

## CHAPTER II

# MATRICULATION, RESIDENCE, ADMISSION TO DEGREES, DISCIPLINE, CONDUCT, COMPLAINTS

## MATRICULATION

How it is  
effected.

1. A person shall be deemed to be matriculated from the beginning of the term in which a completed Matriculation Registration Form and satisfactory evidence of his or her qualification to matriculate are received by the Registry.

Matriculation  
Registration  
Form.

2. Every candidate for matriculation shall subscribe to the following declaration by signing the Matriculation Registration Form:

‘I promise to observe the Statutes and Ordinances of the University as far as they concern me, and to pay due respect and obedience to the Chancellor and other officers of the University.’

Submission of  
Form.

3. The Matriculation Registration Form when completed, together with any necessary evidence of matriculability, shall be submitted to the Registry by the proper authority of the College to which the candidate belongs or, if the candidate is not a member of a College, by the Head of the Department or other person who would be qualified to present the candidate for a degree under Regulation 9 for admission to degrees. For a candidate *in statu pupillari*, other than a Graduate Student, the completed Matriculation Registration Form and evidence of matriculability must be sent to the Registry so as to arrive not later than the division of the candidate’s first term of residence; provided that the Registry shall have power to accept such form and evidence at a later date, subject to the payment of a fine of £1 in respect of each candidate unless the Tutor concerned has adduced reasons for delay which are regarded as adequate by the Council.

## CLASSES OF PERSONS QUALIFIED TO MATRICULATE

In addition to the persons qualified under Statute B I 1, the Council have approved the following classes of persons as qualified for matriculation:

- (a) persons to whom the Council have granted the status of Master of Arts;
- (b) persons who have been granted leave by the Degree Committee for the Faculty of Law to present themselves as candidates for the degree of Master of Law;
- (c) persons who have been approved by a Faculty Board, Degree Committee, or other body concerned as candidates for any one of the following University awards:  
Diploma in the Conservation of Easel Paintings, and Advanced Diploma in Theology, Religion, and Philosophy of Religion;
- (d) persons who have been approved by the Head of the Faculty of Education for admission to the course of study leading to the Postgraduate Certificate in Education;
- (e) persons employed by the University or by a College who hold appointments approved by the University for the purpose of Statute A III 11(e).<sup>1</sup>
- (f) persons approved as clinical students by the authorities of the School of Clinical Medicine for admission to courses leading to the degrees of Bachelor of Medicine and Bachelor of Surgery;
- (g) members of an institution within the Cambridge Theological Federation who at the end of their first year of studying in an institution with the Federation have passed the Qualifying Examination in Theology for Ministry (with a view to becoming candidates for the B.Th. Degree).

## EXAMINATION REQUIREMENTS FOR MATRICULATION

*Rescinded by Grace 3 of 26 September 2018*

### SCHEDULE I

## EXAMINATION REQUIREMENTS FOR MATRICULATION

*Rescinded by Grace 3 of 26 September 2018*

### SCHEDULE II

## EXAMINATION REQUIREMENTS FOR MATRICULATION: QUALIFYING AWARDS

*Rescinded by Grace 3 of 26 September 2018*

<sup>1</sup> See p. 104.

## MATRICULATION REQUIREMENTS FOR CERTAIN PROSPECTIVE STUDENTS

*Grace 3 of 26 September 2018*

1. In order to matriculate as an undergraduate student or an affiliated student under Statute B I 1(a) or (d), or as a student in such other classes of persons qualified to matriculate as may be determined by Ordinance<sup>1</sup> which are not governed by the General Regulations for Admission as a Graduate Student, a person must satisfy the requirements for matriculation by showing evidence of a broad educational background and good standards of literacy and numeracy, and by demonstrating in public examinations high academic attainment, or the potential for such attainment, in the chosen areas of study. They must also meet any stated prerequisites for their intended programme of study, as published from time to time on behalf of the University.

2. Persons shall satisfy the requirements for matriculation under these regulations if they satisfy the requirements judged to be appropriate by the admitting College or other body authorized to admit persons as students of the University; in taking each decision a College or body shall have regard to such advice as may be issued from time to time by the General Board.

3. If a person is not in the judgement of the College or body completely qualified in accordance with Regulation 2, but the College or body believes that the person is fit to be admitted as a candidate for honours, the College or body may deem the person to be qualified. In taking such a decision a College or body shall have regard to such advice as may be issued from time to time by the General Board.

4. A College or body shall supply such information about compliance with the examination requirements for matriculation or about a decision taken under Regulation 3 in the report of a student or students admitted as the General Board shall require in any particular instance or generally.

## RESIGNATION OF MEMBERSHIP OF THE UNIVERSITY

If any matriculated person wishes to resign her or his membership of the University in accordance with Statute B I 2 and so informs the Registrar, and if the Council deems the reasons given sufficient and decides to allow such resignation, that person's name shall be removed from the list of members of the University at the next publication of the list, and any name so removed shall be reinstated only in accordance with a subsequent decision of the Council which shall not be taken until a period of five years has elapsed from the date of removal. The name of any matriculated person which under this section is removed from the list of members of the University shall if such person is a member of the Senate be removed also from the register of the Senate in accordance with the provisions of Statute A I 7.

## AFFILIATED STUDENTS

Stat. B I.

*Amended by Notice (Reporter, 2018–19, p. 441)*

1. Any person who before matriculation in the University of Cambridge has received or become qualified to receive a degree from another institution of higher education shall be entitled, on or after matriculation, to be approved as an Affiliated Student, provided that

- (a) on becoming qualified for the degree he or she had been a member of one or more such institutions for not less than three academical years;
- (b) the degree has been approved for the purpose by the Council of the University.

2. In particular cases the Council may approve as an Affiliated Student

- (a) a member or former member of an institution of higher education who does not fulfil the requirements of Regulation 1;
- or (b) an adult student of exceptional qualifications who is specially recommended by the Strategic Committee of the Institute of Continuing Education, provided that the student has followed courses of study in adult education classes for at least four years, of which three years shall have been spent in University extra-mural classes, or distributed between such classes and an institution of full-time higher education.

<sup>1</sup> See p. 164

3. The Council may, on the recommendation of the General Board, approve as Affiliated Students a cohort of members of an institution of higher education who do not fulfil the requirements of Regulation 1.<sup>1</sup>

4. Application for approval as an Affiliated Student other than as a cohort under Regulation 3 shall be made on a student's behalf by his or her Tutor to the Registry, and shall be accompanied by evidence of the student's qualification for such approval. Such application may be made at any time after the student has been provisionally accepted for admission to a College but not later than the end of the student's first term of residence. Approval of a student as an Affiliated Student shall have effect from the beginning of his or her first term of residence.

5. A person approved as an Affiliated Student shall be deemed to have satisfied the matriculation requirements for certain prospective students. For the purposes of the regulations for Triposes and the regulations for degrees other than the Ph.D., M.Sc., M.Litt., M.Phil., M.A.St., M.Res., M.Fin., and M.B.A. Degrees, an Affiliated Student's first term of actual residence shall be reckoned as his or her fourth term of residence and he or she shall be deemed to have kept by residence the three terms preceding the first term of actual residence.

6. In the application of the regulations for Ordinary B.A. Degree an Affiliated Student shall be deemed to have the equivalent of one Part I Honours Examination.

7. Provided always that (unless otherwise prescribed below for a particular Tripos) no student shall take Part II of any Tripos as his or her first Honours Examination later than the sixth term after the first term of actual residence, an Affiliated Student shall have the following privileges:

*Anglo-Saxon, Norse, and Celtic*

If the Faculty Board of English allow it in a particular case, leave to take Part II of the Anglo-Saxon, Norse, and Celtic Tripos under the same conditions as if he or she had previously obtained honours in another Honours Examination, with or without the further privilege of taking the examination in the second term after the student's first term of actual residence.

*Archaeology*

If the Faculty Board of Human, Social, and Political Sciences allow it in a particular case, leave to take Part IIA of the Archaeology Tripos in the second term after the student's first term of actual residence.

*Asian and Middle Eastern Studies*

If the Faculty Board of Asian and Middle Eastern Studies allow it in a particular case, *either*

- (i) leave to take Part IB of the Asian and Middle Eastern Studies Tripos in the second term after the student's first term of residence, *or*
- (ii) leave to take Part II of the Asian and Middle Eastern Studies Tripos in the eighth term after the student's first term of residence.

*Chemical Engineering*

If the Chemical Engineering and Biotechnology Syndicate allow it in a particular case, *either*

- (i) leave to take Part I of the Chemical Engineering Tripos in the second term after the student's first term of actual residence without having previously obtained honours in an Honours Examination, *or*
- (ii) leave to take Part IIA of the Chemical Engineering Tripos under the same conditions as if the student had previously obtained honours in Part I of that Tripos, with or without the further privilege of taking the examination in the second term after his or her first term of actual residence.

*Classics*

*Either*

- (i) the right to take Part II of the Classical Tripos under Regulation 24 not earlier than the fifth term after the student's first term of actual residence without having previously obtained honours in an Honours Examination, *or*

<sup>1</sup> The Council has approved the following cohort: students from the University of Hong Kong in accordance with a memorandum of understanding dated 20 June 2017.

- (ii) if the Faculty Board of Classics allow it in a particular case, leave to take Part II of the Classical Tripos under Regulation 23 in the second term after the student's first term of actual residence without having previously obtained honours in an Honours Examination.

#### *Computer Science*

If the Faculty Board of Computer Science and Technology allow it in a particular case, leave to take Part IB of the Computer Science Tripos in the second term after the student's first term of actual residence or Part II of the Computer Science Tripos in the second term after the student's first term of actual residence without having previously obtained honours in an Honours Examination.

#### *Economics*

If the Faculty Board of Economics allow it in a particular case, leave to take Part IIA of the Economics Tripos not earlier than the second term after the student's first term of actual residence under the same conditions as if he or she had previously obtained honours in Part I of the Tripos.

#### *Education*

If the Faculty Board of Education allow it in a particular case, leave to take Part II of the Education Tripos not earlier than the fifth term after the student's first term of actual residence without having previously obtained honours in an Honours Examination.

#### *Engineering*

If the Faculty Board of Engineering allow it in a particular case, *either*

- (i) leave to take Part IB of the Engineering Tripos in the second term after the student's first term of actual residence;
- (ii) leave to take Part IIA of the Engineering Tripos in the second term after the student's first term of actual residence without having previously obtained honours in an Honours Examination, *or*
- (iii) leave to take Part IIB of the Engineering Tripos under the same conditions as if the student had previously obtained honours in Part IIA of that Tripos, with or without the further privilege of taking the examination in the second term after his or her first term of actual residence.

#### *English*

The right to take in the second term after the student's first term of actual residence the Preliminary Examination for Part II of the English Tripos; and the right to take in the fifth term after the student's first term of actual residence Part II of the English Tripos, subject to the regulations for that Part which apply to Affiliated Students.

#### *Geography*

If the Faculty Board of Earth Sciences and Geography allow it in a particular case, *either*

- (i) leave to take Part IB of the Geographical Tripos in the second term after the student's first term of actual residence without having previously obtained honours in an Honours Examination, *or*
- (ii) leave to take Part II of the Geographical Tripos under the same conditions as if he or she had previously obtained honours in another Honours Examination, with or without the further privilege of taking the examination in the second term after the student's first term of actual residence.

#### *History*

##### *Either*

- (i) the right to take Part I of the Historical Tripos in the fifth term after the student's first term of actual residence, *or*
- (ii) the right to take Part II of the Historical Tripos either in the second term or in the fifth term after the student's first term of actual residence under the same conditions as if he or she had previously obtained honours in another Honours Examination.

#### *History of Art*

The right to take Part IIA of the History of Art Tripos in the second term after the student's first term of actual residence and to take Part IIB of the Tripos in the fifth term after the student's first term of actual residence, under the same conditions as if he or she had previously obtained Honours in another Honours Examination.

*Human, Social, and Political Sciences*

If the Faculty Board of Human, Social, and Political Sciences allow it in a particular case, leave to take Part IIA of the Human, Social, and Political Sciences Tripos in the second term after the student's first term of actual residence.

*Land Economy*

If the Board of Land Economy allow it in a particular case, *either*

- (i) leave to take Part IB of the Land Economy Tripos in the second term after the student's first term of actual residence without having previously obtained honours in an Honours Examination, *or*
- (ii) leave to take Part II of the Land Economy Tripos in the fifth term after the student's first term of actual residence without having previously obtained honours in another Honours Examination.

*Linguistics*

The right to take Part IIA of the Linguistics Tripos in the second term after the student's first term of actual residence and to take Part IIB not earlier than the fifth term after the student's first term of actual residence, under the same conditions as if he or she had previously obtained honours in another Honours Examination.

*Management Studies*

If the Faculty Board of Business and Management allow it in a particular case, leave to take the Management Studies Tripos under the same conditions as if he or she had previously obtained honours in another Honours Examination, with or without the further privilege of taking the examination in the second term after the student's first term of actual residence.

*Mathematics*

*Either*

- (i) the right to take Part IB of the Mathematical Tripos in the second term after the student's first term of actual residence without having previously obtained honours in an Honours Examination, *or*
- (ii) if the Faculty Board of Mathematics allow it in a particular case, leave to take Part II of the Mathematical Tripos in the second term after the student's first term of actual residence without having previously obtained honours in an Honours Examination.

*Modern and Medieval Languages*

- (a) The right to take Part II of the Modern and Medieval Languages Tripos under Regulation 24(d) not earlier than the fifth term after the student's first term of actual residence.
- (b) If the Faculty Board of Modern and Medieval Languages and Linguistics allow it in a particular case, leave to take Part II of the Modern and Medieval Languages Tripos under Regulation 24(e) in the second term after the student's first term of actual residence.

*Music*

The right to take Part IB of the Music Tripos in the second term after the student's first term of actual residence without having previously obtained honours in an Honours Examination.

*Natural Sciences*

*Either*

- (i) the right to take Part IB of the Natural Sciences Tripos in the second term after the student's first term of actual residence without having previously obtained honours in an Honours Examination, *or*
- (ii) if the Faculty Board or comparable authority concerned with the subject that the student desires to offer allow it in a particular case, leave to take the Preliminary Examination for Part II of the Natural Sciences Tripos.

*Philosophy*

*Either*

- (i) the right to take Part IB of the Philosophy Tripos in the second term after the student's first term of actual residence, *or*

- (ii) the right to take Part II of the Philosophy Tripos either in the second term or in the fifth term after the student's first term of actual residence under the same conditions as if he or she had previously obtained honours in another Honours Examination.

*Theology, Religion, and Philosophy of Religion*

The right to take Part IIA of the Theology, Religion, and Philosophy of Religion Tripos under Regulation 24 in the second term after the student's first term of actual residence and to take Part IIB of the Theology, Religion, and Philosophy of Religion Tripos under Regulation 27 in the fifth term after the student's first term of actual residence without having previously obtained honours in an Honours Examination.

8. Any application for leave which a student may wish to seek under the provisions of Regulation 7 shall be made, not later than the end of the student's first term of residence, through a Tutor to the Registrar, who shall transmit it to the Faculty Board or Syndicate concerned.

A Faculty Board may delegate its functions under Regulation 7 to the Degree Committee for the Faculty, and shall inform the Registry of the period of any such delegation.

9. All or any of the privileges of Affiliation (that is to say, the privileges which under this Ordinance may be granted to Affiliated Students) may be granted by the Council to any particular applicant who is a member or former member of an institution engaged in the education of adult students, although the requirements of this Ordinance have not been fulfilled.

### STATUS OF BACHELOR OF ARTS

1. A Graduate Student who is not a graduate of the University and has not the status of Master of Arts shall, so long as he or she is registered as a Graduate Student, have the status of Bachelor of Arts.

2. The Council may grant the status of Bachelor of Arts to a person resident in the University who does not qualify for that status under Regulation 1 and who

- (a) holds a degree of another university, or a qualification deemed by the Council to be equivalent to a degree, and
- (b) has attained the age of twenty-one years, and
- (c) has been recommended by the Head of a College or a Tutor of a College and is certified to have been admitted to the College;

provided that

- (i) such a person, if not already matriculated as a member of the University, shall be so matriculated at the first opportunity after the grant of that status;
- (ii) the grant shall be for a period specified in each case, and may be revoked by the Council at any time.

3. A possessor of the status of Bachelor of Arts

- (a) shall have the same privileges as a Bachelor of Arts with regard to the Libraries and Museums of the University, and the Botanic Garden;
- (b) shall be entitled to wear the B.A. gown without strings, but not the hood.

4. A possessor of the status of Bachelor of Arts shall not be a candidate for any examination leading to the degree of Bachelor of Arts or Bachelor of Music.

### STATUS OF MASTER OF ARTS

*Amended by Grace 4 of 26 September 2018*

1. A Graduate Student or other person who has previously had the status of Bachelor of Arts shall, on attaining the age of twenty-four years, have the status of Master of Arts for so long as he or she is not of standing to proceed to the degree of Master of Arts.

2. The Council may grant the status of Master of Arts to any of the following if they have attained the age of twenty-four years and have not proceeded to the degree of Master of Arts or any higher degree:

- (a) a University officer during his or her tenure of office, or a person holding a post in the University Press specially designated under Statute J 7;
- (b) a Fellow of a College during his or her tenure of a Fellowship;



- (c) a person employed by the University who holds an appointment approved by the University for the purpose of Statute A III 11(e) during his or her tenure of the appointment;<sup>1</sup>
- (d) the Commandant and the Adjutant for the time being of the University Air Squadron, the University Officers Training Corps, and the University Royal Naval Unit;
- (e) a person who holds a degree of another university, or a qualification deemed by the Council to be equivalent to a degree, and who has been recommended by the Head of a College or a Tutor of a College and is certified to have been appointed to a College office, or admitted to the College;
- (f) a graduate of another university or a visiting scholar working in the University, or in an institution connected with the University recognized for this purpose by the Council, who is recommended by the Chair of a Faculty Board or the Head of a Department as an appropriate person for the grant of this status;<sup>2</sup>

provided that

- (i) such a person, if not already matriculated as a member of the University, shall be so matriculated at the first opportunity after the grant of this status;
- (ii) a grant made under subsection (e) or subsection (f) above shall be for a period specified in each case, and may be revoked by the Council at any time.

**3.** A possessor of the status of Master of Arts:

- (a) shall have the same privileges as a Master of Arts with regard to the Libraries (other than the University Library), the Museums, and the Botanic Garden of the University;
- (b) shall be entitled to wear the M.A. gown without strings, but not the hood;
- (c) for the purpose of keeping terms by residence, may certify his or her own residence;
- (d) shall not be subject to the regulations for motor vehicles or the regulations for bicycles and boats.

**4.** A possessor of the status of Master of Arts shall not be a candidate for any examination leading to the degree of Bachelor of Arts or Bachelor of Music.

## INCORPORATION

Conditions.

**1.** A person who is a graduate of the University of Oxford or the University of Dublin (Trinity College) may be admitted by incorporation to a degree which in the opinion of the Council is equivalent to the highest degree which either of those Universities has conferred upon him or her, provided that the person concerned:

- (a) has been matriculated as a member of the University;
- (b) has attained the age of twenty-four years (unless in a particular case the Council see fit to grant exemption from this provision);
- (c) has satisfied the Council that the qualifications required for the Oxford or Dublin degree in question included residence as well as the passing of examinations or the performance of other exercises;
- (d) has been admitted to a University office or a Headship or a Fellowship (other than an Honorary Fellowship) of a College, or holds a post in the University Press specially designated under Statute J 7 or is a Head-elect or designate of a College;

provided also that if the person concerned holds a University office or a designated post in the University Press or a Fellowship of a College, which on initial appointment or election did not carry tenure to the retiring age, he or she already has held a University office or offices, or such a post or posts in the University Press, or a Fellowship or Fellowships (other than an Honorary Fellowship) of a College or of different Colleges, or any combination of these, for a total period, which need not be continuous, of at least three years.

Applications.

**2.** Each application by or on behalf of a candidate for admission to a degree by incorporation shall state:

- (a) the candidate's full name and date of birth;

<sup>1</sup> See p. 104.

<sup>2</sup> For the purpose of this regulation the term 'Chair of a Faculty Board' shall be taken to include the Chair of a Board, Syndicate, or other body responsible for a University institution, and the term 'Head of a Department' shall be taken to include the Director of a Sub-department or a Centre of Studies. The Council have agreed that the institutions recognized for the purpose of granting M.A. status under Regulation 2(f) shall include all the institutions recognized from time to time by the General Board for the purpose of Regulation 5(4)(a) of the regulations for the use of the University Library (see p. 678).

- (b) the name of the College, if any, to which he or she has been admitted or approved for admission;
- (c) the University office, College Headship, or College Fellowship that he or she holds;
- (d) evidence of the degree conferred by the University of Oxford or Dublin in respect of which application is made;

and shall be sent to the Registry.

3. The standing of a person admitted to a degree by incorporation shall be reckoned from the date of his or her corresponding Oxford or Dublin degree. Standing.

4. A candidate for a degree who has kept one or more terms by residence at the University of Oxford or the University of Dublin (Trinity College) shall be allowed not more than the same number of terms towards the terms required to be kept for the Cambridge degree, if the Council are satisfied that for each term so allowed he or she has resided, according to the requirements of the University of Oxford or Dublin, for not less than fifty-six days of term. Allowance of terms.

5. If a student is so allowed a term or terms previous to the term in which he or she became a member of the University, that student's standing shall be reckoned from the beginning of the first term in which he or she was a member of the University of Oxford or of Dublin (Trinity College).

### TERMS AND LONG VACATION

1. There shall be three terms in the year, called respectively the Michaelmas Term, the Lent Term, and the Easter Term. The University shall determine the days on which each term shall begin and end, provided that the three terms shall together include two hundred and twenty-seven days at least.

2. The University libraries, laboratories, and museums shall be closed, and lectures shall not be given, on Good Friday.

3. The University shall determine from time to time by Ordinance what portion of each term, being not less than three-fourths, shall constitute full term.

4. The term 'academical year' shall mean the year beginning on the first day of the Michaelmas Term.

### DATES OF TERM AND FULL TERM

1. The Michaelmas Term shall begin on 1 October and shall consist of eighty days, ending on 19 December. The Lent Term shall begin on 5 January and shall consist of eighty days, ending on 25 March or in any leap year on 24 March. The Easter Term shall begin on 10 April and shall consist of seventy days ending on 18 June, provided that in any year in which Full Easter Term begins on or after 22 April the Easter Term shall begin on 17 April and end on 25 June.<sup>1</sup>

2. Full Term shall consist of three-fourths of the whole term reckoned from the first day of Full Term as hereinafter determined.

3. The dates on which Full Terms begin and end shall be as shown in the table appended to these regulations.

4. The portion of each term during which students shall be required to reside in order to keep the term shall be three-fourths. Portion of term to be kept.

5. Except as may be provided by the Ordinances relating to a particular institution, the term in which a person who is required to keep certain terms by residence first resides in accordance with Regulation 3 or 4 for the Residence and Precincts of the University, as the case may be, shall be accounted that person's first term of residence whether he or she keeps the term, or is allowed it, or not. First term of residence.

6. For the purposes of admissibility to examinations or competitions, or of the payment of emoluments of Studentships, Scholarships, and the like, a term allowed by the Council shall be reckoned as a term kept. Allowance of terms not kept by residence.

7. The Council shall have the same power to allow terms of residence to candidates for Diplomas and Certificates as they have under the regulations for Allowances to Candidates for Examinations in respect of candidates for degrees.

8. A course of instruction given during the Long Vacation shall not occupy more than four weeks. Except with the approval of the Council on the recommendation of the General Board, no such course

<sup>1</sup> Division of Term is half-way through Term (not Full Term). The dates are the same for every year except for Easter Term: 9 November, 13 February, and 14 May or 21 May depending on whether Easter Term starts on 10 April or 17 April.



given within the Precincts of the University shall begin earlier than the second Monday after General Admission or end later than the sixth Saturday after the Saturday of General Admission.

Year	Full Mich. Term		Full Lent Term		Easter Day	Full Easter Term		General Admission June Wed.–Sat.
	begins Oct. Tu.	ends Dec. Fri.	begins Jan. Tu.	ends March Fri.		begins Apr. Tu.	ends June Fri.	
2018–19	2	30 Nov.	15	15	21 Apr.	23	14	26/27/28/29
2019–20	8	6	14	13	12 Apr.	21	12	24/25/26/27
2020–21	6	4	19	19	4 Apr.	27	18	30/1/2/3 July
2021–22	5	3	18	18	17 Apr.	26	17	29/30/1/2 July
2022–23	4	2	17	17	9 Apr.	25	16	28/29/30/1 July
2023–24	3	1	16	15	31 Mar.	23	14	26/27/28/29
2024–25	8	6	21	21	20 Apr.	29	20	2/3/4/5 July
2025–26	7	5	20	20	5 Apr.	28	19	1/2/3/4 July
2026–27	6	4	19	19	28 Mar.	27	18	30/1/2/3 July
2027–28	5	3	18	17	16 Apr.	25	16	28/29/30/1 July
2028–29	3	1	16	16	1 Apr.	24	15	27/28/29/30
2029–30	2	30 Nov.	15	15	21 Apr.	23	14	26/27/28/29

#### NOTICE

When application is made for the allowance of a single term the Council will require to be satisfied that the applicant has kept by actual residence as much as practicable of Full Term in the term applied for.

If the student commenced residence later than the commencement of Full Term in the term applied for, the reason must be stated in the application.

The Council request that any application for the allowance of a second term may be accompanied by a repetition of particulars concerning the term previously allowed. Apart from very exceptional circumstances the Council will not allow a second term unless a good part of the two terms has been kept.

#### RESIDENCE AND PRECINCTS OF THE UNIVERSITY

*Amended by Grace 7 of 24 July 2019*

Terms of residence.

**1.** A person who is required by Statute, Ordinance or Regulation to keep certain terms by Residence shall be deemed to have kept a term by residence if he or she has resided within the University Precincts during such part (being not less than three-fourths) of that term, and in such manner, as the University may prescribe by Ordinance. The University may prescribe by Ordinance areas in and about Cambridge (not necessarily within the University Precincts) within which terms of residence may be kept by specified classes of person, and the University may delegate the power to determine that terms of residence may be kept in exceptional cases elsewhere than within the University Precincts or the prescribed areas. The terms 'reside', 'residence', and 'University Precincts' shall have the meanings ascribed to them in this Ordinance.

Boundaries for keeping terms.

**2.** The Precincts of the University shall be the area within a boundary defined as extending three miles from Great St Mary's Church, measured in a straight line, and as including Madingley Hall and such other places about Cambridge as may from time to time be determined by Grace, or by such authority as may be provided by Grace, whether generally or with respect to particular persons or classes of persons.

**3.** A person keeping terms by residence who is pursuing a course leading to the LL.M., M.A.St., M.C.L., M.Eng., M.Sci., M.Math., Vet.M.B., Mus.B., B.A., or B.Th. Degree, or the M.B., B.Chir. Degrees (if pursuing his or her clinical studies in the University) shall reside within the Precincts of the University

(a) in the College<sup>1</sup> of which he or she is a member, or in a building provided and controlled by that College as a hostel;

<sup>1</sup> Or Approved Society.

- or (b)* in any of the following places which shall be recognized as houses of residence for such number of students in each case as the Council, after consultation with the Accommodation Syndicate, may from time to time determine: Margaret Beaufort Institute, Institute for Orthodox Christian Studies, Ridley Hall, Wesley House, Westcott House, and Westminster College;
- or (c)* with the permission of his or her College,<sup>1</sup> in other accommodation within the Precincts of the University, not being part of any College; provided that, before granting such permission, the College authorities must be satisfied with the arrangements for observing the normal conditions of residence;
- or (d)* in any hospital or nursing home within the precincts of the University, or in any University Hospital, Associate Teaching Hospital or Associate Teaching General Practice;
- or (e)* in exceptional circumstances, and for grave cause approved by the student's College, in some other place outside the Precincts of the University.

**4.** A person keeping terms by residence who is pursuing a course leading to a qualification of the University other than a degree or degrees specified in Regulation 3, or who is a registered Graduate Student pursuing a course that is not leading to a qualification of the University, or who is the possessor of the status of Master of Arts, shall not be subject to the conditions of place prescribed by that regulation but shall reside in the area within a boundary defined as extending ten miles from Great St Mary's Church, measured in a straight line; provided that in exceptional circumstances, and for grave cause approved by the Board of Graduate Studies in the case of a Graduate Student or otherwise by the student's College, such a person may be granted permission to reside outside that area.

**5.** Residence shall be reckoned by days. No person keeping terms by residence shall be considered to have resided during any day unless he or she has resided during some part of such day and of the following night and has complied with such other conditions of residence, if any, as may be required by the authorities of his or her College; provided that a part of the day on which such a person completes his or her residence for the term may be counted as a day of residence.

Days of residence.

**6.** For the purpose of reckoning residence the day shall be held to extend from 6 a.m. to midnight.

**7.** In circumstances which interfere with the normal tenor of residence of a large number of students, the Council may grant allowances of terms, in addition to the allowances hereinbefore provided, to students who fulfil such conditions as the Council may specify.

**8.** Residence shall be certified to the University under the hand of the Head of the College to which the student belongs.

Certificate of residence.

**9.** Save as may otherwise be provided for,<sup>2</sup>

- (a)* no one shall be admitted to the degree of Bachelor of Medicine or Surgery, or Master of Advanced Study or Accounting or Business Administration (having followed a one-year course of study prescribed by Ordinance) or Finance or Law or Research, or to the degrees of Master of Letters or Science or Philosophy, or Doctor of Philosophy having followed a full-time course, or to the degree of Doctor of Business or Engineering, unless he or she has kept three terms at least by residence;
- (b)* no one shall be admitted to the degree of Bachelor of Theology for Ministry unless he or she has kept five terms at least by residence;
- (c)* no one shall be admitted to the degree of Bachelor of Arts or Music or Veterinary Medicine unless he or she has kept nine terms at least by residence;
- (d)* no one shall be admitted to the degree of Master of Engineering or Mathematics or Natural Sciences unless he or she has kept twelve terms at least by residence.

**10.** A Graduate Student may be granted in respect of work done in the University before matriculation an allowance of not more than three terms towards the three terms required to be kept under paragraph 8(a) above for any of the degrees of Master of Letters or Master of Science or Doctor of Business or Doctor of Engineering or Doctor of Philosophy, and an allowance of not more than one term towards the number of terms required to be kept for the degree of Master of Philosophy which requires a two-year course of study.

<sup>1</sup> Or Approved Society.

<sup>2</sup> See also the regulations for Affiliated Students (p. 165).

## ADMISSION TO DEGREES

## SUPPLICATS

Form of  
Supplicats.

1. Every Supplicat, that is to say, every Grace for a complete degree not conferred under Statute B II 2, shall be in the form prescribed from time to time by the Council, and shall be signed by the Head or Praelector or the deputy for the Head or Praelector of the applicant's College; provided that, if the applicant is a University officer who is not a member of any College, the Supplicat shall be signed by the Chair of the Faculty Board or the Head of the Department or other institution to which the applicant's office is assigned.

Submission of  
Supplicats and  
certificates of  
terms.

2. Except as hereinafter provided no degree shall be conferred unless a Supplicat and certificate of terms (if necessary) have been sent to the Registry so as to arrive not later than 10 a.m. on the morning of the day next but seven before that on which the degree is to be conferred, or, if a degree is to be conferred on a day of General Admission, not later than 10 a.m. on the morning of the day next but ten before that day.

3. Notwithstanding that the provisions of Regulation 2 have not been satisfied, a degree may be conferred at any Congregation provided that the necessary documents have been received by the Registry in time for proper consideration, and provided that a fine of £1 shall be paid in addition to the degree fee, if any. A fine shall not be charged in respect of a candidate who needs to keep the current term in order to qualify for the degree but has not done so on the day preceding the day on which the Supplicat is due to be received by the Registry; provided that the Supplicat has been received at the proper time together with a statement of the reason for the delay in submitting the certificate of terms.

Submission of  
Graces and  
Supplicats to  
the Regent  
House.

4. No degree shall be conferred upon any person unless *either*

(a) a Grace has been approved by the Regent House authorizing the conferment of the degree, of which due notice has been given in accordance with Regulation 20 of the regulations for Graces and Congregations of the Regent House; *or*

(b) a Supplicat in the prescribed form has been sent to the Registry in accordance with Regulation 2 or 3 of these regulations and the conferment of the degree has been approved in the manner hereinafter provided.

No person shall be admitted in absence to the title of a degree, nor shall any person be admitted to a complete degree in absence unless this has been requested in the Supplicat or in the application for a degree conferred under Statute B II 2.

Certificate of  
terms.

5. No degree for which residence is required as a qualification shall be conferred on any person unless the Head of the person's College or the deputy for the Head has certified to the Registry that that person has kept the residence required.

