Ordinances of the Council

ORDINANCE I: Regulations for the Conduct of Business of the Council

1. The Council shall meet at least once every term. The dates of Ordinary Meetings for each academical year shall be fixed by the Council not later than the last meeting in the preceding academical year. Any additional meetings which are held shall be called Special Meetings.

2. The agenda shall be divided between Open and Reserved Business. Reserved Business shall be as defined by Statute I.7, and the provisions (i) - (iii) of Ordinance IIIA, section III 2 shall also apply.

3. The Council shall issue a Report of the College annually giving the names of the Visitor, the members of the Council and of the Governing Body, the Associates, the members of Committees, and the Administrative and Educational Officers and the students in residence; also the fees and other charges payable by students, conditions of admission, and other information with regard to the College.

4. The Michaelmas Term shall be the term in which the Council shall provide the Governing Body with the accounts, duly audited, of the income and expenditure of the College and a report on the financial state of the College, in accordance with Statute V.10.

ORDINANCE IA: Tenure of Office of Members of the Council

1. The following shall apply to the eight persons to be elected by the Governing Body as members of the Council under Statute V, paragraph 1(b):

   (a) a member of the Council so elected shall ipso facto vacate office if she ceases to be a member of the Governing Body, or if she goes on vacation leave for more than one term. She shall also vacate office under the same paragraph if she became an ex officio member of the Council;

   (b) a member of the Council so elected may at any time resign office by sending in her resignation to the Principal;
(c) a retiring member of the Council shall (if qualified) be eligible for re-election.

ORDINANCE II: Committees

Senior Members entitled to attend Governing Body meetings and, where specified, College Lecturers, are eligible to serve on the Standing Committees; where this is not specified any Senior Member of the College shall be eligible. The appointment of members by the Council shall take place at its last meeting, Easter Full Term. Retiring members shall be eligible for re-appointment. Junior Members of College Committees shall be elected under the Constitutions of the JCR and the MCR. Senior Members shall normally serve for a term of three academic years. Junior Members shall normally serve for a term of one year. All Committees shall have power to co-opt up to three members (including Junior Members where relevant).

Under Statute I.7 (d) business under consideration by a duly constituted committee or other body which does not include junior members among its membership shall be Reserved Business (see also Ordinance IIIA III). Items of business considered by such bodies may be reported to junior members if the relevant body so decides.

The following shall be Standing Committees:

A. Academic Planning Committee
B. Buildings Estate Committee
C. Education Committee
D. Environmental Working Group
E. Finance Committee
F. Garden Committee
G. Graduate Awards and Research Support Committee
H. High Table [and Entertainment] Committee
I. Investments Committee
J. IT Committee
K. Library Users Committee
L. Loans and Grants Committee
M. Research Fellowship Committee
N. Safety Committee
O. Senior Members' Research Support Committee

P. Skilliter Centre Management Committee

Q. Stipends and Benefits Committee

A. Academic Planning Committee

The Academic Planning Committee shall consist of the Principal (Chairman), the Senior Tutor (Secretary), the Bursar, the Vice-Principal and four members elected by the Governing Body from among the Professorial Fellows, recent or current College Lecturers and recent or current Directors of Studies, to achieve a balance between Arts and Science subjects, to serve for three years.

The Committee’s duties shall be: to meet twice termly, or as required; to receive reports on a regular basis from Directors of Studies; to identify gaps in teaching provision; to explore means of meeting teaching requirements; to bring proposals to the Council for the creation, amendment and continuation of posts; to consider the review and renewal of academic posts on an annual cycle; to receive advice on academic costs from the Bursar; to receive reports from the Senior Tutor on proposals for employment regulations for academic posts with respect to appraisal, reviews, mentoring, terms and conditions; to bring proposals to the Council for the College’s policy on student numbers; to submit an annual report of its activities to the Council, to be forwarded to the Governing Body.

B. Buildings Estate Committee

The Buildings Estate Committee shall consist of: the Bursar (Chairman), the Senior Tutor, Domestic Bursar (Secretary), at least two Senior Members entitled to attend Governing Body Meetings, the Buildings Manager, the College Accountant, the Head Housekeeper and the Head Gardener, one member of the JCR and one member of the MCR. Other relevant Heads of Department may attend by invitation.

Its duties shall be: to consider, plan and monitor the progress of maintenance and improvement projects and to manage the budget allocated by the Council for such projects [PM3]; to formulate and implement a policy for the furnishing and interior decoration of all rooms and public spaces in the College, including the Graduate Houses and to manage the budget allocated by the Council for furnishing and maintenance [PF3]; to ensure that furnishing and decorations are appropriate to the style of the College; to work in close liaison with the Garden Committee and Valuable Possessions Committee; and to monitor the implications of statutory requirements on furnishings and to take appropriate action; and to report to the Council.
C. Education Committee

The Education Committee shall consist of: the Principal, the Vice-Principal, the Bursar, the Tutors and the Directors of Studies. College Lecturers who are neither Tutors nor Directors of Studies shall be permitted but not required to attend its meetings. It shall delegate certain of its responsibilities to the Directors of Studies Committee and certain of its responsibilities to the Standing Sub-Committee of the Education Committee.

The duties of the Education Committee shall be: to award scholarships and make awards as authorised by the Council and to report these awards to the Council and the Governing Body; and to consider such other academic matters as shall be referred to it.

