c) Notwithstanding the provisions of the foregoing sub clauses (a) and (b), the College may continue to elect to an Organ Scholarship any suitably qualified person who applies successfully to enter upon a course of study at the College. Every person elected to a Scholarship in accordance with this sub-clause shall come into residence at the beginning of the Michaelmas Term next following the day of election, unless the Master and Fellows shall otherwise determine.

2. Non-election. Whenever there is no duly qualified candidate for a Scholarship or Exhibition whom the Master and Fellows judge to be of sufficient merit for election, they shall be at liberty to make no election.

3. Honorary Scholarships and Exhibitions. The Master and Fellows may elect to an Honorary Scholarship any undergraduate member of the College who is already in residence, and who has in their judgement such distinction as to deserve the status of Scholar. An Honorary Scholar shall not be entitled to any emolument on account of

the Scholarship. Subject to similar conditions the Master and Fellows may elect to Honorary Exhibitions.

4. Value of Scholarships and Exhibitions.

(a) The annual value of a Scholarship tenable at the College shall be such a sum as the Master and Fellows may from time to time determine, to be paid without regard to other financial resources available to the Scholar.

(b) The annual value of an Exhibition tenable at the College shall be such a sum as the Master and Fellows may from time to time determine, to be paid without regard to other financial resources available to the Exhibitioner.

(c) A Scholar or Exhibitioner who voluntarily resigns emolument either wholly or in part shall retain the status of Scholar or Exhibitioner, subject to the provisions of these Statutes.

(d) Scholars and Exhibitioners shall be liable to the same charges as other members of the College *in statu pupillari*.

5. Residence. No Scholar or Exhibitioner shall be entitled to receive the emoluments of the Scholarship or Exhibition unless resident during the ordinary University terms; provided that, in case of illness or other sufficient cause, the Master and Fellows may dispense with the residence of a Scholar or Exhibitioner, upon such conditions as to the payment of emoluments as they shall deem proper.

6. Term and Re-election of Scholarships and Exhibitions.

(a) Every Scholarship or Exhibition tenable at the College shall be tenable for one year from the day of election if the person elected be already a member of the University. If not then a member of the University, it shall be tenable for one year from the day on which the Scholar or Exhibitioner shall come into residence at the University.

(b) At the end of this period the Master and Fellows may re-elect the Scholar or Exhibitioner to a Scholarship or Exhibition for further periods, each not exceeding one year; provided that the tenure of such successive Scholarships or Exhibitions shall not exceed three years in all, unless for special reasons the Master and Fellows deem it advisable to re-elect a person to a Scholarship or Exhibition for a fourth year.

7. Course of Study. A Scholar or Exhibitioner may pursue any subject of academic study, provided that either the Master and Fellows or their delegated committee or College officer are satisfied that the student is qualified to do so with profit, and that the College is an appropriate place for such study.

8. Vacating the Scholarship. A Scholar or Exhibitioner elected to a Fellowship of any College, or who ceases to be a member of the College, shall thereupon vacate the Scholarship or Exhibition.

9. Neglect and Misconduct. If a Scholar or Exhibitioner be guilty of neglect of their studies or of any other misconduct, the Master and Fellows or their delegated

committee may, subject to the provisions of Statute IV.7, remove that Scholarship or Exhibition, and any part of the emoluments thereof.

10. Any Scholarship or Exhibition, tenable at the College, which by these Statutes or by the instrument of foundation is confined to candidates with particular qualifications, shall otherwise be subject to the provisions of this Statute as regards the election, the emolument, and all other matters.

11. Financing Scholarships and Exhibitions.

(a) The Master and Fellows may draw upon the corporate revenues of the College to augment the Scholarships and Exhibitions maintained by the Trust Funds established for those purposes;

(b) The Master and Fellows may additionally draw upon the corporate revenues of the College to fund Scholarships and Exhibitions, as determined from time to time, that have not been established by an endowment held in trust for the purpose.

12. Power to make and vary Regulations. The Master and Fellows may, from time to time, subject to the provisions of these Statutes, make and vary such regulations as they may think fit with regard to the privileges, other than those conferred by this Statute, to be attached to any Scholarship or Exhibition tenable at the College.

13. The Snell Exhibition.

(a) The Master and Fellows of Balliol College, on the one part, and the Principal and Clerk of Senate of the University of Glasgow, on the other part, shall from time to time, by mutual agreement, fix the greatest number of Exhibitioners to be maintained at any one time out of the revenues of Mr. Snell's Foundation, the number of Ordinary Exhibitioners it shall be lawful to elect in each year, the amount of their several emoluments, taking into consideration, amongst other things, the income of the Foundation for the time being, the amount of competition, and the expense of residence at Oxford. Every such agreement shall be in writing.

(b) The Exhibitioners shall be elected by the Master and Fellows of Balliol College only, after nomination by the Principal and Clerk of Senate of the University of Glasgow. Every candidate shall have been resident in Scotland, which qualification shall be determined solely by the Principal and Clerk of Senate of the University of Glasgow if such question should arise.

(c) The amount of any remuneration to be paid to examiners from the Snell Fund and any other matters concerning the examination (in so far as such matters affect both the University of Glasgow and Balliol College), shall be fixed from time to time by agreements in writing made between the Master and Fellows of Balliol College and the University of Glasgow.

(d) If the Master and Fellows of Balliol College are satisfied that a nominated candidate should be advised to pursue the proposed course of study elsewhere than at Oxford or if the particular course of study proposed by a nominated candidate is such that no vacancy is available at Balliol College or in the relevant University Faculty,

Department, or Laboratory, then the Master and Fellows of Balliol College may decline such a nominee on cause shown. In every such case, as also in the event of any nominee dying before election, it shall be lawful for the said Principal and Clerk of Senate to nominate, after the former nominee another qualified candidate, who shall be likewise subject to approval or rejection by Balliol College. If approved, the nominated candidate shall be elected an Exhibitioner by the Master and Fellows, and admitted to the College on or before the 20th day of October following nomination. In every case in which a nominee shall die or be rejected, and another candidate shall be nominated and approved, the Exhibitioner eventually elected shall, as regards term of tenure and the commencement of stipend, hold the Exhibition as from the day of the nomination of the rejected or deceased nominee, or of the first of such nominees. If the Principal and Clerk of Senate of the University of Glasgow shall in any year not nominate as many candidates as might be lawfully elected, or if any nominee of the University of Glasgow shall be rejected by Balliol College, and no Exhibitioner shall be nominated and elected in that place, or if from any cause there be not in any year, or part of a year, as many Exhibitioners on the Foundation as might be maintained out of its revenues, the surplus of its revenues for the year may be used as surplus income in accordance with Clause (i) hereof.

(e) Ordinary Exhibitioners hereafter to be elected may hold their Exhibitions for up to five years, and no longer, from the day of election inclusive; and the stipend of each Exhibitioner shall be deemed to accrue from the day of election, and shall be paid quarterly, the first payment to be made within three months after the day of admission.

(f) Any Exhibitioner who shall cease to be a member of Balliol College shall vacate the Exhibition. Any Exhibitioner who shall be rusticated, or shall be absent from the College during the usual time of residence without permission of the Master, shall forfeit a proportionate part of the emolument for the period of rustication or absence, unless the Master and Fellows shall think proper to permit the Exhibitioner to receive the same.

(g) The Funds of the said Foundation shall be administered by the Master and Fellows of Balliol College as trustees thereof and shall be invested in the Trusts Fund of Balliol College. The College shall, as soon as possible after the 31st day of July in every year, render to the Principal and Clerk of Senate of the University of Glasgow, accounts of the income and expenditure of the said Foundation for the preceding twelve calendar months.