Time limit.

6. No Grace for a degree or for the title of a degree shall be in force longer than one calendar year from the date of its approval.

7. One hour and a half before the time appointed for each Congregation at which any degree is to be conferred (other than a degree for whose conferment a Grace has been approved by, or will at that Congregation be submitted to, the Regent House) the Registry shall cause to be posted on a board in the Schools Arcade a list of names of persons whose Supplicats have been received and who are certified by the Registry to have done all that is required of them by the Statutes and Ordinances and to be qualified to proceed on that day to the degrees for which they have applied. If any member of the Regent House informs the Vice-Chancellor in writing, not later than an hour after the posting of the list, that he or she intends to *non placet* the conferment of a degree upon any person named in the list, the Vice-Chancellor shall cause that person's name to be struck out from the list. At the Congregation the conferment of the degrees set out in the Registry's list upon the persons named therein shall be proposed to the Regent House in the following collective formula:

*Supplicant reverentiis vestris viri mulieresque* ——<sup>1</sup> *quorum nomina juxta senaculum in porticu proposuit hodie Registrarius nec delevit Procancellarius (or Procancellaria) ut gradum quisque quem rite petivit assequatur.*

<sup>1</sup> When this formula is used at each Congregation on the days of General Admission, at this point of the formula will be inserted the name of the College or names of the group of Colleges (e.g. '*Collegii Regalis et Collegii Sanctae et Individuae Trinitatis*') whose candidates are about to be presented, and the words '*viri mulieresque*' and '*quorum*' will be adapted as necessary.

8. Where the Vice-Chancellor, having received written notice of *non placet*, has, in accordance with Regulation 7 above, caused the name of the person in respect of whom that notice is given to be struck out from the Registry's list, the degree in respect of which notice of *non placet* has been given shall not be conferred upon that person unless a Grace to that effect has been submitted to and approved by the Regent House after the giving of due notice in accordance with Regulation 20 of the regulations for Graces and Congregations of the Regent House.

9. The following are exceptions, in whole or in part, to the above regulations:

Exceptions.

- (a) (i) Women upon whom, before 27 April 1948 the title of a degree has been conferred shall be deemed to have been admitted to the corresponding degree on the date of the diploma conferring the title of the degree, provided always that any such woman who shall apply through her College to the Registry to be admitted to the degree in person shall be so admitted on payment of a fee to be determined by the University.
- (ii) Any woman qualified before 27 April 1948 to receive the title of a degree who has not received it shall be entitled to be admitted to the corresponding degree.
- (iii) Residence kept by members of Girton College or of Newnham College before 27 April 1948 shall be deemed to be residence kept for the purposes of Statute or Ordinance.
- (b) Any person who satisfied the Examiners for the LL.B. Examination before 1 October 1982 may,
  - (i) if he or she has already proceeded to the degree of Bachelor of Law, apply to the Registry through her or his College for the redesignation of the degree as Master of Law,
  - or
  - (ii) if he or she has not already proceeded to the degree of Bachelor of Law, supplicate instead for the degree of Master of Law.

On receipt of an application under (i) above the Registry shall issue a certificate of redesignation and shall amend the University's records accordingly.

#### PRESENTATION AND ADMISSION OF CANDIDATES FOR DEGREES

10. Recipients of titular degrees conferred under Statute A II 14 and candidates for complete degrees, if they are admitted to their degrees after presentation in person, shall be presented in the order prescribed in Regulations 11–13 by the persons specified in the following sub-paragraphs (a)–(g); provided that

By whom candidates are to be presented.

- (i) no one shall be presented by a person who is not a member of the Senate;
- (ii) in exceptional circumstances the Vice-Chancellor or other person presiding at the Congregation may authorize presentation by a deputy for the person specified in the appropriate sub-paragraph below.
- (a) Recipients of titular degrees shall be presented by the Orator, who shall make a speech in presenting each person.
- (b) Candidates for the degree of M.A. conferred under Statute B II 2(a), or for the degrees of Ph.D. or M.A. by incorporation, who are not members of Colleges, and candidates for the degrees of Sc.D. or Litt.D. by incorporation, shall be presented by the Head of the Department or by the Chair or Secretary of the Board, Syndicate, Faculty Board, or other body under whose supervision they are working, or, if they hold a University office assigned to one of the central administrative offices, by the Registry.
- (c) Candidates for the degrees of D.D. or B.D., LL.D., Med.Sc.D., and Mus.D., shall be presented by the Regius Professors of Divinity, Law, and Physic, and the Professor of Music, respectively, or by their deputies, the deputy being required to be a Doctor in the same Faculty as the Professor, or, for the degree of Mus.D., the Chair of the Faculty Board of Music.
- (d) Candidates for the degrees of Sc.D. or Litt.D. (other than candidates for those degrees by incorporation) shall be presented by the Chair of the Degree Committee which has recommended them for the degree, or by a Doctor of Science or of Letters (as the case may be) deputed by the Chair.
- (e) Candidates for the degree of M.Chir. shall be presented by the Regius Professor of Physic, or by a Doctor of Medicine or Master of Surgery deputed by the Professor.
- (f) Candidates for the degrees of M.D. and Vet.M.D. shall be presented by the Chair of the Degree Committee for the Faculties of Clinical Medicine and Veterinary Medicine, or by a Doctor of Medicine, Science, or Veterinary Medicine deputed by the Chair.

(g) Candidates for other degrees shall be presented by the Praelectors of their Colleges.

In any case of doubt the Vice-Chancellor shall decide by whom a candidate is to be presented.

Order of  
presentation  
and  
conferment.

**11.** At each Congregation for the conferment of degrees the various degrees shall be conferred, subject to the provisions of Regulation 15, in an order corresponding to the order of seniority of graduates; provided that

- (a) every titular degree shall be conferred before any complete degree is conferred;
- (b) all degrees for which candidates are presented under Regulation 10(b)–(f) shall be conferred before any candidates are presented by Praelectors of Colleges under Regulation 10(g);
- (c) candidates for the degree of M.A. under Statute B II 2(a) or for any degree by incorporation under Statute B II 2(b), whether they are presented under Regulation 10(b) or under Regulation 10(g), shall be presented before other candidates are presented under the same regulations for the same degree;
- (d) the approval at a Congregation of the collective formula prescribed in Regulation 7 shall, in the case of each person referred to in the formula who is not presented in person at that Congregation, constitute the conferment of the degree and admission to the degree for which he or she is a candidate (other than a title of a degree).

M.A. under  
Statute B II 2.

Presentation by  
Praelectors.

**12.** All the candidates to be presented for degrees under Regulation 10(g) who are members of the same College shall be presented by the Praelector of that College before any candidate for a degree is presented by the Praelector of any College which follows it in the order of Colleges prescribed in Regulation 13; provided that the Vice-Chancellor shall have power to order that, at any Congregation other than a Congregation for General Admission to Degrees, all the candidates for the same degree shall be presented by the Praelector of each College in turn before any candidate is presented for the degree which next follows it in the order of seniority of graduates.

Order of  
Colleges.

**13.** Except as provided by Regulation 16, the order of Colleges shall be King's College, Trinity College, St John's College, followed by the other Colleges specified in Statute G I 1 in order of their foundation, followed by the Colleges recognized under Statute G in order of their recognition.

General  
Admission.

**14.** Every year the Wednesday, Thursday, Friday, and Saturday in the week next but one following the last week of Full Easter Term shall be days of General Admission to Degrees. On each day of General Admission there shall be one or more Congregations for General Admission to Degrees at such hours as the Vice-Chancellor shall appoint.

**15.** The following provisions shall apply to Congregations for General Admission to Degrees:

- (a) except with the approval of the Vice-Chancellor, no degree other than that of B.Th., B.A., Vet.M.B., or the degree of M.Eng. or M.Sci. or M.Math. if conferred with the B.A. degree in a single admission, may be conferred at a Congregation for General Admission to Degrees;<sup>1,2</sup>
- (b) a candidate proceeding to the degree of M.Eng. or M.Sci. or M.Math., and to the degree of B.A. at the same Congregation shall be presented for the two degrees together.

**16.** The assignment of Colleges to each of the several Congregations for General Admission shall be determined by the Council from time to time in consultation with the Colleges; provided that, except with the consent of the Colleges concerned, the assignment shall not be such as to change the order of Colleges which is prescribed in Regulation 13.

<sup>1</sup> No person qualifying for the M.Eng. Degree on the basis of performance in an examination taken in 1989 or an earlier year may proceed to the degree, either in person or in absence, at a Congregation for General Admission to Degrees (see Grace 31 of 11 December 1991).

<sup>2</sup> No person qualifying for either the M.Math. Degree or the M.A.St. Degree on the basis of examination performance before 2011 shall be permitted to proceed to the degree, either in person or in absence, at a Congregation for General Admission to Degrees.



## FORMS OF PRESENTATION FOR DEGREES

1. Subject to the provisions of Regulation 2 concerning shortened forms of presentation, the following formulae shall be used by Praelectors and other persons in presenting candidates for degrees:

*For the degree of Bachelor of Arts, Medicine, Music, Surgery, Theology for Ministry, or Veterinary Medicine* B.A. etc.

Dignissime domine, Domine Procancellarie,<sup>1</sup> et tota Academia, praesento vobis  
 { (for a man) hunc virum, quem scio tam moribus quam doctrina esse idoneum<sup>2</sup>  
 or  
 (for a woman) hanc mulierem, quam scio tam moribus quam doctrina esse idoneam<sup>2</sup>  
 ad gradum assequendum...;<sup>3</sup> idque tibi fide mea praesto totique Academiae.

*For the degree of Master of Arts, Advanced Study, Business Administration, Corporate Law, Education, Engineering, Finance, Accounting, Law, Letters, Mathematics, Music, Natural Sciences, Philosophy, Research, Science, Studies, or Surgery* M.A. etc.

Dignissime domine, Domine Procancellarie,<sup>1</sup> et tota Academia, praesento vobis  
 { (for a man) hunc virum, quem scio tam moribus quam doctrina esse idoneum<sup>2</sup>  
 or  
 (for a woman) hanc mulierem, quam scio tam moribus quam doctrina esse idoneam<sup>2</sup>  
 ad gradum assequendum...;<sup>3</sup> idque tibi fide mea praesto totique Academiae.

*For the degrees of Master of Engineering or Natural Sciences or Mathematics and Bachelor of Arts when candidates are presented for the two degrees together* M.Eng. or M.Sci. or M.Math. with B.A. Degree.

Dignissime domine, Domine Procancellarie,<sup>1</sup> et tota Academia, praesento vobis  
 { (for a man) hunc virum, quem scio tam moribus quam doctrina esse idoneum<sup>2</sup>  
 or  
 (for a woman) hanc mulierem, quam scio tam moribus quam doctrina esse idoneam<sup>2</sup>  
 ad gradus assequendos Magistri in Ingeniaria (or Scientiis Naturalibus or Mathematica) necnon Baccalaurei in Artibus; idque tibi fide mea praesto totique Academiae.

*For the degree of Master of Arts under Statute B II 2*

M.A. under Stat. B II 2.

Dignissime domine, Domine Procancellarie,<sup>1</sup> et tota Academia, praesento vobis  
 { (for a man) hunc virum, ut, habita officii ad quod admissus est ratione, co-optetur in ordinem Magistrorum in Artibus.  
 or  
 (for a woman) hanc mulierem, ut habita officii ad quod admissa est ratione, co-optetur in ordinem Magistrorum in Artibus.

<sup>1</sup> This form of words is to be used when the person presiding at the Congregation (the Vice-Chancellor or duly appointed deputy) is a man. Other forms of words are to be used as follows:

When the person presiding at the Congregation (the Vice-Chancellor or duly appointed deputy) is a woman:

Dignissima domina, Domina Procancellaria,...

When the Chancellor is presiding the word 'Cancellarie' (for a man) or 'Cancellaria' (for a woman) is used instead of 'Procancellarie'.

<sup>2</sup> Other forms of words are to be used as follows:

(for two or more men)	hos viros, quos scio tam moribus quam doctrina esse idoneos
(for two or more women)	has mulieres, quas scio tam moribus quam doctrina esse idoneas
(for a group consisting of men and women)	hos viros et has mulieres, quos scio tam moribus quam doctrina esse idoneos
	or hos viros et hanc mulierem, quos scio tam moribus quam doctrina esse idoneos
	or hunc virum et has mulieres, quos scio tam moribus quam doctrina esse idoneos
	or hunc virum et hanc mulierem, quos scio tam moribus quam doctrina esse idoneos

<sup>3</sup> The words appropriate to the particular degree are to be inserted here. See the Schedule to these regulations.



B.D. D.D.

*For the degree of Bachelor or Doctor of Divinity*Dignissime domine, Domine Procancellarie,<sup>1</sup> et tota Academia, praesento vobis

{	(for a man)	reverendum hunc virum, quem scio tam moribus quam doctrina esse idoneum
	<i>or</i>	
	(for a woman)	reverendam hanc mulierem, quam scio tam moribus quam doctrina esse idoneam

ad gradum assequendum...;<sup>2</sup> idque tibi fide mea praesto totique Academiae.Bus.D. Ed.D.  
Eng.D. LL.D.  
Litt.D. M.D.  
Med.Sc.D.  
Mus.D. Ph.D.  
Sc.D. Vet.M.D.*For the degree of Doctor of Business, Education, Engineering, Law, Letters, Medical Science, Medicine, Music, Philosophy, Science, or Veterinary Medicine*Dignissime domine, Domine Procancellarie,<sup>1</sup> et tota Academia, praesento vobis

{	(for a man)	hunc virum, quem scio tam moribus quam doctrina esse idoneum
	<i>or</i>	
	(for a woman)	hanc mulierem, quam scio tam moribus quam doctrina esse idoneam

ad gradum assequendum...;<sup>2</sup> idque tibi fide mea praesto totique Academiae.Degree by  
incorporation.*For a degree by incorporation*Dignissime domine, Domine Procancellarie,<sup>1</sup> et tota Academia, praesento vobis

{	(for a man)	hunc virum, ut in nostra Academia incorporetur et sit eodem gradu quo est apud suos... <sup>3</sup>
	<i>or</i>	
	(for a woman)	hanc mulierem, ut in nostra Academia incorporetur et sit eodem gradu quo est apud suos... <sup>3</sup>

Titular degree.

*For the title of a degree, honoris causa*Dignissime domine, Domine Procancellarie,<sup>1</sup> et tota Academia, praesento vobis

{	(for a man)	egregium hunc virum, ut honoris causa habeat titulum gradus... <sup>2</sup>
	<i>or</i>	
	(for a woman)	egregiam hanc mulierem, ut honoris causa habeat titulum gradus... <sup>2</sup>

**2.** When presenting two or more groups of candidates for the same degree, a Praelector shall use one of the following formulae for each group after the first:

(for a man)	Hunc etiam praesento et de hoc idem vobis praesto.
(for two or more men)	Hos etiam praesento et de his idem vobis praesto.
(for a woman)	Hanc etiam praesento et de hac idem vobis praesto.
(for two or more women)	Has etiam praesento et de his idem vobis praesto.

## FORMS OF ADMISSION TO DEGREES

**1.** Subject to the provisions of Regulation 2, the following formulae shall be used by the Chancellor, or by the Vice-Chancellor, or by a duly appointed deputy, in admitting candidates to degrees or to the titles of degrees:

M.A. under  
Stat. B II 2.*For the degree of Master of Arts under Statute B II 2*

Auctoritate mihi commissa admitto te in ordinem Magistrorum in Artibus, in nomine Patris et Filii et Spiritus Sancti.

<sup>1</sup> This form of words is to be used when the person presiding at the Congregation (the Vice-Chancellor or duly appointed deputy) is a man. Other forms of words are to be used as follows:

When the person presiding at the Congregation (the Vice-Chancellor or duly appointed deputy) is a woman:

Dignissima domina, Domina Procancellaria,...

When the Chancellor is presiding the word 'Cancellarie' (for a man) or 'Cancellaria' (for a woman) is used instead of 'Procancellarie'.

<sup>2</sup> The words appropriate to the particular degree are to be inserted here. See the Schedule to these regulations.

<sup>3</sup> The word appropriate to the candidate's previous degree is to be inserted here, as follows:

For a graduate of the University of Oxford	Oxonienses
For a graduate of Trinity College, Dublin	Dublinenses

*For a degree by incorporation*

Auctoritate mihi commissa admitto te ad gradum...<sup>1</sup> ut in nostra Academia incorporeris et sis eodem gradu quo es apud tuos...,<sup>2</sup> in nomine Patris et Filii et Spiritus Sancti.

Degree by incorporation.

*For the title of a degree honoris causa*

Auctoritate mihi commissa admitto te honoris causa ad titulum gradus...,<sup>1</sup> in nomine Patris et Filii et Spiritus Sancti.

Titular degree.

*For the degrees of Master of Engineering or Natural Sciences or Mathematics and Bachelor of Arts when the two degrees are conferred together*

Auctoritate mihi commissa admitto te ad gradus Magistri in Ingeniaria (or Scientiis Naturalibus or Mathematica) necnon Baccalaurei in Artibus, in nomine Patris et Filii et Spiritus Sancti.

M.Eng. or M.Sci. or M.Math. with B.A. Degree

*For all other degrees*

Auctoritate mihi commissa admitto te ad gradum...,<sup>1</sup> in nomine Patris et Filii et Spiritus Sancti.

All other degrees.

2. The person conferring degrees is authorized, at his or her discretion,

- (a) to vary the formulae given in Regulation 1 by omitting the words 'in nomine Patris et Filii et Spiritus Sancti' or replacing them with the words 'in nomine Dei';
- (b) in admitting candidates to any degree, except for a doctoral degree or the degrees of B.D., M.Chir. or the M.A. under Statute B II 2, to use one of the following shortened formulae, as appropriate:

In eodem nomine te etiam admitto ad gradum (or gradus)...<sup>1</sup>

Te etiam admitto ad gradum (or gradus)...<sup>1</sup>

Te etiam admitto ad eundem gradum (or ad eosdem gradus)

*SCHEDULE*

The words appropriate to the particular degree are to be inserted in the formulae for presentation for degrees and admission to degrees, as follows:

For the B.D. Degree	Baccalaurei in Sacra Theologia
For the M.B. Degree	Baccalaurei in Medicina
For the Vet.M.B. Degree	Baccalaurei in Veterinaria Medicina
For the Mus.B. Degree	Baccalaurei in Musica
For the B.A. Degree	Baccalaurei in Artibus
For the B.Th. Degree	Baccalaurei in Theologia Pastoralis
For the M.Chir. Degree	Magistri in Chirurgia
For the M.A. Degree	Magistri in Artibus
For the LL.M. Degree	Magistri in Jure
For the M.Sc. Degree	Magistri in Scientiis
For the M.Litt. Degree	Magistri in Litteris
For the M.Phil. Degree	Magistri in Philosophia
For the M.Eng. Degree	Magistri in Ingeniaria
For the M.B.A. Degree	Magistri in Negotiis Administrandis
For the M.Fin. Degree	Magistri in Re Pecuniaria
For the M.Acc. Degree	Magistri in Arte Ratiocinandi
For the M.Ed. Degree	Magistri in Educatione
For the M.Sci. Degree	Magistri in Scientiis Naturalibus
For the M.St. Degree	Magistri in Studiis
For the M.Res. Degree	Magistri in Arte Vestigandi
For the M.Math. Degree	Magistri in Mathematica
For the M.A.St. Degree	Magistri in Studio Ampliore
For the M.Mus. Degree	Magistri in Musica
For the M.C.L. Degree	Magistri in Jure Negotiationis Societatum
For the D.D. Degree	Doctoris in Sacra Theologia
For the LL.D. Degree	Doctoris in Jure
For the M.D. Degree	Doctoris in Medicina
For the Sc.D. Degree	Doctoris in Scientiis

<sup>1</sup> The words appropriate to the particular degree are to be inserted here. See the Schedule to these regulations.

<sup>2</sup> The word appropriate to the candidate's previous degree is to be inserted here, as follows:

For a graduate of the University of Oxford

Oxonenses

For a graduate of Trinity College, Dublin

Dublinenses

For the Litt.D. Degree	Doctoris in Litteris
For the Mus.D. Degree	Doctoris in Musica
For the Vet.M.D. Degree	Doctoris in Veterinaria Medicina
For the Ph.D. Degree	Doctoris in Philosophia
For the Bus.D. Degree	Doctoris in Negotiis
For the Eng.D. Degree	Doctoris in Ingeniaria
For the Ed.D. Degree	Doctoris in Educatione
For the Med.Sc.D. Degree	Doctoris in Scientiis Medicinis

## ORDER OF SENIORITY OF GRADUATES

### 1. The order of seniority of graduates shall be as follows

The Chancellor	Doctors of Medicine <sup>2</sup>
The Vice-Chancellor	Doctors of Veterinary Medicine
The High Steward	Doctors of Philosophy
The Deputy High Steward	Doctors of Engineering
The Commissary	Doctors of Business
The Pro-Vice-Chancellors	Doctors of Education
Heads of Colleges	Masters of Surgery
The Regius Professor of Divinity	Masters of Arts
The Regius Professor of Civil Law	Masters of Law
The Regius Professor of Physic	Masters of Corporate Law
The Regius Professor of Hebrew	Masters of Science and Masters of Letters
The Regius Professor of Greek	Masters of Research
The Regius Professor of History	Masters of Philosophy
The Regius Professor of Botany	Masters of Music
The Regius Professor of Engineering	Masters of Mathematics
Professors, the Orator, the Registrar, the Librarian, the Director of the Fitzwilliam Museum, if Doctors, in the order of their complete degrees	Masters of Advanced Study Masters of Engineering Masters of Business Administration Masters of Finance
Doctors of Divinity	Masters of Accounting
Doctors of Law	Masters of Education
Doctors of Medicine <sup>1</sup>	Masters of Natural Sciences
Doctors of Medical Science	Masters of Studies
Doctors of Science and Doctors of Letters	Bachelors of Medicine
Doctors of Music	Bachelors of Surgery
The Orator	Bachelors of Law
The Registrar	Bachelors of Veterinary Medicine
The Librarian	Bachelors of Music
Professors, the Director of the Fitzwilliam Museum, if not Doctors, in the order of their appointment	Bachelors of Arts Bachelors of Education
Members of the Council	Bachelors of Theology for Ministry
Bachelors of Divinity	

2. Of two persons holding the same or an equal degree, he or she shall be the senior who was admitted to the degree on the earlier day.<sup>3</sup>

3. Of two persons admitted to the same or an equal degree on the same day, he or she shall be the senior who was the senior in virtue of any degree previously held; or, if neither of them was previously senior to the other, he or she whose surname comes before the other's in alphabetical order.<sup>3</sup>

4. For the purpose of determining seniority among Bachelors of Arts, the days of General Admission in the Easter Term shall be counted as one and the same day.

<sup>1</sup> Persons who proceeded to this degree before 1 March 2014.

<sup>2</sup> Persons who proceeded to this degree after 1 March 2014.

<sup>3</sup> For the purpose of determining the seniority of a woman upon whom the title of a degree was conferred before women became eligible for complete degrees of the University, the date of the Diploma conferring the title of the degree is deemed to be the day on which she was admitted to that degree.

5. In processions the following conventions shall be observed:

Processions.

(a) the Esquire Bedells precede the Chancellor and the Vice-Chancellor;

(b) the Vice-Chancellor is accompanied by the Registry and followed immediately by the Proctors;

(c) in a procession before the conferment of honorary degrees the Vice-Chancellor is accompanied also by the Orator;

provided that the Vice-Chancellor, after consulting the Proctors, shall have power to vary the order of any procession, subject to giving notice on each occasion of any intended variation in the normal order.

## ACADEMICAL DRESS

### GENERAL

1. Members of the University *in statu pupillari* shall be required to wear the academical dress appropriate to their status in this University when attending University ceremonies in the University Church or in the Senate-House, and at all other times at which the Vice-Chancellor may by public notice direct that academical dress be worn.

Wearing of academical dress by those *in statu pupillari*.

2. Members of the University not *in statu pupillari* shall wear the academical dress appropriate to their respective degrees of this University in the University Church, the Senate-House, and the Schools, and generally on public occasions and at official meetings, and on all other occasions on which the Vice-Chancellor may by public notice request that academical dress be worn.

Wearing of academical dress by those not *in statu pupillari*.

3. The Doctors in the several Faculties shall wear their festal gowns in public on Christmas Day, Easter Day, Ascension Day, Whitsunday, Trinity Sunday, All Saints' Day, on the day appointed for the Commemoration of Benefactors, on the days of General Admission to Degrees, and on all other occasions on which the Vice-Chancellor may by public notice request that festal gowns be worn.

Scarlet days.

4. Notwithstanding the foregoing regulations, on the occasions specified in Regulation 3 any member of the University who holds a degree of another university or degree-awarding institution may wear the academical dress appropriate to that degree; save that this provision shall not apply to the Chancellor, the Vice-Chancellor, the High Steward, the Deputy High Steward, the Commissary, the Proctors, the Registry, or the Esquire Bedells, or to a deputy for any of those officers, or to any person presenting or being presented for a degree of the University.

5. A Proctor or a deputy for a Proctor or an Esquire Bedell, when carrying out the duties of his or her office, shall wear the academical dress of a Master of Arts.

The Proctors and Esquire Bedells.

6. The senior Esquire Bedell shall be familiar with all details of academical dress of the University and shall draw the Vice-Chancellor's attention to unauthorized variations.

7. Drawings of hoods and gowns of the University, and specimens of the proper materials and colours, shall be kept by the Registry.

8. Notwithstanding the regulations for academical dress which follow, a member of the University, other than a Proctor or a deputy for a Proctor or an Esquire Bedell when carrying out the duties of his or her office, may continue to wear any academical dress of the University which when he or she first wore it conformed to the practice of the time.

### BLACK GOWNS

D.D.: a full-sleeved gown, or alternatively the M.A. gown, either of which should have a looped cord and a button at the back and should be worn with a black silk scarf;

LL.D.: a gown with square-ended sleeves slit vertically above the arm-slits and sewn across below them, wings on the shoulders, and a flap-collar at the back;

M.D.<sup>1</sup> or Med.Sc.D.: a gown with square-ended sleeves sewn across below the arm-slits and a flap-collar at the back, trimmed with a single row of Doctors' lace down each front and round the collar, across each sleeve at the bottom and above the arm-slit, and with two vertical rows from the centre of the arm-slit to the shoulder;

Sc.D.: the M.A. gown but with a single row of Doctors' lace placed horizontally above each arm-slit;

<sup>1</sup> For persons awarded the degree before 1 March 2014.

- Litt.D.: the M.A. gown but with a single row of Doctors' lace placed vertically above each arm-slit;  
 Mus.D.: the M.D. gown but with a double row of Doctors' lace on the lower part of the collar;  
 B.D.: the M.A. gown but with a looped cord and a button on the back as on the D.D. gown;  
 M.D.<sup>1</sup>: the Ph.D. gown;  
 Vet.M.D.: the Ph.D. gown;  
 Ph.D.: the M.A. gown but with Doctors' lace, four inches (10 cm) in length, placed horizontally above each arm-slit, the bottom edge of the lace being three inches (7.5 cm) from the edge of the opening;  
 Bus.D.: the Ph.D. gown;  
 Eng.D.: the Ph.D. gown;  
 Ed.D.: the Ph.D. gown but with four buttons placed in a horizontal row above the Doctors lace;  
 M.Chir.: the M.A. gown but with three rows of single black silk cord across the sleeve above each arm-slit, showing a space of half an inch (1.25 cm) between row and row, the first row being three-eighths of an inch (1 cm) above the opening;  
 M.A.: a silk or stuff gown with glove sleeves, having horizontal slits to free the arm, and with strings;  
 LL.M.: the M.Chir. gown but with two rows of single cord across the sleeve;  
 M.C.L.: the LL.M. gown;  
 M.Mus.: the M.A. gown but with three buttons joined by cords forming a triangle, two buttons on the upper edge of each arm-slit, five inches (12.5 cm) apart, the third in the middle five inches (12.5 cm) above the slit;  
 M.Sc.: the M.A. gown but with three buttons placed horizontally, two-and-a-half inches (6.25 cm) apart and joined by a cord, along each arm-slit;  
 M.Litt.: the M.Sc. gown but with the buttons and cord placed vertically;  
 M.Res.: the M.Phil. gown but with the buttons joined by two vertical cords;  
 M.Phil.: the M.A. gown but with a vertical cord from the centre of the arm-slit to the shoulder and with one button at the top of the cord and one button at the bottom of the cord on each sleeve;  
 M.Math.: the M.A. gown but with a circle of cord on the sleeve with a button in the centre;  
 M.A.St.: the M.A. gown but with a double circle of cord on the sleeve with a button in the centre;  
 M.Eng.: the M.A. gown but with a circle of cord on the sleeve with a button in the centre;  
 M.B.A.: the M.A. gown but with four buttons joined by cords forming a square on the upper edge of each arm-slit;  
 M.Fin. and M.Acc.: the M.A. gown but with four buttons joined by cords forming a diamond on the upper edge of each arm slit;  
 M.Ed.: the M.A. gown but with five buttons joined by cords forming a cross on the upper edge of each arm-slit;  
 M.Sci.: the M.A. gown but with a circle of cord on the sleeve with a button in the centre;  
 M.St.: the M.A. gown but with five buttons joined by cords forming a cross on the upper edge of each arm-slit;  
 M.B.: a gown of black silk or stuff, shorter than the M.A. gown, with open sleeves, not slit but turned back to form a triangle bisected by one black cord about five inches (12.5 cm) long with a button at the top of the cord, and with strings;  
 B.Chir.: the M.B. gown but having on each sleeve three parallel cords half an inch (1.25 cm) apart, with a button at the top of each cord;  
 B.A.: a stuff gown like the M.B. gown, with open sleeves not turned up with a cord but slit vertically from the shoulders and caught together at the bottom of the slit;  
 LL.B.: the M.B. gown but having on each sleeve two parallel cords, with a button at the top of each cord;  
 Mus.B.: the M.B. gown but on each sleeve one cord and button, with another button on each side of the sleeve at the corner of the triangle formed by the turned-back piece of sleeve;  
 Vet.M.B.: the M.B. gown but with two buttons placed vertically one at the top and one at the bottom of the cord on each sleeve;  
 B.Ed.: the B.A. gown but having on each sleeve four parallel cords about one inch (2.5 cm) apart and five inches (12.5 cm) long with a button at the top of each cord;  
 B.Th.: the B.A. gown but with a looped cord and a button on the back as on the B.D. gown;

<sup>1</sup> For persons awarded the degree after 1 March 2014.

Possessor of the status of Master of Arts: the M.A. gown but without the strings;  
 Possessor of the status of Bachelor of Arts: the B.A. gown but without the strings.  
 Undergraduates' gowns shall reach to the knees.

The buttons of black gowns are of 26-line flat black twill-mohair; the cords are of  $\frac{1}{8}$  black 'silk', and twisted double except in the M.Chir. and LL.M. gowns.

HOODS<sup>1</sup>

Doctor, other than M.D.,<sup>2</sup> Vet.M.D., Ph.D., Bus.D., Eng.D. or Ed.D.: of the same material as the festal gown, lined with the same material as the lining of the gown;

B.D.: of black corded silk lined with black silk;

M.D.<sup>2</sup>: the Ph.D. hood but with a part lining of mid-cherry silk four inches (10 cm) deep;

Vet.M.D.: of black corded silk lined with scarlet cloth, the hood part-lined with mid-cherry silk, four inches (10 cm) deep;

Ph.D.: of black corded silk lined with scarlet cloth;

Bus.D.: of black corded silk lined with dark green silk, the hood part-lined with scarlet cloth, four inches (10 cm) deep;

Eng.D.: of black corded silk lined with bronze silk, the hood part-lined with scarlet cloth, four inches (10 cm) deep;

Ed.D.: of black corded silk lined with light blue silk, the hood part-lined with scarlet cloth, four inches (10 cm) deep;

M.Chir.: of black corded silk lined with mid-cherry silk;

M.A.: of black corded silk lined with white silk;

LL.M.: of black corded silk lined with light-cherry silk;

M.C.L.: the LL.M. hood but with a part lining of white silk four inches (10 cm) deep;

M.Mus.: of black corded silk lined with dark-cherry satin;

M.Sc.: of black cloth lined with pink silk shot with light blue;

M.Litt.: of black cloth lined with scarlet silk;

M.Res.: of black cloth lined with dark plum red silk;

M.Phil.: of black cloth lined with blue silk;

M.Math.: of black cloth lined with slate blue silk;

M.A.St.: of black cloth lined with gold silk;

M.Eng.: of black cloth lined with bronze silk;

M.B.A.: of black cloth lined with dark green silk;

M.Fin.: of black cloth lined with light green silk;

M.Acc.: the M.Fin. hood but with a part lining of white silk four inches (10 cm) deep;

M.Ed.: of black corded silk lined with light blue silk;

M.Sci.: of black corded silk lined with pink silk shot with light blue;

M.St.: of black corded silk lined with yellow silk;

M.B.: the hood and tippet of mid-cherry silk, the hood part-lined with white fur and the tippet edged with white fur;

B.Chir.: the M.B. hood but with no fur edging to the tippet;

B.A.: of black stuff, part-lined with white fur, the tippet edged with white fur; *or, until further order*, of black stuff, part-lined with white, the tippet edged with white;

LL.B.: the M.B. hood and tippet but of light-cherry silk;

Mus.B.: the M.B. hood and tippet, but of dark-cherry satin;

Vet.M.B.: the M.B. hood but with an edging of white fur, two inches wide (5 cm), to the tippet;

B.Ed.: of black stuff, part-lined with blue silk and an edging of white fur, the tippet edged with white fur;

B.Th.: of black stuff, lined with black silk, the tippet edged with white fur.