The Directors of Studies Committee shall consist of: the Senior Tutor (Chairman), the Graduate Tutors, the Admissions Tutor, and all Directors of Studies; College Lecturers shall be invited but not required to attend. Its duties shall be to consider issues of academic and educational importance and to report to the Education Committee, the Council and Governing Body as appropriate.

The Standing Sub-Committee of the Education Committee shall consist of: the Vice-Principal (Chairman), three Tutors (of whom one will sit on any one occasion) and four Directors of Studies (of whom three will sit on any one occasion). Its duties shall be to consider all cases of failure to achieve honours in University examinations and where special permission is sought of the Council to allow a student to remain a Member of the College; and of serious and continued failure of academic diligence; and to make recommendations in such cases to the Council.

D. Environmental Working Group

The Environmental Working Group shall consist of the Domestic Bursar, the JCR Green Officer, the MCR Green Officer, two Senior Members and a member of Staff.

Its duties shall be: to make sure that people throughout the College were aware of environmental issues, and to encourage them to be supportive and to make sure that the Council and Governing Body were also aware of environmental issues. The Group will consult other members of the College as appropriate and reports to the Council.
E. Finance Committee

The Finance Committee shall consist of: the Principal, the Vice-Principal, the Bursar, the Senior Tutor, the Steward or Domestic Bursar and two other Senior Members entitled to attend Governing Body meetings, appointed by the Council. The Accountant may attend by invitation.

Its duties shall be: to consider and to make recommendations to the Council on financial policy, estimates, the building and maintenance plan, salaries and wages, fees and charges, to monitor current financial performance, and other financial matters; to decide on non-academic staff gradings, to review the establishment, to monitor staff costs, to report staff changes annually and to make recommendations for establishment changes to the Council.

F. Garden Committee

The Garden Committee shall consist of: the Head Gardener, the Steward or Domestic Bursar, a Chairman and not less than two other Senior Members appointed by the Council, one member of the JCR and one member of the MCR.

Its duties shall be: to maintain and develop, subject to any directions of the Council, the College gardens, grounds and playing fields.

G. Graduate Awards and Research Support Committee

The Graduate Awards and Research Support Committee shall consist of the Graduate Tutor and Assistant Graduate Tutors (one of whom shall be Chairman and one of whom shall be Secretary). The Senior Tutor and the Financial Tutor shall attend as required. When awarding Research Studentships, it shall be chaired by the Principal and shall co-opt further Senior Members as appropriate.

Its duties shall be: to award Research Studentships; to award book grants to graduate and postgraduate students; to make grants to such students in unexpected financial difficulties; to make grants in aid of research and travel for academic purposes to such students; to make awards to graduands proceeding to further academic work at Newnham College; to report the names of recipients of awards to the Council and Governing Body; to monitor, and advise the Council when appropriate, on the financial needs of graduate and postgraduate students at Newnham; to make an annual report to the Council.

H. High Table [and Entertainment] Committee

The High Table [and Entertainment] Committee shall consist of: the Principal (or her designated Deputy), the Vice-Principal, the Bursar, the Senior Tutor, the
Steward or Domestic Bursar, the High Table Steward (executive secretary), the College Secretary, the President of the Senior Combination Room, the Praelector, the Admissions Tutor, the Tutor for Graduate Students, the Registrar of the Roll, a Wine Steward and two members of the Senior Combination Room (SCR), one of whom normally being resident in College, appointed by the Council; the Accountant, the Catering Manager, the Conference and Events Co-Ordinator and the Alumnae Events Officer may attend by invitation.

Its duties shall be: to organise College entertaining, to approve and oversee the programme of Formal occasions and events for Senior members, students, staff and Roll Members; to oversee the College Entertainment budget and to report to the Council.

I. Investments Committee

The Investments Committee shall consist of: the Principal, the Bursar, any other members of the Finance Committee, any other members and any other outside advisers.

Its duties shall be: to set guidelines for the investment of existing and new money, to monitor investment performance and to report to the Council. All investment recommendations and decisions shall be compliant with the provisions of The Universities of Oxford and Cambridge Act 1923 and The University and Colleges (Trusts) Act 1943.

J. IT Committee

The IT Committee shall consist of the Bursar (Chairman), the IT Manager (Secretary), the IT Officer(s), the Senior Tutor, the College Accountant, the College Librarian, the College Secretary, the Development Director or Registrar of the Roll, the Domestic Bursar, two Senior Members (or one Senior Member and one member of the University Computing Service) appointed by the Council to serve for three years, a representative of the JCR and a representative of the MCR.

It shall delegate certain of its responsibilities to the IT Technical Group which shall consist of the Bursar, the IT Manager, the IT Officer(s), the two Senior Members (or one Senior Member and one member of the University Computing Service).

The duties of the IT Committee shall be: to keep the academic and administrative IT provision under review; to represent the interests of IT users within the College; to monitor the budget allocated by the Council, and to report to the Council.
The duties of the IT Technical Group shall be to consider, and to make recommendations to the IT Committee on, strategy and improvements in academic and administrative IT provision; to monitor technical matters and the progress of IT projects; and to report to the IT Committee.

K. Library Users Committee

The Library Users Committee shall consist of the Vice-Principal, or her deputy, four Directors of Studies appointed by the Council to serve for three years, one member of the MCR and one member of the JCR.