(h) The audit of the accounts, directed by the Testator's Will, shall take place annually, as thereby directed, and reasonable sums shall be allowed for an annual Snell Dinner to be held at Balliol College and an annual Snell Dinner to be held at the University of Glasgow. Emoluments forfeited for rustication, absence without leave, or any other cause, by Exhibitioners of the Foundation, may be used as surplus income in accordance with Clause (i) hereof.

(i) Any surplus income of the Foundation may, in accordance with agreements made from time to time by resolutions of the Master and Fellows of Balliol College and of the University of Glasgow, be used for such academic purposes as would in their opinion foster the connection between the University of Glasgow and the University of Oxford, at Balliol College or at the University of Glasgow or at such other College

or Colleges of the University of Oxford as may be agreed upon from time to time by resolutions of Balliol College and the University of Glasgow as aforesaid. Any surplus income not expended in accordance with such agreements may be invested from time to time under the provisions of Clause 8 hereof, provided that any such invested income may in any subsequent year be used as if it were income arising in that year.

VII. The Government of the College

1. Meetings of Governing Body. The Master may, at any time, summon a meeting of the Master and Fellows, giving reasonable previous notice, and shall be required do so at the request of any two of the Fellows.

2. Stated General Meetings.

(a) There shall be at least two Stated General Meetings of the Master and Fellows every year, on such days as the Master and Fellows may from time to time appoint, and at least three days' notice shall be given of any business to be transacted at these meetings, which may only be transacted at a Stated General Meeting.

(b) Besides the Stated General Meetings, any meeting of the Master and Fellows which is held in any of the University terms, and which has been called by the Master at the request of Governing Body, and of which one week's notice has been given to the Fellows, shall be considered a Stated General Meeting.

(c) A Stated General Meeting may be adjourned by resolution of the Meeting to a day to be specified in the resolution.

3. Voting at Governing Body.

(a) Except where the concurrence of any specified proportion of the Master and Fellows, or the consent of any specified person, is by these Statutes made requisite, every question arising at a College Meeting shall be decided by a majority of the votes of those present and voting.

(b) The Master or Vicegerent shall preside at College Meetings, and shall, in case of an equality of votes, have a second or casting vote.

4. Executive Committee.

(a) The Master and Fellows shall appoint an Executive Committee with members drawn from their number which shall implement the College's policies and advise Governing Body in regard to the management of the College's properties, estates, and finances, and its domestic arrangements.

(i) The Master and Fellows may delegate to the Committee, and vary from time to time, such powers and duties as they may think fit, while retaining the authority to reject or amend any decision or recommendation made by the Committee.

(ii) The Master and Fellows may make and vary regulations in regard to the constitution of the Executive Committee, and the length of the tenure of office of its

members. The membership of the committee will be published at the commencement of each academic year.

(iii) Any Fellow may attend Executive Committee, but may not cast a vote.

(iv) Within a week of the Committee taking a decision, any group of four Fellows may ask for the matter to be reconsidered; and if, after reconsideration, the decision is re-affirmed, then any group of five Fellows may require the matter to be referred to the next meeting of Governing Body.

(b)

(i) The Master and Fellows may from time to time establish other committees with members drawn from their number, to advise them in particular aspects of the domestic, financial, personnel, extra-curricular, and administrative activities of the College, to enact College policy and to advise Governing Body in such areas. The membership of these committees shall be published at the commencement of each academic year.

(ii) Any decision taken by such a committee may be referred by any Fellow, in the first instance, to the scrutiny of Executive Committee, which may amend or reject it, and will thereafter be subject to the final approval of Governing Body.

(iii) The Chair of Executive Committee may request annual reports from the Chairs of these committees.

5. Academic Committee. The Master and Fellows shall appoint an Academic Committee with members drawn from their number who shall implement the College's policies and advise Governing Body in regard to the academic activities of the College, including appointments to academic positions, student admissions, curricular development, College affiliation with University posts, and other such matters.

(a) The Master and Fellows may delegate to the Committee, and vary from time to time, such further powers and duties as they may think fit, while retaining the authority to reject or amend any decision or recommendation made by the Committee.

(b) The Master and Fellows may make and vary regulations in regard to the constitution of the Committee, and the length of the tenure of office of its members. The membership of the committee will be published at the commencement of each academic year.

(c) Any Fellow may attend Academic Committee, but may not cast a vote.

(d) Within a week of the Committee taking a decision, any group of four Fellows may ask for the matter to be reconsidered; and if, after reconsideration, the decision is re-affirmed, then any group of five Fellows may require the matter to be referred to the next meeting of Governing Body.

6. Delegation of Powers to a Committee for Educational Administration and Policy. The Master and Fellows shall have power, if and when it may seem good to them, to create a committee comprised of Official Fellows and the Master (who will

normally chair) and, where it deems that appropriate other persons normally involved in the tutorial activities of the College, to which they may delegate such control over the educational administration and policy of the College as they may from time to time determine; and the Master and Fellows shall have power, whenever it may seem good to them, to dissolve such a committee.

7. Persons other than Fellows on College Committees. Persons who are not

Fellows, which category may include junior members of the College and members of College staff, may be invited join a committee of the College at the wish of Governing Body or, subject to the approval of Governing Body, at the invitation of its Chair.

8. By-laws and Regulations.

(a) The Master and Fellows may from time to time, subject to the provisions of these Statutes, at any Stated General Meeting called with special notice of the business to be transacted thereat, make and vary By-laws for securing the attendance of Fellows at Stated General Meetings; ; for the admission to College Meetings, without any voting power and for limited periods, of persons not being Fellows of the College; ; for determining what business shall be transacted at a College Meeting, and what attendance shall be requisite for the transaction of business; ; for fixing the notice to be given before holding any meeting or before bringing forward any question; and generally for regulating the procedure at College Meetings, including meetings of the Fellows for election to the Mastership, and any other matters which the Master and Fellows shall think it necessary or convenient to regulate by By-laws, and for enforcing obedience to the Statutes and By-laws for the time being by such penalties as may be thought fit; which penalties may include the forfeiture of any part of the emoluments of any Fellowship, place, or office within the College as the case may be.

(b) The Master and Fellows may, in like manner, from time to time make and vary such regulations as they may think fit respecting the admission of members of the College and the discipline, studies, and domestic management of the College. The Master and Fellows ~~;~~ and may enforce those regulations by such penalties as they think fit; and such regulations may restrict the eligibility for membership of the College, or for any College office or appointment, or for any scholarship, exhibition, award or grant (and subject to such limitations, conditions or otherwise) as the Master and Fellows may in their absolute discretion think fit, provided that the name of no undergraduate member of the College shall be removed from the list of members of the College without the authority of either the Master and Fellows or a committee to which they have delegated relevant powers.

(c) Regulations concerning the discipline, studies, and domestic management of the College shall be published annually at the commencement of each academic year.

(d)

(i) Any notice required by these Statutes to be given to any person may be given either by delivering it by post; or by leaving it at the usual or last known place of abode in the United Kingdom; or by sending it by email to the person concerned using the allocated Oxford University email address.

(ii) If notice is sent by post it shall be deemed to have been given if it can be shown to have been properly addressed and posted, and it shall be deemed to have been received at the time when the letter containing the notice would reasonably have been expected to be delivered in the ordinary course. If notice is sent by email it shall be deemed to have been given upon its successful dispatch.

(iii) Subject to the above clauses, the non-receipt of a notice delivered or duly sent shall not invalidate the proceedings at any meeting to which it relates.