The neckband of a hood is of the outer colour, with no edging of the lining material. The corners of tippets are square.

<sup>1</sup> The fur used for Bachelors' hoods is artificial fur.

<sup>2</sup> For persons awarded the degree after 1 March 2014.



## FESTAL GOWNS

D.D.: a gown of scarlet cloth lined with dove-coloured silk, that is silk of a turquoise-blue shot with rose-pink; at the back and on each sleeve a black button (22-line flat silk) and  $\frac{1}{8}$  black twisted cord; black strings: under this gown a black silk cassock should be worn;

LL.D.: a gown of scarlet cloth lined with light-cherry silk; scarlet buttons and cords and strings;

M.D.<sup>1</sup> or Med.Sc.D.: a similar gown lined with mid-cherry silk;

Sc.D.: a similar gown lined with pink silk shot with light blue;

Litt.D.: a similar gown lined with scarlet silk to match the cloth;

Mus.D.: a gown of cream damask, lined with dark-cherry satin, having short wide sleeves; the buttons, cords, and strings to match the satin;

M.D.<sup>2</sup>: the Ph.D. festal gown;

Vet.M.D.: the Ph.D. festal gown;

Ph.D.: the silk M.A. gown but with a facing of scarlet cloth, four inches (10 cm) wide, the full length of the front or the Ph.D. black gown but with a facing of scarlet cloth, four inches (10 cm) wide, the full length of the front;

Bus.D.: the Ph.D. festal gown;

Eng.D.: the Ph.D. festal gown;

Ed.D.: the Ed.D. black gown but with a facing of scarlet cloth, four inches (10 cm) wide the full length of the front.

## HEADDRESSES

With a festal gown, for a Doctor of Divinity a black velvet cap, for a Doctor in another Faculty a wide-brimmed round velvet bonnet with gold string and tassels: provided that a Doctor, when taking part in ceremonial in the Senate-House, may with the festal gown wear the square cap;

with all other gowns, for residents the square cap: provided that an undergraduate shall wear either the square cap or no headdress.

## DRESS AT GRADUATION

1. Any person presenting a candidate for a doctorate other than the M.D., Vet.M.D., Ph.D., Bus.D., Eng.D., Ed.D., or for the degree of B.D., wears a cope.<sup>3</sup>

2. All persons presenting for degrees wear dark clothes with their academical dress.

3. A person being admitted to the title of a degree *honoris causa* wears the gown of the degree without a hood.

4. A person being admitted to a degree by incorporation or to the degree of M.A. under Statute B II 2 wears the gown and hood of the degree that he or she is to receive.

5. A graduate of the University being admitted to a degree wears the gown and hood of the highest degree that he or she has received from the University.

6. A possessor of the status of B.A. or M.A. who is not a graduate of the University and who is being admitted to a degree, other than the degree of M.A. under Statute B II 2 or a degree by incorporation, shall wear the gown appropriate to his or her status, and the hood of the degree, or of the higher of the two degrees, that he or she is to receive.

7. An undergraduate being admitted to a degree wears an undergraduate gown, and the hood of the degree, or of the higher of the two degrees, that he or she is to receive.

8. All persons being admitted to degrees wear dark clothes with their academical dress. Persons wearing a dinner jacket or lounge suit wear white ties and bands.

9. The Proctors shall have power, on request from a person who is to present a graduand for a degree, to grant the presenter or the graduand dispensation from Regulation 2 or 8 concerning dress at graduation as appropriate, and also, if necessary, to grant such a person dispensation from the regulations concerning headdresses; provided that the Proctors shall be satisfied in every case that there are reasonable grounds for granting such dispensation.

<sup>1</sup> For persons awarded the degree before 1 March 2014.

<sup>2</sup> For persons awarded the degree after 1 March 2014.

<sup>3</sup> Three copes of different lengths are kept in the Senate-House for the use of persons presenting for degrees.

## ADDRESSES TO THE SOVEREIGN AND FORMAL LETTERS TO OTHER UNIVERSITIES

1. The presentation of an address to the Sovereign shall require approval by the University. The text of such an address shall be approved by the Council.
2. An address to the Sovereign shall be presented by the Chancellor, provided that, if the Chancellor is absent, or if the office of Chancellor is vacant, it shall be presented by the Vice-Chancellor.
3. The Chancellor shall be accompanied in the presentation of an address by the Esquire Bedells and by a deputation consisting of the Vice-Chancellor, the Orator, the Proctors, and the Registrar, together with not more than six other members of the University nominated by the Vice-Chancellor; provided that the Vice-Chancellor shall not be required to nominate additional members to the deputation on a particular occasion.
4. The presentation of a formal letter to another university or similar institution shall require approval by the University. The text of such a letter shall also be approved by the University.

## SERMONS AND COMMEMORATIONS

1. The service for the Commemoration of Benefactors<sup>1</sup> shall be held each year on the first Sunday in November, except in any year in which this day is appointed as Remembrance Sunday when the Service shall be held on either the preceding or the following Sunday as determined by the Select Preachers Syndicate. Commemora-  
tion of  
Benefactors.
2. It shall be the duty of the Lady Margaret's Preacher to preach at the service. Preacher.
3. The annual Ramsden Sermon, founded by Mrs Ramsden through J. H. Markland, Esq., is to be delivered on such Sunday of Full Term and by such preacher as the Vice-Chancellor for the time being shall appoint, upon the subject of Church Extension overseas, especially within the Commonwealth of Nations. Ramsden  
Sermon.
4. The sermon at Mere's Commemoration<sup>2</sup> shall be preached on the first Tuesday in Full Easter Term. Mere's  
Commemora-  
tion.
5. The arrangement of the seats in the University Church at all University services shall be entrusted to the Vice-Chancellor. Great St  
Mary's Church.

## CAMBRIDGE UNIVERSITY STUDENTS' UNION

1. There shall be a Cambridge University Students' Union, which shall be an association of members of the University who are pursuing a course of study or research in the University.
2. The constitution of Cambridge University Students' Union shall provide for the objects of the Union to be: Objects of  
CUSU.
  - (a) the advancement of education of students at the University of Cambridge for the public benefit by:
    - (i) promoting the interests and welfare of students at the University of Cambridge during their course of study and representing, supporting, and advising students;
    - (ii) being the recognized representative channel between students and the University of Cambridge and any other external bodies; *and*
    - (iii) providing social, cultural, sporting, and recreational activities and forums for discussions and debate for the personal development of its students; *and*
  - (b) the promotion of equality of opportunity in education for the public benefit by in particular:
    - (i) promoting access to, and success at, the University of Cambridge and its affiliated institutions; *and*
    - (ii) encouraging access to the University of Cambridge for applicants from backgrounds under-represented in the collegiate University.
3. No amendment of the constitution of Cambridge University Students' Union to give effect to a change in the objects of the Union shall have effect unless Regulation 2 has been amended by the Amendments.

<sup>1</sup> The Form of Service for the Commemoration of Benefactors is published by the University Press. Copies are available in Great St Mary's Church on the day of the Commemoration.

<sup>2</sup> See *Endowments*, 1904, pp. 19, 20. This sermon is preached either by the Vice-Chancellor or by a preacher nominated by the Vice-Chancellor.

University. No other amendment of the constitution of Cambridge University Students' Union shall have effect unless approval has been given by the Council.

Financial assistance. **4.** The Council shall have discretion to provide financial assistance to Cambridge University Students' Union.

Estimates of income and expenditure. **5.** The President of Cambridge University Students' Union shall be the principal financial officer of the Union and shall be accountable to the Council for the financial management of the Union (in addition to his or her accountability and responsibility under the provisions of the constitution of the Union). In the Michaelmas Term of each academical year the President shall submit to the Council estimates of the Union's income and expenditure for the Union's next financial year.

Accounts. **6.** Before the division of the Lent Term in each academical year the President of Cambridge University Students' Union shall provide the Council with the audited accounts of the Union for the Union's previous financial year.

Offices. **7.** The offices of President shall be defined, and not more than four other officers of Cambridge University Students' Union designated for the purpose by the Council may be defined, as major offices for the purposes of Section 22(2)(d) of the Education Act 1994; the offices of Women's Officer and Disabled Students' Officer shall not be so defined. The General Board shall have discretion to make an allowance under Regulation 1(b) for Allowances to Candidates for Examinations, where necessary, for the President, all or any of the four designated officers, the Women's Officer, and the Disabled Students' Officer, of Cambridge University Students' Union, on the application of a Tutor of the respective College.

Relations with Council. **8.** The Council shall have discretion to maintain a working relationship with Cambridge University Students' Union in the manner described in their Notice dated 26 November 1979.<sup>1</sup>

**9.** Cambridge University Students' Union shall be recognized by the Council as an organization representing junior members of the University, in University as distinct from College matters, subject to the conditions set out in these regulations.

Resignation. **10.** Any member of the Union who wishes to resign membership in a particular academical year shall be entitled to do so by giving notice in writing, on a prescribed form, to the Registry. The Registry shall inform the President of the resignation, and the President shall forthwith delete the name of the person from any electoral roll or register of the Union, with immediate effect. Such resignation shall be effective for the remainder of the academical year, and such person shall not be regarded as represented by the Union under the provisions of these regulations. A person who has exercised this right, and who holds an office of the Union, or membership of any committee or other body in the Union, shall thereby vacate it.

Complaints. **11.** If a complaint by a member of the Union, or a person who would be entitled to be a member if he or she had not exercised the right of resignation under Regulation 10, cannot be satisfactorily resolved by the officers of the Union, the complainant may refer the complaint to the Junior Proctor, who shall seek the opinion of the appropriate officer or officers of the Union, shall investigate the matter, and shall report on it in writing in such terms as he or she considers appropriate, indicating his or her finding as to whether or not the complaint is upheld, giving such reasons as he or she thinks fit, and stating provisionally what remedy, if any, he or she proposes. Notice of such findings and of any provisional remedy shall be sent by the Junior Proctor to the President or other appropriate officer of the Union, to the complainant, and to the Registry. The Junior Proctor shall consider any representations made by these persons and shall then confirm, modify, or withdraw his or her findings and provisional remedy. Any remedy so confirmed, whether or not after modification, shall be executed without delay. The final decision of the Junior Proctor shall be notified to the Vice-Chancellor and those to whom the provisional decision was notified. Any functions of the Junior Proctor under this regulation may be delegated by that officer to another Proctor or Pro-Proctor.

Elections. **12.** The President of the Union shall submit to the Council each year in the Michaelmas Term an electoral scheme for the conduct of elections in the Union in the remainder of the academical year. The scheme shall provide for the appointment, subject to confirmation by the Council, of returning officers, and for the Council to receive from the returning officers a report on the conduct of each election.

<sup>1</sup> See *Reporter*, 1979–80, p. 146.

## GRADUATE UNION

1. There shall be a Graduate Union, which shall be an association of members of the University who are pursuing in the University a course of graduate study or research, as defined by the constitution of the Union.

2. The constitution of the Graduate Union shall provide for the objects of the Union to be: the advancement of education of graduate students at the University and any other persons who are members of the Union by:

Objects of  
Graduate  
Union.

- (a) promoting the interests and welfare of graduate students and other members of the Union, and providing support and advice to them;
- (b) being a recognized representative channel between graduate students (other than those who are not members of the Union) and the University and bodies external to the University; and
- (c) providing social, cultural, sporting, and recreational activities and forums for discussions and debate for the personal development of graduate students and any other persons who are members of the Union,

and 'graduate students' shall mean any individual who is formally matriculated and registered for an approved graduate or postgraduate programme provided by the University, all undergraduates of the University who are in their fourth or higher year of residence, or who are formally registered for an approved programme of study provided by the University and are 21 years of age or over at the commencement of their course of study, and any student who is a member of the institutions belonging to the Cambridge Theological Federation or any successor body.

3. No amendment of the constitution of the Graduate Union to give effect to a change in the objects of the Union shall have effect unless Regulation 2 has been amended by the University. No other amendment of the constitution of the Union shall have effect unless approval has been given by the Council.

Amendments.

4. The Council shall have discretion to provide financial assistance to the Graduate Union.

Financial  
assistance.

5. The President of the Graduate Union shall be the principal financial officer of the Union and shall be accountable to the Council for the financial management of the Union (in addition to his or her accountability and responsibility under the provisions of the constitution of the Union). In the Michaelmas Term of each academical year the President shall submit to the Council estimates of the Union's income and expenditure for the Union's next financial year.

Estimates of  
income and  
expenditure.

6. Before the division of the Lent Term in each academical year the President of the Graduate Union shall provide the Council with the audited accounts of the Union for the Union's previous financial year.

Accounts.

7. The office of President of the Graduate Union shall be defined as a major office for the purposes of Section 22(2)(d) of the Education Act 1994.

President.

8. The Council shall have discretion to maintain a working relationship with the Graduate Union in the manner described in their Notice dated 26 November 1979.<sup>1</sup>

Relations with  
Council.

9. The Graduate Union shall be recognized by the Council as an organization representing junior members of the University who are graduate students, in University as distinct from College matters, subject to the conditions set out in these regulations.

10. Any member of the Union who wishes to resign membership in a particular academical year shall be entitled to do so by giving notice in writing, on a prescribed form, to the Registry. The Registry shall inform the President of the resignation, and the President shall forthwith delete the name of the person from any electoral roll or register of the Union, with immediate effect. Such resignation shall be effective for the remainder of the academical year, and such person shall not be regarded as represented by the Union under the provisions of these regulations. A person who has exercised this right, and who holds an office of the Union, or membership of any committee or other body in the Union, shall thereby vacate it.

Resignation.

11. If a complaint by a member of the Union, or a person who would be entitled to be a member if he or she had not exercised the right of resignation under Regulation 10, cannot be satisfactorily resolved by the officers of the Union, the complainant may refer the complaint to the Junior Proctor, who shall seek the opinion of the appropriate officer or officers of the Union, shall investigate the matter, and shall report on it in writing in such terms as he or she considers appropriate, indicating his or her finding as to whether or not the complaint is upheld, giving such reasons as he or she thinks

Complaints.

<sup>1</sup> See *Reporter*, 1979–80, p. 146.

fit, and stating provisionally what remedy, if any, he or she proposes. Notice of such findings and of any provisional remedy shall be sent by the Junior Proctor to the President or other appropriate officer of the Union, to the complainant, and to the Registry. The Junior Proctor shall consider any representations made by these persons and shall then confirm, modify, or withdraw his or her findings and provisional remedy. Any remedy so confirmed, whether or not after modification, shall be executed without delay. The final decision of the Junior Proctor shall be notified to the Vice-Chancellor and those to whom the provisional decision was notified. Any functions of the Junior Proctor under this regulation may be delegated by that officer to another Proctor or Pro-Proctor.

Elections.

12. The President of the Union shall submit to the Council each year in the Michaelmas Term an electoral scheme for the conduct of elections in the Union in the remainder of the academical year. The scheme shall provide for the appointment, subject to confirmation by the Council, of returning officers, and for the Council to receive from the returning officers a report on the conduct of each election.

CODE OF PRACTICE IN RESPECT OF STUDENT UNIONS ISSUED UNDER  
SECTION 22 OF THE EDUCATION ACT 1994<sup>1</sup>

1. Section 22 of the Education Act 1994 places a number of responsibilities on governing bodies of universities (as defined by section 21, sub-section 5). Sub-section 3 of that section provides that every governing body shall prepare and issue, and where necessary revise, a code of practice as to the manner in which the requirements of sub-sections 1 and 2 are to be carried into effect in relation to any students' union for students of the establishment, setting out in relation to each of the requirements details of the arrangements made to secure its observance. The present code of practice is issued by the Council in respect of Cambridge University Students' Union (CUSU) and Cambridge University Graduate Union.

*General duty of governing bodies*

2. Sub-section 1 requires the governing body to take 'such steps as are reasonably practicable to secure that any students' union for students of the establishment operates in a fair and democratic manner and is accountable for its finances'. This requirement is fulfilled through compliance with the requirements of the Ordinances for each union, with the provisions of the present code of practice, and with the constitutions of the two unions.

*Particular requirements of the Act*

3. Sub-section 2 requires governing bodies to take 'such steps as are reasonably practicable to secure that the following requirements are observed by or in relation to any students' union for students of the establishment'. These detailed requirements are dealt with below.

(a) *Written constitution:* Unions should have a written constitution.

Both CUSU and the Graduate Union have written constitutions.

(b) *Constitutions to be approved by the governing body and to be reviewed by it.* The provisions of unions' constitutions are to be subject to the approval of the governing body of the university and to review by it at intervals of not more than five years.

The constitutions of CUSU and the Graduate Union were reviewed on their recognition by the University and on subsequent occasions when amendments have been proposed; the constitution or standing orders for each union require amendments of the objects clause to be approved by Grace, and require the Council to approve other amendments to the constitutions. The constitutions of the two unions are reviewed in the Easter Term each year by the Council, acting through their Committee for the Supervision of the Student Unions (CCSSU).

(c) *Opting out.* A student should have the right not to be a member of a union or in the case of a representative body which is not an association to signify that he or she does not wish to be represented by it and students who exercise that right should not be unfairly disadvantaged with regard to the provision of services or otherwise by reason of their having done so.

The constitution of each union provides for students to opt out of membership. The standing orders for each union include detailed provision governing resignation by members; a form for this purpose may be obtained from the University Offices, The Old Schools, or from the officers of either union. The Council has been informed that the unions would nevertheless wish to continue to make their services available to students who choose not formally to be members and the Council has made it a condition of University funding of the two unions that this should be so. Payments should normally continue to be made by College student unions to CUSU or the Graduate Union as the case may be in relation to any student who has opted out of membership.

(d) *Election to major union offices.* The Act provides that appointment to major union offices should be by election in a secret ballot in which all members are entitled to vote.

The constitution or standing orders for each union indicate which sabbatical offices are to be regarded as major union offices and the constitution for each union requires that election to these offices is by secret ballot.

<sup>1</sup> Amended by Notice (*Reporter*, 6469, 2016–17, p. 588).



(e) *Union elections.* Governing bodies are required to satisfy themselves that union elections are fairly and properly conducted.

The standing orders for the two unions require them to submit to the Council electoral schemes for the conduct of elections. The unions have agreed that the Council is to be informed of the appointment of returning officers, to confirm their appointment, and to receive from the returning officers a report on the conduct of elections. The CCSSU deal with this business on behalf of the Council.

(f) *Sabbatical or paid elected offices.* A person is not to hold sabbatical union office, or paid elected union office, for more than two years in total at the establishment.

A provision to this effect is included in the constitution or standing orders of each union.

(g) *Financial management.* The financial affairs of unions are to be properly conducted and appropriate arrangements are to exist for the approval of unions' budgets, and the monitoring of expenditure by the governing body.

Under the HEFCE Audit Code of Practice, the two unions are within the scope of the University's internal audit service and of the Audit Committee of the Council. It is a condition of University grant to both unions that interim half-yearly reports on expenditure should be made to the Council, and the Council will invite the CCSSU, and if necessary the Finance Committee, to consider these reports, and the accounts and estimates of the two unions.

(h) *Financial reports.* Financial reports of unions are to be published annually or more frequently, and are to be made available to the governing body and to all students; each report is in particular to contain a list of external organizations to which the union has made donations in the period to which the report relates and details of these donations.

Compliance with these requirements is a condition of grant from the University. The unions will circulate their accounts annually to JCR and MCR presidents and equivalent, who will make them available for reference in Colleges by junior members. The accounts will also be available for reference by junior members in the University Offices, The Old Schools, and, in respect of each union, at its own offices.

(i) *Groups or clubs.* The procedure for student unions to allocate resources to groups or clubs is to be fair and is to be set down in writing and freely accessible to all students.

In Cambridge the principal allocations to University clubs and societies are made not by the unions, but by two University bodies, the Societies Syndicate and the University Sports Committee. To the limited extent that the two unions make allocations to groups, clubs, or societies, they are required to operate fairly and to approve a written procedure, to be approved by the Council through the CCSSU.

(j) *Affiliation to external organizations.* If a union decides to affiliate to an external organization it must publish notice of its decision stating the name of the organization and details of any subscription or similar fee paid or proposed to be paid and of any donation made or proposed to be made to the organization, and such notice is to be made available to the governing body and to all students.

Appropriate reference has been made in the constitution or standing orders of each union.<sup>1</sup> Notice to the governing body is to be given to the CCSSU on the Council's behalf, and notice to students is by circulation of notices for display in Colleges.

(k) *Report on affiliation.* When a union is affiliated to any external organization a report is to be published annually or more frequently containing a list of external organizations to which the union is currently affiliated and details of subscriptions or similar fees paid or donations made to such organizations in the past year or since the last report, and such reports are to be made available to the governing body and to all students.

Appropriate provision has been made in the constitution or standing orders of each union and each year a list of the external organizations to which a union is affiliated shall be reported to the CCSSU on the Council's behalf.<sup>1</sup>

(l) *Review of affiliations.* There are to be procedures for the review of affiliations to external organizations under which the current list of affiliations is submitted for approval by members annually or more frequently, and at such intervals of not more than a year as the governing body may determine and under which a requisition may be made by such proportion of members, not exceeding five per cent, as the governing body may determine, that the question of continued affiliation to any particular organization be decided upon by a secret ballot in which all members are entitled to vote.

Appropriate provision has been made in the constitution or standing orders of each union. The Council has determined that the proportion of members seeking a requisition for a secret ballot shall be two per cent, and that such a requisition may be made once a year, in the Lent Term. Each year unions shall report to CCSSU to confirm that the current list of affiliations has been submitted for approval by members.

(m) *Complaints procedures for students.* There is to be a complaints procedure to be available to all students or groups of students who are dissatisfied in their dealings with a union or who claim to have been unfairly disadvantaged by reason of their having exercised the opt-out right referred to in paragraph (c) above, and this complaints procedure is to include provision for an independent person appointed by the governing body to investigate and report on complaints.

<sup>1</sup> Notice (*Reporter*, 6469, 2016–17, p. 588).



The standing orders for each union include provision for a complaints procedure, the Junior Proctor being the independent person to investigate complaints. If the Junior Proctor believes that he or she cannot properly act independently in a particular case he or she will delegate the matter to another Proctor or Pro-Proctor, as provided for in the University regulations.

(n) *Remedies.* Complaints are to be dealt with promptly and fairly and where a complaint is upheld there should be an effective remedy.

University regulations for the unions require any remedy confirmed after an investigation under 3(m) to be executed by the union without delay. The union is required to notify the Secretary of the CCSSU confirming that the remedy has been implemented. Compliance with these remedies is a condition of University grant to the unions. If a remedy is not implemented, the matter will be referred to the CCSSU so that abatement or termination of University grant, or other measures, can be considered.

#### *Sub-section 4*

4. Governing bodies are to bring to the attention of all students at least once a year the code of practice; any restrictions imposed on the activities of student unions by the law relating to charities; and where applicable, the provisions of section 43 of the Education (No. 2) Act 1986 about freedom of speech in universities and colleges, and of any code of practice issued under it relevant to the activities or conduct of unions.

These matters are brought to the attention of students by the publication annually of Proctorial notices; by the publication of the present code of practice in *Statutes and Ordinances*, and information provided on the University's online student gateway. An account of the restrictions on the activities of unions, together with information on charity law, and the provisions of Section 43 of the 1986 Act and the University's code of practice under that section are included on the student gateway at <http://www.cambridgestudents.cam.ac.uk/cambridge-life/student-unions>.

#### *Sub-section 5*

5. Governing bodies are to bring to the attention of all students at least once a year and to include in any information generally made available to persons considering whether to become students of the establishment information about the right of opt-out from union membership (paragraph (c) above) and about arrangements made for services for students who have opted out.

This information is given by Proctorial notice and by information for applicants included in prospectuses.

## DISCIPLINE

### GENERAL

*Amended by Grace 1 of 30 May 2019*

In accordance with the University's duty to maintain good order and discipline within the University, the following regulations shall apply only to members of the University within the jurisdiction of the University Tribunal under Statute D II 2:<sup>1</sup>

1. No member of the University shall intentionally or recklessly disrupt or impede or attempt to disrupt or impede the activities and functions of the University, or any part thereof, or of any College.

2. No member of the University shall intentionally or recklessly impede freedom of speech or lawful assembly within the Precincts of the University. No member of the University shall intentionally or recklessly fail to give any notice which is required to be given to a University officer or a University authority under the terms of a code of practice issued under the provisions of section 43 of the Education (No. 2) Act 1986.

3. No member of the University shall intentionally occupy or use any property of the University or of any College except as may be expressly or by implication authorized by the University or College authorities concerned.

4. No member of the University shall intentionally or recklessly damage or deface or knowingly misappropriate any property of the University or of any College.

5. No member of the University shall intentionally or recklessly endanger the safety, health, or property of any member, officer, or employee of the University within the Precincts of the University.

6. (a) No member of the University shall engage in the harassment of:

(i) a member, officer, or employee of the University or a College; or

(ii) any other person where the harassment takes place either within the Precincts of the University or in the course of a University or College activity.

<sup>1</sup> See p. 28.

(b) Harassment shall include single or repeated incidents involving unwanted and unwarranted conduct towards another person which is reasonably likely to have the effect of (i) violating that other's dignity or (ii) creating an intimidating, hostile, degrading, humiliating, or offensive environment for that other.

7. No member of the University shall assist a candidate in any form of academic misconduct against the Rules of Behaviour for Registered Students and Formerly Registered Students.<sup>1</sup>

8. No member of the University shall forge or falsify or knowingly make improper use of any degree certificate or other document attesting to academic achievement, or knowingly make false statements concerning standing or concerning results in examinations.

9. All members of the University shall comply with any instruction given by a University officer, or by any other person authorized to act on behalf of the University, in the proper discharge of his or her duties.

10. All members of the University shall state their names and the Colleges to which they belong when asked by a Proctor or Pro-Proctor, or by any other person in authority in the University or in any of the Colleges in the University.

#### RULES OF BEHAVIOUR FOR REGISTERED STUDENTS AND FORMERLY REGISTERED STUDENTS

*Grace 1 of 30 May 2019*

All registered and formerly registered students are responsible for following the Rules of Behaviour. Not knowing or forgetting about the rules or their consequences is not a justification for not following them.

1. A registered student must:

- (a) comply with instructions issued by any person or body authorised to act on behalf of the University, in the proper discharge of their duties;
- (b) comply with all health and safety regulations and instructions issued by the University, a College or other associated institution;
- (c) inform the University of any relevant unspent criminal conviction;
- (d) comply with the terms of the code of practice issued under the provisions of section 43 of the Education (No. 2) Act 1986 regarding meetings and public gatherings on University Premises;
- (e) comply with the Statutes and Ordinances and any rules and procedures established under the Statutes and Ordinances.

2. A registered student must not:

- (a) interfere or attempt to interfere in the activities of the University, a College, or any member of the collegiate University community in the pursuit of their studies or in the performance of their duties;
- (b) damage, misappropriate or occupy without appropriate permission any University or College property or premises, or any property or premises accessed as a result of a College or University activity;
- (c) interfere in the freedom of speech or lawful assembly of a member of the collegiate University community or visitor to the University;
- (d) engage or attempt to engage in physical misconduct, sexual misconduct or abusive behaviour: towards a member of the collegiate University community; or towards anyone within the precincts of the University<sup>2</sup> or during the course of a University or College activity;
- (e) damage or misappropriate property belonging to a member of the collegiate University community; or belonging to anyone within the precincts of the University or during the course of a University or College activity;
- (f) endanger the health and safety of anyone within the precincts of the University or in the course of a University or College activity;
- (g) engage in any form of academic misconduct;
- (h) forge, falsify or improperly use information to gain or attempt to gain an academic or personal advantage.

3. A formerly registered student must not forge, falsify or improperly use examination results, academic achievements, data, documents, or awards from the University.

4. The following definitions are applied under the Rules of Behaviour:

- (a) A 'formerly registered student' is a person who has previously had the status of a registered student.<sup>3</sup> Where a formerly registered student is also an employee of the University and the alleged misconduct

<sup>1</sup> See below.

<sup>2</sup> See Regulation 2 of the regulations for Residence and Precincts of the University (p. 172).

<sup>3</sup> These regulations apply to allegations that are made on or after 1 October 2019. Where those allegations concern conduct that took place before that date, the regulations in force at the time of the conduct in question will be applied to determine whether a breach has occurred (e.g. under these Rules of Behaviour for conduct on or after 1 October 2019, or under the General Regulations for Discipline that were in force at the time for conduct prior to that date), and the respondent will be offered a choice of the case being determined under the Student Disciplinary Procedure in force from 1 October 2019 (p. 193) or the procedure in force at the time of the conduct.

concerns conduct in that capacity as employee, the matter shall not be dealt with under the student disciplinary procedure and shall be referred for consideration under the relevant staff disciplinary procedure.

- (b) 'Activities of a University or a College' include activities in which a student is participating that involve other organisations working in partnership with the University or a College. A non-exhaustive list of examples of such organisations are other higher education institutions, research institutes, research funders, collaborators, and work placement settings.
- (c) 'Physical misconduct' is any unwanted and unreasonable contact. Physical misconduct includes pinching, punching, kicking, slapping, pulling hair, biting, pushing, shoving, using weapons and using items as weapons.
- (d) 'Sexual misconduct' is any unwanted and unpermitted sexual activity. Sexual activity includes sexual acts, kissing, sharing private sexual materials of another, touching through clothes, showing sexual organs and remarks of a sexual nature. Sexual misconduct can take place in physical or virtual environments.
- (e) 'Abusive behaviour' is any unwanted behaviour which is reasonably likely to cause harm; or have the effect of violating another's dignity; or create an intimidating, hostile, degrading, humiliating or offensive environment for that other. It includes threats, abusive comments, the use of or supply of illicit substances, making malicious accusations, repeatedly contacting someone, and abuse that takes place within an intimate relationship. Abusive behaviour can take place in physical or virtual environments.
- (f) The word 'unwanted' means 'unwelcome' or 'uninvited'. It is not necessary for a person to object to the behaviour for it to be unwanted.
- (g) The word 'unpermitted' means 'not permitted' or 'unauthorised'. A number of behaviours can indicate where permission has been given, for example, verbal comments or physical actions. Permission for an activity can only be given at the time it is taking place and where the person has the choice to give or not give permission. Where there is disagreement as to whether an activity was unpermitted, the applicable test shall be, taking all circumstances into account, whether a reasonable person would consider the activity was unpermitted.
- (h) 'Academic misconduct' is gaining or attempting to gain, or helping others to gain or attempt to gain, an unfair academic advantage in formal University assessment, or any activity likely to undermine the integrity essential to scholarship and research. It includes being in possession of unauthorised materials or electronic devices during an examination, including recording or communication devices or devices that can store data, even where the Registered Student is unaware that such materials or devices are unauthorised, has no intention of using them, or is unaware that they have them in their possession. Academic misconduct also includes:
- Plagiarism: using someone else's ideas, words, data, or other material produced by them without acknowledgement;
  - Self-plagiarism: using the Registered Student's own ideas, words, data or other material produced by them and submitted for formal assessment at this University or another institution, or for publication elsewhere, without acknowledgement, unless expressly permitted by the assessment;
  - Contract cheating: contracting a third party to provide work, which is then used or submitted as part of a formal assessment as though it is the Registered Student's own work;
  - Collusion: working with others and using the ideas or words of this joint work without acknowledgment, as though it is the Registered Student's own work, or allowing others to use the ideas or words of joint work without acknowledgment;
  - Impersonating someone or being impersonated in an examination or arranging for someone to impersonate someone else by sitting their examination;
  - Fabrication, falsification or misrepresentation of data, results or other outputs or aspects of research, including documentation and participant consent, or presenting or recording such data, etc, as if they were real; or
  - Failure to meet legal, ethical and professional obligations in carrying out research. This includes failure to follow agreed protocol if this failure results in unreasonable risk or harm to humans, other sentient beings or the environment, and facilitating of misconduct in research by collusion in, or concealment of, such actions by others. It includes any plan or conspiracy to attempt to do any of these things.
- (i) 'Instructions issued by any person or body authorised to act on behalf of the University' include requests to attend meetings, to provide identification upon request, and to share primary datasets or data analysis with a supervisor.
- (j) A 'College or University activity' is an academic, sporting, social or cultural activity either within the Precincts of the University or elsewhere in the context of a person's membership of the University.
- (k) A 'relevant' unspent criminal conviction includes a conviction for the following:
- Any kind of violence including (but not limited to) threatening behaviour, offences concerning the intention to harm or offences which resulted in at least actual bodily harm.
  - Sexual offences, including those listed in the Sexual Offences Act 2003.
  - The unlawful supply of controlled drugs or substances where the conviction concerns commercial drug dealing or trafficking (drug offences only involving possession are not relevant offences).
  - Offences involving firearms.
  - Offences involving arson.
  - Offences involving terrorism.