Its duties shall be to represent the interests of College users of the Library to the Board of Newnham College Library Company Limited.

L. Loans and Grants Committee

The Loans and Grants Committee shall consist of: the Senior Tutor (Chairman), the Financial Tutor (Secretary), the Admissions Tutor, the Undergraduate Tutors, and the Graduate Tutors as required.

Its duties shall be: to award book and travel grants and grants for special purposes to undergraduate students; to make grants and loans to such students seeking assistance; to monitor, and to advise the Council, when appropriate, on the financial needs of such students; to award certain grants to former students and postgraduate students; to receive reports from the Financial Tutor on support received by Newnham students from external funds; to make an annual report to the Council.

M. Research Fellowship Committee

The Research Fellowship Committee shall be divided into two Panels: the Humanities and Social Sciences Panel and the Sciences, Mathematics and Engineering Panel.

Each Panel shall be chaired by the Principal and shall consist of three Senior Members, one appointed by the Governing Body and two appointed by the Council, each serving for three years. A Convenor shall be appointed for each Panel from the appointed membership, and shall serve for three years.

Each Panel shall have the right to co-opt further members (who may be Senior Members or Associates) as required for each Research Fellowship competition, and to invite an external adviser (non-voting) to attend for the interview of any candidate. The Council shall make appointments to fill any casual vacancy which may occur in each Panel, and shall have the power to appoint an additional Senior
Member to each Panel, to serve for one year, when such an appointment appears to the Council to be needed.

The Panel's duties shall be: to report to the Council on each Research Fellowship competition; to nominate candidates for the award of Research Fellowships; to receive annual reports from Research Fellows and to forward these to the Council and the Governing Body.

N. Safety Committee

The Safety Committee shall consist of the Bursar (Chairman), the Senior Tutor, the Domestic Bursar (who is the College Fire, Health and Safety Officer), two Senior Members entitled to attend Governing Body meetings to be appointed by the Council, two Junior Members elected by the Junior Members, one of whom shall be the JCR Environmental Officer, an MCR representative; all Heads of Department: the Admissions Tutor, the Buildings Manager (who is Deputy Fire, Health and Safety Officer), the Catering Manager, the College Accountant, the College Nurse, the College Secretary, the Communications Director, the Conference and Events Co-Ordinator, the Development Director, the Director of the Skilliter Centre, the Head Gardener, the Head Housekeeper, the Head Porter, the Tutorial and Admissions Office Manager, the IT Manager, the Librarian and the Principal’s Secretary.

Its duties shall be: to monitor the implications of legislation concerning Health & Safety; to keep the College’s Health & Safety policies under review; to be responsible for their implementation; and to report to the Council.

O. Senior Members' Research Support Committee

The Senior Members' Research Support Committee shall consist of: the Principal or Vice-Principal (Chairman) and two Senior Members entitled to attend Governing Body meetings, appointed by the Council to serve for three years, one of whom shall be Secretary.

Its duties shall be: to make grants to designated Senior Members for research; to consider such other academic and academic-related support to Senior Members as may be needed and to advise the Council thereon; to make an annual report to the Council.

P. Skilliter Centre Management Committee

The Management Committee of the Skilliter Centre for Ottoman Studies shall consist of the Principal (Chairman), the Bursar (Treasurer), the Director (Secretary),
and two Council nominees, of whom one may be a member of the Cambridge University Faculty of Oriental Studies, appointed to serve for three years.

Its duties shall be to give overall direction to the Centre and to recommend the annual budget to the Council. It shall normally meet three times a year.

There shall also be a Research Grants Sub-Committee which shall consist of the Director and three other members appointed to serve for three years. Its duties shall be to consider applications for the Centre’s research grants and to make recommendations for awards to the Management Committee.

Q. Stipends and Benefits Committee

The Stipends and Benefits Committee shall consist of three members independent of Newnham College (‘independent of Newnham College’ is defined as a person who is neither a trustee nor employee of the College, nor in receipt of any stipend or benefit), appointed by the Council following advertisement. The Council will appoint a Chair from amongst the membership. The Principal, Vice-Principal, Senior Tutor or Bursar, and any individual who has requested a review by the Committee, may attend by invitation to provide contextual information and to answer the Committee’s questions.

Its duties shall be: to set the terms and conditions of appointment, level of remuneration and other direct and indirect benefits for the Principal, Academic Staff, Research Fellows, Bye-Fellows and Visiting Bye-Fellows, Affiliated and Associate Lecturers, Directors of Studies, Special Supervisors, Heads of Department not otherwise covered by the above list, and any other academic-related administrative posts in the establishment to which the Council or Governing Body elects or makes appointment; and to review the same upon request on behalf of the postholder, the Finance Committee, Council and/or the Governing Body.

**ORDINANCE III: Appointment of Administrative and Educational Officers**

In the event of a vacancy occurring in any office to which the Council makes appointment the Council shall consider whether it is desirable to fill the vacancy and, if it decides to do so, may appoint a special Appointments Committee to advise on the matter and make such recommendations to the Council as it may think fit.
ORDINANCE IIIA: Junior Membership of the Council

There shall be three Junior Members of the Council as specified in the Charter, Article 11 and Statute V. One shall be the graduate student elected by the Middle Combination Room (MCR) under Ordinance IIIA of the Governing Body; one shall be the undergraduate elected by the Junior Combination Room (JCR) in the Michaelmas Term under the same Ordinance; one shall be either the undergraduate elected in the Lent Term under the same Ordinance or the President of the JCR ex officio.