9. College Officers. The Master and Fellows may, from time to time, appoint such Officers of the College as may be reasonably necessary for the conduct of its affairs, and may fix, from time to time, their duties and (subject to the College's published policy concerning redundancy, dismissal, removal for incapacity, disciplinary measures, appeal and grievance procedures) their terms of office, and assign to them such reasonable stipends as shall be thought fit. They may also, on proof to their satisfaction that any Officer of the College is incapable or is negligent in the performance of duties, remove that person from office.

10 Religion. In furtherance of its charitable objects, the Master and Fellows shall make provision for the use in the College Chapel of services according to the Order of the Book of Common Prayer, or of some abridgement or adaptation thereof approved by the Master and Fellows, and for the appointment and payment of a Chaplain, who (as defined in Statute III.3(a)) may hold an Official Fellowship, to conduct the Chapel Services.

VIII. Remuneration of the Master and Fellows

1. Remuneration. Neither the Master nor any Fellows shall receive any pecuniary emolument in their capacity as Fellows (Trustees) of the College; but reasonable remuneration may be paid to the Master and to any Fellow in respect of work undertaken for the College in furtherance of its charitable objects. Other reasonable benefits, including housing and academic allowances and the provision of Common Table, as authorised by these Statutes, may be provided for tutors, lecturers, researchers, and officers of the College, and any person who otherwise furthers its charitable objects.

(a) There shall be a Remuneration Committee.

(b) Membership. The Committee shall comprise: the Master, a Fellow charged by Governing Body with responsibility for the College's finances, and seven elected members, including two who are remunerated Fellows of the College and members of its Governing Body, or people otherwise remunerated by the College. The other elected members will be external members, meaning that they do not attend College Meeting, and are neither trustees nor employees of the College; and they will form a majority. The Committee shall be chaired by an external member. Any meeting of the Committee will require the external members to be in a numerical majority for the committee to be quorate.

(c) Election to the Committee. The College's Nomination Committee will propose the composition of the inaugural Remuneration Committee, which will come before

College Meeting for ratification. Thereafter, nominations for elected members of the Remuneration Committee will be made by a sub-group of the Committee, comprising the Chair (or the Chair's nominated delegate from among the external members), the Master, and a majority of external members. The Master will bring the names recommended by the nominating sub-group of Remuneration Committee before College Meeting for ratification.

(d) Term of service. Elected members will serve for a term of five-years when they will be eligible for re-election to a second term.

(e) Powers of delegation. The Remuneration Committee may delegate its task of making recommendations to the Master, subject to the condition that the Master will be required to consult the Chair of the Committee whenever necessary. Decisions made under delegated powers shall be reported to the Remuneration Committee at least once each year. The Remuneration Committee itself will meet at least once a year.

(f) College Meeting may either accept recommendations made by Remuneration Committee, or refer back recommendations to the Committee. In the latter case, the Committee would be required to consult within the College before returning with a revised recommendation.

(g) Terms of reference. The Remuneration Committee shall make recommendations to the Master and Fellows regarding:

(i) remuneration payable to Fellows, including housing allowance; and

(ii) benefits provided for Fellows and remuneration and benefits within the terms defined in Clause 1 above.

Particular matters requiring recommendation will be referred to Remuneration Committee by the Master. College Meeting Governing Body may additionally direct the Master to bring matters to the Committee. The Committee will also be required to review the College's general arrangements for Fellows' and Lecturers' remuneration annually.

(h) The role of the Visitor. In the event of a Fellow, or a group of Fellows, wishing to appeal against a recommendation made by Remuneration Committee which has been accepted by Governing Body, the Fellow or Fellows concerned may seek an adjudication by the Visitor (as described in statute IV.7). The Visitor's decision in such matters will be final (statute IV.8).

2. Remuneration of the Master.

(a) There shall be paid to the Master an annual stipend to be determined by the Fellows together with an annual allowance to be determined by the Fellows to meet the expenses of entertainment and other expenses incurred by reason of office. The Fellows shall seek and receive advice on the amount of remuneration from the Remuneration Committee. In determining the stipend account shall be taken of any stipendiary post or office in the University held by the Master.

(b) In addition to this stipend, the Master shall be entitled to the use of the Master's Lodgings or another residence provided by the College under clause II.6.(a) of these Statutes, free of rent, rates, and taxes, the cost of necessary repairs being defrayed by the College.

3. Remuneration of Fellows.

(a) No stipend shall be payable in respect of the Fellowship to any Official Fellow; but such a Fellow shall, if engaged in the tutorial work of the College, receive from the time of election such emoluments, and with such annual increments, as the Master and Fellows may determine, having taken the advice of the Remuneration Committee.

(b) If not engaged in the tutorial work of the College, a Fellow shall receive the emolument attached to any College office held, and with such annual increments, as the Master and Fellows may determine, having taken the advice of the Remuneration Committee.

(c) A Research Fellow, Senior or Junior or a Research Fellow by Special Election, shall receive such emolument to enable the undertaking of research as the Master and Fellows may determine, having taken the advice of the Remuneration Committee.

(d) A Research Fellow, Senior or Junior or a Research Fellow by Special Election, who is elected to any College office or who takes any share in the educational work of the College, may receive, in addition to any emolument normally due to enable the undertaking of research, the emolument from the corporate revenues of the College which is attached to such office or work.

(e) No stipend shall be payable in respect of the Fellowship to any Supernumerary Fellow, as defined under Statute III.3(d); but any such Fellow who is elected to any office or who undertakes any share in work that otherwise furthers the charitable objects of the College, may receive such remuneration as the Master and Fellows may determine, having taken the advice of the Remuneration Committee.

(f) No stipend shall be payable in respect of the Fellowship to any Professorial, Emeritus, or Honorary Fellow; but such Fellows shall be eligible to serve as officers of the College, and to undertake tutorial and other work in furtherance of the charitable objects of the College, and shall be entitled to receive, during their tenure of these offices, such remuneration as the Master and Fellows may determine. They may also receive such benefits as may be assigned to them under Statute IX.2(d), subject to the Master and Fellows having sought the advice of the Remuneration Committee.

4. Stipends. All stipends payable under this Statute shall be payable out of the corporate revenues of the College or out of Trust Funds available for the purpose.

5. Rooms in College. The Master and Fellows may if they think fit assign rooms in College free of rent to any Fellow who declares the intention to make use of such rooms for residence or for work approved by the College.

6. Surrendering Stipend.

(a) Any Fellow of the College who under these Statutes is entitled to any stipend may voluntarily surrender the right to such stipend or part thereof without thereby ceasing to be a Fellow or losing claim to any allowances or privileges in respect of rooms and common table which may be assigned under the preceding clause or under Statute IX.2(d).

(b) Any Fellow who has voluntarily surrendered the right to the whole or part of normal stipend under the preceding sub-clause may at any time resume such right by giving notice to the Master in writing not less than fourteen days before any Stated General Meeting of the College, and the notice so given shall be reported to the Stated General Meeting, and shall take effect from the date of that Meeting.

7. Pensions. Persons engaged and remunerated by the College for educational, administrative, and other activities that further the charitable objects of the College shall, if eligible for membership, be entitled to become or to continue as members of the Universities Superannuation Scheme, or whatever other pension scheme the Master and Fellows, having sought the advice of the Remunerations Committee, choose to adopt.

IX. The College's Finances

1. Office of Bursar

(a) The Master and Fellows shall, from time to time, appoint a Bursar or Bursars, who shall, subject to the provisions of Statute II.7, and to any resolutions which may be passed by the Master and Fellows from time to time, have the care of the property of the College, and carry out the decisions of the College in regard to its expenditure.