If a student was convicted outside the United Kingdom for the type of offence listed above, this is also considered a relevant conviction.

For the purposes of this definition, out of court disposals are considered to be convictions. Penalty notices for disorder (PNDs), anti-social behaviour orders (ASBOs) or other orders are not considered to be convictions, unless contesting a PND or breaching the terms of an ASBO or other order has resulted in a criminal conviction. Whether or not an offence is considered 'spent' is defined by the Rehabilitation of Offenders Act 1974 and subsequent revisions to the Act.

- (l) 'The code of practice issued under the provisions of section 43 of the Education (No. 2) Act 1986' relates to meetings and public gatherings on University premises. The Code of Practice is available at: <https://www.cambridgestudents.cam.ac.uk/new-students/rules-and-legal-compliance/freedom-speech>.
  - (m) 'Rules and procedures established under the Statutes and Ordinances' include: procedures that govern student conduct; regulations governing information services, motor vehicles, bicycles and boats; and the payment of fees and fines.
  - (n) 'Registered student', 'respondent', 'reporting person', 'witness', and 'collegiate University community' have the same meanings as they are given in the Student Disciplinary Procedure.
5. Any breach of the Rules of Behaviour may be considered more serious if:
- (a) it took place under the influence of alcohol or illicit substances;
  - (b) it was motivated by the protected characteristics<sup>1</sup> or perceived protected characteristics of another;
  - (c) the respondent has previously been found to have breached the same Rule of Behaviour;
  - (d) the respondent has not complied with any sanction or measure under the Student Disciplinary Procedure;
  - (e) the respondent has breached precautionary action measures whilst the Student Disciplinary Procedure has been ongoing;
  - (f) the respondent has not provided the University with reasonable information upon request so that it can assess the risk the respondent may pose to the collegiate University community;
  - (g) the respondent has attempted to conceal or destroy evidence, or coerce or intimidate officers, reporting persons or witnesses, in relation to that breach;
  - (h) the respondent has abused a position of power or trust.

## STUDENT DISCIPLINARY PROCEDURE

*Graces 1 and 2 of 30 May 2019*

### 1. Glossary of key terms

1.1 In this procedure, the following terms shall have the meanings set out below:

Appeal Committee	A panel of three trained persons, two assigned by lot from a panel appointed by the General Board, and one Proctor, Deputy Proctor or Pro-Proctor, which determines whether an appeal against a decision of the Discipline Committee is upheld or dismissed, with the authority to amend, quash or impose sanctions or measures
Collegiate University Community	All Registered or Formerly Registered Students, other matriculated persons, all members of the Regent House, and all University and College employees, workers, staff or secondees, visiting scholars and visiting students
Completion of Procedures letter	A letter that confirms the completion of the University's internal procedures, following which a student may be able to raise a complaint with the Office of the Independent Adjudicator
Concern	The description of the behaviour causing concern, reported by the Reporting Person and submitted using a Concern Form
Discipline Committee	A panel of three trained persons, assigned by lot from panels appointed by the General Board, which determines whether the Rules of Behaviour have been breached or whether a Registered Student's criminal conviction requires the University to take further action and, if so, has the authority to impose sanctions or measures
Formerly Registered Student	A person who has previously had the status of a Registered Student. <sup>2</sup> Where a Formerly Registered Student is also an employee of the University and the alleged misconduct concerns conduct in that capacity as employee, the matter shall not be dealt with under the student disciplinary procedure and shall be referred for consideration under the relevant staff disciplinary procedure
Impact Statement	A written statement from a Reporting Person or Witness that describes the personal impact of an alleged breach of the Rules of Behaviour

<sup>1</sup> These are listed in the Equality Act 2010 and are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation.

<sup>2</sup> These regulations apply to conduct that allegedly took place on or after 1 October 2019. Where those allegations concern conduct that took place before 1 October 2019, the regulations in force at the time of the conduct in question will be applied to determine whether a breach has occurred (e.g. under the Rules of Behaviour for conduct on or after 1 October 2019 (p. 191), or under the General Regulations for Discipline that were in force at the time for conduct prior to that date), and the respondent will be offered a choice of the case being determined under the Student Disciplinary Procedure in force from 1 October 2019 or the procedure in force at the time of the conduct.

Investigating Officer	A person who meets the criteria outlined from time to time by the General Board with responsibility for conducting an investigation into a potential breach of the Rules of Behaviour and presenting the investigation findings to a Discipline Committee
Investigation Report OSCCA	The report created by the Investigating Officer following an investigation The Office of Student Conduct, Complaints and Appeals
Registered Student	Any person who has accepted an offer to study or is currently pursuing a course of study at the University; or a person who had such student status at the time of the circumstances about which the Concern is being raised. Visiting Students are covered by the terms and conditions of their contract
Reporting Person	A person who is reporting a Concern about a Registered Student or Formerly Registered Student
Respondent	A Registered or Formerly Registered Student whose conduct is the subject of a Concern
Rules of Behaviour	The rules established by the General Board concerning the conduct of Registered Students and Formerly Registered Students
Student Discipline Officer	A trained member of Regent House who meets the criteria outlined from time to time by the General Board, appointed by Grace, with responsibility for: commissioning an investigation into a potential breach of the Rules of Behaviour; determining whether a Registered Student's criminal conviction requires the University to take further action; or deciding the University course of action following an investigation, with the authority to impose a minor sanction or measure
Witness	A person who has witnessed the Respondent's behaviour or has witnessed a matter connected to the Respondent's behaviour as alleged in the Concern. The Witness may be someone to whom the behaviour was directed, or a third party

## 2. Scope and principles

**2.1** This procedure enables the University to consider whether a Registered Student or Formerly Registered Student has breached the Rules of Behaviour and, if it is found that the Rules have been breached, to impose proportionate sanctions or measures. The procedure enables the University to respond appropriately to breaches of the Rules of Behaviour, to protect the University and the Collegiate University Community. It does not exist to resolve personal disputes.

**2.2** The University can investigate and take action even where a Registered Student has since graduated or stopped pursuing a course of study. However, it will be necessary for the University to consider whether a matter can practicably be investigated and whether it is appropriate to do so, noting the limitations on the potential sanctions or measures available.

**2.3** This procedure is an internal process and does not have the same degree of formality as proceedings in a court of law. It is not normally necessary or appropriate for a Respondent or the University to be legally represented at any meetings that form part of the procedure apart from in exceptional circumstances. However, Respondents may access and use legal representatives, at their own cost, in relation to this procedure.

**2.4** The procedure itself can be stressful for those involved. The Investigating Officer and decision-makers will take into account the potential effects upon those engaging with the procedure and, where possible, minimise these effects. All Reporting Persons, Respondents and Witnesses will receive information about how to access support during this process. The appropriate support will depend on the circumstances of the case, but may be delivered by a College, the University, the Students' Unions' Advice Service or external support organisations.

**2.5** Reasonable adjustments shall be made to the procedure to allow fair access for students with a disability. Respondents, Reporting Persons and Witnesses are requested to make any reasonable adjustments known to the Investigating Officer so that these can be put in place. The Investigating Officer may seek expert opinion regarding reasonable adjustments to ensure appropriate implementation. The Investigating Officer shall keep a record of any such adjustments.

**2.6** In order to ensure that a Respondent's views are accurately represented during the process it is preferable for the University to correspond directly with the Respondent. However, it is accepted that sometimes this will not be in the best interests of the Respondent, for example, where a Respondent is reluctant to make or receive decisions about a Concern without support, as a result of an underlying medical condition or disability. Where a Respondent would prefer correspondence to be directed through an authorised representative, permission needs to be provided by the Respondent in writing or via the Respondent's University email account. Where this is appropriate, the Respondent will be given reasonable time to arrange this support.

**2.7** It will not normally be possible for the Reporting Person to submit a Concern anonymously, apart from in exceptional circumstances where there is a compelling case as decided by the Student Discipline Officer, supported by evidence, for the matter to be investigated. Where an anonymous Concern is accepted, the Concern will normally be accompanied by independent evidence enabling an investigation to take place without the involvement of the anonymous Reporting Person.

**2.8** Concerns are ideally submitted in a timely manner, so that matters can be dealt with effectively. However, it is accepted that this is not always possible, for example where evidence of academic misconduct only becomes apparent after a significant period of time, or where a matter has significantly impacted an individual and the



effects of this impact has led to a delay in reporting. There is no arbitrary deadline for the submission of a Concern, or a time limit based on whether someone who was a Registered Student at the time of the alleged breach of the rules remains a Registered Student when the Concern is submitted. The timeframe may however have an impact on the investigation, decisions, and potential sanctions or measures.

**2.9** The University must investigate and consider Concerns in a timely manner, providing reasonable deadlines at each stage of the process for decision-makers to provide decisions and for Respondents, Reporting Persons and Witnesses to provide information. The University normally aims to complete the initial investigation and Discipline Committee decision within 60 days of informing the Respondent of the Concern. However, delays may occur where the case is complex, the Reporting Person, Respondent or Witnesses are not available to attend meetings, or where the procedure has been suspended for good reason. Respondents and Reporting Persons will be provided with updates where there is a delay.

**2.10** Witnesses are expected to engage fully with the procedure, as far as is reasonable in the circumstances.

**2.11** Where reasonable, physical meetings can be replaced by virtual meetings, where a Respondent, Reporting Person or Witness may attend a meeting by video or telephone call at the discretion of the Investigating Officer or Chair of the Committee.

**2.12** All decision-makers and investigators will receive appropriate training to undertake their role and be appropriately resourced and supported. No decision-maker or investigator will have any previous involvement with the matter that they are considering, or personal knowledge of the people involved. To avoid the reasonable perception of bias, decision-makers and investigators will not be a member of the same College or Department as the Respondent or the Reporting Person.

**2.13** Any reference in this procedure to a University officer or other named role includes a deputy appointed by that officer or role-holder to exercise the functions assigned to that officer under this procedure.

**2.14** Some breaches of the Rules of Behaviour could also constitute criminal offences. The University will not normally investigate a matter where criminal proceedings are ongoing (including criminal investigations and appeal processes), pausing any action under this procedure until criminal proceedings are complete. Where criminal proceedings are instituted after action under this procedure has begun, the University will normally pause such action until the criminal proceedings are complete. Following an investigation undertaken by the police and any subsequent criminal proceedings, where it appears unlikely that criminal proceedings will take place, or where the behaviour being investigated by the University is different to the behaviour being considered through criminal proceedings, the University may take its own action under this or another procedure.

**2.15** The University will treat relevant police fines, cautions, reprimands, final warnings<sup>1</sup> or criminal convictions received by the Respondent as evidence that the behaviour, on which the offence was based, took place. A 'not guilty' or 'no further action' outcome from the police or criminal proceedings will not prevent the University from undertaking its own investigation as to whether a breach of the Rules of Behaviour has occurred.

**2.16** Sometimes a Concern will be more appropriately investigated under another procedure, for example, the Procedure to Determine Fitness to Study, if the behaviour has been wholly caused by an underlying medical condition, or the Procedures to Determine Fitness to Practise for students undertaking professional courses, where the requirements for student behaviour are stricter. It will be at the discretion of the Student Discipline Officer, in consultation with relevant University Officers, to decide which procedure is most appropriate to investigate student behaviour. The University reserves the right to refer a matter to another procedure at any time during this procedure. Sometimes a Concern will be appropriately investigated under this procedure but nonetheless, following the outcome, it will be necessary to refer the matter to another procedure, for example to refer a matter to the Procedures to Determine Fitness to Practise, to consider the Respondent's ability to continue on a professional course of study where a breach of the Rules of Behaviour has been found. If a breach of the Rules of Behaviour has been found, this will be treated as evidence that the breach of the Rules of Behaviour has occurred but there may be other elements of a Respondent's ability to study that cannot be considered under this procedure.

**2.17** Some breaches of the Rules of Behaviour will also be in breach of a College's Statutes and Ordinances and may result in the Respondent's College taking disciplinary action. The University shall take into consideration any action taken by the College to ensure that the Respondent is not punished twice for the same breach. However, even where the College chooses to take no action, it may still be appropriate for the University to take its own action, following consultation with the College.

**2.18** Where a Concern involves more than one Respondent, it will be at the discretion of the Investigating Officer to decide whether the Concern should be separated into separate investigations for some or all of the Respondents. Where an investigation includes more than one Respondent and the Student Discipline Officer has chosen to refer the matter to the Discipline Committee, the Chair of the Discipline Committee shall have the discretion to decide whether there shall be a single hearing for all of the Respondents, or a separate hearing for each Respondent. Where a hearing involving multiple respondents takes place, the personal mitigation of each Respondent, unless it refers to the other Respondent(s), shall not be shared with the other Respondent(s). Where multiple Respondents appeal the decision of the Discipline Committee decision appeals shall usually be considered separately but by the same Appeal Committee.

**2.19** Special Ordinance D (v) concerning Precautionary Action permits the Academic Secretary to put precautionary measures in place where an investigation is ongoing and when it is necessary to do so in the circumstances. It is the responsibility of OSCCA, where appropriate, to ensure updates relating to this procedure are provided to the Academic Secretary and College to ensure that the ongoing risk can be monitored.

<sup>1</sup> Reprimands and final warnings are no longer issued by the police but are noted here to provide a complete list of the types of warnings that are covered by this paragraph.



**2.20** While the procedure is ongoing, a Respondent must not contact or attempt to contact the Reporting Person or any other Respondent or Witness to the alleged misconduct either directly or via another person. Except where precautionary action precludes it, Respondents may continue to pursue and complete their studies, including graduating, unless informed otherwise by the Student Discipline Officer.

**2.21** The University owes a duty of care to all members of the Collegiate University Community, including Reporting Persons, Witnesses and Respondents, to safeguard the interests and safety of the Collegiate University Community.

**2.22** Respondents, Witnesses, Reporting Persons and their supporters and representatives, as well as decision-makers and investigators, are required to communicate and act respectfully and reasonably at all times whilst using the procedure and to treat the processes with respect. Abusive behaviour will not be tolerated. If, following a warning, someone continues to behave in an unacceptable manner, that person may be subject to separate disciplinary action. The person may be required by a decision-maker to stop engaging with this procedure or engage in a limited manner, even if this impacts upon the consideration of the Concern or a subsequent appeal.

**2.23** Except as set out in paragraph 3.9, the Reporting Person or Witness cannot challenge a decision not to proceed with a disciplinary case under this procedure, or the decision of the Student Discipline Officer or Discipline Committee. However, if there are concerns about how the matter was handled or the process used in reaching a decision then a Reporting Person or Witness who is a student may be able to make a complaint under the Student Complaints Procedure.

**2.24** The standard of proof used when making determinations under this procedure is on the balance of probabilities. The burden of proof that a breach of the Rules of Behaviour has occurred rests with the University. This means that it is necessary to prove that it is more likely than not that a breach of the Rules of Behaviour occurred before the decision-maker can impose any sanctions or measures on the Respondent. Decisions must be supported by evidence; it is not enough simply to believe that something is likely to have happened. This requirement means that there may be some cases in which the University decides that it is not appropriate to take or continue action under this procedure.

#### *Information sharing*

**2.25** OSCCA shall share the information and evidence related to an investigation and outcome with members of staff, the Respondent, the Reporting Person and Witnesses where it is strictly necessary to do so in order to process, investigate, and/or determine the outcome of an alleged breach of the Rules of Behaviour, or to implement any sanctions or measures following a finding. All information received from a Reporting Person, Respondent, Witness or staff member will be handled sensitively and in accordance with the University's Data Protection Policy.

**2.26** The University shall share all evidence considered in reaching a decision (except where the decision-maker determines that there is a compelling reason not to do so), the decision itself, the reasons for the decision and any sanctions or measures, with the Respondent. The evidence considered in reaching a decision may not be shared with the Respondent where the identity of the Reporting Person, or the identity of a Witness, or personal data or special category data belonging to another has been provided, where that person does not wish that data or identity to be shared and there is a compelling case for the matter to be investigated without revealing this information to the Respondent. A compelling case may include where the information is of no relevance to the Concern and therefore it does not need to be relied upon. Any student affected by such a decision can request a review using the Procedure for the Review of Decisions of University Bodies. Where information is unable to be shared with the Respondent, this may affect the decision-maker's ability to rely on this evidence in reaching a decision. Where evidence is not relied upon by the decision-maker, this will be specified in the reasons for the decision.

**2.27** The University shall share the initiation of an investigation, the investigation findings and the reasoned determination of the Student Discipline Officer or Discipline Committee, including any sanctions or measures, with the Respondent's College Senior Tutor (if the Respondent is a member of a College) and the Respondent's Head of Department. Where relevant, the University shall also share this information with internal bodies (for example a fitness to practise committee), regulatory bodies (for example, the Disclosure and Barring Service), professional bodies (for example, the General Medical Council), or other organisations with whom the student may be connected, where it is appropriate to do so (for example, where the student holds a position of responsibility for children or vulnerable adults). Where formally requested to do so, or where the University considers that someone may be at significant and immediate risk of harm, the University may disclose information received through this procedure to the police. When initiating an investigation, the Investigating Officer will inform the Respondent in writing that information about the case will be provided to the police if formally requested by the police or if the Student Discipline Officer considers that there is an immediate and significant risk to the Collegiate University Community.

**2.28** The University shall share relevant information from the investigation findings, the reasoned determination of the Student Discipline Officer or Discipline Committee, and sanctions or measures with the Reporting Person and Witnesses, where they have been personally affected by the original incident or the disciplinary process. 'Relevant' information is that which it is reasonably necessary to share in order to safeguard the interests of the Reporting Person or Witness.

**2.29** It is necessary that all parties feel able to engage fully with the procedure without concern for the wider sharing of information disclosed within the investigation process. Following the conclusion of the procedure, those involved may discuss their personal experience of the procedure with others. However, regardless of the outcome, parties should not identify or provide details that might identify any individual involved in the

investigation or subsequent decision-making process. Sharing identifying information could result in disciplinary action.

### **3. Submitting a Concern**

**3.1** The University will normally be informed of a potential breach of the Rules of Behaviour by a Reporting Person. The Reporting Person may be a person who has been impacted by the reported behaviour, witnessed the reported behaviour or became aware of the reported behaviour through other means.

**3.2** For Concerns relating to academic misconduct in examinations, the Reporting Person may be a supervisor, invigilator or other person officially engaged in the examination process, who shall have confiscated any unauthorised material or device before contacting the Investigating Officer without delay. For Concerns relating to other types of academic misconduct, the Reporting Person may be a person engaged in the academic assessment process who has met with the Respondent to ascertain whether there is evidence of poor scholarship to be handled by the Department, or whether there is an allegation of academic misconduct which requires a Concern to be raised. The Reporting Person may also be any person who becomes aware that academic misconduct may have occurred.

**3.3** A prospective Reporting Person can contact OSCCA to request a preliminary meeting with the Investigating Officer to understand the procedure.

**3.4** To submit a Concern, the Reporting Person must complete and submit the Concern Form, together with any evidence the Reporting Person wishes to provide, to the Investigating Officer.

**3.5** The Investigating Officer shall communicate with the Reporting Person to acknowledge the Concern that has been received, to request further information where the Concern Form is incomplete, and to offer the Reporting Person a preliminary meeting if one has not already taken place.

**3.6** The Concern Form will be presented by the Investigating Officer to the Student Discipline Officer who will consider whether the following criteria are met:

- (a) there is an allegation that, on the face of it, would appear to breach the Rules of Behaviour;
- (b) this procedure is the most appropriate procedure to use to investigate the matter; and
- (c) the Concern has not already been investigated using this procedure.

**3.7** Where all the criteria have been met, the Student Discipline Officer shall commission an investigation into the Concern. Where at least one of the criteria has not been met, the Student Discipline Officer shall not commission an investigation under this procedure, although he or she may refer the matter for investigation under another University procedure in line with paragraph 2.16.

**3.8** Where part of the Concern has previously been investigated, it is at the discretion of the Student Discipline Officer whether it is in the University's interest to investigate the aspect that has not yet been investigated, taking into account why the matter was not previously fully investigated, the length of time that has elapsed since the investigation, the severity of the misconduct, the impact on the Respondent of undergoing a second discipline investigation, and whether there would be repercussions for the Respondent's fitness to practise were the decision taken not to investigate the matter.

**3.9** The Student Discipline Officer shall give written reasons for the decision about whether to commission an investigation and the Investigating Officer shall communicate the decision and the reasons to the Reporting Person in writing, within 7 days of receiving the Student Discipline Officer's decision. Reporting Persons who are students may be able to seek a review of a decision not to commission an investigation, or about the scope of the proposed investigation, under the Procedure for the Review of Decisions of University Bodies within 14 days of being notified of the decision.

**3.10** Subject to the outcome of any review process as set out in paragraph 3.9, where an investigation is not commissioned and where the Concern is not withdrawn by the Reporting Person, the Respondent shall normally be notified in writing of the Concern, the decision of the Student Discipline Officer, the reasons for the decision, and confirmation that no further action will be taken under this procedure. This notification shall normally be provided to the Respondent within 7 days of the Student Discipline Officer's decision, or where the Reporting Person is a student, within 7 days of the deadline for seeking a review or following the completion of a review. However, where sharing this information with the Respondent may impact upon an investigation being undertaken under a different procedure or by an external body, a delay to informing the Respondent may be necessary.

### **4. Investigating a Concern**

**4.1** Where an investigation is commissioned, the Investigating Officer shall write to the Respondent to confirm that a Concern naming the Respondent has been received, the nature of the alleged behaviour, the relevant Rules of Behaviour that have allegedly been breached and the decision of the Student Discipline Officer to proceed with an investigation. The Investigating Officer will provide a brief summary of the Concern, name the Reporting Person (unless, exceptionally, an anonymous Concern has been accepted), and describe the investigation process, the possible outcomes, including referral to other procedures, for example fitness to practise, and who may need to be informed of these outcomes. The Investigating Officer will inform the Respondent and the Reporting Person of the avenues of support available to them and the potential consequences if the Concern relates to alleged misconduct that may constitute a criminal offence.

**4.2** The Investigating Officer shall conduct an investigation which may require written statements, meetings and evidence from any member of the Collegiate University Community relevant to the investigation. In addition, the Investigating Officer may request written statements, meetings and evidence from anyone outside of the Collegiate University Community. Written notes shall be taken of all investigative meetings. Any person required to attend an investigative meeting will be able to bring a supporter and/or representative of their choice to the

meeting and will be directed to appropriate sources of support. At the meeting they can present written information, evidence and the names of any Witnesses and shall have the opportunity to comment on the Investigating Officer's written notes of any meeting that they have attended.

**4.3** The Investigating Officer shall normally meet with the Reporting Person and with the Respondent to receive an oral account of the circumstances leading to the Concern, to receive relevant evidence relating to the Concern and the names of any Witnesses. The Reporting Person and Respondent should not attempt to investigate the matter themselves (and therefore should not make contact with each other or any Witness), instead providing all potential relevant information to the Investigating Officer. The Investigating Officer may meet with any Witnesses or instead collect information through written statements and other types of evidence. The Investigating Officer shall give anyone impacted by the alleged behaviour being investigated the opportunity to provide an Impact Statement.

**4.4** In addition to investigating the Concern itself, the investigation shall include gathering information about and investigating the seriousness of the Concern, any mitigation provided by the Respondent and any relevant previous breaches of the Rules of Behaviour by the Respondent. During the investigation, it may be necessary to request further information and responses from those who have already provided oral or written accounts. Information the Investigating Officer may consider collecting, where relevant and available, includes validating information that has been provided by others, records of correspondence, CCTV evidence, medical evidence from qualified medical practitioners, and records of online activity. This is a non-exhaustive list and the Investigating Officer may request any information the Officer considers will provide value to the investigation. The University does not have the resources to undertake its own forensic investigation and therefore, unless this type of information already exists, the Investigating Officer shall not normally seek it. The University also has no power to compel the Respondent, the Reporting Person or any Witness to provide evidence.

**4.5** The Investigating Officer may also require Respondents to engage in expert assessment(s) to assess the level of risk they present to themselves, members of the Collegiate University Community, anyone within the Precincts of the University, and anyone with whom the Respondent comes into contact whilst engaged in study. Where a Respondent does not engage with the process this may make any breach of the Rules of Behaviour more serious, as outlined in Regulation 5 of the Rules of Behaviour. In addition, not engaging with the process is likely to separately breach Regulation 1(a) of the Rules of Behaviour and further disciplinary action may be taken. Where a Respondent does not engage with an expert assessment, commissioned to assess the level of risk associated with the Respondent, the Investigating Officer may assume that there is a high level of risk associated with the Respondent. Any action taken must be proportionate to the circumstances; however, the level of risk may be relevant to any precautionary action taken, or to any sanction or measure imposed by the Student Discipline Officer, Discipline Committee or Appeal Committee.

**4.6** The Investigating Officer shall produce an Investigation Report, outlining the findings of the investigation. The Investigating Officer will share a copy of the Investigation Report and all evidence with the Student Discipline Officer.

## **5. Student Discipline Officer decision**

**5.1** The Student Discipline Officer shall consider the Investigation Report and evidence from the investigation. At the Student Discipline Officer's discretion, the Investigating Officer may be asked to obtain further evidence or to clarify any aspect of the Investigation Report.

**5.2** The Student Discipline Officer shall reach one of the following decisions:

- (a) To impose a minor sanction or measure where the Student Discipline Officer is satisfied that a breach of the Rules of Behaviour has occurred and that a minor sanction or measure is appropriate;
- (b) To refer the case to the Discipline Committee where the Student Discipline Officer considers that a breach of the Rules of Behaviour may have taken place and that a minor sanction or measure may not be an appropriate action;
- (c) Where neither (a) nor (b) is appropriate: (i) to take no further action; (ii) to refer the matter for decision under another University procedure.

**5.3** In considering whether to impose a minor sanction or measure, or refer the case to the Discipline Committee, the Student Discipline Officer shall give consideration to Regulation 5 of the Rules of Behaviour and any guidance published by the General Board in relation to sanctions and measures, as well as the following factors:

- (a) The seriousness of the breach;
- (b) The harm or damage caused;
- (c) The advantage gained or the advantage that could have been gained by the Respondent as a result of the breach;
- (d) The intent and planning involved in the breach;
- (e) The impact on the Collegiate University Community, including the content of any Impact Statement;
- (f) Whether the Respondent has admitted to the breach and when such an admission took place;
- (g) Whether the Respondent has expressed remorse and/or shown insight into the impact of the breach;
- (h) The evidenced personal circumstances of the Respondent.

**5.4** Where the Student Discipline Officer decides to impose a minor sanction or measure, one or more of the following sanctions or measures are available:

- (a) A written warning, which will be placed on the Respondent's record and will make any subsequent breaches of the Rules of Behaviour more serious;
- (b) To require the Respondent to pay the cost of material damages up to the amount of £250;
- (c) To require the Respondent to provide a written apology;

- (d) To require the Respondent to engage with an educative or reflective session;
- (e) To require the Respondent to complete a written reflection;
- (f) To require the Respondent not to contact a Reporting Person or Witness.

**5.5** The Student Discipline Officer shall provide the decision and the reasons for the decision in writing. Within 7 days of receiving the Student Discipline Officer's decision and reasons, the Investigating Officer shall communicate this in writing alongside a copy of the Investigation Report and evidence to the Respondent and others in line with 2.25–2.28 of this procedure. Where a minor sanction or measure is imposed, the Respondent will have 7 days from receiving the decision to confirm whether to accept this outcome or have the case referred to the Discipline Committee.

**5.6** The Student Discipline Officer shall refer the case to the Discipline Committee for consideration where the Respondent does not agree with the decision to impose a minor sanction or measure; or where the Respondent does not comply with the minor sanction or measure; or where the Student Discipline Officer considers that a minor sanction or measure may not be appropriate.

**5.7** The Student Discipline Officer may at any time withdraw the referral to the Discipline Committee. Such a decision will be communicated in writing to the members of the Discipline Committee, the Respondent and others in line with 2.25–2.28 of this procedure.

## **6. Registered Students who receive a relevant criminal conviction**

**6.1** It is a Registered Student's responsibility to inform the University about any relevant criminal conviction received whilst a Registered Student. If a relevant criminal conviction is not reported then the Registered Student will be in breach of Regulation 1(c) of the Rules of Behaviour.

**6.2** The purpose of a student reporting a criminal conviction is so that the University can assess whether the Registered Student is able to continue to study at the University and whether there are any further actions that need to be taken. The behaviour resulting in the criminal conviction may not necessarily be in breach of any of the Rules of Behaviour.

**6.3** Where a Respondent has already received a criminal conviction as a result of behaviour that is raised within a Concern, an investigation shall be conducted in accordance with paragraph 4 of the procedure. The conviction will be used as evidence that the behaviour on which the conviction was based has taken place.

**6.4** Any criminal sentence given to the Respondent will be taken into account by decision-makers when considering whether to apply any sanctions or measures under this procedure. There is a need for all action taken and sanctions or measures imposed by the University to be proportionate.

**6.5** Where a Registered Student reports a criminal conviction to OSCCA, the Investigating Officer shall require the Registered Student to provide relevant court documentation, including a copy of the sentence, any judgement and any pre-sentence report. The Registered Student shall also have the opportunity to provide a written statement.

**6.6** The Investigating Officer shall present the information to the Student Discipline Officer, and the Student Discipline Officer shall decide either that:

- (a) the criminal conviction does not require the University to take any further action; or
- (b) the criminal conviction requires the University to take further action.

**6.7** Where paragraph 6.6(a) is the decision then the Investigating Officer shall write to the Registered Student and confirm that no further action will be taken. A record of this decision shall be retained by OSCCA.

**6.8** Where paragraph 6.6(b) is the decision, the Student Discipline Officer shall refer the matter to the Discipline Committee for further consideration. The Discipline Committee shall consider whether to impose any sanction or measure outlined in paragraphs 5.4 or 7.12 of this procedure for the protection of the interests of the University, in accordance with the process outlined in paragraph 7.

## **7. Discipline Committee consideration**

**7.1** Where the Student Discipline Officer refers any case to the Discipline Committee, a member of OSCCA shall act as Secretary to the Discipline Committee and shall assign by lot a Chair and two members to the Discipline Committee from among the members of the Panel appointed by General Board who are available and have not had prior involvement in the case.

**7.2** The Discipline Committee shall consist of:

- (a) A Chair, who shall be experienced in decision-making relating to misconduct, either through legal training or in relation to student, staff or professional procedures;
- (b) A member of Regent House;
- (c) A Registered Student or a sabbatical officer of Cambridge University Students' Union or the Graduate Union.

**7.3** The Secretary of the Discipline Committee shall organise a meeting of the Discipline Committee and will communicate the membership of the Committee, date, time and location of the meeting to the Discipline Committee members, the Investigating Officer, the Respondent and the Respondent's Senior Tutor. If any member is unable or unwilling to act, another member shall be assigned by lot from the relevant panel. If it is not possible to assign three members, the Chair shall have discretion to consider whether it is fair and in the interests of all parties to hold a meeting with only two members of the Committee present. If a Chair is not assigned, the meeting will be rearranged.

**7.4** The Respondent shall be provided with a copy of the Investigation Report and evidence, have an opportunity to provide a written response and be invited to attend (and, if they wish, to give oral evidence to) the Discipline Committee meeting with a supporter and/or representative of their choice. Any response or request to call witnesses from the Respondent must be provided at least 10 days before the date of the Discipline Committee meeting. A



request to call a Witness will be considered by the Chair, who shall determine whether to permit the Witness to attend or provide evidence in an alternative format as outlined at paragraph 7.8. Where the Respondent is dissatisfied with the Chair's decision, the Respondent can appeal this decision following the Discipline Committee's decision on the Concern to the Appeal Committee. A Respondent who wishes to admit the alleged misconduct in advance of the Discipline Committee meeting may do so as part of the written response, in which case the meeting may focus only on what, if any, sanction or measure to apply.