I. Elections of three Junior Members to the Council

1. Elections: The elections shall be those held under Ordinance IIIA of the Governing Body which are as follows:
   (a) For one graduate Junior Member, an election by the Newnham College MCR, at the voting day specified in Section 5.
   (b) For two undergraduate Junior Members, elections by the body of matriculated members of the College who are reading for a first degree, excluding those who are members of the Newnham College MCR, at one each of the voting days specified in Section 5.

2. The member elected under 1(a) shall serve as a member of the Council for one calendar year from the end of the Annual General Meeting at which she is elected. One member elected under 1(b) shall serve as a member of the Council for one calendar year from the beginning of the Lent Term following her election; one member elected under 1(b) shall serve as a member of the Council for one calendar year from the Easter Term following her election, unless the President of the JCR ex officio takes this seat.

3. Returning Officer: The Returning Officer for the election under 1(a) shall be the Tutor for Graduate Students or a deputy named by her. The Returning Officer for the elections under 1(b) shall be the Senior Tutor or a deputy named by her from among the administrative staff.

If on the first day of Full Term in which the election is to be held the office of Tutor for Graduate Students or of Senior Tutor is vacant the Principal shall as soon as practicable thereafter nominate as Returning Officer a Senior Member of the College who is willing to act.
4. Except as otherwise provided in this Ordinance the decision of the Returning Officer shall be final.

5. Voting Days: The voting day for election (A) shall be the Annual General Meeting of the Newnham College MCR held in the 7th week of Full Term, Lent Term. The voting day for the election of one member under (B) shall be in the 6th week of Full Term, Michaelmas Term; the voting day for the election of one member under (B) shall be in the 7th week of Full Term, Lent Term.

6. Not later than the fifteenth day before the day specified as voting day the Returning Officer shall cause to be displayed a notice giving the day, place within the College and the time of voting in the election, together with a copy of Ordinance IIIA of the Governing Body and of Ordinance IIIA of the Council where it differs from the former.

7. Voting Registers: There shall be two voting registers which shall be the College List of Junior Members in residence so marked as to indicate those Junior Members who are eligible to vote in election 1(a) and those who are eligible to vote in elections 1(b), and certified as correct by the Tutor for Graduate Students (election A) and the Senior Tutor for election 1(b) on the ninth day before voting day. Only those Junior Members whose names appear on the appropriate voting register shall be eligible to vote, to be candidates, or to propose or second candidates in the elections.

8. Provisional voting registers notice shall be displayed on MCR or JCR boards by the current Returning Officer not later than the fifteenth day before voting day, they shall be open to inspection by any member of the College. Any Junior Member may, not later than the tenth day before voting day, make representations (oral or written) to the relevant Returning Officer concerning the inclusion of any name on or the exclusion of any name from the voting registers, or the classification of any Junior Member as eligible to vote in election 1(a) or elections 1(b). The decision of the Returning Officer whether to amend a provisional register in consequence of such representations shall be final. A copy of the relevant voting register, certified as correct in accordance with Section 7 of this Ordinance, shall likewise be displayed on the appropriate notice board.
9. Nominations: All members of the Newnham College MCR are eligible for nomination for election under (A); all members of the JCR, excluding those who are members of the Newnham College MCR, are eligible for nomination for elections (B); provided in all cases that the members nominated will, if elected, remain eligible to serve for the complete term of office as specified in Section 2. The candidates in the elections shall be those Junior Members whose valid nominations shall have reached the Returning Officer not earlier than fourteen days nor later than five days before voting day. To be valid a nomination must be in writing and signed by the two Junior Members proposing and seconding the Junior Member being nominated who must countersign the nomination as indication of her willingness to stand for election and to serve if elected. Candidates in election 1(a) must be proposed and seconded by Junior Members of the Newnham College MCR, and candidates in elections 1(b) must be proposed and seconded by Junior Members eligible to vote in elections 1(b). No candidate may be proposed or seconded by another candidate.

10. If the number of candidates in an election does not exceed the number of Junior Members to be elected at that election, the candidate, or candidates, shall be declared elected and that election shall not take place.

11. Not later than the fourth day before voting day the Returning Officer concerned shall post on the MCR notice board a list of candidates in election 1(a) or on the JCR notice board a list of candidates in elections 1(b).

12. Election addresses and expenses: Each candidate may issue an election address, not exceeding 400 words. It must be delivered to the Returning Officer concerned not later than five days before voting day, and the Returning Officer must then post it on the relevant notice board as specified in Section 11, not later than the fourth day before voting day.

No member of the College may publish or circulate any election address, notice or advertisement, except in accordance with this Section unless authorised to do so by the MCR Committee in the case of election (A) or of the JCR Committee in the case of elections (B).

13. (a) If written complaint is made to the Returning Officer concerned alleging a contravention of Section 12 it shall be considered by a Committee composed of that Returning Officer (who shall act as Chairman) and two members of
the MCR Committee in the case of election (A) or of the JCR Committee in the case of elections (B), except that the complainant, the person complained against and the candidate in the election shall not act as members of the Committee. The Committee's decision shall be final.

(b) A person found to have contravened Section 12 shall be disqualified from becoming or being a candidate in the election. The election of a candidate found to have contravened Section 12 shall be declared void.