(b) The office of Bursar shall be tenable for such periods as the Master and Fellows may resolve, and the Bursar may be reappointed.

2. Expenditure.

(a) Charitable objects. In the expenditure of the revenues of the College regard shall be had in the first place to the needs of the College for the fulfilment of its charitable objects as defined in Statute I.2, such expenditure including

(i) the payment of charges for University purposes, imposed by Statutes made for the University, as well as the application of revenues in any manner ordered or allowed by these Statutes, customary and reasonable expenditure (not inconsistent with these Statutes) for purposes connected with the College, reasonable expenditure on estates, any reasonable donations for educational or charitable objects, and any reasonable donations connected with the duties of the College as a holder of property.

(ii) such grants as the Master and Fellows shall think reasonable from the corporate revenues of the College to any member of the College for the furtherance of research in any branch of letters, archaeology, or science, or for the publication of the results of such research.

(b) Financial assistance. In furtherance of the charitable objects of the College, the Master and Fellows may at their discretion make grants to any member of the College *in statu pupillari* whom they consider to be in need of financial assistance.

(c) Reserve Funds. The Master and Fellows may out of any corporate revenue not required for the purposes of these Statutes set apart from time to time such a sum as they may think fit to form a Reserve Fund for new or additional College Buildings or repairs to College Buildings, or for acquiring or providing houses or buildings to be occupied and used in connection with the College and for College purposes, or for other desirable or necessary expenditure for College purposes: provided that the sum so set apart in any year shall not be allowed as a deduction from the sum upon which the contributions of the College for University purposes in that year are assessed.

(d) Common table. For the better discharge of its charitable objects, the Master and Fellows may, as they think fit, set apart and allow such reasonable sum of money from the corporate revenues of the College as they may from time to time determine for the provision of common College meals of which the Master and Fellows of the College shall be entitled to partake without charge, and (as the Master and Fellows so determine) any Lecturer, Tutor, or Officer of the College, not being a Fellow.

(e) Housing Schemes. For the better discharge of its charitable objects, the Master and Fellows may from time to time establish schemes whereby the College may financially support the purchase of a property by a Fellow. Such schemes may contain provision for the Fellow concerned to purchase the College's share of the property.

3. Expenditure Powers.

(a) This Statute shall apply to the following funds, namely

(i) All funds and endowments of the College which are not held on any specific trust.

(ii) Any endowment, benefaction or trust for purposes connected with the College

(a) which was created by an instrument which came into operation not less than 60 years before 1 January 2002 or

(b) of which the Master and Fellows are the trustees or governing body and have consented to those provisions of this clause; or

(c) which does not fall within sub-paragraph (a) but of which the Master and Fellows are not the trustees or governing body and such trustees or governing body have consented to the provisions of this clause.

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

(c) The Master and Fellows may appropriate for expenditure for the purposes of a fund to which this Statute applies so much of the fair value of the particular fund as is prudent in all the circumstances having regard to the total return achieved and

reasonably to be expected in the long term of the funds of the College to which this Statute applies.

(d) Any reference in these Statutes to the revenue or revenues of the College or to income shall include the total sums appropriated in accordance with sub-clause c of this Statute.

(e) The Governing Body shall from time to time appoint a suitably qualified person to review the total return and the investment criteria referred to in this Statute.

4. Deficits. If at any time the revenues of the College are insufficient to provide for the charges created by these Statutes, and to defray the rest of its expenditure, it shall be lawful for a deficit to be incurred, subject to the approval of the Master and Fellows, and provided that reasonable measures are put in place to restore the finances to good order in a timely fashion.

5. Surplus Revenue.

(a) If at any time it shall appear to the Governing Body that the revenues of the College have become more than sufficient to provide for the expenditure required in the furtherance of its charitable objects, the College may place all or any part of such reasonable surplus revenue into the general reserve or Endowment of the College. In the event that the College produces an unreasonable unspent surplus for an extended period of time, it shall be the responsibility of the Master and Fellows to put in place measures to restore the finances to good order in a timely fashion.

(b) The College shall publish from time to time a current list of individual trusts (including endowments, foundations, gifts, and other schemes) from which it draws revenue, specifying those the surplus income of which may be put by the Master and Fellows to the furtherance of the general charitable objects of the College. The phrase 'surplus income' in this context means any income left unexpended in any year after the specific purposes of the trust have been fully provided for (whether wholly by the expenditure of income from the trust or by other means).

6. Accounts.

(a) The Master and Fellows shall cause proper accounting records to be kept.

(b) The College accounts shall be audited once at least in every year. The Master and Fellows shall appoint for that purpose an Auditor or Auditors. One person so appointed shall be an accountant qualified within the meaning of section 389(1) of the Companies Act 1985 or any legislation replacing or amending that provision. The Auditor or Auditors shall report in writing to the Master and Fellows whether the accounts of the College are duly kept in conformity with the provisions of this Statute, and whether the Abstracts and Balance Sheet prepared pursuant to the provisions of this Statute contain a full and true account of the financial condition of the College. It shall be lawful for the Auditors, or any Auditor, to report specially as to any payment which they may judge to have been made without sufficient authority. The expense of the audit shall be paid out of the revenues of the College.

(c) The Master and Fellows shall in every year cause to be prepared and delivered to the Registrar of the University for publication such information relating to the accounts of the College as may be prescribed from time to time by any Statute of the University made or to be made under the powers of the Universities of Oxford and Cambridge Act, 1923. The date on or before which such information shall be delivered to the Registrar, the forms of the statements in which it shall be shown, and the certificate accompanying such forms shall be prescribed from time to time in the Statutes of the University made or to be made under the like authority; and the certificate shall be signed by the Auditor or Auditors aforesaid.

(d) The Master and Fellows shall, on or before a date prescribed as aforesaid, furnish to the appropriate department of the University such information as may be required for determining the amount to be paid by the College as its contribution for University purposes under any Statute of the University.

7. Investments.

(a) Any Fund held by the College in trust, or Special Fund established for College purposes, may be invested in the Trusts Fund (otherwise known as the 'Trust's Pool') created by the Scheme made for the College under the Universities and Colleges (Trusts) Act 1943 and approved by His Majesty in Council on the 8th day of October 1948 as amended by Her Majesty in Council on the 22nd day of December 1971.

(b) Any Capital Moneys in the hands of the College (not being Capital Moneys arising under the Universities and College Estates Act) and any moneys held by the College on behalf of any Special Funds (other than any funds already invested in the Trusts Fund) shall be invested in the following range of investments:

(i) Such stocks shares funds securities obligations bonds or other investments (including land) in any part of the world and whether involving liability or not or at loan without security as the Governing Body from time to time shall in their absolute discretion think fit so that the Governing Body shall have the same powers of investing varying and managing investments as if the Governing Body were absolutely and beneficially entitled thereto.

(ii) All investments or modes of application authorized for capital money by Section 26 of the Universities and College Estates Act 1925.

(iii) Any investment made under the powers contained in the foregoing sub-clause shall stand either in the name of the College or (subject to the approval of the Auditor or Auditors of the College appointed in accordance with Clause IX.6(b) of this Statute) in the name of a body corporate selected from time to time by the Governing Body as the nominee and trustee of the College for that purpose.

8. 'Schedule A' Trusts. This Clause shall apply to each of the trusts, endowments, foundations, gifts and schemes set out in Schedule A appended to this Statute (hereinafter in this clause referred to as 'a Trust').