**7.5** Respondents should attend the Discipline Committee in person, where possible. However, where this is impractical, for example, where the Respondent is in another country, the Respondent may attend by video link. If the Respondent is unable to attend the Discipline Committee meeting and wishes to do so, it shall be at the Chair's discretion as to whether the Respondent has provided a sufficient reason for absence, in which case the meeting date should be re-arranged. The Discipline Committee meeting may proceed in the Respondent's absence.

**7.6** The Discipline Committee, the Respondent and the Investigating Officer shall receive a copy of the Discipline Committee papers, the Investigation Report and evidence, and any response provided by the Respondent, at least 7 days before the Discipline Committee meeting.

**7.7** During the Discipline Committee meeting, there shall be the opportunity for the Committee members to ask questions of the Investigating Officer and, if in attendance, the Respondent. The Respondent (or the Respondent's representative) and the Investigating Officer will also have the opportunity to ask questions. The Respondent shall have the opportunity to make a final statement.

**7.8** It will not normally be necessary for the Reporting Person and/or Witness to attend the meeting as their evidence will be provided in the Discipline Committee papers. Where the Respondent wishes to challenge the evidence of a Reporting Person or a Witness, the Respondent should notify the Chair of the Discipline Committee who will determine the most appropriate format for this. Appropriate formats may include the Reporting Person or Witness attending the Discipline Committee meeting in person or by video link, and/or questions being directed through the Chair. Alternatively, the Respondent may be asked to explain the precise challenges and, where the Chair of the Discipline Committee considers those challenges material to the Discipline Committee's decision, a further written response will be sought from the Reporting Person or Witness. The Discipline Committee may pause the meeting to request further information where the Chair deems it appropriate to do so.

**7.9** Once the Discipline Committee is satisfied that it has received all of the information, all persons except for the members, Secretary and note taker of the Discipline Committee shall withdraw.

**7.10** The Discipline Committee shall consider all the information that has been provided and reach one of the following decisions:

- (a) To dismiss the case;
- (b) To find that there has been a breach of the Rules of Behaviour.

**7.11** Where the Discipline Committee has found that the Rules of Behaviour have been breached, the Secretary shall inform the Discipline Committee of any previous breaches of the same Rule. The Respondent (and any supporter and/or representative) and the Investigating Officer will be invited back into the meeting and the Respondent (or the Respondent's representative) will have an opportunity to make a further statement in relation to mitigation regarding the breach of the Rules of Behaviour and any previous breaches of Rules of Behaviour. The Investigating Officer may provide further information including in relation to any Impact Statement and the Committee may ask questions. The Respondent (or the Respondent's representative) shall have the opportunity to make a final statement.

**7.12** The Discipline Committee will then consider whether a sanction or measure should be imposed. Consideration shall be given to the factors outlined in Regulation 5 of the Rules of Behaviour and paragraph 5.3 of this procedure. The Discipline Committee can consider whether a minor sanction or measure, as outlined in paragraph 5.4, should be imposed. Where a minor sanction or measure is not considered to be appropriate, the Discipline Committee can choose from the following further sanctions and measures:

- (a) Restrictions or conditions on the right to use University or, with the permission of the relevant College, College premises, facilities or services;
- (b) The amendment of academic results or the temporary or permanent removal of academic awards;
- (c) Temporary or permanent exclusion from membership of the University with accompanying temporary or permanent removal of academic awards;
- (d) Any penalty considered by the Discipline Committee to be lighter.

**7.13** In deciding upon the appropriate sanction(s) or measure(s), the Discipline Committee shall consider each sanction or measure in turn and shall impose the lowest sanction(s) or measure(s) commensurate with the breach. The Discipline Committee shall record the reasons for the sanctions or measures imposed. Sanctions or measures affecting the academic results or academic awards of a Respondent shall only be imposed where it is proportionate to do so.

**7.14** The Secretary of the Discipline Committee, within 7 days of the Discipline Committee reaching a decision, shall provide to the Respondent a written document explaining the Discipline Committee's decision, reasons for the decision, any sanction or measure applied and the right of appeal. The notes of the Discipline Committee meeting will be shared with the Respondent within 14 days of the Discipline Committee meeting. The outcome will be shared with others in line with 2.25–2.28 of this procedure.

**7.15** Where a Respondent subsequently fails to comply with any sanctions or measures imposed by the Discipline Committee, the Respondent will be subject to any action specified by the Discipline Committee to be imposed in this circumstance; or, where other action has not been specified, further disciplinary action may be taken under Regulation 1(a) of the Rules of Behaviour.



## 8. The Appeal Committee

**8.1** The Respondent shall have the right to appeal the decision of the Discipline Committee within 14 days of receiving the written decision. A member of OSCCA who has had no previous involvement in the case shall act as Secretary to the Appeal Committee. The Secretary to the Appeal Committee has the authority to extend the appeal deadline, where there is a compelling reason to do so.

**8.2** An appeal can be submitted on the following grounds, that:

- (a) The procedures were not followed properly;
- (b) The Discipline Committee reached an unreasonable decision;
- (c) The Respondent has new material evidence that the Respondent was unable, for valid reasons, to provide earlier in the process;
- (d) There is bias or reasonable perception of bias during the procedure;
- (e) The penalty imposed was disproportionate, or not permitted under the procedures.

**8.3** In order to appeal the Discipline Committee's decision, the Respondent will need to complete and submit an Appeal Form to OSCCA, which includes all evidence the Respondent wishes to be considered as part of the appeal. The University will normally aim to make a decision regarding an appeal within 30 days of the Respondent making the appeal.

**8.4** If the appeal has been made on the specified grounds and within the timeframe, as determined by the Secretary of the Appeal Committee, the Secretary shall assign by lot a Chair and a member of the Regent House from among the members of the panels appointed by General Board who are available and have not had prior involvement in the case, and require the Proctors to confirm a Proctor, Deputy Proctor or Pro-Proctor who is available and has not had any prior involvement in the case.

**8.5** The Appeal Committee shall consist of:

- (a) A Chair, who shall be experienced in decision-making relating to misconduct, either through legal training or in relation to student, staff or professional procedures;
- (b) A member of the Regent House;
- (c) A Proctor, Deputy Proctor or Pro-Proctor.

**8.6** The Secretary of the Appeal Committee shall organise a meeting of the Appeal Committee either physically or virtually and communicate the date, time and location for the meeting to members of the Committee. The Respondent will be informed of the membership of the Appeal Committee attending the meeting. If any member is unable or unwilling to act, another member shall be assigned by lot from the relevant panel. If it is not possible to assign three members, the Chair shall have discretion to consider whether it is fair and in the interests of all parties to hold a meeting with only two members of the Committee present. If a Chair is not assigned, the meeting will be rearranged.

**8.7** The Appeal Committee shall receive the Respondent's Appeal Form and evidence, the Discipline Committee outcome, the notes of the Discipline Committee and the material considered by the Discipline Committee at least 7 days before the Appeal Committee meeting.

**8.8** The Appeal Committee shall normally consider an appeal in private based on the written materials, but has the discretion to request further information; where this happens the Respondent shall be sent a copy of any further information and be given an opportunity to provide a written response.

**8.9** The Appeal Committee shall consider all the information that has been provided and reach one of the following decisions:

- (a) To dismiss the appeal;
- (b) To uphold the appeal.

**8.10** Where the Appeal Committee has upheld an appeal on the grounds of new material evidence relating to a breach of the Rules of Behaviour, it will normally send the matter back for re-consideration by a Discipline Committee. Where the Appeal Committee has upheld an appeal on any other ground(s), it can choose to send the matter back for re-consideration by a Discipline Committee, or alternatively it has the power to impose its own decision, including sanctions or measures. Where the Appeal Committee considers a breach of the Rules of Behaviour has taken place, it can impose any sanction or measure outlined in paragraphs 5.4 and 7.12 of this procedure, including more or less significant sanctions or measures than were imposed by the Discipline Committee for the same breach.

**8.11** The Secretary of the Appeal Committee, within 7 days of the Appeal Committee reaching a decision, shall provide to the Respondent a written copy of the Appeal Committee's decision, reasons for the decision, and any substituted decision. This is the final stage of the internal process and therefore the Respondent will be issued with a Completion of Procedures letter.

**8.12** Where the Discipline Committee has imposed a sanction or measure and the Respondent has appealed, the sanction or measure will not normally be implemented while the appeal is being considered. Following the Appeal Committee's decision, any sanctions or measures shall be implemented, even if the Respondent intends to raise a complaint with an external body.

**8.13** Where a Respondent subsequently fails to comply with any sanctions or measures imposed by the Appeal Committee, the Respondent will be subject to any action specified by the Appeal Committee to be imposed in this circumstance; or, where other action has not been specified, further disciplinary action may be taken under Regulation 1(a) of the Rules of Behaviour.

## 9 Reporting and monitoring

**9.1** OSCCA shall monitor all Concerns reported using this procedure and shall produce an annual report summarising the anonymised decisions made by the Student Discipline Officer, the Discipline Committee and the Appeal Committee. The annual report shall be submitted to the General Board through its Education Committee and to the Council.

9.2 The purpose of this monitoring shall be to ensure that decisions are made consistently and at the appropriate level; that appropriate action is taken on issues identified and that information gathered is used to improve guidance and support for students and staff involved in the procedure.

NOTICES BY THE GENERAL BOARD  
UNIVERSITY-WIDE STATEMENT ON PLAGIARISM

*Rescinded by Grace 1 of 30 May 2019*

RULES FOR THE GUIDANCE OF CANDIDATES AND FOR THE PREVENTION OF MISCONDUCT  
IN EXAMINATIONS

1. Candidates shall not commence writing at the start of an examination session until authorized to do so by the Supervisor or Senior Invigilator. Candidates shall stop writing at the end of an examination session when similarly instructed.

2. Except with the consent of the Supervisor or Senior Invigilator, no candidate shall be allowed to enter an examination room later or to leave an examination room earlier than thirty minutes after the beginning of a session.

3. A candidate may take a small bottle of non-carbonated drink to her or his desk for consumption during an examination session provided that no disturbance is thereby caused to other candidates. Except with the written consent of the Examination and Assessment Committee<sup>1</sup> no food or other items of drink may be taken into an examination room; cigarettes, e-cigarettes, and the like are also prohibited from all examination venues. A Supervisor, Invigilator, or Examiner has authority to deprive a candidate of unauthorized items until the examination session is ended.

4. No candidate shall take into an examination room or have in her or his possession during an examination any book or paper relevant to the examination unless specifically authorized. A Supervisor, Invigilator, or Examiner has authority to confiscate such documents.

5. No candidate shall take into an examination room any electronic calculator or other means of data storage or retrieval unless specifically authorized. A Supervisor, Invigilator, or Examiner has authority to confiscate unauthorized items. If a candidate is suspected of unfair means, the item will be confiscated until the Advocate has authorized its return. Where also specified, an electronic calculator must carry an official mark indicating that it has been approved for use in University examinations.

6. No candidate shall have in her or his possession during an examination any electronic communication or audio device. A Supervisor, Invigilator, or Examiner has authority to deprive a candidate of such equipment until the examination session is ended.

7. Candidates shall not remove from an examination room any paper except the question paper and such books or papers, if any, as they were authorized to take into the room. Until the time at which candidates are allowed to leave the examination room, no copy of any examination paper shall be taken from the room without the consent of the Supervisor or Invigilator.

8. No candidate shall communicate with any other candidate during an examination session.

9. Candidates shall not leave their places during a session except with the consent of the Supervisor or an Invigilator.

10. Candidates shall be dressed decently and not in a manner that is likely to create a disturbance in the examination room, or to distract the attention of other candidates.

11. A Supervisor, Invigilator, or Examiner shall report to the Examination and Assessment Committee<sup>1</sup> any breach of these rules and shall inform the candidate concerned that such a report is to be made. A candidate shall not be dismissed from a session except as provided in Rule 12.

12. A candidate who acts in such a way as to disturb or inconvenience other candidates shall be warned and may, at the discretion of the Supervisor, Invigilator, or Examiner, either be required to change seat or be dismissed from the session.

13. Candidates attending a practical examination must comply with the safety requirements of the laboratory in which the examination is held.

14. Candidates shall have regard for the welfare of others, including the general public, at the end of examination sessions (both their own sessions and those of others). In particular they should avoid: noise that might disturb active examinations or other work nearby; littering or damage, especially with food or drink; and obstructing highways or thoroughfares. Candidates shall comply with instructions given by University staff performing their duties.

FINES

*Amended by Grace 1 of 30 May 2019*

The General Board<sup>1</sup>, the Information Services Committee and the Library Syndicate shall have power to impose a fine not exceeding £175 on any person who infringes the regulations for those bodies or the rules made by them under those regulations. A request for review of a decision to impose a fine

<sup>1</sup> The General Board has delegated authority to the Examination and Assessment Committee.

by a registered student (or a person who at the time of the imposition of the fine was a registered student) shall be made under the Procedure for the Review of Decisions of University Bodies established by the General Board.<sup>1</sup>

### MOTOR VEHICLES

*Amended by Grace 1 of 30 May 2019*

1. A member of the University *in statu pupillari* shall not keep, use, or cause to be kept for her or his use any motor vehicle other than a moped within ten miles of Great St Mary's Church while in residence in term or in the Long Vacation period of residence, unless he or she shall have obtained, on her or his Tutor's written recommendation, a licence for that vehicle issued by the Senior Proctor or a person appointed for the purpose by the Senior Proctor under this Ordinance (where the Senior Proctor has appointed a person to act on their behalf any reference to the Senior Proctor in this Ordinance shall be construed as referring to that person). The Senior Proctor may issue such a licence to any member of the University *in statu pupillari* who is a graduate of a university, or who has the status of Bachelor of Arts, or who has kept (or been allowed) nine terms by residence, or to whom the Senior Proctor decides that its issue is warranted by exceptional individual circumstances.

2. A member of the University *in statu pupillari* who is not qualified to hold a licence under Regulation 1 may, on the written recommendation of his or her Tutor, be granted a licence to keep a motor vehicle to be used for the purposes of a University Department or of a University or College club or society, or for any other purpose approved by the Senior Proctor, provided that the application be supported in writing, in the case of a University Department by the Head of the Department or a duly appointed deputy, and in the case of a University or College club or society, by the committee of the club or society.

3. A licence shall normally be valid until the end of the academical year in which it is issued but it may be suspended or revoked at any time by the Senior Proctor. A member *in statu pupillari* who is dissatisfied with a decision to suspend or revoke that member's licence may request a review of that decision. A request for review shall be made under the Procedure for the Review of Decisions of University Bodies established by the General Board.<sup>1</sup>

4. An application for a licence must be made within fourteen days of the vehicle being brought within a ten-mile radius of Great St Mary's Church, or, if it is already within that radius, within fourteen days of its coming into the possession of the applicant, or within the first fourteen days of Full Michaelmas Term if the application is for a renewal.

5. A licence shall at all times be prominently displayed on the vehicle for which it is issued.

6. The issue of a licence may be conditional upon the person to whom it is issued being covered by insurance on behalf of passengers, and upon restrictions on the garaging and parking of a vehicle for which it is issued.

7. These regulations for motor vehicles shall not apply to

- (a) the use of motor vehicles licensed by the Cambridgeshire Police Authority, or in charge of or driven by tradesmen or their employees,
- (b) the hiring of motor vehicles, or the receiving of driving instruction.

8. The Senior Proctor shall have power to impose a fine not exceeding £175 for an offence against any of these regulations or for a breach of any condition made by the Senior Proctor under Regulation 6. A member *in statu pupillari* (or a person who at the time of the imposition of the fine was a member *in statu pupillari*) can request a review of a decision to impose a fine. A request for review shall be made under the Procedure for the Review of Decisions of University Bodies established by the General Board.<sup>1</sup>

### BICYCLES AND BOATS

1. A member of the University *in statu pupillari* shall not keep, or cause to be kept for his or her use, a bicycle within the Precincts of the University, unless it bears a distinguishing mark in accordance with instructions to be issued from time to time by the Proctors.

2. A member of the University *in statu pupillari* shall not keep, or cause to be kept for his or her use, a boat to be used within the Precincts of the University, unless it is registered annually with the Conservators of the River Cam and bears a distinguishing mark in accordance with instructions to be issued from time to time by the Proctors.

<sup>1</sup> See p. 219.

## CLUBS AND SOCIETIES

1. Any club or society consisting wholly or partly of members of the University who are registered students may apply to the Junior Proctor for registration as a University society. A club or society applying for registration shall submit to the Junior Proctor a statement of its current financial position and a copy of its constitution. The Junior Proctor may refer such an application to the Societies Syndicate. If the Junior Proctor refuses to register a club or society the club or society may appeal to the Societies Syndicate, who may if they think fit register the club or society.

2. All registered clubs or societies shall deposit any changes in their constitution with the Junior Proctor, and shall notify him or her of any change of officers.

3. By 31 December each year every registered club or society shall deposit with the Junior Proctor a copy of its accounts for the previous academical year approved and signed by the Senior Treasurer who shall be a member of the Regent House or if not shall be a member of the Senate approved for the purpose by the Junior Proctor. A club or society that has been permitted by the Junior Proctor to amend its constitution under Regulation 4 so as to remove the requirement to have a Senior Treasurer may be required by the Junior Proctor to submit its accounts in such manner as may be determined by the Junior Proctor in each case.

4. A club or society whose constitution requires it to have a Senior Treasurer shall not amend its constitution so as to remove this requirement without obtaining the prior approval of the Junior Proctor and submitting to the Junior Proctor a statement of its current financial position.

5. Any club or society sanctioned by the Proctors before these regulations take effect shall be deemed to have been registered in accordance with these regulations.

6. Any registration granted or deemed to have been granted under these regulations may be withdrawn at the discretion of the Junior Proctor, subject to a right of appeal by the club or society to the Societies Syndicate.

7. No club or society consisting wholly or partly of members of the University who are registered students, whether registered under the provisions of these regulations or not, shall, while occupying University premises, engage in trade without the permission of the Finance Committee of the Council. The Finance Committee may make such permission conditional on the submission to them of annual audited accounts or subject to such other conditions (including the condition that the club or society shall be registered as a limited liability company) as the Finance Committee may deem desirable in the interests of the University or of its members. For the purpose of this regulation

(a) the term 'trade' shall include the buying or selling of goods or services, whether for profit or otherwise, but shall not include the sale of tickets for admission to a public performance given by a club or society, or the sale of any paper, magazine, or journal published by a club or society or of advertising space in such a publication;

(b) the term 'occupying' shall not include the occasional hiring of University premises.

8. These regulations shall not apply to sports clubs.<sup>1</sup>

## MEETINGS AND PUBLIC GATHERINGS ON UNIVERSITY PREMISES

CODE OF PRACTICE ISSUED UNDER SECTION 43 OF THE EDUCATION (NO 2) ACT 1986<sup>2</sup>

*Amended by Grace 1 of 30 May 2019*

Section 43 of the Education (No 2) Act 1986, referring to freedom of speech<sup>3</sup> in universities, polytechnics, and colleges, requires the Council to issue and keep up to date a code of practice to be followed by members, students, and employees of the University for the organization of meetings and other events, which are to be held on University premises, and for the conduct required of members, students, and employees of the University in connection with such meetings, etc. This Code of Practice therefore applies to all members, students, and employees of the University, in respect of all University premises, which for the purposes of this Code includes Cambridge University Students' Union and the Graduate Union. Outdoor, as well as indoor, meetings and events on University premises are included.

Members of the University are reminded that alleged breaches of the general regulations for discipline and other allegations of misconduct against the discipline of the University may be brought before the University Tribunal or a student disciplinary panel, as appropriate.

<sup>1</sup> See the regulations for the University Sports Committee (p. 139). This regulation will come into effect on a date agreed by the Junior Proctor and the Chair of the University Sports Committee.

<sup>2</sup> Section 43 of the Education (No 2) Act 1986 was reproduced in *Reporter*, 1986–87, p. 578.

<sup>3</sup> See the University Statement on Freedom of Speech: <https://www.registraryoffice.admin.cam.ac.uk/governance-and-strategy/university-statement-freedom-speech>.



*Authority and approval processes for meetings and events on University premises*

Authority is required for meetings and events to be held on University premises, whether indoors or out of doors. In the case of accommodation assigned to a single Faculty or Department, the permission of the relevant Faculty or Departmental authorities is required. In the case of accommodation not so assigned, permission must be obtained from the central University authority responsible for the accommodation concerned and, if a room is to be reserved, a booking must be made through that authority at least fourteen working days in advance of the proposed event. Further details of who to contact are available in the Event Booking Guide at [https://www.em.admin.cam.ac.uk/files/uoc\\_event\\_booking\\_guidance\\_0.pdf](https://www.em.admin.cam.ac.uk/files/uoc_event_booking_guidance_0.pdf).

It is anticipated that, in the vast majority of cases, the authority in question will straightforwardly consider the request as part of normal business.

However, in the exceptional circumstances that the authority in question considers that the holding of the event might reasonably be refused solely because of the duty to prevent people from being drawn into terrorism, there is a process of escalation to a Referral Group to be followed before permission may be refused. Only the Referral Group may refuse permission on this basis. The request should be forwarded to the Referral Group<sup>1</sup> (email: [referralconfidential@admin.cam.ac.uk](mailto:referralconfidential@admin.cam.ac.uk)) with a statement of the concerns. This referral should be made at least seven working days in advance of the proposed event. Members of the University who are concerned that a particular forthcoming event should be escalated to the Referral Group may do so directly. The Referral Group will, in consultation as necessary, determine whether the event can go ahead as originally planned, or in alternative premises, at a later date or in a different format. Only in exceptional circumstances and when the Referral Group considers that there are risks which cannot be mitigated or the event organizer refuses to meet any conditions imposed, will permission be withheld. An organizer who is unhappy with the Referral Group's decision has the right of appeal to the Vice-Chancellor or to his or her appointed deputy for these purposes.

Any decision by the Referral Group that an event proposed to be held in the University is not to take place, or may only take place subject to conditions, is binding and takes precedence over any other permission which may have been given by any other body or officer in the University.

*Organization and management of meetings and events on University premises*

Once approved, the organizers of meetings and events must comply with any conditions set by the University authorities concerned for the organization of the meeting or other activity and the arrangements to be made. Such conditions may include the requirement that tickets should be issued for public meetings, that an adequate number of stewards should be available, that the police should be consulted and their advice taken about the arrangements, and that the time and place of the meeting should be changed. The cost of meeting the requirements, and the responsibility for fulfilling them, rests with the organizers.

*Notification of Proctors*

In addition to seeking the permission referred to above, the organizers of all meetings and events to be held on University premises which are to be addressed or attended by persons who are not resident members of the University (except for academic meetings organized by the authority of a Faculty or Department, or for any meetings or classes of meetings approved for the purpose by the Senior Proctor as being commonly or customarily held on University premises) are required to give notice to the Senior Proctor. This notice may be given on the form used to book University premises, a copy of which will be sent by the University authority concerned to the Senior Proctor. The organizers may also, if they wish, communicate directly with the Proctors to give further details. Information is required at least seven working days in advance (although the Senior Proctor may, at his or her discretion, agree to receive information closer to the time of the meeting than this). The information needed is the date and time of the meeting, the place, the names, addresses, and Colleges (if any) of the organizers, the name of the organization making the arrangements, and the name of any expected speaker, whether or not a member of the University.

The organizers of any meeting must comply with instructions given by a Proctor, by any other University officer, or by any other person authorized to act on behalf of the University, in the proper discharge of his or her duties. The attention of members of the University is drawn to Regulations 9 and 10 of the general regulations for discipline.

*Colleges*

The provisions of section 43 of the Education (No 2) Act 1986 apply also to the Colleges in respect of their own members, students, and employees, and in respect of visiting speakers. Colleges are also subject to the duties under section 26 of the Counter-Terrorism and Security Act 2015 to have due regard to the need to prevent people from being drawn into terrorism, as described in the University's Statement on Freedom of Speech<sup>2</sup>. Each College is requested by the University to name a senior member who will be responsible for enforcing the provisions of both the above Acts in that College and will co-operate as necessary with the Proctors. Members of the University are reminded that University disciplinary regulations apply on College premises as elsewhere in the Precincts of the University. A College may invite the Proctors to enter its premises.

<sup>1</sup> The Referral Group has the following membership: the University Prevent Lead; the Senior Proctor; the Head of Education Services; the Head of Internal Communications; either the President of the Cambridge University Students' Union or the President of the Graduate Union (for unreserved business); the University Prevent Coordinator.

<sup>2</sup> See the University Statement on Freedom of Speech: <https://www.registraryoffice.admin.cam.ac.uk/governance-and-strategy/university-statement-freedom-speech>.



The attention of organizers of public meetings and assemblies is drawn to sections 11 and 14 of the Public Order Act 1986, concerning processions and assemblies. Other legal requirements may affect the conduct of meetings, etc. A speaker, for example, who incites an audience to violence or to a breach of the peace or to racial hatred is breaking the law. Equally, assemblies of persons, even if directed to lawful purposes, cease to be lawful if they cause serious public disorder or breaches of the peace. Attention is also drawn to the provisions of the Licensing Acts, which apply to certain University premises, including the University Centre. These Acts require the licensee to maintain good order on licensed premises, and give the licensee the power to expel persons from the premises if he or she considers it necessary.

*The application of this Code*

Any person who is in any doubt about the application of this Code of Practice to any meeting or public gathering in the University is under an obligation to consult the Senior Proctor, who, in consultation with the officers of the Registry's Office, will determine whether the provisions of the Code apply.

## UNIVERSITY TRIBUNAL

### INITIATION OF PROCEEDINGS BEFORE THE UNIVERSITY TRIBUNAL

*Amended by Grace 1 of 30 May 2019*

**1.** Any proceedings against a person to whom the Schedule to Statute C applies shall be subject to the provisions of Chapter III of that Schedule. Proceedings against any other member of the University before the University Tribunal shall be subject to the provisions of Special Ordinance D (iv) 6.

**2.** (a) If the Vice-Chancellor has directed under the Schedule to Statute C, Chapter III 8, that a charge is to be preferred against a person to whom the Schedule to Statute C applies, the case shall be presented by the University Advocate.

(b) If in response to a complaint made under Special Ordinance D (iv) 6 the University Advocate determines that proceedings shall be brought against a member of the University before the University Tribunal, the case shall be presented either by the Advocate or by the complainant, as may be decided by the Advocate; provided that, if a charge arises from a complaint made by the Proctors, the Advocate shall be responsible for presenting the case on behalf of the University.

**3.** The Advocate shall give written notice to the Registry and to the complainant of the decisions taken in accordance with Special Ordinance D (iv) 6 and Regulation 2(b) above; if the Advocate decides that a person is to be charged, written notice shall be given to the Secretary of the appropriate court.

**4.** If a member of the University is alleged to have committed an act or to have engaged in conduct for which he or she is liable to be prosecuted in a court of law and which is also a breach of the general regulations for discipline or other offence against the discipline of the University, the Advocate may, at her or his discretion, determine whether or when to bring a charge under the University's regulations, after taking into account whether, in her or his opinion, any proceedings against the member in a court of law in respect of that act or conduct are likely to be brought, and any other factors which appear relevant to her or him.

**5.** In these regulations all references to conviction in a court of law shall mean that the court has found that the offence charged has been proved and that the person so charged has not been acquitted either upon trial or upon appeal.

### APPOINTMENT OF MEMBERS OF THE UNIVERSITY TRIBUNAL

Panels.

**1.** The Council shall maintain a panel, hereinafter referred to as panel (a), of persons who are eligible under Special Ordinance D (i) 3 to serve as Chair of the University Tribunal and who are willing to do so, and shall appoint in the Michaelmas Term each year such number of persons as the Council may think fit, to serve as members of the panel for one year from 1 January following their appointment. No member of the Council or of the Septemviri shall be a member of panel (a).

**2.** The Council shall maintain a panel, hereinafter referred to as panel (b), of members of the Regent House who are willing to serve as members of the University Tribunal, and shall appoint up to fifteen persons to the panel in the Michaelmas Term each year, to serve for one year from 1 January following their appointment. No member of the Council or of the Septemviri shall be a member of panel (b).

Chair.

**3.** Not later than 31 December in each year the Vice-Chancellor shall appoint a member of panel (a) to serve as Chair of the University Tribunal for one year from 1 January next following; in making

the appointment the Vice-Chancellor shall, if possible, select a person who is not a member of the Regent House. If the person appointed is unable or unwilling to act as Chair for a particular case, the Vice-Chancellor shall appoint another member of panel (a) to act as Chair for that case.

4. When a member of the University is to be charged before the University Tribunal, the Chair of the Tribunal shall appoint a date, time, and place for a hearing. The Chair shall have power, if the circumstances require it, to cancel a hearing so arranged at any time before the commencement of the hearing, and to appoint a different date, time, and place.

5. When a hearing has been arranged, the Clerk of the Tribunal shall forthwith send written notice to all members of panel (b), informing them of the date, time, and place appointed, and requiring them to indicate, not later than 5 p.m. on the fourth day after the day on which the notice is despatched, whether they are able and willing to serve. The Chair shall then appoint the other members of the Tribunal by causing lots to be drawn from among those members of panel (b) who have informed the Clerk of the Tribunal that they are able and willing to serve; and the Clerk shall thereupon inform the persons appointed of the charge or charges to be heard and the name of the person charged. The Chair shall in like manner appoint three reserve members of the Tribunal from panel (b) who shall be required to attend the Tribunal at the commencement of the proceedings so that lots may be drawn from among them if it becomes necessary to replace any member or members of the Tribunal who have failed to attend or who have otherwise become unable or unwilling to serve or against whose membership the Chair has under Regulation 6 allowed an objection. No member of the Tribunal shall be replaced after the commencement of the hearing.

Appointment of  
Tribunal.

6. A person charged before the Tribunal shall be entitled to object for good cause to any member appointed to serve on the Tribunal for those proceedings. The Chair alone shall rule on any such objection and his or her decision shall be final.

7. If at the commencement of the proceedings the Chair is unable, using the procedure prescribed in Regulation 5, to appoint the appropriate number of members of the Tribunal from panel (b), he or she shall appoint such number of members from the panel as may be needed to fill the vacant place or places.

8. If on any occasion there are insufficient members of panel (b) who are able and willing to serve as members of the Tribunal, the Vice-Chancellor shall appoint the appropriate number of members of the Regent House to fill the vacant places.

9. If after the commencement of proceedings the Chair becomes unable or unwilling to act, the Vice-Chancellor shall discharge the Tribunal and a new Tribunal shall be appointed in accordance with the provisions of Regulations 3–8. If after the commencement of proceedings any other member of the Tribunal becomes unable or unwilling to act, the remaining members shall continue to act, so long as there remain two members in addition to the Chair who are able and willing to act, but not otherwise. If more than two members become unable or unwilling to act, the Vice-Chancellor shall discharge the Tribunal and a new Tribunal shall be appointed in accordance with the provisions of Regulations 3–8.

#### RULES OF PROCEDURE

1. When a member of the University is to be charged before the University Tribunal, the University Advocate, or other person responsible for presenting the case, shall send written notice to the Clerk of the Tribunal of the charge or charges to be brought before the Tribunal and the particulars thereof, and shall send with the notice any documents which it is proposed to produce and a list of all witnesses whom it is proposed to call, together with statements of the evidence that they are expected to give.

Notice.

2. The parties to a hearing by the Tribunal shall be:

Parties.

(a) the person charged;

(b) the University Advocate or other person responsible for presenting the case;

(c) any person who may be added as a party by the Tribunal, either on application or of their own motion.

3. The person charged and any person added as a party by the Tribunal shall be entitled to be represented by another person, whether such person is legally qualified or not, in connection with or at any hearing by the Tribunal.

4. The Clerk of the Tribunal shall not less than fourteen days (or such shorter period as may be agreed by the Clerk with the parties) before the date appointed for the hearing send to each party (a) a notice of the hearing, which shall contain information and guidance concerning attendance at the

Summons.

hearing, the calling of witnesses and the bringing of documents, representation by another person, and written submissions, and (b) a copy of the charge or charges, together with the other information specified in Regulation 1.

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

6. No additional witness or documentary evidence may be introduced by the person presenting the case, beyond those of which notice has been given under Regulation 1, without the consent of the Tribunal, and such consent shall not be given save for good reason; if such late introduction is permitted, the person charged shall be allowed an adjournment sufficient to enable him or her to consider the additional evidence and respond to it, and to introduce further evidence as appropriate.

7. A charge shall not be determined without an oral hearing at which the person charged and any other parties to the hearing are entitled to be present together with their representatives, if any.

Admission to hearing.

8. The Tribunal may sit either in public or *in camera* at the discretion of the Chair, provided that if the person charged so requests they shall normally sit *in camera*. The Tribunal shall have power, if they think it appropriate in the circumstances, to hear charges against two or more persons at the same hearing.