14. **Voting:** Voting shall be by secret ballot and the method of recording votes shall be such that the voters shall not be identifiable from the voting paper. Any person who will be absent during the voting and who wishes to register a vote shall submit it in writing to the Returning Officer by 08.30 on voting day. The Returning Officer or a teller appointed by her shall be present wherever voting is taking place. No candidate in the elections nor any junior member who has proposed or seconded a candidate may be appointed a teller.

15. **Quorum:** The total number of votes cast in each election shall first be ascertained and if this number is less than 30% of the total number of graduate junior members entered on the voting register in respect of elections (A) or less than the Returning Officer shall declare that election (B) to be a nullity and shall not proceed to count the votes in respect of it. A further vote shall be held and the outcome shall be binding whether or not the 30% of votes are cast.

16. **Counting the votes:** The votes in each election shall be counted in accordance with the University Single Transferable Vote Regulations prescribed in the University of Cambridge Ordinances for the time being in force.

The Returning Officer (or a teller appointed by her in accordance with Section 14) shall be present throughout the counting of the votes.

17. **Results of elections:** The Returning Officer shall post the election results in the relevant notice board as specified in Section 11 within 48 hours of the close of polling.

18. In publishing the result of the election the Returning Officer shall include a notification of any transfer of votes made under these University Single Transferable
Vote Regulations and of the total number of votes credited to each candidate after any such transfer.

19. **Resignations**: A Junior Member of the Council other than the *ex officio* member may resign her membership by sending her resignation in writing to the Chairman of the Council and to either the President of the MCR or the President of the JCR as appropriate. The Chairman shall take the steps required under this Ordinance to fill the vacancy resulting from such a resignation.

20. **Casual vacancies and bye-elections**: If the election of a junior member is declared void or if a junior member other than the *ex officio* member resigns her membership of the Council for any reason or if the seat of a junior member falls vacant for any other reason, an election to fill the casual vacancy thus occasioned shall be held as soon as may be convenient in accordance with such of the requirements of this Ordinance as are applicable to a bye-election, provided always that all steps required to be taken for such an election shall be taken during the same Full Term, or, if the Returning Officer decides this to be impracticable, during the first ten days of the following Full Term. Any person elected under a bye-election shall hold office only until the next due date for an election under (A) or (B) as specified in Section 5.

II. **Mandation**

Junior members of any College body shall speak according to their own judgement while bearing in mind the interests of the College, the JCR and the Newnham College MCR. If instructed by the Open Meeting or the JCR, or, in the case of the graduate student, the MCR, to put forward a certain view, they shall put forward that view.

If any junior member of a College body is absent from three successive meetings of which due notice has been given, her seat shall become vacant at the end of the third of such meetings, unless at that or at any earlier meeting the cause of her absence shall have been declared sufficient by the body of which she is a member.

III. **Procedure at Meetings**

1. Except with the permission of the Chairman, a junior member unable to attend a meeting of the Council may not send a substitute.
2. **Reserved Business** shall be that as defined in Statute I.7. In addition the following shall apply

(a) Statute I.7 (d) shall cover

   (i) any body as relevant, i.e. Standing Committees of the Governing Body or the Council, or any working party, group, committee or sub-Committee appointed;

   (ii) the making of any grants, loans, prizes or other awards to individuals;

   (iii) any matter affecting the personal position of any individual elected or appointed by the College

(b) The Chairman's discretion to declare business reserved shall be subject to explanation in terms of the rubric defining reserved business.

(c) There shall be a separate agenda for reserved business, and the agenda, but not papers, shall be sent to the junior members of the Governing Body. The junior members on that body may ask the Chairman to consider the release of any items from the reserved category.

3. **Confidentiality**

(a) The following shall apply to the treatment of the agenda and papers for unreserved business by the Newnham College JCR Committee, the Newnham College MCR and Open Meetings of both bodies:

   (i) if no request for an unusual degree of confidentiality has been made, the agenda for unreserved business of College bodies may be discussed in advance of the meeting which will consider it, but supporting papers shall be treated as confidential unless the Chairman of the appropriate body directs otherwise; if the papers are confidential they shall not be shown to, nor shall their contents be disclosed to, anyone who is not a member of the body in question;

   (ii) if no special request for confidentiality has been made, decisions on unreserved business of College bodies may be discussed within the College and may be communicated to Open Meetings of the JCR or of the MCR and published in the JCR Newsletter after confirmation of the Minutes of the relevant meetings. Details of voting and the personal opinions of individuals may not be disclosed. The business of College bodies may not be discussed outside the College and may not be released to the Press except by those authorised to do so;
(iii) if any member feels that any particular item or items in the Minutes of the meeting need to be discussed as a matter of urgency, she may ask for the Minutes dealing with these items to be confirmed without waiting for the next meeting.

(b) The agenda for Reserved Business shall in all cases be treated as confidential.

ORDINANCE III B: Election of Bye-Fellows: Duration of Tenure

1. The categories of women eligible for election into Bye-Fellowships under Statute III.2 (g) shall be as follows, provided that no woman shall be eligible who is a Fellow or a Bye-Fellow of another Cambridge College:
   (a) University officers with teaching duties, or women engaged in research or in teaching at undergraduate or postgraduate level in Cambridge or its vicinity.
   (b) Former Fellows of the College, resident in or near Cambridge.
   (c) Women to whom the Council has assigned some specified College duties, which shall normally be of a primarily academic nature, the Council deciding in each case whether these duties qualify the person to whom they are assigned for election.