(a) The Master and Fellows may from time to time use for the general educational purposes of the College any surplus income of a Trust. 'Surplus income' here means income unexpended in any year after the purposes of the Trust have been fully provided for in that year (whether wholly by income from the Trust or partly by income from the Trust and partly by other means).

(b) This clause shall have effect from the date on which it is approved by Her Majesty in Council and shall apply to all income in hand on that day as well as to income receivable thereafter.

'Schedule A'

The Duke of Bedford's Trust (1882).

The Hugh Clarence Bourne Fund (1913).

Miss Hannah Brackenbury's Trust (1866 and 1872).

The Brassey Italian cholarship Fund (1918).

Sir John Conroy's Trust (1900).

The Ralph Dendy Bequest.

The Dyson Fellowship in Greek Culture Fund (1960).

The Eleemosynary Fund (1913).

The Charles Elton Exhibition Fund (1914).

The Lazarus Fletcher and Agnes Ward Fletcher Scholarship Trust (1951).

The Frazer Fund (1939).

The Walter Galpin Scholarship Fund (1937).

The James Gay Exhibition Fund (1943).

The Anthony Maurice Goldsmith Scholarship Trust (1944).

The T. H. Green Fund (1884).

The James Hall Foundation Fund (1911).

The Roger Hall Prize Fund (1919).

The Arthur Higgs Trust (1920).

The Sir Edward Maurice Hill Scholarship Trust (1952).

The Robin Hollway Scholarship Fund (1921).

The Second Robin Hollway Scholarship Fund (1955).

The Holmes Scholarship Trust (1955).

Dr. Jenkyn's Trust (1850).

The Jowett Fellowships Fund (1907).

Mr. Kington Oliphant's Fund (1902).

The Duncan Campbell Macgregor Memorial Fund (1943).

The Sir William Markby Scholarship Fund (1929).

The Lewis Masfield and Edward Rodd Memorial Studentship Fund (1943).

The Mouat Jones Scholarship Trust (1954).

The Nettleship Scholarship Fund (1894).

The Eric Raymond Noble Scholarship Fund (1948).

Mr. Powell's Benefaction (1830).

The Reynolds' Scholarship Trust (1951).

The Robert Sebag-Montefiore Scholarship Fund (1916).

Mr Henry Skynner's Trust (1879).

The Cecil Spring-Rice Memorial Fund (1926).

Miss Ida Taylor's Legacy (1929).
The Sir Henry Theobald Fund (1939).
The Vaughan Memorial Travelling Scholarship Trust (1955).
Bishop Warner's Exhibition (1668).
The Revd. William Warner's Bequest (1923).
Mrs. Jane Williams' Trust (1830).
The Wright Prize in History (1965).
The Robert Younger Prize Fund (1926).

9. Delegation of powers. Subject to its general responsibilities under these Statutes, the Governing Body shall have full power to delegate the performance of any duties or discretions imposed on it or given to it by this Statute.

10. Statute. The application of the revenues of the College under the provisions and to the purposes of these Statutes shall be subject to any Statute or Statutes made for the University under the powers of the Universities of Oxford and Cambridge Act, 1877, and the Universities of Oxford and Cambridge Act, 1923, for enabling or requiring the Colleges to make contributions out of their revenues to University purposes, and to the payment of the charges imposed thereby.

X. Relating to Academic Freedom, Dismissal, and Redundancy

Part I Construction Application and Interpretation

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

i. to ensure that members of the academic staff of the College have freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their jobs or privileges; ii. to enable the College to provide education, to promote learning, and to engage in research efficiently and economically; and iii. to apply the principles of justice and fairness.

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

3.

a. This Statute shall apply – i. to any person holding a College Office designated by the Governing Body as one to which this Statute applies; ii. to any person employed by the College to carry out teaching or research save for those holding appointments which have been excluded by the Governing Body from the scope of this Statute on the ground that the duties in that regard are only of a limited nature; and iii. to the Master, to the extent in the manner set out in Part VII of this Statute. b. In this Statute any reference to a "member of the academic staff" is a reference to a person to whom this Statute applies.

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

i. include remove or, as the case may be, removal from office; and ii. in relation to employment under a contract, shall be construed in accordance with section 55 of the Employment Protection (Consolidation) Act 1978.

5.

a. For the purposes of this Statute "good cause" in relation to the dismissal or removal from office or place of a member of the academic staff, being in any case a reason which is related to conduct or to capability or qualifications for performing work of the kind which the member of the academic staff concerned was appointed or employed to do, means: i. conviction for an offence which may be deemed by a 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 ii. conduct of an immoral, scandalous or disgraceful nature incompatible with the duties of the office or employment; or iii. conduct constituting failure or persistent refusal or neglect or inability to perform the duties or comply with the conditions of office; or iv. physical or mental incapacity established under Part IV. b. In this clause – i. "capability", in relation to such a member, means capability assessed by reference to skill, aptitude, health or any other physical or mental quality; and ii. "qualifications", in relation to such a member means any degree, diploma or other academic, technical or professional qualification relevant to the office or position held by that member.

6. For the purposes of this Statute dismissal shall be taken to be a dismissal by reason of redundancy if it is attributable wholly or mainly to: i. the fact that the College has ceased, or intends to cease, to carry on the activity for the purposes of which the person concerned was appointed or employed 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 ii. the fact that the requirements of that activity for members of the academic staff of the College to carry out work of a particular kind in that place have ceased or diminished or are expected to cease or diminish.

7.

a. In any case of conflict, the provisions of this Statute shall prevail over those of any other Statute of the College in force on the date on which the instrument making these modifications was approved under subsection (9) of section 204 of the Education Reform Act 1988, and over those of any by-law, and the provisions of any by-law made under this Statute shall prevail over those of any by-law made under such other Statutes: Provided that Part III, Part IV and Part VII shall not apply in relation to anything done or omitted to be done before the date on which the instrument making these modifications was approved under subsection (9) of section 204 of the Education Reform Act 1988. Provided also that disciplinary proceedings in relation to anything done or omitted to be done before that date may continue or be instituted after that date under the relevant College Statutes in force before that date. b. Nothing in any appointment made, or contract entered into, shall be construed as overriding or excluding any provision made by this Statute concerning the dismissal of a member of the academic staff of the College by reason of redundancy or for good cause:

Provided that this shall not invalidate any waiver made under section 142 of the Employment Protection (Consolidation) Act 1978. c. For the avoidance of doubt it is hereby declared that nothing in Part III of this Statute shall be construed as affecting the Statutes and by-laws of the College concerning re-election on the expiry of a fixed term of a Fellowship. d. In any case where an officer of the College or any person is designated to perform any duties or exercise any powers under this Statute, and that officer or person is involved in the matter in question, the Governing Body may appoint an alternative to act in that officer's or person's place under procedures prescribed by by-laws made under this Statute. e. Nothing in any other Statute shall enable the Governing Body to delegate its power to reach a decision under clause 10(b). f. No one shall sit as a member of any of the bodies established under this Statute, and no one shall be present at a meeting of such body when the body is considering its decision or discussing a point of procedure, except as provided by this Statute or by by-laws made under this Statute. g. In this Statute references to numbered Parts, clauses, and sub-clauses are references to Parts, clauses, and sub-clauses so numbered in this Statute.

Part II Redundancy

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

9.

a. Nothing in this Part of this Statute shall prejudice, alter or affect any rights, powers or duties of the College or apply in relation to a person unless – i. the appointment of that person is made, or the contract of employment of the person concerned is entered into, on or after 20th November 1987; or ii. the person concerned is promoted on or after that date. b. For the purposes of this clause in relation to a person, a reference to an appointment made or a contract entered into on or after 20th November 1987 or to promotion on or after that date shall be construed in accordance with subsections (3) to (6) of section 204 of the Education Reform Act 1988.