9. The Tribunal shall have power to proceed with a hearing in the absence of any of the persons entitled to be present and, notwithstanding the provisions of Regulation 7, the Chair shall have power to exclude any person from a hearing if in the opinion of the Chair such exclusion is necessary for the maintenance of order.

10. (a) The fact that any person has been, or is liable to be, prosecuted in a court of law in respect of an act or conduct which is the subject of proceedings before the University Tribunal shall not affect the jurisdiction or the powers of the Tribunal under Chapter III of the Schedule to Statute C; but the Tribunal shall consider the advisability of referring the matter to the police and, if they so refer the matter, shall adjourn their proceedings for such time as is reasonable in the circumstances to enable a prosecution to be undertaken.

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

Conduct of hearing.

11. Each party to a hearing before the Tribunal, or his or her representative, shall be entitled to make an opening statement, to give evidence, to call witnesses, to question any witness concerning any relevant evidence, and to address the Tribunal after the evidence has been heard.

12. Subject to the provisions of the Schedule to Statute C and of these Ordinances, the Tribunal shall have power to regulate their own procedure. The Chair may set time-limits for each stage of the proceedings, and any meeting of the Tribunal may be postponed or adjourned at the discretion of the Chair. It shall be the duty of the Tribunal and of the Chair to ensure that a charge is heard and determined as expeditiously as is reasonably practicable.

13. The Tribunal shall have power to dismiss a charge for want of prosecution, or, in the case of a charge brought under Chapter III of the Schedule to Statute C, to remit the charge to the Vice-Chancellor for further consideration.

14. The Tribunal shall not find a charge proved unless they are satisfied that it has been proved beyond reasonable doubt.

Penalty.

15. If the Tribunal find a charge proved, they shall, after giving the parties an opportunity to address them concerning the penalty to be imposed, determine the appropriate penalty (if any) in accordance with the provisions of Statute D II 3 or, in the case of a person charged under the Schedule to Statute C, in accordance with the provisions of Chapter III 12 of the Schedule to Statute C; and the Tribunal or the Chair, as appropriate, shall have power to impose such penalty.

16. The Clerk of the Tribunal shall be entitled to be present throughout the hearing and at any meeting of the Tribunal, and shall keep a sufficient record of the proceedings of the Tribunal.

Decision.

17. The Tribunal's decision shall be recorded in a document signed by the Chair which shall contain:

- (a) the Tribunal's findings of fact regarding the charge;
- (b) the reasons for the Tribunal's decision;
- (c) the penalty (if any) determined by the Tribunal;
- (d) the penalty (if any) imposed by the Tribunal or the Chair, as appropriate.

**18.** The Clerk of the Tribunal shall send a copy of the document specified in Regulation 17 to the Vice-Chancellor, the person charged, and the other parties to the hearing, and shall also send to the person charged a copy of Special Ordinance C (xiii) and Special Ordinance D (iii) 1–5 concerning appeals.

**19.** The Chair shall have power by certificate under his or her hand to correct in documents recording the decisions of the Tribunal any clerical errors arising therein from accidental mistakes or omissions.

## DISCIPLINE COMMITTEE

### APPOINTMENT OF MEMBERS OF THE DISCIPLINE COMMITTEE

*Rescinded by Grace 1 of 30 May 2019*

### RULES OF PROCEDURE

*Rescinded by Grace 1 of 30 May 2019*

## DISCIPLINE BOARD

*Rescinded by Grace 1 of 30 May 2019*

## MEDICAL BOARDS

**1.** When a Medical Board is appointed to hear a case under Chapter IV 5 of the Schedule to Statute C,

(a) the competent authority concerned shall appoint a person to present the case to the Board;

(b) the Chair of the Board shall appoint a person to act as Secretary of the Board.

**2.** If after the commencement of proceedings a member of the Board becomes unable or unwilling to act, the Vice-Chancellor shall discharge the Board and a new Board shall be appointed in accordance with the provisions of Chapter IV 5 of the Schedule to Statute C.

**3.** The parties to a hearing before a Medical Board shall be:

Parties.

(a) the person whose possible retirement on medical grounds is under consideration by the Board, hereinafter referred to as the person concerned;

(b) the person appointed to present the case to the Board.

**4.** The person concerned shall be 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.

**5.** The person appointed to present the case to the Board shall send to the Secretary of the Board a written statement of the case and any relevant medical evidence, and shall send with the statement any documents which it is proposed to produce and a list of all witnesses whom it is proposed to call, together with statements of the evidence that they are expected to give.

**6.** The Chair of the Board shall appoint a date, time, and place for a hearing by the Board. The Chair shall have power, if the circumstances require it, to cancel a hearing so arranged at any time before the commencement of the hearing, and to appoint a different date, time, and place.

**7.** When a hearing has been arranged, the Secretary of the Board shall not less than fourteen days (or such shorter period as may be agreed by the Secretary with the parties) before the date appointed for the hearing send notice of the hearing to the person concerned and to any representative appointed under Regulation 4. Such notice shall include:

Summons.

(a) information and guidance concerning attendance at the hearing, the calling of witnesses and the bringing of documents, representation by another person, and written submissions;

(b) a statement of the case, together with the other information specified in Regulation 5.

**8.** It shall be the duty of the person presenting the case to make any necessary arrangements for the summoning of witnesses and the production of documents, and generally for the proper presentation of the case to the Board.

**9.** No additional witness or documentary evidence may be introduced by the person presenting the case, beyond those of which notice has been given under Regulation 5, without the consent of the Board, and such consent shall not be given save for good reason; if such late introduction is permitted,

the person concerned shall be allowed an adjournment sufficient to enable him or her to consider the additional evidence and respond to it, and to introduce further evidence as appropriate.

**10.** A case shall not be determined without an oral hearing at which the person concerned is entitled to be represented. Any hearing of or in connection with a case by a Medical Board shall take place *in camera*.

Conduct of hearing.

**11.** A Medical Board shall have power to proceed with a hearing in the absence of the person concerned or of his or her representative and, notwithstanding the provisions of Regulation 10, the Chair shall have power to exclude any person from a hearing if in the opinion of the Chair such exclusion is necessary for the maintenance of order.

**12.** Each party to a hearing before a Medical Board, or his or her representative, shall be entitled to make an opening statement, to give evidence, to call witnesses, to question any witness concerning any relevant evidence, and to address the Board after the evidence has been heard.

**13.** Subject to the provisions of the Schedule to Statute C and of these Ordinances, a Medical Board shall have power to regulate their own procedure, and any meeting of the Board may be postponed or adjourned at the discretion of the Chair. It shall be the duty of the Board and of the Chair to ensure that a case is heard and determined as expeditiously as is reasonably practicable.

**14.** A Medical Board shall not determine that any person's removal from office would be justified by reason of incapacity on medical grounds unless they are satisfied that the incapacity has been proved beyond reasonable doubt.

**15.** The Secretary of the Board shall be entitled to be present throughout the hearing and at any meeting of the Board, and shall keep a sufficient record of the proceedings of the Board.

Decision.

**16.** The Board's decision shall be recorded in a document signed by the Chair which shall contain:

- (a) the Board's medical findings;
- (b) the Board's other findings of fact;
- (c) the reasons for the Board's decision.

**17.** The Secretary of the Board shall send a copy of the document specified in Regulation 16 to the person concerned, to his or her representative (if any), and to the person responsible for presenting the case to the Board, and shall also send to the person concerned a copy of Special Ordinance C (xiii) and Special Ordinance D (iii) 1–5 concerning appeals.

**18.** The Chair shall have power by certificate under his or her hand to correct in documents recording the decisions of the Board any clerical errors arising therein from accidental mistakes or omissions.

## SEPTEMVIRI

Appointment.

**1.** Except as provided by Special Ordinance D (i) 1–2 members of the Court of the Septemviri shall be appointed as follows:

- (a) the Chair shall be appointed in the Michaelmas Term to serve for four years from 1 January following his or her appointment;
- (b) in each year three Septemviri shall be appointed in the Michaelmas Term to serve for two years from 1 January following their appointment.

**2.** The Registrar, or a deputy appointed by the Registrar, shall act as Clerk of the Septemviri.

Notice of appeal.

**3.** Any person who wishes to institute an appeal to the Septemviri under the provisions of Statute D or Special Ordinance C (xiii) shall send to the Clerk of the Septemviri a notice in writing setting out the grounds of appeal and stating whether the appeal is in respect of the whole or in respect of any specified part of any finding of fact, decision, or sentence. In the proceedings of an appeal the appellant shall not be entitled, except with the leave of the Septemviri, to rely on any grounds of appeal not specified in the notice of appeal.

**4.** When an appeal to the Septemviri is instituted, the Chair of the Septemviri shall appoint a date, time, and place for the hearing of the appeal. The Chair shall have power, if the circumstances require it, to cancel a hearing so arranged at any time before the commencement of the hearing, and to appoint a different date, time, and place.

Parties.

**5.** The parties to an appeal shall be:

- (a) the appellant;
- (b) (i) in the case of an appeal against a decision of a competent authority under Chapter II of the Schedule to Statute C, the competent authority;



- (ii) in the case of an appeal against a decision of the University Tribunal or any other University court, or of a Medical Board, or an appeal arising from proceedings before such a body, the University Advocate or other person who was responsible for presenting the case to the Tribunal or other body;
  - (iii) in the case of an appeal against a disciplinary decision of any other University authority, the authority concerned;
  - (iv) in the case of an appeal against any dismissal of a University officer otherwise than in pursuance of Chapters II, III, or IV of the Schedule to Statute C, the competent authority concerned;
- (c) any other person added as a party by the Septemviri or by the Chair of the Septemviri, either on application or otherwise.
- 6.** When a hearing has been arranged, the Clerk shall send to each party
- (a) a notice of the hearing which shall contain information and guidance concerning attendance at the hearing, the bringing of documents, representation by another person, and the calling of fresh evidence;
  - (b) a copy of the notice provided by the appellant under Regulation 3.
- 7.** Any party to an appeal shall be entitled to be represented by another person, whether such person is legally qualified or not, in connection with and at the hearing of the appeal.
- 8.** An appeal shall not be determined without an oral hearing at which the appellant and his or her representative, if any, are entitled to be present.
- 9.** The Septemviri may sit either in public or *in camera* at the discretion of the Chair, provided that if the appellant so requests they shall normally sit *in camera*. The Septemviri shall have power, if they think it appropriate in the circumstances, to hear appeals by two or more parties at the same hearing. Admission to hearing.
- 10.** The Septemviri shall have power to proceed with a hearing in the absence of any of the persons entitled to be present and, notwithstanding the provisions of Regulation 8, the Chair shall have power to exclude any person from a hearing if in the opinion of the Chair such exclusion is necessary for the maintenance of order.
- 11.** Each party to a hearing before the Septemviri shall be entitled to make a statement and to address the Septemviri; but witnesses may not be called save with the consent of the Septemviri. Leave to adduce fresh evidence, or to recall witnesses examined at first instance, shall be given only if the Septemviri are satisfied that it is necessary or expedient in the interests of justice. Conduct of hearing.
- 12.** Subject to the provisions of Statute D II, and Special Ordinance C (xiii) and Special Ordinance D (iii), and of these Ordinances, the Septemviri shall have power to regulate their own procedure. The Chair may set time-limits for each stage of the proceedings, and any meeting of the Septemviri may be postponed or adjourned at the discretion of the Chair. It shall be the duty of the Septemviri and of the Chair to ensure that any appeal is heard and determined as expeditiously as is reasonably practicable.
- 13.** The Chair of the Septemviri shall not impose under Statute D II 15 any fine exceeding £175.
- 14.** The Septemviri shall have power to allow or dismiss an appeal, or to dismiss an appeal for want of prosecution, or to remit an appeal for further consideration in accordance with the provisions of Special Ordinance C (xiii) 5.
- 15.** The Clerk of the Septemviri shall be entitled to be present throughout the hearing and at any meeting of the Septemviri, and shall keep a sufficient record of the proceedings.
- 16.** The decision of the Septemviri shall be recorded in a document signed by the Chair which shall contain: Decision.
- (a) any findings of fact which differ from those reached by any other University authority which has previously considered the case;
  - (b) the reasons for the decision of the Septemviri;
  - (c) any penalty determined by them.
- 17.** The Clerk of the Septemviri shall send a copy of the document specified in Regulation 16 to the Vice-Chancellor, the appellant, and the other parties to the appeal.
- 18.** The Chair shall have power by certificate under his or her hand to correct in documents recording the decisions of the Septemviri any clerical errors arising therein from accidental mistakes or omissions.

## CONSIDERATION OF COMPLAINTS AND REQUESTS FOR REVIEW BY STUDENTS

1. The General Board shall publish and keep under review the following for the consideration of complaints and examination review by any registered student, or who held such student status at the time of the circumstances about which the complaint is being made:

- (a) a procedure and explanatory notes for the review of examination results;
- (b) a procedure and explanatory notes for investigating and determining complaints about the University's action or lack of action, or the provision of service by or on behalf of the University.

2. The General Board shall publish and keep under review a procedure and explanatory notes for the review of decisions made by such University bodies as shall be determined from time to time by the General Board.

3. The procedures under Regulation 1 shall include an informal local stage, a formal stage, and a review stage. During the formal stage, the matter shall be investigated and initial decisions (including whether the complaint should be considered under another procedure in accordance with Regulation 6) shall be taken by a University officer who may:

- (a) require any member of the University to provide information and assistance;
- (b) seek external advice and assistance.

4. The decision at the conclusion of the formal stage following investigation and at the review stage of the procedures under Regulation 1, and at the conclusion of the review procedure under Regulation 2, shall be taken by a University officer who is a member of the academic staff of the University.

5. The procedures under Regulations 1 and 2 shall be concluded by the issue of a letter to the student who brought the complaint or other matter which confirms, in accordance with guidance published from time to time by the Office of the Independent Adjudicator, that the University's internal procedures have been exhausted.

6. The following shall not be considered under the procedures:

- (a) complaints or other matters concerning College provision;
- (b) complaints or other matters to which other University procedures apply unless otherwise determined by the relevant University officer under Regulations 3 or 4 above.

7. The University will act reasonably in considering complaints and other matters under the procedures, having regard to the individual circumstances of the case. Every effort will be made to ensure that all parties are treated with fairness and dignity. None of those carrying out the procedures will have any previous knowledge of the case or any material connection with any party to the complaint or other matter. In the event of a conflict of interest arising, the Vice-Chancellor shall have power to appoint other University officers to act in place of, and with the same powers as, those appointed under the procedures.

8. If a complaint or other matter is upheld, the University officer who is a member of academic staff under Regulation 4 shall be empowered to require any member of the University and/or any University institution to take such action as the University officer considers necessary. If the member of the University and/or University institution is unable or unwilling to act, the University officer may refer the matter to the competent authority for the institution concerned.

9. The Council and the General Board shall receive a report annually on the number, type, and outcomes of complaints and other matters considered under the procedures, together with any recommendations concerning those procedures.

## STUDENT COMPLAINT PROCEDURE

### 1. Glossary of key terms

1.1. In this procedure the following terms shall have the meanings set out below:

Case Handler	A member of OSCCA who determines whether a complaint is eligible to be investigated and who conducts any subsequent investigation under the Formal Resolution stage
Complainant	A Registered Student who has made a complaint under this procedure
Complaint Officer	A trained member of academic staff who decides whether a complaint is upheld or dismissed under the Formal Resolution stage
Completion of Procedures Letter	A letter that confirms the end of the University's internal proceedings, following which, a student may be able to raise a complaint with the Office of the Independent Adjudicator

Institution	The body which the Complainant believes is responsible for the action or lack of action or the provision of the service about which is the subject of the complaint including, but not limited to: Faculties, Departments, non-School institutions, and administrative offices within the Unified Administrative Service
OSCCA	The Office of Student Conduct, Complaints, and Appeals
Registered Student	A person who has matriculated as a student and is currently pursuing a course of study in the University; or any person pursuing a course of study leading to the award of a degree, diploma, or certificate of the University; or a person who had such student status at the time of the circumstances about which the complaint is being made
Responsible Officer	The person authorized by the Institution to respond to complaints from Registered Students concerning an action or lack of action, or a particular service under the Local Resolution Stage
Reviewer	A trained member of academic staff who decides whether a complaint is upheld or dismissed under the Review Stage

## 2. Scope and principles

**2.1.** This procedure applies where a Registered Student wishes to express dissatisfaction, either about the University's action or lack of action, or the standard of service provided by or on behalf of the University. The University includes all Faculties, Departments, non-School institutions, and administrative offices within the Unified Administrative Service. The procedure has three stages: Local Resolution, Formal Resolution, and Review.

When does this procedure apply?

**2.2.** This procedure also applies to Registered Students who wish to complain directly to the University about a service provided by another organization on behalf of the University, for example, a placement provider.

**2.3.** This procedure cannot be used to make a complaint relating to the following:

- (a) College provision, for which the student should consult the relevant College policies;
- (b) A decision made by an academic body regarding student progression, academic assessment or awards, for which the student should consult the examination review and examination allowances procedures;<sup>1</sup>
- (c) Complaints about the Students' Unions, which should be made to the Students' Union's own complaints procedure in the first instance;
- (d) Matters covered by other University procedures including but not limited to those concerning student discipline, student harassment and sexual misconduct, fitness to study and fitness to practise.<sup>2</sup>

**2.4.** The General Board shall approve and keep under review explanatory notes, to be read in conjunction with this procedure. Those notes shall include a policy on the use of personal information under this procedure.<sup>3</sup> Before making a complaint, Complainants should read the procedure and the explanatory notes on the procedure. All Complainants are encouraged to seek support from a College Tutor, a member of the Students' Unions' Advice Service, or other advisor of the student's choosing.

Advice, support, and guidance.

**2.5.** A Complainant may be invited to attend a meeting under paragraph 3.2, 4.8, and 4.11 as part of this procedure. A Complainant who is invited to attend a meeting will be entitled to choose whether or not to attend the meeting and to be accompanied or represented by someone of the Complainant's choosing.

**2.6.** This procedure is an internal process and does not have the same degree of formality as proceedings in a court of law. It is not normally necessary or appropriate for Complainants or the University to be legally represented at any meetings that form part of the procedure except in exceptional circumstances.

**2.7.** This procedure can only be used by a Registered Student who has been affected by the subject matter of the complaint. Complaints should be made by Complainants themselves, although in limited circumstances the University will accept a request from a third party acting as the Complainant's authorized representative. In this circumstance, the University will communicate only with the authorized representative and therefore any reference in this procedure about communication to or from a Complainant includes the Complainant's authorized representative.

Who can use this procedure?

**2.8.** Group complaints can be submitted, but a group representative must be identified with whom the University will correspond and who will be responsible for liaising with the other Complainants. In such cases, references in this procedure to the 'Complainant' shall be construed as referring to more than one person. The University may separate group complaints where it considers that the issues raised impact Complainants differently or where Complainants are seeking different remedies.

**2.9.** Anonymous complaints will not normally be accepted, as this may limit the investigation and communication of the outcome. Exceptionally, an anonymous complaint may be considered if there is a compelling case, supported by evidence, for the matter to be investigated.

**2.10.** Complainants will not be disadvantaged for raising a valid complaint. The University will act reasonably in considering complaints under this procedure and decisions will be made fairly and transparently. The Responsible Officer, Case Handler, Complaint Officer, and Reviewer will have had no material involvement in the matters raised as part of the complaint or in the earlier stages of the procedure and will be independent and impartial.

Principles and delegation.

**2.11.** Any reference in this procedure to a University officer or other named role includes a deputy appointed by that officer or role-holder to exercise the functions assigned to that officer under this procedure.

<sup>1</sup> Examination review procedure, see p. 216; Review of decisions of University bodies procedure, see p. 219.

<sup>2</sup> Discipline, see p. 190; procedure on student harassment and sexual misconduct, see p. 222; procedure to determine fitness to study, see p. 243; procedures to determine fitness to practise of preclinical and clinical medical students, see p. 225; procedures to determine fitness to practise of preclinical and clinical veterinary students, see p. 233.

<sup>3</sup> These can be viewed at: <https://www.studentcomplaints.admin.cam.ac.uk>.

**Timeliness.** **2.12.** Complainants are required to raise a complaint as soon as possible and within the required timeframe (see paragraph 3.1, 4.1, and 5.1). Complaints or evidence submitted outside this timeframe will not be accepted unless there is a valid reason for delay, which will be judged on a case-by-case basis by the Responsible Officer, Case Handler, Complaint Officer, or Reviewer, as appropriate.

**2.13.** The University aims to process any formal complaint through Formal Resolution and any Review within 90 calendar days. The 90 calendar day timeframe requires Complainants to comply with any timescales set down in this Procedure. There will occasionally be circumstances when, for good reasons, the University will need to extend the timeframe and in these circumstances the Complainant will be notified and kept updated as to the progress of their complaint.

**Confidentiality.** **2.14.** The University will only share the information and evidence submitted in a complaint with members of staff where it is strictly necessary in order to process, investigate, and consider the complaint. All information received from a Complainant will be handled sensitively and in accordance with the Policy on the use of personal information under the Student Complaint Procedure.

**Frivolous or vexatious complaints.** **2.15.** The Case Handler, Complaint Officer, or the Reviewer may terminate consideration of a complaint if it is considered to be frivolous or vexatious. If a complaint is terminated then the Complainant will be issued with a Completion of Procedures letter.

**Managing behaviour.** **2.16.** Complainants, their advisors, and staff of the University are required to communicate respectfully and reasonably at all times whilst using the procedure. Abusive or threatening behaviour and language will not be tolerated. If, following a warning, a Complainant behaves in an unacceptable manner, the Case Handler, the Complaint Officer, or the Reviewer may terminate the Complainant's request without further consideration. If a request is terminated then the Complainant will be issued with a Completion of Procedures letter.

**Reasonable adjustments for disabled Complainants.** **2.17.** When using this procedure, Complainants are encouraged to provide details and evidence of any disability and/or any reasonable adjustments which may be appropriate in light of their disability. Where it may be helpful and following the consent of the Complainant, an appropriately trained University staff member may be asked to provide a decision regarding reasonable adjustments.

### 3. Local Resolution

**3.1.** Complainants should raise complaints, in writing or in person, with the Institution concerned. It is expected that an issue will be raised as soon as possible and in any event within 28 days of it occurring. Students are normally informed of the name and contact details of the Responsible Officer to approach within handbooks or other written guidance. Where a Complainant is uncertain about the identity of the Responsible Officer, the complaint should be addressed to the person responsible for the management of the service which is the subject of the complaint, or the Head of the Institution.

**3.2.** The Responsible Officer should respond to the complaint in a timely manner and normally within 21 calendar days of its receipt. The response should be in writing where an investigation has taken place or where the complaint is submitted in writing and should include information about the next stage of the Procedure where the Complainant remains dissatisfied with the response. Where a response cannot be provided within 21 calendar days, the Responsible Officer will write to the Complainant within that period to indicate the reasons for delay and when a response is likely to be provided. The Responsible Officer may invite the Complainant to a meeting as part of an investigation, but is not obliged to hold such a meeting.

### 4. Formal Resolution

**4.1.** Where a Complainant is either dissatisfied with the outcome of the Local Resolution; or declines to engage with Local Resolution, or where Local Resolution is inappropriate as the issues raised are serious or systemic, the Complainant can raise a complaint under Formal Resolution with OSCCA. Complainants should raise a complaint by submitting the Formal Resolution form (available at <https://www.studentcomplaints.admin.cam.ac.uk>) within 28 days of either:

- (a) the Responsible Officer's response to the complaint; *or*
- (b) the matter of complaint first arising, where the Complainant reasonably considers Local Resolution is inappropriate.

**4.2.** The Case Handler shall determine on a case-by-case basis whether the period of 28 calendar days should run from a later date in recognition of a Complainant's further reasonable attempts at Local Resolution; or whether it is reasonable for the Complainant not to have attempted Local Resolution.

**4.3.** The complaint should set out the Complainant's concerns clearly and succinctly and provide evidence to substantiate the issues raised. Evidence may include independent medical evidence, reports by professionals, financial information, or witness statements.

**4.4.** A Case Handler from OSCCA will consider the submitted Complaint and will make one or more of the following determinations:

- (a) the complaint in whole or in part is eligible to be investigated using this procedure;
- (b) the complaint in whole or in part should be referred for consideration under an alternative procedure;
- (c) the complaint in whole or in part is ineligible to be considered by the University, for example because it is out of time, lacks substantive content, or is considered malicious, vexatious, or frivolous;
- (d) the Complainant should attempt Local Resolution before investigation of the complaint under this stage of the procedure.

**4.5.** Where a determination is made under paragraphs 4.4(b)–(d), the reasons for this and information about the options available to the Complainant will be provided in writing within 7 calendar days. If the Complainant disagrees with the determination under paragraph 4.4, the reasons for the disagreement should be provided by the



Complainant, in writing and within 7 calendar days of receiving the decision, to the Head of OSCCA who will review the determination within a further 14 calendar days. Where a complaint cannot be considered further by the University a Completion of Procedures letter will be issued. Where matters raised within the complaint would be more appropriately considered under alternative University procedures, the Case Handler will inform the Complainant about which matters will be considered under which procedure. In some circumstances, it may be necessary to suspend one procedure pending the completion of another.

**4.6.** Some requests may require the University to take swift action, for example where the issues raised have detrimental consequences for the Complainant's mental health or where external time limits apply, for example, in meeting regulatory requirements for the completion of courses. If this is the case, this procedure may be expedited.

**4.7.** Where a determination is made under paragraph 4.4(a) the Complainant will be informed and the Case Handler will conduct an investigation, requiring written statements and evidence from witnesses and Institutions concerning the events and applicable procedures, as appropriate.

**4.8.** A Case Handler may or may not meet individually with the Complainant, the Responsible Officer, or witnesses as part of the investigation, or collect further evidence, at the Case Handler's discretion and where the Case Handler believes it to be beneficial to do so.

**4.9.** The Case Handler shall prepare a report setting out the process that has been followed, the information that has been gathered, the conclusions that have been drawn, and any recommendations. The Case Handler should also consider whether mediation or conciliation might be effective at this stage.

**4.10.** Following investigation, the Case Handler will provide all of the materials to a Complaint Officer, appointed by the Case Handler from a panel of Complaint Officers maintained by the Council.

**4.11.** The Complaint Officer will consider all of the materials provided. In exceptional circumstances the Complaint Officer may request further written statements, hold a meeting with any individual involved in the complaint, and/or hold a hearing. The Complainant will receive all of the materials considered by the Complaint Officer at least 7 calendar days in advance of any meeting or hearing.

**4.12.** Following consideration, the Complaint Officer will have the power to make one or more of the following decisions:

- (a) that further steps should be taken to resolve the complaint informally (for example, through mediation with the agreement of both parties);
- (b) to uphold a complaint in whole or in part and where appropriate require such remedies as necessary;
- (c) to dismiss a complaint in whole or in part where it is found that:
  - (i) the University acted reasonably and in line with its procedures and written documentation; *and/or*
  - (ii) the substance of the complaint was not justified; *and/or*
  - (iii) the Complainant has not been substantively disadvantaged by any variation in the University's procedures or written documentation.

**4.13.** The Complainant will receive confirmation in writing of the Complaint Officer's decision, the reasons for the decision, and copies of the material considered by the Complaint Officer, normally within 45 calendar days of having submitted the Formal Resolution form.

**4.14.** Regardless of the decision made, the Complaint Officer may make observations and recommendations to Institutions for consideration following the outcome of a complaint.

## 5. Review

**5.1.** If a Complainant is dissatisfied following the Formal Resolution decision, the Complainant can submit a Request for Review form within 14 calendar days of the Formal Resolution decision being communicated. Alternatively, if the Complainant is dissatisfied with the decision but does not believe the reasons for the dissatisfaction would meet the grounds for a Review, the Complainant can request a Completion of Procedure letter.

**5.2.** The Review will not usually consider issues afresh or involve a further investigation. A Review can only be requested on the following grounds:

- (a) procedural irregularities that occurred during Formal Resolution, which were material or potentially material to the decision reached; *and/or*
- (b) the Formal Resolution decision is unreasonable, in that no reasonable person could have reached the same decision on the available evidence; *and/or*
- (c) the availability of new evidence, which materially impacts the complaint outcome and which, for valid reasons, could not have been submitted at an earlier stage.

**5.3.** If the request for Review has been made on the specified grounds and within the timeframe, as determined by OSCCA, OSCCA will appoint a Reviewer from a panel of Reviewers appointed by the Council to consider the request for Review. Where a request cannot be considered further by the University a Completion of Procedures letter will be issued.

**5.4.** The Reviewer will consider the Complainant's request, the information considered during Formal Resolution, the decision, and any new information. The Reviewer may request further information.

**5.5.** Following investigation, the Reviewer will have the power to either:

- (a) uphold the complaint in whole or in part and will require such remedies as necessary; *or*
- (b) dismiss the request for Review and confirm the Complaint Officer's decision.

**5.6.** The Complainant will receive the Reviewer's decision and the reasons for the decision, in writing, normally within 28 calendar days of submitting the Request for Review form. This is the final stage of the University's internal process and therefore the Complainant will be issued with a Completion of Procedures letter.



## 6. Reporting and monitoring

**6.1.** OSCCA will monitor all complaints and decisions made under the procedure and will produce an annual report summarizing the anonymized decisions, remedies, and recommendations (including the implementation of these) made by Complaint Officers and Reviewers. Students' Unions' sabbatical officers will be invited to provide feedback on the annual report. The annual report will be submitted to the General Board's Education Committee.

### EXAMINATION REVIEW PROCEDURE

#### 1. Glossary of key terms

**1.1.** In this procedure the following terms shall have the meanings set out below:

Academic Judgement	The decision made by academic staff on the quality of the work itself or the criteria being applied to mark the work, which is not a permitted ground of complaint or appeal
Case Handler	Member of OSCCA or the Student Registry who determines whether a request is eligible to be investigated and conducts any subsequent investigation under the reconsideration of Examination Results stage
Candidate	A student or former student who has taken a University examination
Completion of Procedures Letter	A letter that confirms the end of the University's internal proceedings, following which a student may be able to raise a complaint with the Office of the Independent Adjudicator
Examination Results	The final results of an examination that have been agreed by the Examining Body, and subsequently provided to the Candidate, which may be by means of publication on the Candidate's electronic student record
Examination Review Officer	A trained member of academic staff who decides whether a request for the reconsideration of Examination Results is upheld or dismissed; for Candidates for the degrees listed in the Schedule to this procedure, the trained member of academic staff will be a member of the Board of Graduate Studies
Examining Body	The University body or bodies responsible for agreeing the Examination Results (a board of Examiners, or a Degree Committee and/or the Board of Graduate Studies, as appropriate)
OSCCA Reviewer	The Office of Student Conduct, Complaints, and Appeals A trained member of academic staff who considers a Review of the decision following reconsideration of Examination Results under the Review Stage of the procedure
Student Registry	Administrative department that manages aspects of student administration including examination arrangements
Tutor	The Candidate's College Tutor or equivalent officer

#### 2. Scope and principles

**2.1.** This procedure applies where a Candidate submits a request for the reconsideration of Examination Results. The procedure has two formal stages: Reconsideration of Examination Results; and Review (see Sections 4 and 5). There is also an informal preliminary stage available for requests for the consideration of irregularities in the examination process from Candidates for examinations listed in the Schedule to the General Regulations for Examiners and Assessors<sup>1</sup> (see Section 3).

**2.2.** The procedure allows for the reconsideration of Examination Results on the following grounds:

- (a) A procedural irregularity in the examination process that has adversely impacted on the Candidate's Examination Results;
- (b) Demonstrable bias or the perception of bias within the examination process;
- (c) (For Candidates for the degrees listed in the Schedule to this procedure) serious illness or other grave cause which has clearly impacted upon the examination itself and of which, for sufficient reason, the Examining Body was not aware.

**2.3.** The procedure cannot be used for reconsideration of Examination Results relating to:

- (a) Arithmetical mark checks unless requested as a result of the permitted grounds; Candidates should liaise with their Tutor if they have informal questions about their marks;
- (b) Academic Judgement;
- (c) Teaching or supervision arrangements, complaints regarding which, if organized by the College should be submitted under the College's complaints procedure, or if organized by the University should be submitted under the Student Complaints Procedure.

**2.4.** The General Board shall approve and keep under review explanatory notes, to be read in conjunction with this procedure. Those notes shall include a policy on the use of personal information under this procedure.<sup>2</sup> Before requesting reconsideration of Examination Results, Candidates should read the procedure and the explanatory notes on the procedure. All Candidates are encouraged to seek support from a College Tutor, a member of the

When does this procedure apply?

Advice, support, and guidance.

<sup>1</sup> See p. 257.