2. It shall be open to any member of the Governing Body to propose a woman for election into a Bye-Fellowship.

3. The maximum number of Bye-Fellows at any one time shall be that determined by the Governing Body under Governing Body Ordinance III 16.

4. Bye-Fellows shall be elected by the Council for a period of three years or for the period of the holder's eligibility for a Bye-Fellowship, whichever is the shorter.

5. A Bye-Fellow may be re-elected for further periods not exceeding three years but shall be asked before the end of each period whether she wishes for re-election.

6. The election and re-election of Bye-Fellows shall be governed by the following provisions:
   (a) election and re-election shall be by ballot;
   (b) no elector shall give more than one vote to a candidate for election;
(c) no woman shall be elected a Bye-Fellow unless she receives the votes specified in Statute III.2 (g);

(d) no Bye-Fellow shall be re-elected unless she receives the votes of two-thirds of the members of the Council present and voting, provided that no Bye-Fellow shall be re-elected who does not receive the votes of a quorum of the Council;

(e) the voting papers shall be scrutinised by the Chairman and the Secretary and the result of the vote shall be announced from the Chair.

7. Bye-Fellows shall have no College stipend and shall not be members of the Governing Body.

8. Bye-Fellows shall have their names in the College List and such dining rights as the Council may determine.

9. Two Bye-Fellowships shall be set aside for the election of Visiting Bye-Fellows, for a period of up to one year. Eligibility shall include those in the creative arts or in the world of industry, business, public service or the media. Election procedures and privileges shall be as for Bye-Fellows.

**ORDINANCE IIIC: Nomination and Re-election of Fellows in Category D**

1. Nomination for election into Fellowships in Category D with specified obligations for teaching for the College shall normally be made by the Council. The nomination for election into other Fellowships in Category D is governed by Governing Body Ordinance III 10.

2. In accordance with Statute III.2 (d) the Council may re-elect any woman holding an Fellowship in Category D who is eligible for re-election under Statute III.3 (b).

The following provisions shall apply:

(a) re-election shall be by ballot;

(b) no elector shall give more than one vote to a candidate for re-election;

(c) such re-election shall require the votes of two-thirds of the members of the Council present and voting, provided that no Fellow in Category D shall be re-elected who does not receive the votes of a quorum of the Council;
(d) the voting papers shall be scrutinised by the Chairman and the Secretary, and the result of the vote shall be announced from the Chair.

ORDINANCE IV: Procedure in Case of Serious Disciplinary Offence

Procedure to be followed in cases of serious disciplinary offence

The standing Disciplinary Committee

There shall be a standing Disciplinary Committee, to consider all cases of serious disciplinary offence. Its members, appointed by Council, shall be:

- The Vice-Principal (ex officio Chairman)
- Three Tutors of whom two will sit on any one occasion
- Four Directors of Studies of whom two will sit on any one occasion.

Each Tutor shall serve for 3 years, except that, in the case of the first appointment under these regulations, one Tutor shall be elected to serve for 2 years.

Each Director of Studies shall serve for 3 years, except that in the first election under these regulations 4 shall be appointed, one Director to serve for 1 year, one for 2 years, one for 3 years and one for 4 years.

In each case referred to the Disciplinary Committee the Chairman shall convene a panel of available members, provided that neither the Senior Tutor, nor the student's own Director of Studies nor her Tutor shall sit to consider the case.

Should it prove impossible to convene a meeting with the full number of members, the Disciplinary Committee may co-opt members to fill any vacancy, provided that a Tutor's place be filled by a Tutor, or a Director of Studies' place by another Director of Studies, where practicable in a related or reasonably comparable subject.

A. Procedure and conduct of the standing Disciplinary Committee

1. If the Senior Tutor considers that a student has committed a disciplinary offence of a serious nature, such that she might be required to withdraw from College, either for a period involving the loss of at least one term or permanently, she may refer the case to the standing Disciplinary Committee. The Senior Tutor shall write to inform the student that she has done so, giving her reasons for doing so. The Senior Tutor

1 It is envisaged that the standing Sub-Committee of the Education Committee and the standing Disciplinary Committee will have the same membership.

2 “Tutor” includes Tutors with named Tutorial posts, Assistant Tutors, and Assistant Graduate Tutors.
shall inform the Council that a case has been referred to the standing Disciplinary Committee, and this fact (without any personal or other identifying detail) shall be reported in Reserved Business.

This procedure covers only situations where the student might be required to go out of Residence in the sense used in the University Statutes. It does not cover situations where a student might be required to leave College accommodation.

2. The student must be notified in writing of the date and time of the meeting of the Disciplinary Committee, given a copy of this procedure, and provided at the earliest opportunity with a copy of any available written material referred to in 5 below. The Disciplinary Committee is the primary tribunal of fact and therefore the substantive evidence gathering hearing, whose recommendation is forwarded to Council.

3. The student may present her case in one or more of the following ways all equally acceptable to the Disciplinary Committee:
   1. by making a written submission;
   2. by asking a resident Senior Member of the University (on the Roll of the Regent House) to speak on her behalf;
   3. by appearing in person before the Committee. NB: A student wishing to attend in person is entitled to bring with her someone of her choosing as a friend or supporter, but not as an advocate entitled to speak on her behalf.