10.

a. The Governing Body shall be the appropriate body for the purposes of this Part. b. This clause applies where the Governing Body has decided that there should be a reduction in the academic staff i. of the College as a whole; or ii. of any area of academic work within the College by way of redundancy.

11.

a. Where the Governing Body has reached a decision under clause 10(b) – i. it may itself decide to select the requisite members of the academic staff for dismissal by reason of redundancy if such a course satisfies the guiding principles set out in clause 1; or ii. it shall appoint a Redundancy Committee to be constituted in accordance with sub-clause (c) of this clause to give effect to its decision by such date as it may specify and for that purpose

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. b. The Governing Body shall either approve any selection recommendation made under sub-clause (a) (ii) (A), or shall remit it to the Redundancy Committee for further consideration in accordance with its further directions. c. A Redundancy Committee appointed by the Governing Body shall comprise - i. a Chairman; and ii. two Fellows, not being persons employed by the College; and iii. two Official Fellows to whom this Statute applies. d. A member of the academic staff shall not be selected for dismissal under this clause unless afforded a reasonable opportunity to make representations to the Governing Body.

12.

a. Where the Governing Body has either itself made a selection or has approved a selection recommendation made by the Redundancy Committee under clause 11(a) it may authorise an officer of the College as its delegate to dismiss any member of the academic staff so selected. b. Each member of the academic staff selected shall be given separate notice of the selection approved by the Governing Body. c. Each separate notice shall sufficiently identify the circumstances which have satisfied the appropriate body that the intended dismissal is reasonable and in particular shall include – i. a summary of the action taken by the appropriate body under this Part; ii. an account of the selection processes it has itself used or which have been used by the Redundancy Committee; iii. a reference to the rights of the person notified to appeal against the notice and to the time within which any such appeal is to be lodged under Part V; and iv. a statement as to when the intended dismissal is to take effect.

Part III Discipline, Dismissal, and Removal from Office

13.

a. Minor faults shall be dealt with informally. b. 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, but does not constitute sufficient cause for dismissal, the member of the academic staff will normally be given a formal oral warning by the Master. 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 clause. 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 Master. This will give details of the complaint, the improvement required and the timescale. It will warn that a complaint may be made to the Master seeking the institution of charges to be heard by a Tribunal appointed under clause 15 if there is no satisfactory improvement and will advise of the right of appeal under this clause. A copy of this written warning will be kept by the Master 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 Keeper of the Minutes within two weeks. The

Senior Official Fellow shall hear all such appeals and the Senior Official Fellow's decision shall be final.

14.

a. If there has been no satisfactory improvement following a written warning given under Stage 2 of the procedure in clause 13, or in any case where it is alleged that conduct or performance may constitute good cause for dismissal or removal from office, a complaint seeking the institution of charges to be heard by a Tribunal appointed under clause 15 may be made to the Master. b. If it appears to the Master (whether on receipt of a complaint or otherwise) that there are grounds for believing that the conduct or performance of a member of the academic staff of the College should constitute good cause for dismissal, the Master shall write to the person concerned inviting comment in writing. c. If it appears to the Master (whether on receipt of a complaint or otherwise) that there are grounds for believing that the conduct or performance of a member of the academic staff of the College should constitute good cause for dismissal, the Master shall write to the person concerned inviting comment in writing and may if suspend the person concerned from the performance of duties without loss of emoluments, if, in the Master's view, the College might otherwise suffer significant harm. d. As soon as may be following receipt of the comments (if any) or in any event not later than 28 days after they were invited the Master shall consider the matter in the light of all the available evidence and may dismiss the matter summarily, or issue an oral or written warning to the person concerned, or determine that the matter be considered, or determine that the matter be considered by a Tribunal appointed under clause 15.

15. If the Master has determined that the matter is to be considered by a Tribunal, the Master shall request the Governing Body to appoint such a Tribunal to hear the charge or charges and to determine whether the conduct for dismissal or otherwise constitutes serious misconduct relating to appointment or employment by the College, and to make recommendations concerning the action (if any) to be taken as a result of the Tribunal's findings. Pending the consideration of such recommendations, the Master, after consulting the Governing Body, may suspend the person charged from the performance of duties without loss of emoluments.

16.

a. A Tribunal appointed by the Governing Body shall comprise – i. a Chairman; and ii. one Official Fellow; and iii. one Fellow who is not a person employed by the College. b. In selecting members of the panel for appointment as members of a Tribunal, the Governing Body shall exclude the person charged, and any person who has been involved in or associated with the making of the complaint or any part of it, or who has been involved in any preliminary hearing or investigation.

17.

a. When a Tribunal has been appointed, the Governing Body 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. b. It shall be the duty of the person formulating the charge or charges – i. to forward the charge or charges to the Tribunal and to the member of the academic staff concerned together with the other

domestic documents therein specified and a list of all witnesses the College proposes to call, with statements containing the evidence they are expected to give; and ii. to make any necessary administrative arrangements for the summoning of witnesses, the production of documents and generally for the proper presentation of the case before the Tribunal.

18.

a. The procedure to be followed in respect of the preparation, hearing, and determination of charges by a Tribunal shall be prescribed by by-laws made under this clause. b. Without prejudice to the generality of the foregoing, such by-laws shall ensure: 1. that the member of the academic staff concerned is entitled to be represented by another person, whether such person is legally qualified or not, in connection with and at any hearing of charges by the Tribunal; 2. that a charge shall not be determined without an oral hearing at which the person charged and any person appointed to represent that person are entitled to be present; 3. that witnesses may be called, both on behalf of the person charged and by the person presenting the charge, and may be questioned concerning any relevant evidence; 4. that no new witness or documentary evidence may be introduced by the person presenting the charge without the Tribunal's consent, which shall not be given save for good reason, and that if late introduction is allowed, the member of the academic staff shall be allowed an adjournment sufficient to consider and respond to the new evidence; and 5. that any charge is heard and determined as expeditiously as is reasonably practicable.

19.

a. The 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 Master, the person charged, the person present in the charge and any person who shall have been added as a party by the Tribunal. b. 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 accompanies each copy of its decision sent to a party to the proceedings under this clause.

20.

a. 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, after consulting the Governing Body whether or not to dismiss the member of the academic staff concerned. If the officer decides to accept the Tribunal's recommendation that person may forthwith be dismissed. b. In any case where the charge or charges are upheld, other than where the appropriate officer has decided under sub-clause (a) to dismiss the member of the academic staff concerned, the action available to the appropriate officer after consulting the Governing Body (not comprising a greater penalty than that recommended by the Tribunal) shall be – i. to discuss the issues raised with the person concerned; or ii. to advise the person concerned about future conduct; or iii. to warn the person concerned; or iv. to suspend the person concerned for such period as the appropriate officer shall think fair and reasonable, provided that the suspension shall not extend beyond three months after the date on which the Governing Body shall have considered the

Tribunal's decision; or v. any combination of any of the above or to take such further or other action under the person's contract of employment or terms of appointment as appears fair and reasonable in all the circumstances of the case.

21.

a. The Senior Tutor shall be the appropriate officer to exercise the powers conferred by clause 20 and any reference to the appropriate officer includes a reference to a delegate of the Senior Tutor. b. Any action taken by the appropriate officer or that officer's delegate shall be confirmed in writing and reported to the Governing Body.