<sup>2</sup> These can be viewed at: <https://www.studentcomplaints.admin.cam.ac.uk>.

Students' Unions' Advice Service, or other advisor of the student's choosing. Candidates may also choose to discuss the matter informally with their Tutor. Requests for reconsideration of Examination Results should be made by Candidates themselves, although in limited circumstances the University will accept a request from a third party acting as the Candidate's authorized representative. In this circumstance the University will communicate only with the authorized representative and therefore any reference in this procedure about communication to or from a Candidate includes the Candidate's authorized representative.

**2.5.** This procedure is an internal process and does not have the same degree of formality as proceedings in a court of law. It is not normally necessary or appropriate for Candidates or the University to be legally represented at any meetings that form part of the procedure except in exceptional circumstances.

**2.6.** Candidates will not be disadvantaged for raising a valid request for reconsideration of Examination Results. The University will act reasonably in considering requests under this procedure and decisions will be made fairly and transparently. The Case Handler, the Examination Review Officer, and the Reviewer will have had no material involvement in the matters raised as part of the complaint or in earlier stages of the procedure and will be independent and impartial.

Principles and delegation.

**2.7.** Any reference in this procedure to a University officer or other named role includes a deputy appointed by that officer or role-holder to exercise the functions assigned to that officer under this procedure.

**2.8.** Candidates are required to request a reconsideration of Examination Results as soon as possible and within 28 days of the Examination Results becoming available. A request for reconsideration of Examination Results or evidence submitted outside this timeframe will not be accepted unless there is a sufficient reason for delay, which will be judged on a case-by case basis by the Case Handler or the Reviewer, as appropriate.

Timeliness.

**2.9.** The University aims to provide a written response concluding this procedure within 90 calendar days of receipt of a formal request for reconsideration of Examination Results (including any Review). The 90 calendar day timeframe requires Candidates to comply with any timescales set down in this procedure. There will occasionally be circumstances when, for good reasons, the Case Handler, Examination Review Officer, or Reviewer will need to extend the timeframe, and in these circumstances the Candidate will be notified and kept updated as to the progress of their request.

**2.10.** The University will only share the information and evidence submitted in a request for review with members of staff where it is strictly necessary in order to process, investigate, and consider requests made using this procedure. All information received from a Candidate will be handled sensitively and in accordance with the policy on the use of personal information under this procedure.

Confidentiality.

**2.11.** The Case Handler, the Examination Review Officer, or the Reviewer may terminate the reconsideration of Examination Results or Review if it is considered to be frivolous or vexatious. If a request is terminated then the Candidate will be issued with a Completion of Procedures letter.

Frivolous or vexatious complaints.

**2.12.** Candidates, their advisors, and staff of the University are required to communicate respectfully and to behave reasonably at all times whilst using the procedure. Abusive or threatening behaviour and language will not be tolerated. If, following a warning, a Candidate continues to behave in an unacceptable manner, the Case Handler, Examination Review Officer, or the Reviewer may terminate the reconsideration of Examination Results or Review without further consideration. If a request is terminated then the Candidate will be issued with a Completion of Procedures letter.

Managing behaviour.

**2.13.** When using this procedure, Candidates are encouraged to provide details and evidence of any disability and/or any reasonable adjustments which may be appropriate in light of their disability. Where it may be helpful and following the consent of the Candidate, an appropriately trained University staff member may be asked to provide a decision regarding reasonable adjustments.

Reasonable adjustments for disabled Claimants.

### **3. Review before the Examiners confirm the Examination Results (informal)**

**3.1.** This informal stage applies only to requests for the consideration of irregularities in the examination process received from Candidates for examinations listed in the Schedule to the General Regulations for Examiners and Assessors.<sup>1</sup>

**3.2.** Where a Candidate becomes aware of an irregularity, this should be reported within 5 calendar days of the examination to the Student Registry using the Representations to the Examiners form.

**3.3.** Where a form is received by the Student Registry, or the Student Registry becomes aware of an irregularity, it shall be communicated to the Chair of Examiners and considered by the Examiners at their final meeting. Following consideration, the Examiners shall take whatever action they think fit in the light of the representations. The consideration of the form and any action that has been taken will be recorded in the minutes of the Examiners' meeting.

**3.4.** The Chair of Examiners shall communicate the outcome of any review under this section of the procedure to the Student Registry who will confirm the outcome to the affected Candidates.

**3.5.** Due to the short timeframe between the examinations taking place and confirmation of the list of successful candidates, Candidates are not required to raise irregularities before receiving their Examination Results and may request reconsideration of Examination Results (Section 4 of this procedure) if the Examiners have not previously considered the matter under this informal stage.

### **4. Reconsideration of Examination Results (formal)**

**4.1.** Candidates may request reconsideration of their Examination Results by submitting the Examination Review form to OSCCA within 28 calendar days of receiving notification of their Examination Results (which may be communicated via their electronic student record).

<sup>1</sup> See p. 257.

**4.2.** A Case Handler will consider the request and will make one or more of the following determinations:

- (a) the request in whole or in part is eligible to be investigated using this procedure;
- (b) the request in whole or in part should be referred to an alternative procedure;
- (c) the request is ineligible to be considered by the University, for example because it is out of time, questions academic judgement, or is vexatious.

**4.3.** Where a determination is made under paragraphs 4.2(b) and (c), the reasons for this and information about the options available to the Candidate will be provided in writing within 7 calendar days. Where matters raised within the request would be more appropriately considered under alternative University procedures, the Case Handler will inform the Candidate about which matters will be considered under which procedure. In some circumstances, it may be necessary to suspend this procedure pending the completion of another.

**4.4.** If the Candidate disagrees with the determination under paragraph 4.2, the reasons for disagreement should be provided by the Candidate, in writing and within 7 calendar days of receiving the decision, to the Head of OSCCA who will review the determination within 14 calendar days. Where, in the opinion of the Head of OSCCA, a request cannot be considered further by the University a Completion of Procedures letter will be issued.

**4.5.** Some requests may require the University to take swift action, for example where the issues raised have detrimental consequences for the Candidate's mental health or where external time limits apply for example in meeting regulatory requirements for the completion of courses. If this is the case, this procedure may be expedited.

**4.6.** Where a determination is made under paragraph 4.2(a) the Candidate will be informed and the Case Handler will conduct an investigation, requiring a factual statement and any relevant evidence from the Chair of the Examining Body.

**4.7.** Following receipt of the evidence requested, the Case Handler will provide all of the materials to an Examination Review Officer, appointed by the Case Handler from a panel of Examination Review Officers appointed by the Examination and Assessment Committee or nominated by the Chair of the Board of Graduate Studies.

**4.8.** The Examination Review Officer will consider all of the materials provided. In exceptional circumstances the Examination Review Officer may request further written statements and/or will have discretion to hold a meeting or hearing.

**4.9.** Following consideration of all of the evidence and whether any of the grounds under paragraph 2.2 have been met, the Examination Review Officer will have the power to make one or more of the following decisions:

- (a) for Candidates for the degrees listed in the Schedule to this procedure, uphold the Candidate's request where at least one of the grounds has been met and refer the matter to the Board of Graduate Studies for reconsideration in accordance with the Board's written rules and guidance;
- (b) uphold the Candidate's request where at least one of the grounds has been met and refer the matter back to the Examining Body for reconsideration in accordance with the Examining Body's written rules and guidance, or require the Examining Body to re-examine the Candidate in conditions considered appropriate to the Examination Review Officer including:
  - (i) to require the Examining Body to examine or re-examine the Candidate;
  - (ii) to require new Examiners to re-examine the Candidate;
  - (iii) to permit the Candidate to submit a revised dissertation or other assessment;
  - (iv) to require one or more additional Examiners to make an independent report or reports on the work submitted by the Candidate;
  - (v) to require the Examining Body to set the Candidate new examination papers or other assessments.
- (c) dismiss the Candidate's request where it is found that none of the grounds under has been met.

**4.10.** The Candidate will receive confirmation in writing of the decision, the reasons for the decision, and copies of the evidence considered by the Examination Review Officer, normally within 45 calendar days of having submitted the Examination Review form.

**4.11.** Regardless of the decision made, the Examination Review Officer may make observations and recommendations to the Examining Body for consideration following the outcome of a review of Examination Results.

## **5. Review (formal)**

**5.1.** If a Candidate remains dissatisfied following the decision of the Examination Review Officer, the Candidate can submit a Request for Review form within 14 calendar days of the decision being communicated. Alternatively, if the Candidate is dissatisfied with the decision but does not believe the reasons for the dissatisfaction would meet the grounds for a Review under paragraph 5.2, the Candidate can request a Completion of Procedures letter.

**5.2.** The Review will not usually consider issues afresh or involve a further investigation. A Review can only be requested on the following grounds:

- (a) procedural irregularities that occurred during the reconsideration of Examination Results which were material or potentially material to the decision reached; *and/or*
- (b) the Examination Review Officer's decision (and/or that of the Board of Graduate Studies under paragraph 4.9(a)) is unreasonable, in that no reasonable person or body could have reached the same decision on the available evidence; *and/or*
- (c) the availability of new evidence, which materially impacts on the Examination Review Officer's decision and which, for valid reasons, could not have been submitted at an earlier stage.

**5.3.** If the request for Review has been made on the specified grounds and within the timeframe, as determined by OSCCA, OSCCA will appoint a Reviewer from a panel of Reviewers appointed by the Council, to consider

the request for Review. Where a request cannot be considered further by the University a Completion of Procedures letter will be issued.

**5.4.** The Reviewer will consider the Candidate's request for Review, the information considered by the Examination Review Officer and the decision reached by the Examination Review Officer, including the consideration of whether any of the grounds under paragraph 2.2 have been met. The Reviewer may request further information.

**5.5.** Following the consideration under paragraph 5.4, the Reviewer will have the power to make one or more of the following decisions:

- (a) uphold the request for Review, in whole or in part, either referring the request back to the Examination Review Officer, the Board of Graduate Studies, and/or the Examining Body for reconsideration, or requiring the Examining Body to re-examine the candidate on conditions considered appropriate to the Reviewer including:
  - (i) to require the Examining Body to examine or re-examine the Candidate;
  - (ii) to require new Examiners to re-examine the Candidate;
  - (iii) to permit the Candidate to submit a revised dissertation or other assessment;
  - (iv) to require one or more additional Examiners to make an independent report or reports on the work submitted by the Candidate;
  - (v) to require the Examining Body to set the Candidate new examination papers or other assessments.
- (b) dismiss the request for Review and confirm the decision of the Examination Review Officer (and/or the decision of the Board of Graduate Studies under paragraph 4.9(a), as appropriate).

**5.6.** The Candidate will receive the Reviewer's decision and the reasons for the decision in writing, normally within 28 calendar days of submitting the Request for Review form. This is the final stage of the University's internal process and therefore the Candidate will be issued with a Completion of Procedures letter.

## 6. Reporting and monitoring

**6.1.** OSCCA will monitor all reconsiderations of Examination Results and decisions made under the procedure and will produce an annual report summarizing the anonymized decisions, remedies, and recommendations (including the implementation of these) made by the relevant University bodies and Reviewers. Students' Unions' sabbatical officers will be invited to provide feedback on the annual report. The annual report will be submitted to the General Board's Education Committee.

## SCHEDULE

### Examinations to which paragraphs 2.2(c) and 4.9(a) apply

*Examinations, including progress examinations approved under Regulation 9 of the General Regulations for Admission as a Graduate Student,<sup>1</sup> leading only to the following qualifications:*

B.D. Degree	Eng.D. Degree
M.D. Degree	M.Sc. Degree
Vet.M.D. Degree	M.Litt. Degree
Ph.D. Degree	M.Phil. Degree by thesis
Ph.D. Degree by special regulations	Certificate of Postgraduate Study
Bus.D. Degree	

## PROCEDURE FOR THE REVIEW OF DECISIONS OF UNIVERSITY BODIES

### 1. Glossary of key terms

**1.1.** In this procedure the following terms shall have the meanings set out below:

Case Handler	A member of OSCCA who determines whether a request for Review is eligible to be investigated under the procedure
Complainant	A person who has received a decision listed in the Schedules to this procedure and has chosen to request a review of the decision
Completion of Procedures Letter	A letter that confirms the end of the University's internal proceedings, following which a student may be eligible to raise a complaint with the Office of the Independent Adjudicator
OSCCA	The Office of Student Conduct, Complaints, and Appeals
Reviewer	A trained member of academic staff who decides whether a complaint is upheld or dismissed.

### 2. Scope and principles

**2.1.** This procedure applies where a person who has received a decision listed in the Schedules to this procedure wishes a review of the decision to be undertaken. The Procedure has one stage: Review.

When does this procedure apply?

<sup>1</sup> See p. 448.



**2.2.** The Review will not usually consider issues afresh or involve a further investigation. The procedure allows for a decision listed in the Schedules to be reviewed on the following grounds:

- (a) procedural irregularities that occurred during the decision-making process, which were material or potentially material to the decision reached; *and/or*
- (b) the decision is unreasonable, in that no reasonable person or body could have reached the same decision on the available evidence; *and/or*
- (c) the availability of new evidence, which materially impacts on the outcome and which, for valid reasons, could not have been submitted at an earlier stage.

Advice, support, and guidance.

**2.3.** The General Board shall approve and keep under review explanatory notes, to be read in conjunction with this procedure. Those notes shall include a Policy on the use of personal information under this procedure.<sup>1</sup> Before making a request for Review, Complainants should read the procedure and the explanatory notes on the procedure. All Complainants are encouraged to seek support from a College Tutor, a member of the Students' Unions' Advice Service, or other advisor of the student's choosing.

**2.4.** This procedure is an internal process and does not have the same degree of formality as proceedings in a court of law. It is not normally necessary or appropriate for Complainants or the University to be legally represented at any meetings that form part of the procedure except in exceptional circumstances.

Who can use this procedure?

**2.5.** This procedure can only be used by the person who has received a decision listed in the Schedules. The request for Review can only be made by the Complainant themselves, although in limited circumstances the University will accept a request from a third party acting as the Complainant's authorized representative. In this circumstance the University will communicate only with the authorized representative and therefore any reference in this procedure about communication to or from a Complainant includes the Complainant's authorized representative.

Principles and delegation.

**2.6.** Complainants will not be disadvantaged for raising a valid complaint. The University will act reasonably in considering requests under this procedure and decisions will be made fairly and transparently. The Case Handler and the Reviewer will have had no material involvement in the matters raised as part of the complaint or in earlier stages of the procedure and will be independent and impartial.

**2.7.** Any reference in this procedure to a University officer or other named role includes a deputy appointed by that officer or role-holder to exercise the functions assigned to that officer under this procedure.

Timeliness.

**2.8.** Complainants are required to raise requests for Review as soon as possible and within 14 calendar days of the decision to be reviewed being communicated. Requests or evidence submitted outside of this timeframe will not be accepted unless there is a valid reason for delay, which will be judged on a case-by-case basis by the Case Handler or Reviewer, as appropriate.

**2.9.** The University aims to process any request for Review within 90 calendar days. The 90 calendar day timeframe requires Complainants to comply with any timescales set down in this procedure. There will occasionally be circumstances when, for good reasons, the University will need to extend the timeframe and in these circumstances the Complainant will be notified and kept updated as to the progress of their request.

Confidentiality.

**2.10.** The University will only share the information and evidence submitted in a request for Review with members of staff where it is strictly necessary in order to process, investigate, and consider the request for Review. All information received from a Complainant will be handled sensitively and in accordance with the Policy on the use of personal information under the Review of Decisions of University Bodies procedure.

Frivolous or vexatious complaints. Managing behaviour.

**2.11.** The Case Handler or the Reviewer may terminate a Review if it is considered to be frivolous or vexatious. If a Review is terminated then the Complainant will be issued with a Completion of Procedures letter.

**2.12.** Complainants, their advisors, and staff of the University are required to communicate respectfully and to behave reasonably at all times whilst using the procedure. Abusive or threatening behaviour and language will not be tolerated. If, following a warning, a Complainant behaves in an unacceptable manner, a Reviewer may terminate the Complainant's Review without further consideration. If a request is terminated then the Complainant will be issued with a Completion of Procedures letter.

Reasonable adjustments for disabled Complainants.

**2.13.** When using this procedure, Complainants are encouraged to provide details and evidence of any disability and/or any reasonable adjustments which may be appropriate in light of their disability. Where it may be helpful and following the consent of the Complainant, an appropriately trained University staff member may be asked to provide a decision regarding reasonable adjustments.

### 3. Review

**3.1.** If a Complainant is dissatisfied following a decision listed within the Schedules to this procedure, the Complainant can submit a Request for Review form within 14 calendar days of the decision being communicated. Alternatively, if the Complainant is dissatisfied with the decision but does not believe the reasons for the dissatisfaction would meet the grounds for a Review, the Complainant can request a Completion of Procedure letter.

**3.2.** If the request for Review has been made on the specified grounds and within the timeframe, as determined by the Case Handler, OSCCA will appoint a Reviewer from a panel of Reviewers appointed by the Council to consider the request for Review. Where a request cannot be considered further by the University a Completion of Procedures letter will be issued.

**3.3.** The Reviewer will consider the Complainant's request, the information considered in reaching the decision, the decision itself, and any new information. The Reviewer may request further information.

<sup>1</sup> These can be viewed at: <https://www.studentcomplaints.admin.cam.ac.uk>.



3.4. Following consideration of the materials, the Reviewer will have the power to either:

- uphold the request for Review in whole or in part, either referring back to the decision-making body for reconsideration, or where this would be unsuitable, requiring such remedies as necessary; *or*
- dismiss the request for Review and confirm the original decision.

3.5. The Complainant will receive the Reviewer's decision and the reasons for the decision, in writing, normally within 28 calendar days of submitting the Request for Review form. This is the final stage of the University's internal process and therefore the Complainant will be issued with a Completion of Procedures letter.

#### 4. Reporting and monitoring

4.1. OSCCA will monitor all reviews of decisions made under the procedure and will produce an annual report summarizing anonymized decisions, remedies, and recommendations (including the implementation of these) made by Reviewers. Students' Unions' sabbatical officers will be invited to provide feedback on the annual report. The annual report will be submitted to the General Board's Education Committee.

### *SCHEDULE A*

#### **Examination Access and Mitigation Committee**

Decisions taken by the Examination Access and Mitigation Committee in respect of individual students in the exercise of:

- (a) its powers under the regulations for Allowances to Candidates for Examinations;
- (b) its powers in respect of allowances of terms (exceptional permission to go out of residence, permission to return into residence, and allowance of terms for the purpose of being in standing to take examinations or proceed to the B.A. Degree) under the regulations for Residence and the Precincts of the University.

### *SCHEDULE B*

#### **Board of Graduate Studies**

Decisions of the Board of Graduate Studies taken in respect of individual students in the exercise of its powers.

Decisions taken on behalf of the Board of Graduate Studies in respect of individual students where, following consideration, those decisions have been ratified by the Board of Graduate Studies.

### *SCHEDULE C*

#### **Faculty Board of Clinical Medicine**

Decisions of the Faculty Board of Clinical Medicine taken in respect of individual students who have applied exceptionally for an additional attempt at a Second M.B. or Final M.B. Examination under Regulations 13 or 21(b), or who have applied exceptionally for an extension of time to complete the course under Regulation 20 of the regulations for the degrees of Bachelor of Medicine and Bachelor of Surgery.

### *SCHEDULE V*

#### **Faculty Board of Veterinary Medicine**

Decisions of the Faculty Board of Veterinary Medicine in respect of individual students who have applied exceptionally for an additional attempt at any Part of the Vet.M.B. examination under Regulations 11 or 19(c) of the regulations for the degree of Bachelor of Veterinary Medicine.

### *SCHEDULE X*

*Amended by Grace 1 of 30 May 2019*

#### **Other bodies**

##### *Examination Access and Mitigation Committee*

Decisions of the Examination Access and Mitigation Committee in respect of candidates who for special reasons apply to be examined under conditions other than the ordinary conditions, or at other times than those previously advertised, or in respect of the conditions under which such permission is given or withheld.

##### *General Board*

Decisions of the General Board in respect of an individual candidate in exercise of its powers regarding reasonable adjustments.

*Information Services Committee, Library Syndicate, Senior Proctor*

Decisions to impose a fine on a student.

Decisions by the Senior Proctor to suspend or revoke a motor licence.

*Faculty Board of Law*

Decisions of the Faculty Board of Law concerning applications exceptionally for an additional attempt at an examination designated as an Examination for Professional Exemption under Regulation 15 of the regulations for the Law Tripos.

*Faculty Boards or comparable authorities*

Decisions not to allow a student who has completed the requirement of the B.A. Degree to progress to that Part of a Tripos required for the M.Eng. or the M.Math. or the M.Sci. Degree.

*Student Disciplinary Procedure*

Decisions made under paragraph 2.27 of the Student Disciplinary Procedure not to share with a student all evidence considered in reaching a decision under that procedure.

Decisions made by the Student Discipline Officer regarding the decision not to commission an investigation or to limit the scope of an investigation.

## CASES OF STUDENT HARASSMENT AND SEXUAL MISCONDUCT

The Council shall publish and keep under review a procedure for handling cases of harassment and sexual misconduct between registered students.

### PROCEDURE ON STUDENT HARASSMENT AND SEXUAL MISCONDUCT

*Amended by Grace 1 of 30 May 2019*

#### 1. Glossary

**1.1.** In this procedure the following terms shall have the meanings set out below:

Code of Conduct	The Code of Conduct for Students in respect of Harassment and Sexual Misconduct <sup>1</sup>
Complainant	A Student who has made a complaint under this procedure
Working Day	Any day except weekends, public holidays, and any other day when the University Offices are closed
OSCCA	The Office of Student Conduct, Complaints, and Appeals
Panel	The Harassment and Sexual Misconduct Panel (see paragraph 6.3.1)
Respondent	A Student about whom a complaint has been made under this procedure
Student	A registered student. For the purposes of the membership of a Harassment and Sexual Misconduct Panel, this definition includes sabbatical officers of Cambridge University Students' Union and the Graduate Union

#### 2. Scope of procedure

**2.1.** This procedure applies where a Student wishes to complain that the behaviour of another Student contravenes the Code of Conduct<sup>1</sup> and constitutes an offence against the discipline of the University.<sup>2</sup>

**2.2.** A complaint under this procedure may be brought by or against two or more Students where the complaint is about harassment or sexual misconduct arising from the same event(s). In such cases references in this procedure to the 'Complainant' or the 'Respondent' shall be construed as appropriate as referring to more than one person.

**2.3.** A Complainant may choose whether to raise a complaint under this procedure or under an equivalent College procedure, if applicable. However, it is the expectation of the Colleges and the University that this procedure will normally be used where:

- (a) the complaint relates to sexual misconduct; *or*
- (b) the complaint relates to conduct occurring in the context of University societies or sports clubs; *or*
- (c) the complaint is brought against Students at more than two Colleges.

**2.4.** A complaint of harassment or sexual misconduct may be brought under this procedure whether or not it has been reported to the police (but see paragraph 3.6).

**2.5.** A complaint cannot be brought under this procedure where the Complainant has previously made a complaint about the same event(s) which has been dealt with under the University's Student Complaints Procedure or a College complaints procedure.

**2.6.** The General Board shall approve and keep under review explanatory notes<sup>3</sup>, to be read in conjunction with this procedure. Those notes shall include a policy on the use of personal information<sup>4</sup> under this procedure.

<sup>1</sup> The Code of Conduct can be viewed at: [https://www.studentcomplaints.admin.cam.ac.uk/files/code\\_of\\_conduct\\_for\\_students\\_in\\_respect\\_of\\_harassment\\_and\\_sexual\\_misconduct.pdf](https://www.studentcomplaints.admin.cam.ac.uk/files/code_of_conduct_for_students_in_respect_of_harassment_and_sexual_misconduct.pdf).

<sup>2</sup> See Regulation 6 of the General Regulations for Discipline (p. 190).

<sup>3</sup> See: [https://www.studentcomplaints.admin.cam.ac.uk/files/explanatory\\_notes\\_on\\_handling\\_cases\\_of\\_student\\_harassment\\_and\\_sexual\\_misconduct.pdf](https://www.studentcomplaints.admin.cam.ac.uk/files/explanatory_notes_on_handling_cases_of_student_harassment_and_sexual_misconduct.pdf).

<sup>4</sup> See: [https://www.studentcomplaints.admin.cam.ac.uk/files/policy\\_on\\_the\\_use\\_of\\_personal\\_information\\_under\\_the\\_procedure\\_for\\_handling\\_cases\\_of\\_student\\_harassment\\_and\\_sexual\\_misconduct.pdf](https://www.studentcomplaints.admin.cam.ac.uk/files/policy_on_the_use_of_personal_information_under_the_procedure_for_handling_cases_of_student_harassment_and_sexual_misconduct.pdf).

### 3. General principles

**3.1.** Any reference in this procedure to a University officer or other named role includes a deputy appointed by that officer or role-holder to exercise the functions assigned to that officer under this procedure.

**3.2.** The University will act reasonably in considering complaints under this procedure, having regard to the individual circumstances of the case. Every effort will be made to ensure that all parties are treated with fairness and dignity.

**3.3.** The time limits set out in this procedure may be varied by the Head of OSCCA for good reason, after consultation with the Complainant and the Respondent as appropriate.

**3.4.** A written decision issued in accordance with this procedure shall also include the reasons for that decision.

**3.5.** The Head of OSCCA may suspend the consideration of a complaint at any stage of this procedure and/or refer the matter for consideration under another procedure, after consultation with the Complainant and the Respondent as appropriate.

**3.6.** Where the events which are the subject of a complaint under this procedure have been reported to the police, the Head of OSCCA will normally suspend the procedure pending the outcome of any police investigation and/or criminal proceedings.

**3.7.** If the Head of OSCCA considers that precautionary action is necessary to protect any person or to enable a full and proper investigation of the complaint to be carried out, the Head of OSCCA may refer the matter to the Academic Secretary with a view to the Academic Secretary exercising the discretion under Special Ordinance D (v): Precautionary Action.

**3.8.** Where, at any point during this procedure, the Complainant and Respondent have agreed to seek alternative resolution of the complaint under paragraph 5 but have been unable to reach an agreed outcome, the Head of OSCCA will consider whether further action should be taken under this procedure and, if so, at what stage.

**3.9.** The Complainant may withdraw a complaint at any time during this procedure, by notifying the Head of OSCCA in writing. Where a complaint is withdrawn no further action will be taken under this procedure, but the Head of OSCCA may refer the matter for consideration under another University procedure.

**3.10.** None of the members of any body constituted under this procedure will have any previous knowledge of the case or any material connection with either the Complainant or the Respondent. The holders of the offices to which this procedure refers shall appoint standing deputies to act on their behalf in the event of any conflict of interest.

### 4. Support and guidance

**4.1.** The Head of OSCCA will provide advice at the outset to help both Complainants and Respondents to understand this procedure.

**4.2.** Complainants and Respondents are entitled to be accompanied by a supporter at any meeting held under this procedure. A supporter may be a tutor, student representative, or a friend. Complainants and Respondents are also entitled to be accompanied by a legal representative at such meetings.

### 5. Alternative resolution

**5.1.** Alternative resolution may be suitable for dealing with some cases that are brought under this procedure, and Colleges play a key role in supporting such processes. Wherever appropriate, Complainants are encouraged to seek alternative resolution to their concerns before bringing a formal complaint under this procedure.

**5.2.** Alternative resolution may not be appropriate for some complaints of harassment or sexual misconduct because of the seriousness of the allegations, or because the relationship between the parties has broken down. In such cases the complaint will be considered in accordance with the formal procedure (paragraph 6).

### 6. Formal procedure

#### 6.1. *Raising a complaint with OSCCA*

**6.1.1.** A Student who wishes to make a complaint under this procedure must do so in writing. The Complainant should set out details of the complaint together with details of any attempts at alternative resolution, if appropriate.

**6.1.2.** The complaint should be addressed to the Head of OSCCA.

**6.1.3.** On receipt the complaint will be considered initially by a group comprising the Head of OSCCA, the Pro-Vice-Chancellor (Education), and the Secretary of the Senior Tutors' Committee. The convenor of the group will be the Head of OSCCA. The group will determine (by a majority decision) whether to:

- (a) refer the complaint for investigation under paragraph 6.2 of this procedure;
- (b) dismiss the complaint because it is considered to be without merit, or vexatious, frivolous, or malicious;
- (c) reject the complaint because it does not fall within the scope of this procedure;
- (d) decline to refer the complaint for investigation under this procedure and recommend to the Complainant that the complaint is raised under a College procedure;
- (e) decline to refer the complaint for investigation under this procedure for other reasons;
- (f) recommend to the Complainant that alternative resolution of the complaint is sought.

**6.1.4.** The Head of OSCCA will notify the Complainant in writing of the decision of the group within ten Working Days of receipt of the written complaint.

**6.1.5.** In the event that a decision of the group falls within paragraph 6.1.3 (b)–(f) and the Complainant is unhappy with that decision, the Complainant shall have the right to request a review of that decision in accordance with paragraph 6.6. The review will be considered by a Panel appointed in accordance with paragraph 6.3.1.

**6.2. Investigation**

**6.2.1.** Where a complaint is referred for investigation, the Head of OSCCA will appoint an investigator to carry out an investigation of the case. The role of the investigator is to prepare a report, which sets out the undisputed facts of the case and any points of difference and makes recommendations based on the evidence and policies in place.

**6.2.2.** The investigator shall conduct the investigation as the investigator thinks fit, within the context of the general principles set out in paragraph 3 and the explanatory notes issued by the General Board under paragraph 2.6. The investigator may interview (with their consent) the Complainant and the Respondent and any other person involved in the events which are the subject of the complaint and consider or request any other evidence which appears to the investigator to be relevant.

**6.2.3.** When or before inviting the Respondent to interview, the investigator must:

- (a) give the Respondent (and, if relevant, her or his representative) sufficient information to enable the Respondent to understand the nature of the alleged misconduct, including for example a broad summary of the evidence and the number and identities of those involved, together with the place where, and time when, the misconduct is alleged to have been carried out;
- (b) notify the Respondent that he or she does not have to say anything and that no adverse inferences may be drawn from the Respondent's failure to attend for interview or otherwise participate in the investigation;
- (c) warn the Respondent that the University may be required to provide as evidence in any subsequent criminal investigation or proceedings in a court of law information regarding the complaint, including any admission made in the course of this procedure (and/or any made during mediation or any subsequent disciplinary proceedings) and that any admission made in the course of this procedure may also be used as evidence in University disciplinary proceedings, save that the University will abide by the confidentiality of any mediation, and anything which is said in the course of mediation will not be used in evidence in any University disciplinary proceedings;
- (d) remind the Respondent that he or she is entitled to seek independent legal advice, and provide sufficient notice of the interview as the Respondent may reasonably require to secure such advice if he or she wishes.

**6.2.4.** Where the Respondent declines to cooperate with an investigation, the investigator may still continue with the investigation in the absence of the Respondent's cooperation. The investigator will aim to complete the investigation within twenty Working Days of the complaint being referred for investigation, but some cases may require longer, in which case the investigator will keep the Complainant and the Respondent informed about progress.

**6.2.5.** On receipt of the investigator's report, the Head of OSCCA may:

- (a) refer the complaint for consideration by a Harassment and Sexual Assault Panel under paragraph 6.3; *or*
- (b) decide to deal with the complaint under paragraph 6.3 without reference to the Panel.

**6.3. Consideration of the case**

**6.3.1.** If the case is referred to a Panel, the Registry will appoint three members of the University, one of whom shall be a Student, to serve.

**6.3.2.** The Head of OSCCA or the Panel shall consider the complaint and the report prepared by the investigator. The Head of OSCCA or the Panel may meet (with their consent) the Complainant and/or the Respondent and any other person involved in the events which are the subject of the complaint.

**6.3.3.** Having considered the complaint and the report, and following any meeting(s) under paragraph 6.3.2, the Head of OSCCA or the Panel (by a majority decision) may:

- (a) refer the complaint for consideration under the University's disciplinary procedures (see paragraph 6.5);
- (b) dismiss the complaint because it is considered to be without merit, or vexatious, frivolous, or malicious;
- (c) decide that no further action should be taken under this procedure;
- (d) recommend to the Complainant and the Respondent that they should seek alternative resolution of the complaint;
- (e) propose one or more of the resolutions set out in paragraph 6.4.1.

**6.3.4.** The Complainant and the Respondent will be notified in writing of the decision of the Head of OSCCA or the Panel under paragraph 6.3.3 within twenty Working Days.

**6.3.5.** In the event that a decision of the Head of OSCCA or the Panel falls within paragraph 6.3.3 (b)–(e) and the Complainant is unhappy with that decision, the Complainant shall have the right to request a review of that decision in accordance with paragraph 6.6. The review will be considered by a committee of three persons appointed by the Registry, one as Chair of the committee.