4. The student and the Senior Member (as in A3b, if speaking on the student's behalf), if either of them so wish, may provide a written statement and speak to it at the meeting and may ask the Disciplinary Committee to hear from such witnesses as the Disciplinary Committee deem appropriate.

5. The Disciplinary Committee shall hear in writing or in person from:
   1. the Senior Tutor
   2. the student's Director of Studies, who shall present as evidence all available supervision reports;
   3. the student's Tutor.

If any of them so wish, they may provide a written statement and speak to it at the meeting.
The Disciplinary Committee reserves the right to call the student to a special meeting in order to put questions to her, should this be found necessary after it has considered the evidence.

6. The Disciplinary Committee shall make a recommendation to the College Council. The Chairman of the Disciplinary Committee shall communicate the recommendation to the student in writing together with a statement of the reasons.

7. The student shall be advised that she should give notice in writing of any wish to appeal for a reconsideration of her case by the College Council within 7 days.

B. Conduct of the Council

1. The Council will make a decision on the Disciplinary Committee’s recommendation after it has heard from the student whether she accepts the recommendation, or whether she wishes to appeal for a reconsideration of her case.

2. The student may present her case to the Council in any of the ways given in paragraph A3 above. Witnesses may not be called save with the consent of the Council. Leave to adduce fresh evidence, or to recall witnesses heard by the Disciplinary Committee, shall be given only if the Council is satisfied that it is necessary or expedient in the interests of justice.

3. The Council reserves its right to modify or reject the recommendation of the Disciplinary Committee in the light of B2 above.

4. The Principal (or her deputy) shall communicate in writing the final decision of the Council to the student.

5. A member of the Council who, as a member of the Disciplinary Committee of the Education Committee, has taken part in the deliberations on a student’s case, shall not take part in the Council’s consideration of a student’s appeal for a reconsideration of the Disciplinary Committee’s recommendation. The Senior Tutor, the student’s Director of Studies, Tutor, or other witnesses heard by the Disciplinary Committee, will not normally take part in the Council’s considerations of a student’s appeal, but may do so if the circumstances are such that no conflict of interest arises.
ORDINANCE V: Alteration of Ordinances
In accordance with Statutes V.5 and 12, the Council may make Ordinances, and from time to time alter or revoke these Ordinances. An Ordinance or an alteration of it shall not be in force until it has passed at one meeting of the Council and confirmed at the next Ordinary Meeting or, if this meeting is held in order to consider one item of business only, at the next but one Ordinary Meeting; provided that minor verbal amendments of a proposed Ordinance not affecting its substance may be made at the second of these meetings.

Last Amended by Council June 2012

ORDINANCE VI: RULES FOR THE MANAGEMENT OF CONFLICTS OF INTEREST
1. Material interests
   (a) A material interest is any matter which may influence the judgment of the person possessing it, or may reasonably appear as capable of influencing that person's judgment, so that the judgment may not be, or may not appear to be, exercised wholly and exclusively in the interests of the College.

   The test for deciding whether or not an interest is material is an objective one. It also depends on appearances—the test is not simply whether the interested person might be influenced, but whether the possibility of influence might reasonably seem to arise. It should be remembered that an interest may derive from a family member.

   It was asked at the meeting of the Colleges’ Committee on 28 October 2006 to what extent shareholdings in public companies should be included in the register of interests. A College might reasonably decide to follow the local authority model code of conduct (see SI 2007/1159), which limits attention to shareholdings in excess of £25,000 nominal value or 1% of the total issued share capital.

   (b) But an interest shall not be a material interest unless the person having the interest either knew about it or should reasonably have been aware of it.
(c) Any position as a company director or charity trustee shall not constitute a material interest unless there is a reasonable possibility that the company or the charity, as the case may be, may be engaged in some business, appeal, or transaction involving the College.

But the directorship of a trading company wholly owned by the College is virtually certain to be a material interest. Any College officer who is a director of a subsidiary company of the College will already know of the special care necessary to manage the conflict that can arise between his or her duty to the College and that to the company, and of the need to be aware at all times in which capacity he or she is acting.

(d) If the Principal considers that any member of the Council may have a material interest in an item of business, then the Principal may refer the matter to the Council, who shall, in the member’s absence but after hearing his or her views, determine the matter. The determination of the Council shall be binding on the member concerned.

The basic principle is that it is for each member of the Council, having conscientious regard to the management of conflict, to judge for him or herself when a material interest arises and to act according to the rules. But this rule provides for an objective external control of the matter by the College.

2. Register of Interests

The Bursar shall maintain a Register of Interests of members of the Council, into which shall be entered such information as may be required by these rules or by Ordinance or as may reasonably be requested by the Bursar.

(a) The Register of Interests shall include a statement of membership of any Faculty or Department in the University, and the holding of any office or position in the University. It shall also include any other matters as may be specified by the Council by Ordinance.

The information to be entered in the Register of Interests will be the nature of the interest of the member concerned and not the quantum of it. For example, the interest (if such there be) in a shareholding is in the company in which the shares are held and not in their
amount. Thus the Register should refer to a shareholding in that company without recording the number or value of the shares held.