Part IV Removal for Incapacity on Medical Grounds

22.

a. This Part makes separate provision for the assessment of incapacity on medical grounds as a good cause for dismissal or removal from office. b. In this Part references to medical grounds are references to capability assessed by reference to health or any other physical or mental quality. c. In this Part the Master shall be the appropriate officer to perform any duties or exercise any powers, but the Master may appoint a delegate. d. In this Part references to the member of the academic staff for the purposes of notification, giving consent, agreement, nomination or providing evidence include, in cases where the nature of the alleged disability so requires, a responsible relative or friend or other person with authority to act on behalf of that member in addition to (or instead of) that member.

23.

a. Where it appears to the appropriate officer that the removal of a member of the academic staff on medical grounds should be considered, the appropriate officer – i. shall inform the member accordingly; and ii. may, if the member agrees or if the appropriate officer considers that the College might otherwise suffer significant harm suspend the member from duty without loss of pay; and iii. shall notify the member in writing that it is proposed to make an application to the member's doctor for a medical report and shall seek the member's consent in writing to accordance with the requirements of the Access to Medical Reports Act 1988. b. A member of academic staff who elects to apply for early retirement on medical grounds shall be allowed to do so and the College shall meet the reasonable costs of any medical opinion required. c. If the member does not elect to apply for early retirement on medical grounds the appropriate officer shall refer the case in confidence, with any supporting medical and other evidence (including any such evidence submitted by the member), to a Medical Board comprising one person nominated by the Governing Body; one person nominated by the member concerned or, in default of the latter nomination, by the Master; and a medically qualified chairman jointly agreed by the Governing Body and the member or, in default of agreement, to be nominated by the President of the Royal College of Physicians. d. The procedure to be followed in respect of the preparation, hearing, and determination of a case by a Medical Board under this Part shall be prescribed by by-laws made under this sub-clause. Such by-laws shall ensure: i. that the member concerned is entitled to be represented by another person, whether such person is legally qualified or not, in connection with and at any hearing by the Board; ii. that a case shall not be determined without an oral hearing at which the person

charged and any person appointed as a representative are entitled to be present; iii. that witnesses may be called and may be questioned concerning any relevant evidence and iv. that the case is heard and determined as expeditiously as is reasonably practicable. e. The Board may require the member concerned to undergo medical examination at the College's expense.

24.

a. If the Board determines that the member shall be required to retire on medical grounds, the appropriate officer shall consult the Governing Body, and may terminate the employment of the member concerned on those medical grounds. b. Any action taken by the appropriate officer shall be confirmed in writing and reported to the Governing Body.

Part V Appeals

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

26.

a. This Part of this Statute applies – i. to appeals against the decisions of the Governing Body as the appropriate body (or of a delegate of that body) to dismiss in the exercise of its powers under Part II; ii. to appeals arising in any proceedings, or out of any decision reached, under Part III other than appeals under clause 13 (Appeals against disciplinary warnings); iii. to appeals against dismissal otherwise than in pursuance of Part II or Part III; iv. to appeals against any disciplinary decision otherwise than in pursuance of Part II; v. to appeals against any decisions reached under Part IV; and vi. to appeals against any decision reached under Part VII and "appeal" and "appellant" shall be construed accordingly. b. No appeal shall however lie against – i. a decision of the appropriate body under Part II clause 10(b); ii. the findings of fact of a Tribunal under Part III, or of a Tribunal under Part VII save where, with the consent of the person or persons hearing the appeal, fresh evidence is called on behalf of the appellant at that hearing; iii. any medical finding by a Board set up under Part IV clause 23(c) save where, with the consent of the person or persons appointed, fresh evidence is called on behalf of the appellant at the hearing. c. In this Part references to "the person appointed" are references to the person appointed by the Governing Body under clause 29 to hear and determine the relevant appeal. d. The parties to an appeal shall be the appellant and the Keeper of the Minutes and any other person added as a party at the direction of the person appointed.

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

28.

a. A notice of appeal shall be served within 28 days of the date on which the document recording the decision appealed from was sent to the appellant or such

longer period, if any, as the person appointed may determine under sub clause (c). b. The Keeper of the Minutes shall bring any notice of appeal received (and the date when it was served) to the attention of the Governing Body and shall inform the appellant that this has been done. c. Where the notice of appeal was served on the Keeper of the Minutes outside the 28 day period the person appointed under clause 29 shall not permit the appeal to proceed unless the person appointed considers that justice and fairness so require in the circumstances of the case.

29.

a. Where an appeal is instituted under this Part the Governing Body shall appoint a person described in sub clause (b) to hear and determine that appeal. b. The persons described in this sub-clause are – i. the person who is the Visitor; or ii. persons not employed by the College holding, or having held, judicial office or being barristers or solicitors of at least ten years' standing. c. The person appointed shall sit alone unless, in their judgment, justice and fairness are best served by sitting with two other persons. d. The other persons who may sit with the person appointed shall be – i. one Fellow not being a person employed by the College; and ii. one Official Fellow.

30.

a. The procedure to be followed in respect of the preparation, consolidation, hearing and determination of appeals shall be that set out in by-laws made under this clause. Without prejudice to the generality of the foregoing such by-laws shall ensure – i. that an appellant is entitled to be represented by another person, whether such person be legally qualified or not, in connection with and at any hearing of the appeal; ii. that an appeal shall not be determined without an oral hearing at which the appellant, and any person appointed by the member as a representative, are entitled to be present and, with the consent of the person or persons hearing the appeal, to call witnesses; iii. that full and sufficient provision is made for postponements, adjournments, dismissal of the appeal for want of prosecution and for the correction of accidental errors; and iv. that the person appointed may set appropriate time limits for each stage (including the hearing itself) to the intent that any appeal shall be heard and determined as expeditiously as reasonably practicable. b. The person or persons hearing the appeal may allow or dismiss an appeal in whole or in part and, without prejudice to the foregoing, may – i. remit an appeal from a decision under Part II to the Governing Body as the appropriate body (or any issue arising in the course of such an appeal) for further consideration as the person or persons hearing the appeal may direct; or ii. remit an appeal arising under Part III for rehearing by a different constituted Tribunal to be appointed under that Part; or iii. 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 iv. remit an appeal by the Master arising under Part VII for re-hearing or reconsideration by the same or by a differently constituted Tribunal to be appointed under that Part; or v. substitute any lesser alternative penalty that would have been open to the appropriate officer following the finding by the Tribunal which heard and pronounced upon the original charge or charges.

31. The person appointed shall send the reasoned decision, including any decision reached in exercise of powers under clause 30(c)(i), (ii), (iii), (iv) on any appeal together with any findings of fact different from those the Governing Body under Part II or by the Tribunal under Part III or of the Board under Part IV or of the Tribunal

appointed under Part VII, as the case may be, to the Master and the Governing Body and to the parties to the appeal.

Part VI Grievance Procedures

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

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

i. to matters affecting themselves as individuals; or ii. to matters affecting their personal dealings or relationships with other staff of the College, not being matters for which express provision is made elsewhere in this Statute.

34.

a. If other remedies within the relevant area (including reference to the Senior Official Fellow) have been exhausted, the member of the academic staff may raise the matter with the Master. b. If it appears to the Master that the matter has been finally determined under Part III, IV or V or that the grievance is trivial or invalid, the Master may dismiss it summarily, or take no action upon it. If it so appears the Master shall inform the member and may inform the Governing Body accordingly. c. If the Master is satisfied that the subject matter of the grievance could properly be considered with (or form the whole or any part of) – i. a complaint under Part III; ii. a determination under Part IV; or iii. an appeal under Part V the Master 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 the member and the Grievance Committee shall be notified accordingly. d. If the Master does not reject the complaint under sub clause (b) or if action upon it under sub-clause (c) is not deferred the Master shall decide whether it would be appropriate, having regard to the interests of justice and fairness, to seek to dispose of it informally. If the Master so decides the Master shall notify the member and proceed accordingly.

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

36. The Grievance Committee to be appointed by the Governing Body shall comprise - i. a Chairman (who may be the person who is the Visitor); ii. one Fellow not being a person employed by the College; and iii. one Official Fellow.

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

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

Part VII Removal of the Master from Office

39. Any five members of the Governing Body may make complaint to the Senior Official Fellow seeking the removal of the Master from office for good cause.

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

41. If it appears to the Governing Body that the complaint is supported by sufficient evidence of good cause for the removal of the Master from office, it shall appoint a Tribunal to hear and determine the matter.

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

i. an independent Chairman; and ii. one member chosen from amongst members of Governing Body to whom this Statute does not apply, Honorary Fellows and Emeritus Fellows; and iii. one member chosen from amongst members of Governing Body to whom this Statute applies.

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

i. that the Senior Official Fellow shall perform any duty and exercise any power there assigned to the Master; and

ii. that the only recommendation the Tribunal may make is whether or not the Master should be removed from office.

44. Where a charge or charges have been upheld and the Tribunal finds good cause and recommends the dismissal of the Master, and, in the event of an appeal by the Master, the person hearing the appeal upholds that recommendation, but in no other case, the Senior Tutor shall consult the Governing Body and may then dismiss the Master.

45. Where a complaint is to be referred to a Tribunal under clause 41, the Senior Tutor may suspend the Master from duties in all matters relating to the government and discipline of the College without loss of salary, if, in the view of the Senior Tutor, the College might otherwise suffer significant harm. During any such period of suspension the Senior Official Fellow shall act as Vicegerent under the provisions of Statute II clause 8(b).

46. For the purpose of the removal of the Master from office for incapacity on medical grounds, the provisions of Part IV shall have effect, provided that the Senior Tutor shall perform any duty or exercise any power there assigned to the Master.

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

XI. The Dissolution of the Charity

1. Dissolution. In the event that the Master and Fellows, having consulted and secured the consent of the Visitor, judge that the College is no longer able adequately discharge its charitable objects, they shall ensure that any assets held by or on behalf of the College are realized; and that any assets remaining after the satisfaction of any proper debts and liabilities shall be given to such other charitable institution or institutions having objects similar to the objects of College as the Master and Fellows may decide, or, in the event of there being no suitable charity, shall be applied by the Master and Fellows for some other charitable purpose.

Appendix: Conflict of Interests Code

Balliol College is committed to managing possible conflicts of interest transparently. In accordance with the guidance issued by the Charity Commission, the College has adopted a policy describing the way in which it deals with any conflicts of interest to which Fellows (as trustees) may be subject as a result of their involvement in the work and decision-making processes of the charity.¹

All Fellows are in a fiduciary relationship with the College and therefore must act, as their overriding duty, *wholly and exclusively in the best interests of the College* when participating in any aspect of its management and government. This duty is made clear to Fellows upon appointment.

Neither the Master nor any Fellows who are members of the governing body ('College Meeting') shall receive any pecuniary emolument in their capacity as Fellows (Trustees) of the College; but reasonable remuneration may be paid to the Master and to any Fellow in respect of work undertaken for the College in furtherance of its charitable objects. Other reasonable benefits, including housing and academic allowances and the provision of Common Table, as authorised by the Statutes, may be provided for tutors, lecturers, researchers, and officers of the College, and any person who otherwise furthers its charitable objects. These emoluments and benefits, and any annual increments, shall be as the Master and Fellows may determine, acting upon the advice of the Remuneration Committee. In all cases of doubt, the matter should be referred to the Remuneration Committee, which will, through the Master, advise College Meeting.

Remuneration and benefits for persons connected with Fellows may be provided if they are for tasks that are generally undertaken within the College (e.g. tuition, examining, undergraduate admissions); or where the amount in question is modest and, in the judgment of the Master and Finance Bursar, advantageous to the College and not unduly advantageous to the Fellow or connected person; or where, if the case is in doubt, they are approved by College Meeting; or where they otherwise meet the

¹ The arrangements described for meetings set out in the Code apply to all committees, working parties, and

other bodies constituted by College Meeting or Tutorial Board, as well as to College Meeting.

requirements of the Charities Act 2006. In all cases of doubt, the matter should be referred to the Remuneration Committee, which will, through the Master, advise College Meeting.

Conflicts of interest are principally managed in four ways:

- (a) The payment of remuneration or provision of benefits to Fellows is subject to recommendations from a Remuneration Committee;
- (b) Every Fellow having a material interest shall declare that at any meeting in which it relates to the business under discussion;
- (c) Provision is made for Fellows to absent themselves from a meeting (or not to vote) where they have a material interest; and
- (d) The College maintains an up-dated register of Fellows' material interests.

Further to those governing principles:

(1) *The Remuneration Committee*, which is chaired by an external member and has a majority of external members (i.e. people who are not employees of the College), is established under the College's Statutes. Its composition, activity, and purpose are described in section VIII.

(2) *Declaring Interests*. Any Fellow who has a material interest in any matter of business before College Meeting shall declare the interest at the beginning of each meeting at which that business is under consideration or before the discussion of that business. (There is no need to declare an interest which is overt on the agenda – such as a re-election – or one which appears on the College's register of interests.) Where a Fellow declares an interest, that fact shall be recorded in the minutes of the meeting.²

Accordingly, every College meeting agenda paper should contain, in some prominent position, the following wording:

Members of College Meeting/ XYZ Committee are reminded of the College's code on the conflict of interests (available [on the Policies and Statutes page of the Balliol website](#)) which requires them to declare any possible material interests that could give rise to conflict in relation to any item under discussion. All interests so disclosed will be recorded in the minutes of the Committee. Members may be required to absent themselves from all or part of the Committee's discussion of the matter at the discretion of the Chair.

A material interest is any matter which may influence the judgment of persons who have that interest, or which may reasonably appear to be capable of influencing such persons' judgment, so that their judgment may not be exercised wholly and

² The obligations of Fellows as described in this Code fall also upon the Master.

exclusively in the interests of the College. A Fellow whose partner or close family members may benefit from any matter of business also has a material interest.

(3) *Withdrawing.* If the material interest in question is a pecuniary interest, then the Fellow declaring it shall withdraw from any meeting at which the business is under consideration, and shall not speak on the matter, unless College Meeting has resolved to the contrary. In no case shall the Fellow vote on the matter. If the material interest is not a pecuniary interest, then the Fellow declaring it shall withdraw from any meeting at which the business is under consideration, and shall not speak or vote on the matter, unless College Meeting has resolved to the contrary. Any resolution allowing the Fellow not to withdraw, or allowing the Fellow to vote, shall be recorded in the minutes. If there is doubt whether a declared interest is indeed material, College Meeting shall determine it in the absence of the Fellow or Fellows concerned, after hearing the views of that Fellow or Fellows, and its decision shall be final.

(d) *Register of Interests.* Fellows shall register their material interests with the Fellow for Charity Matters. Fellows should notify the Fellow for Charity Matters of any new material interest whenever such an interest arises so that the register can be amended, and they should in any case confirm their entry on the register annually at the beginning of the academic year.

Fellows do not need to declare as interests a joint appointment in the University, but remunerated University positions which are not part of a joint contract should be declared.

The register of interests shall be kept in the office of the Master's PA and will be available for inspection by any Fellow.