(b) The Bursar shall seek information for entry into the Register of Interests from members of the Council when they become members, and also annually. Members of the Council shall notify the Bursar of changes in their information relevant to the Register of Interests as they occur.

(c) The Register of Interests shall be available for inspection in the Bursary by any member of the College entitled to attend a meeting of the Governing Body.

3. Declaration of Interests

(a) Each agenda for a meeting of the Council shall contain an early item “Declaration of Interests”.

(b) A member of the Council who has a material interest in an item of business before the Council shall declare that fact on each occasion that the business is under consideration. But that shall not be required:

(i) for business solely for report which is not discussed by the Council; or
(ii) where the interest arises from the holding of an office or position in the College, where the other persons holding such an office or position in the College have a similar interest; or
(iii) where the interest arises from membership of a Faculty or Department in the University, or the holding of an office or position in the University, where the other members of the Faculty or Department or the other persons holding such an office or position in the University, as the case may be, have a similar interest.

A member of the Council should not declare any interest that is not a material interest; but the primary judgment of whether or not an interest is or is not material is that of the member and should not normally be questioned.

The principle behind the exemptions in (ii) and (iii) is that such interests may be taken to be well-known and of common occurrence within the College. The member may, however, quite properly decide to declare his or her interest in such a case, and it should then be treated as any other declared interest would be.
(c) A member of the Council declaring an interest shall withdraw from any part of a meeting at which the business is under consideration, and shall not speak or vote on the matter.

(d) But if the interest is not a pecuniary interest, then the Council may resolve that the member may remain present, and may further resolve to permit the member to speak or to vote on the matter.

The ordinary rule for material interests is exclusion, but that can be relaxed by the Council in any particular case either wholly or partially (for example, the member may be allowed to remain and speak, but not to vote). However pecuniary interests exclude absolutely.

“Pecuniary interest” is undefined. However, in order to require declaration (and thus exclusion) a pecuniary interest must be (i) a material interest, and (ii) not within one of the exempt categories in Rule 3(b).

(e) Where a member withdraws from a meeting in accordance with Rule 3(c), that fact shall be recorded in the minutes of the meeting. Any resolution of the Council under Rule 3(d) shall be recorded in the minutes of the meeting at which it is made.

It follows from Rules 3(b) to (d) that all declarations of interests should be minuted. Minuting provides good evidence that the members of the Council have addressed their minds to the importance of avoiding conflict of interest.

Any resolution to permit a member who has declared an interest to remain, or to speak, or to vote, should be minuted. The reasons for such resolution need not be minuted however, and it would be unusual to do so.

The wording of the final sentence of Rule 3(e) allows for a single resolution to permit presence, speaking or voting at all meetings at which an item of business is discussed. However, Rule 3(b) requires the declaration of the interest at each such meeting.

4. Special Decisions
(a) A special decision of the Council is one in which a majority of the decision-makers have a material interest.
(b) For this purpose the decision-makers shall be taken to comprise the members of the Council present when the decision is made, except for any member who is not entitled to vote in consequence of these rules or for any other reason.

Rule 4 addresses the problem that arises in consequence of the nature of the College as a self-governing academic community: only the Council can decide on the general control and management of the administration of the College, and yet on occasion they, or the great majority of them, will be conflicted. That may occur, for example, in relation to a decision to approve an across-the-board pay increase in the College, or a general restructuring of academic pay, or an increase in the level of Fellows’ book grants from, say, £200 to £250 a year.

The procedure set out in this rule to deal with that situation is based on the judgment in Public Trustee v. Cooper [2001] WTLR 901.

(c) Before the Council make a special decision they will consider, having taken full regard of all the circumstances of the matter:

(i) whether the nature of the conflict of interest is so pervasive throughout the Council that they have no alternative but to surrender their discretion by seeking the direction of the Charity Commission; or

In this case an application for an order should be made in writing under section 26 of the Charities Act 1993

(ii) whether, notwithstanding the conflict of interest, they are nevertheless able fairly and reasonably to take the decision; and in that case,

(iii) whether, before making their decision, they should seek the advice of the Charity Commission in the matter.

In this case an application for advice should be made in writing under section 29 of the Charities Act 1993.

Each case must be judged on its facts, but in most cases it is unlikely that the Council will conclude that the advice of the Charity Commission should be sought. The examples referred to in the comment on Rule 4(b) illustrate the point: an across-the-board pay increase following a national settlement or some other negotiated or otherwise rationally determined rate cannot merit an application for advice; neither can a general restructuring of academic pay, always supposing that the College has acted in a demonstrably principled way, considering comparators and basing its decision on a
reasoned report; an increase in the level of Senior Members’ book grant will be of a dimension to lie comfortably within the proper discretion of the charity trustees, despite their conflict. By contrast, suppose that the College had sold part of its ancient estate for a very large amount and wished to increase the pay of members of the Council or of the Governing Body by sums ranging from £3,000 to £10,000 for each of the next three years. Any Council acting reasonably would conclude that an application to the Charity Commission under either section 26 or 29 represented the only proper way forward.

5. Committees and other bodies

(a) The above rules shall apply with necessary modifications to committees, working parties and other bodies within the College, as they apply to the Council.

(b) But Rules 1(d), 2 and 4 shall not apply, and any other rule may be disapplied either generally or for specified items of business by decision of the Council.

The extension of the provisions to committees, etc. represents good practice. But members of committees will not, by such membership alone, be charity trustees of the College.