**6.4. Resolutions**

**6.4.1.** The Head of OSCCA or the Panel may propose a resolution to the complaint, which may include (but are not limited to) the following:

- (a) that the Respondent will agree to abide by a conduct agreement issued by the Head of OSCCA, a record of which will be retained by the University and which may be taken into account if a further complaint is made against the Respondent under this procedure;
- (b) with the prior approval of the relevant body, that the Respondent will take a period of intermission from study;
- (c) that the Respondent will attend behaviour awareness training or workshops.

**6.4.2.** Both the Complainant and the Respondent must agree to the proposed resolution of the complaint. The Head of OSCCA will facilitate the process of reaching agreement between the Complainant and the Respondent and will issue written confirmation of any agreed resolution(s) to the Complainant and the Respondent.

**6.4.3.** If attempts at reaching an agreed resolution are unsuccessful the Head of OSCCA shall refer the complaint for consideration under the University's disciplinary procedures in accordance with paragraph 6.5.

**6.4.4.** If there are grounds to believe that the Respondent has failed to comply with the terms of an agreed resolution, the Head of OSCCA shall determine whether the complaint should be referred for consideration under the University's disciplinary procedures in accordance with paragraph 6.5.

**6.5. *Disciplinary proceedings***

**6.5.1.** Where the Head of OSCCA or the Panel refers a complaint for consideration under the University's disciplinary procedures, it will be referred to the Student Discipline Officer in accordance with the Student Disciplinary Procedure or to any other relevant officer. The Student Discipline Officer or other relevant officer will be provided with a copy of all relevant material, including the report of the investigator and a copy of the decision of the Head of OSCCA or the Panel.

**6.5.2.** The Student Discipline Officer or other relevant officer may decide to:

- (a) invoke disciplinary proceedings against the Respondent;
- (b) refer the case back to the Head of OSCCA for further attempts at an agreed resolution;
- (c) take no further action.

**6.5.3.** The Complainant and the Respondent will be notified in writing of the decision of the Student Discipline Officer or other relevant officer within twenty Working Days.

**6.5.4.** Where the Student Discipline Officer or other relevant officer decides to take no further action, the Complainant shall have the right to request a review of that decision in accordance with paragraph 6.6. The review will be considered by a committee of three persons appointed by the Registry, one as Chair of the committee.

**6.5.5.** Where disciplinary proceedings are brought against the Respondent, a copy of all relevant material, including the report of the investigator and a copy of the decision of the Head of OSCCA or the Panel will be made available to the relevant disciplinary body.

**6.6. *Review***

**6.6.1.** In accordance with paragraphs 6.1.5, 6.3.5, or 6.5.4 of this procedure, the Complainant may seek the review of a decision made under this procedure. The review will be carried out by the body specified in the relevant paragraph.

**6.6.2.** A request for a review shall be made in writing and sent to the Registry within fifteen Working Days of written notification of the decision (unless, for good reason, the Registry permits a longer period). The request for review shall specify the grounds for review which may be only one or more of the following:

- (a) that there was material procedural irregularity in the consideration of the Complainant's case;
- (b) that there was bias or prejudice on the part of the decision-maker;
- (c) that the decision reached was perverse in that it was one which no reasonable decision-maker could have reached on the available evidence;
- (d) that fresh material evidence is available, which was not available and/or not presented for good reason at the time of the original decision.

**6.6.3.** The request for a review should be accompanied by supporting documentation.

**6.6.4.** The reviewing body will consider the request for review and the documentation available to the original decision-maker. The reviewing body may, at its discretion, hold a hearing and regulate arrangements for the conduct of the hearing.

**6.6.5.** The reviewing body will issue an adjudication in writing as soon as possible, which shall normally be within twenty Working Days of the receipt of the request for a review or (if a hearing is held) within ten Working Days of the hearing. The reviewing body shall have power to confirm, quash, or amend the original decision or refer it back to the decision-maker for further consideration.

**7. *Reporting***

**7.1.** An annual report of complaints considered under this procedure will be made to the Council, the General Board, and the Colleges, in which references to individual cases will be made anonymously.

**7.2.** The Head of OSCCA will be responsible for the regular review of this procedure.

**PROCEDURES TO DETERMINE FITNESS TO PRACTISE OF PRECLINICAL AND CLINICAL MEDICAL STUDENTS**

*Amended by Grace 3 of 12 June 2019*

*Introduction*

**1.** The General Medical Council (GMC) has a duty, as a matter of public safety under the Medical Act 1983, to ensure that medical students are fit to practise medicine when they apply to the GMC for provisional registration. The following regulations shall govern the procedures in the University to ensure that preclinical and clinical medical students are fit to practise medicine as defined in guidance issued by the Medical Schools Council and General Medical Council.

**2.** There shall be a Medical Students Register which shall be maintained by the Faculty Boards of Biology and Clinical Medicine through a Fitness to Practise Committee (FTP Committee).

**3.** Any person or body may refer any matter which gives a cause for concern about a medical student's fitness to practise to the Clinical Dean who shall undertake a preliminary consideration of the matter and decide whether:



- (a) the matter should be dismissed (because it is frivolous, vexatious, insufficiently serious, or for some other reason);
- (b) the matter should be referred to the Student Progress Panel for support;
- (c) the matter should be initially handled informally and the student shall be issued with a warning letter;
- (d) the matter should be referred to the FTP Committee in accordance with these procedures.

Adjudication Panel.

4. Where the FTP Committee considers that there is a question to be determined concerning the fitness to practise of a medical student, the FTP Committee shall appoint an Investigator who shall report to the FTP Committee. Having considered the Investigator's report, the FTP Committee may refer the matter to a Fitness to Practise Adjudication Panel (FTP Adjudication Panel) to consider whether the student is fit to practise medicine or whether to impose sanctions (which include formal warnings, conditions, and suspension or removal from the Medical Students Register).

Appeal.

5. A medical student shall, if required to do so, attend meetings and/or hearings with the FTP Committee, an Investigator, and a FTP Adjudication Panel. A medical student and the FTP Committee may appeal to a Fitness to Practise Appeal Panel (FTP Appeal Panel) on grounds specified in these procedures.

6. Fitness to practise issues can arise from a student's conduct, health, or performance. Medical students have a responsibility to report any illness or disability that may affect their fitness to practise to their Senior Tutor or Director of Studies and, as appropriate, to the Director of Medical Education in the Faculty of Clinical Medicine or the Director of Education (Biological Sciences) in the Faculty of Biology.

Medical and Veterinary Student Progress Panel.

7. The University also has a duty to support its medical students. The Medical and Veterinary Student Progress Panel (MVSPP) monitors the academic performance and progress of preclinical and clinical medical students, including issues relating to ill health and any other cause for concern which does not merit a referral to the FTP Committee.

8. A student who wishes to remain on the Medical Students Register will be expected to co-operate with obtaining such reports from the University's Occupational Health Service and/or other experts as may be deemed necessary.

9. When applying for provisional registration with the General Medical Council, medical students are required to inform the GMC of the details of any referral to the FTP Committee and any and all matters that might have a bearing on her or his fitness to practise.

#### THE COMPOSITION, ROLES, AND DUTIES OF THE FITNESS TO PRACTISE BODIES

##### *Fitness to Practise Committee (FTP Committee)*

Membership.

10. The FTP Committee shall comprise a minimum of three members:

- (a) a Chair appointed by the Faculty Board of Clinical Medicine who shall be a member of the Regent House and a practising GMC-registered medical practitioner;
- (b) one member appointed by the Faculty Board of Clinical Medicine who shall be a member of the Regent House and a practising GMC-registered medical practitioner; and
- (c) one member appointed by the Faculty Board of Biology who shall be a member of the Regent House and not a GMC-registered medical practitioner.

11. No member of the FTP Committee shall have had any material involvement or interest in respect of each individual case before the FTP Committee. All members of the FTP Committee shall be required to make a declaration of interest in the case.

12. Members of the FTP Committee shall be appointed in the Michaelmas Term to serve for three years from 1 January following their appointment.

Fitness to Practise Panel.

13. The Faculty Boards of Clinical Medicine and Biology shall in addition jointly maintain a Fitness to Practise Panel (FTP Panel). Every three years in the Michaelmas Term, or as necessary:

- (a) the Faculty Board of Clinical Medicine shall appoint to the FTP Panel at least six members of the Regent House qualifying for appointment to the FTP Committee under Regulation 10(b);
- (b) the Faculty Board of Biology shall appoint to the FTP Panel at least six members of the Regent House qualifying for appointment to the FTP Committee under Regulation 10(c).

14. In the event of a member of the FTP Committee appointed under Regulations 10(a) or 10(b) having a conflict of interest in any case, a replacement member qualifying for appointment to the FTP

Committee under those regulations shall be appointed from the FTP Panel for the purposes of the case in question by the Chair of the Faculty Board of Clinical Medicine.

15. In the event of a member of the FTP Committee appointed under Regulation 10(c) having a conflict of interest in any case, a replacement member qualifying for appointment to the FTP Committee under that regulation shall be appointed from the FTP Panel for the purposes of the case in question by the Chair of the Faculty Board of Biology.

16. The Faculty Board of Clinical Medicine shall appoint a person to be Secretary to the FTP Committee. Secretary.

17. The FTP Committee may co-opt a maximum of two members to the FTP Committee from the FTP Panel or elsewhere and may require such reports to be prepared as it considers necessary. Co-opted members.

18. The duties of the FTP Committee shall be: Duties of the Committee.

(a) to maintain the Medical Students Register on behalf of the Faculty Boards of Biology and of Clinical Medicine;

(b) to produce and keep under review a code of conduct to be observed by medical students;

(c) to consider all expressions of concern about a medical student's fitness to practise and, if appropriate, to appoint an Investigator from the FTP Panel who shall have discretion to investigate any issues relating to the student's fitness to practise medicine;

(d) to consider an Investigator's report, make recommendations and, if appropriate, refer a medical student to a FTP Adjudication Panel;

(e) to keep under review these Fitness to Practise procedures and to recommend changes to the Faculty Boards of Biology and Clinical Medicine, who shall report such changes to the University for approval.

19. The FTP Committee shall meet at least once a year in the Michaelmas Term and whenever there is any business to consider. Three members shall constitute a quorum. The Chair shall have a casting vote, if necessary. In the absence of the Chair for a meeting of the FTP Committee, the member appointed under Regulation 10(b) may become Chair for that meeting, or the meeting may be adjourned. Meetings.

20. The FTP Committee shall submit the minutes of its meetings to the Faculty Boards of Biology and of Clinical Medicine and to the Medical Education Committee.

#### *Fitness to Practise Adjudication Panel (FTP Adjudication Panel)*

21. A FTP Adjudication Panel shall comprise a Chair and two other members, all of whom shall be appointed by the Registry from the FTP Panel as soon as practicable after he or she has been notified (by the Secretary to the FTP Committee) that a case has been referred to a FTP Adjudication Panel. The Chair shall be a practising GMC-registered medical practitioner. Chair and members.

22. The three members of a FTP Adjudication Panel shall constitute the quorum for a hearing of the FTP Adjudication Panel at which a medical student's fitness to practise is determined. The Chair shall have a casting vote, if necessary. Quorum.

23. A FTP Adjudication Panel shall decide whether a medical student is fit to practise medicine and should remain on the Medical Students Register and/or should be subject to sanctions.

24. No member of a FTP Adjudication Panel shall have had any material involvement or interest in the case. All members of a FTP Adjudication Panel shall be required to make a declaration of interest in respect of the case. A replacement member shall be appointed by the Registry from the FTP Support Panel in the event of a conflict of interest.

25. A FTP Adjudication Panel may require such reports to be prepared as it considers necessary.

26. The Secretary of the medical student's Faculty Board, or her or his nominated deputy, shall serve as Secretary to a FTP Adjudication Panel. For the purpose of these regulations, preclinical students are assigned to the Faculty of Biology and clinical students to the Faculty of Clinical Medicine. Secretary.

#### *Fitness to Practise Appeal Panel (FTP Appeal Panel)*

27. An Appeal Panel shall be appointed to consider an appeal which is made by a medical student or by the FTP Committee in respect of a decision of a FTP Adjudication Panel.

28. The Council of the University shall maintain three panels, panel (a), panel (b), and panel (c), from which members of an Appeal Panel shall be appointed as follows: Panels.

panel (a): persons who are legally qualified or who have had experience of acting in a judicial capacity, not being members of the Council;

panel (b): members of the Regent House not being members of the FTP Committee, FTP Panel, or FTP Adjudication Panel or of the Faculties of Biology or Clinical Medicine;

panel (c): members of the academic staff of a UK Medical School, being practising GMC-registered medical practitioners, who are not members of the Regent House.

**29.** The Council shall appoint in the Michaelmas Term each year such number of persons as they shall see fit to serve as members of each panel for three years from 1 January following their appointment.

Members. **30.** An Appeal Panel shall consist of three members:

(a) one person designated by the Vice-Chancellor from panel (a), who shall be the Chair of the Appeal Panel;

(b) one drawn by lot from panel (b);

(c) one drawn by lot from panel (c).

**31.** No member of an Appeal Panel shall have had any material involvement or interest in the case. All members of the Appeal Panel shall be required to make a declaration of interest in respect of the case. In the event of a conflict of interest, an alternative member shall be appointed by the Vice-Chancellor or by lot, as appropriate.

Clerk. **32.** The Registry, or a person nominated by the Registry, shall act as Clerk of the Appeal Panel.

Quorum. **33.** The three members of the Appeal Panel shall constitute the quorum. The Chair shall have a casting vote, if necessary.

#### FITNESS TO PRACTISE PROCEDURES

**34.** The consideration of whether or not a medical student is fit to practise medicine shall take place in accordance with the following procedures which may comprise of at least three stages, a preliminary consideration by the FTP Committee, an investigation, and an adjudication by a FTP Adjudication Panel, and may be followed by a final appeal stage.

**35.** If at any stage the Chair of any of the bodies involved considers that the medical student may have committed an offence under the criminal law or against the discipline of the University, the Chair shall suspend proceedings and refer the circumstances for consideration by the police or to the University Advocate under Statute D, as appropriate. In such instances, the body or bodies shall not normally reach a decision on the student's fitness to practise until either the police or University Advocate (as appropriate) has confirmed that it is not intended to institute proceedings against the medical student, or, if proceedings are taken, until the criminal courts or University courts or disciplinary panels (as appropriate) have ruled finally on the matter. Pending the outcome of any consideration by the police and the criminal courts and/or the University Advocate and the University courts or disciplinary panels, the FTP Committee and its Chair shall review the student's status and take any measures under these procedures which are considered necessary.

**36.** The FTP Committee, the Investigator, a FTP Adjudication Panel, and the Appeal Panel may obtain legal advice through the Registry to assist with the performance of their duties under these procedures.

**37.** Any notification to a medical student under these procedures may be sent to the medical student's University email address.

#### *Preliminary stage involving the Fitness to Practise Committee*

**38.** Any expression of concern that a medical student may not be fit to practise medicine shall be made in writing to the Secretary of the FTP Committee; it shall show clearly the author's name and address. Anonymous referrals shall only be acted upon in exceptional circumstances as the FTP Committee sees fit, having regard to the seriousness of the issues raised and the fairness to any individuals mentioned in the referral. The FTP Committee may also consider that the identity of individuals, although known to the FTP Committee, may need to be withheld or protected in exceptional circumstances.

**39.** The Secretary of the FTP Committee shall communicate the expression of concern to the Chair of the FTP Committee who may take Chair's action in respect of any measures which are considered necessary or appropriate pending consideration by the FTP Committee.

**40.** The Secretary of the FTP Committee shall inform the medical student of the details of any expression of concern and, at the discretion of the Chair of the FTP Committee, arrange for the student to attend a meeting of the FTP Committee. During any meeting with the FTP Committee, the medical student may be accompanied by a member of the University or other representative chosen by the medical student who shall notify the Secretary of the FTP Committee two days in advance of any meeting if he/she will be accompanied and by whom.

**41.** The Secretary of the FTP Committee shall inform the medical student of the persons appointed to be members of the FTP Committee. If the medical student has good cause to object to the membership of the FTP Committee, he or she shall provide grounds to the Secretary of the FTP Committee in writing within seven days. In the case of a member appointed under Regulation 10(a) or (b), the Chair of the Faculty Board of Clinical Medicine shall decide whether to replace that member of the FTP Committee and shall appoint an alternative member as considered appropriate. In the case of a member appointed under Regulation 10(c), the Chair of the Faculty Board of Biology shall decide whether to replace that member of the FTP Committee and shall appoint an alternative member as considered appropriate. The Secretary of the FTP Committee shall inform the medical student accordingly. The decision of the Chair of the Faculty Board of Clinical Medicine or of the Chair of the Faculty Board of Biology shall be final.

**42.** The FTP Committee shall decide whether the medical student shall during the course of any fitness to practise procedures:

- (a) continue her or his studies without limitation;
- (b) continue her or his studies under specified conditions;
- (c) be prohibited from entering specified clinical facilities as a medical student; and/or
- (d) be provisionally suspended from the Medical Students Register and therefore from the clinical components of the course.

**43.** The FTP Committee may, pending the outcome of any fitness to practise procedures, review and change a decision regarding a medical student's status and any measures which are considered necessary.

**44.** The FTP Committee shall determine whether the matter can and should be dealt with informally, whether the matter should be referred back to the Student Progress Panel (MVSPP), or whether an Investigator should be appointed to investigate the student's conduct, health, and/or performance. The FTP Committee shall normally take this initial decision within one month from the date of receipt of the expression of concern.

**45.** If the University Advocate institutes proceedings against the medical student under Statute D any subsequent judgement of a University court or disciplinary panel may be considered as evidence within any fitness to practise procedures. If a University court or disciplinary panel finds that a charge is proven against the student then that finding shall be conclusive evidence that the medical student in question has committed the offence against the discipline of the University with which he or she was charged.

Procedures  
under  
Statute D.

#### *Investigation*

**46.** If the FTP Committee decides to commence an investigation, the Secretary of the FTP Committee shall write to the medical student concerned and to the Senior Tutor of the student's College stating that an investigation of the medical student's fitness to practise is going to take place. The letter to the medical student shall state the nature of the expression of concern and the grounds for commencing the investigation.

**47.** The FTP Committee shall appoint an Investigator from the FTP Panel who has had no material involvement or interest in this case. The Investigator shall interview the medical student concerned, the maker of the allegation (unless an anonymous concern has been permitted), and any other relevant persons. A formal note of each interview shall be prepared by the Investigator and, if possible, agreed with the person who has been interviewed. A written report shall be prepared and submitted by the Investigator to the FTP Committee.

Investigator.

**48.** The FTP Committee, an Investigator and a FTP Adjudication Panel may, at any stage, require reports to be prepared by the Occupational Health Service and/or other experts as to the student's fitness to practise and will expect the student to co-operate with obtaining such reports in order for

those bodies to discharge their duties to consider the student's fitness to practise. All such reports shall be co-ordinated through the FTP Committee.

**49.** During any interview with the Investigator, the medical student may be accompanied by a member of the University or other representative chosen by the medical student who shall notify the Investigator two days in advance of any meeting if he/she will be accompanied and by whom.

**50.** On receipt of the Investigator's report, the FTP Committee shall take one of the following decisions:

- (a) that no further action be taken;
- (b) that there is no serious issue to be determined with regard to the medical student's fitness to practise, but that the medical student would benefit from remedial measures being put in place; the Chair of the FTP Committee shall on behalf of the FTP Committee (i) agree such measures with the medical student, the student's Senior Tutor, and the Director of Medical Education in the Faculty of Clinical Medicine or the Director of Education (School of the Biological Sciences) in the Faculty of Biology as appropriate, and then so inform the Secretary of the FTP Committee in writing, or (ii) in the event of failure to agree such measures, the FTP Committee shall refer the matter to a FTP Adjudication Panel; or
- (c) that there may be a serious issue to be determined concerning the medical student's fitness to practise and shall refer the matter to a FTP Adjudication Panel.

Decision.

**51.** The Secretary of the FTP Committee shall inform the medical student, the MVSPP, and the student's Senior Tutor in writing of the FTP Committee's decision and of any agreed measures normally within seven days. Where the FTP Committee decide that a matter shall be referred to a FTP Adjudication Panel, the Secretary of the FTP Committee shall notify the Registry and the student's Faculty Board Secretary. Correspondence from the Secretary informing the student shall be submitted to the next full meeting of the FTP Committee.

#### *Adjudication by FTP Adjudication Panel*

**52.** If a medical student is referred by the FTP Committee to a FTP Adjudication Panel, the Chair of the FTP Adjudication Panel shall determine the procedure to be adopted by the FTP Adjudication Panel which shall normally include:

- (a) informing the medical student of the persons appointed to be members of the FTP Adjudication Panel;
- (b) providing the medical student with copies of the documents provided by the FTP Committee to the FTP Adjudication Panel, including the Investigator's report;
- (c) informing the medical student of the names of any persons who may be asked to attend a FTP Adjudication Panel to give evidence and setting out the basis upon which the medical student may call persons who may have information relevant to the case to give evidence (whether they are members of the University or not) either orally at the hearing or in writing;
- (d) setting a timetable for the progress of the proceedings, including time limits for each step of the proceedings and a date, time and place for the hearing.

**53.** The Secretary of the FTP Adjudication Panel shall inform the medical student and the Chair of the FTP Committee of the procedure to be followed. The Chair of the FTP Adjudication Panel may at any stage of the proceedings hold a case management meeting at which she or he may (i) review the progress of the proceedings, and in particular the extent to which any timetable previously set by the Chair has been complied with, (ii) issue or vary directions or time limits for the further conduct of the proceedings, and/or (iii) set or vary a date, time, or place for the hearing. The Secretary of the FTP Adjudication Panel shall inform the medical student and the Secretary of the FTP Committee of the date, time, and place of a case management meeting at least seven days in advance of such meeting.

Objection to members of the Panel.

**54.** If the medical student has good cause to object to the membership of a FTP Adjudication Panel, he or she shall provide grounds to the Secretary of the FTP Adjudication Panel in writing within seven days of being notified of the membership of the FTP Adjudication Panel. The Registry shall decide whether to replace that member of the FTP Adjudication Panel and shall appoint an alternative member from the FTP Panel as considered appropriate. The Secretary of a FTP Adjudication Panel shall inform the medical student accordingly. The decision of the Registry shall be final.

**55.** The medical student shall attend all case management meetings and hearings of a FTP Adjudication Panel in person, unless prevented by exceptional circumstances. If the medical student



fails to attend any case management meeting or any hearing without reasonable explanation, a FTP Adjudication Panel may, at its discretion, consider the case in the medical student's absence.

**56.** The medical student may choose to be accompanied by a member of the University or other representative chosen by the medical student who must inform the Secretary of the FTP Adjudication Panel of the identity of the individual and the capacity in which he or she is attending as soon as practicable and at least four days in advance of the case management meeting or hearing.

**57.** The medical student's Senior Tutor (or a deputy appointed by the Senior Tutor), if not nominated by the student, shall be entitled, with the student's consent, to be present at any case management meeting or hearing.

**58.** Case management meetings and hearings of the FTP Adjudication Panel shall be conducted in private unless the Chair of a FTP Adjudication Panel agrees to a request from the student for any case management meeting or hearing to be held in public.

Private hearing.

**59.** A Chair of the FTP Adjudication Panel shall determine the procedure for the conduct of a FTP Adjudication Panel hearing to consider a medical student's fitness to practise. The procedure shall normally be as follows:

Procedure for conduct of the hearing.

- (a) The Chair shall introduce all those present at the hearing and explain the powers of a FTP Adjudication Panel.
- (b) The Chair shall invite the Chair of a FTP Committee (or a person appointed by her or him) to make an opening statement and shall then invite FTP Adjudication Panel members to ask questions.
- (c) The Chair shall invite the medical student or her or his representative to make a statement and shall then invite FTP Adjudication Panel members to question the student.
- (d) The Chair shall invite any other persons called upon to attend the hearing (normally to include the Chair of a FTP Committee and Investigator) to make a brief statement and shall then invite FTP Adjudication Panel members to ask questions.
- (e) At each stage, the Chair shall have discretion to allow reciprocal questioning by all parties.
- (f) When the Chair is satisfied that a FTP Adjudication Panel has completed its questioning and that the medical student and other persons present have had a full opportunity to convey information to a FTP Adjudication Panel, the student and all other persons not on a FTP Adjudication Panel except the Secretary of a FTP Adjudication Panel shall withdraw. The Secretary of a FTP Adjudication Panel shall remain to provide advice on procedure but shall take no part in a FTP Adjudication Panel reaching its decision on the case itself.
- (g) A FTP Adjudication Panel shall then discuss the case.
- (h) Those attending the first part of the hearing shall all be invited back into the hearing once a FTP Adjudication Panel has concluded its discussions. A FTP Adjudication Panel shall seek any further clarification which it requires, and may at its discretion call for a further adjournment or adjournments. The Chair shall then outline to the medical student a FTP Adjudication Panel's decision.

**60.** A FTP Adjudication Panel, following consideration of the case, may make one of the following decisions on the balance of probabilities and by a simple majority (the Chair having a casting vote if necessary):

- (a) declare that the medical student is fit to practise and that he or she may continue on the course with no conditions or other sanctions;
- (b) declare that the student is fit to practise but provide a formal warning which should be added to the medical student's record;
- (c) declare that there are grounds for concern as to the student's fitness to practise and impose other sanctions in respect of the student's continuation with her or his course of study for the Second or Final M.B. Examinations which may include
  - (i) that the student be temporarily suspended from the Medical Students Register, specifying the arrangements for monitoring by the FTP Committee of the suspension (including a minimum period if appropriate) and the arrangements for the termination of suspension, or
  - (ii) that the student be subject to other conditions.
- (d) declare that the medical student is unfit to practise, that the medical student be removed from the Medical Students Register and that the General Medical Council be informed of this sanction.

**61.** The Secretary of a FTP Adjudication Panel shall confirm the decision of a FTP Adjudication Panel and the reasons for the decision in writing normally within seven days, specifying any time

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period or sanction that may apply, to the medical student and also to the Chair of the FTP Committee, the MVSPP, the Senior Tutor of the student's College, the Director of Medical Education in the School of Clinical Medicine and, as appropriate, the Director of Education in the School of Biological Sciences.

### *Appeal*

**62.** A medical student and the FTP Committee shall have the right of appeal to an Appeal Panel in respect of a decision of a FTP Adjudication Panel as set out in these procedures.

**63.** A medical student and the FTP Committee may give notice of appeal in respect of a decision of a FTP Adjudication Panel on only one or more of the following grounds:

- (a) irregularity in process;
- (b) the coming to light of fresh evidence, which was not available and/or presented for a good reason; and/or
- (c) the proportionality of a sanction imposed by the FTP Adjudication Panel.

**64.** A notice of appeal shall be in writing and shall be received by the Registry within twenty-eight days of the date of notification of a FTP Adjudication Panel decision. The notice of appeal shall state the grounds on which the appeal is made and provide all material relied upon for the appeal. On receipt of the notice of appeal, and if the Registry considers that there are grounds for an appeal as set out within these procedures, the Registry shall appoint an Appeal Panel to hear the appeal. The parties shall not be entitled to rely during the appeal hearing, without the permission of the Appeal Panel, on any grounds other than those set out in the notice of appeal.

**65.** During the consideration of the appeal, the decision of a FTP Adjudication Panel shall remain in force.

**66.** An Appeal Panel hearing shall be arranged as soon as possible, and normally within three months of the date of the Registry receiving the notice of appeal, in accordance with the following procedures:

- (a) The Clerk of the Appeal Panel shall inform the medical student and the Chair of the FTP Committee of the persons appointed to be members of the Appeal Panel. If the medical student or the Chair of the FTP Committee has good cause to object to the membership of the Appeal Panel, he or she shall provide grounds to the Clerk of the Appeal Panel in writing within seven days or as determined by the Chair of the Appeal Panel. The Vice-Chancellor shall decide whether that member of the Appeal Panel should be replaced and, if the Vice-Chancellor decides that the member should be replaced, a replacement member shall be designated by the Vice-Chancellor (in the case of the Chair) or drawn by lot (in the case of any other member). The Clerk of the Appeal Panel shall inform the parties accordingly. The decision of the Vice-Chancellor shall be final.
- (b) Any documentation to be considered by the Appeal Panel shall be sent to the parties and the members of the Appeal Panel at least fourteen days before the hearing.
- (c) The medical student may be accompanied by a member of the University or other representative chosen by the medical student who must inform the Secretary to the Appeal Panel of the identity of the person and the capacity in which he or she is attending seven days in advance of the hearing. The medical student's Senior Tutor (or a deputy appointed by the Senior Tutor), if not nominated by the student, shall, with the agreement of the student, be entitled to be present.
- (d) The hearing shall be held in private unless the Chair of the Appeal Panel agrees to a request from the student that the hearing be held in public.
- (e) The Chair of the FTP Adjudication Panel, or a person appointed by her or him, shall represent the FTP Adjudication Panel at the Appeal Panel hearing. The Chair of the FTP Committee, or a person appointed by her or him, shall represent the FTP Committee at the Appeal Panel hearing.

**67.** The Appeal Panel shall consider its decision in private. The Clerk of the Appeal Panel shall be present throughout the hearing and throughout consideration by the Appeal Panel of its decision.

**68.** The Appeal Panel may confirm, quash, amend, or refer back the decision to the same, or a newly constituted, FTP Adjudication Panel.

**69.** As soon as possible, normally within seven days from the Appeal Panel hearing, the Clerk of the Appeal Panel shall inform the medical student in writing of the decision and the reasons for the decision. That notification shall specify whether the case is to be referred back to a FTP Panel or, if

Appeal Panel hearing procedures.

Decision.

not, the notification should be a Completion of Procedures letter and inform the medical student that she or he may refer the matter to the Office of the Independent Adjudicator for Higher Education. The Secretary to the Appeal Panel shall also inform the Chair of the FTP Adjudication Panel, the Chair of the FTP Committee, the MVSP, the Senior Tutor of the student's College, the Director of Medical Education in the School of Clinical Medicine and, as appropriate, the Director of Education in the School of Biological Sciences.

#### *Record and declaration*

**70.** The FTP Committee and the Faculty Boards of Biology or Clinical Medicine, as appropriate, shall make a record of any sanctions imposed (including a formal warning, a suspension or removal from the Medical Students Register, or other conditions) or undertakings provided by a medical student relating to arrangements for the monitoring or supervision of her or his conduct, health, or performance. The FTP Committee shall determine whether the information is to be kept permanently on the medical student's record, until a further review or until one year after the student has obtained full registration with the General Medical Council.

**71.** A medical student upon whom conditions have been imposed shall be required to confirm in writing that he or she shall comply with such conditions.

**72.** A medical student who has undertaken to comply with arrangements for the management and supervision of her or his conduct, health, or performance shall be required to confirm in writing that he or she will comply with the arrangements.

**73.** When applying to the General Medical Council for provisional registration, a student shall inform the General Medical Council of the details of any referral to the Fitness to Practise Committee and any and all matters that might have a bearing on her or his fitness to practise.

## PROCEDURES TO DETERMINE FITNESS TO PRACTISE OF PRECLINICAL AND CLINICAL VETERINARY STUDENTS

### *Introduction*

**1.** The Royal College of Veterinary Surgeons (RCVS) has a duty to ensure that veterinary students are fit to practise veterinary medicine when they apply for registration. The following regulations shall govern the procedures in the University to ensure that preclinical and clinical veterinary students are fit to practise veterinary medicine.

**2.** There shall be a Veterinary Students Register, which shall be maintained by the Faculty Boards of Biology and Veterinary Medicine through a Veterinary Fitness to Practise Committee (VFTP Committee). Veterinary Students Register.

**3.** Any person or body may refer any matter which gives a cause for concern about a veterinary student's fitness to practise to the VFTP Committee in accordance with these procedures.

**4.** Where the VFTP Committee considers that there is a question to be determined concerning the fitness to practise of a veterinary student, the VFTP Committee shall appoint an Investigator who shall report to the VFTP Committee. Having considered the Investigator's report, the VFTP Committee may refer the matter to a Fitness to Practise Adjudication Panel (VFTP Adjudication Panel) to consider whether the student is fit to practise veterinary medicine or whether to impose sanctions (which include formal warnings, conditions and suspension, or removal from the Veterinary Students Register). Adjudication Panel.

**5.** A veterinary student shall, if required to do so, attend meetings and/or hearings with the VFTP Committee, an Investigator, and a VFTP Adjudication Panel. A veterinary student and the VFTP Committee may appeal to a Fitness to Practise Appeal Panel (VFTP Appeal Panel) on grounds specified in these procedures. Appeal.

**6.** Fitness to practise issues can arise from a student's conduct, health, or performance. Veterinary students have a responsibility to report any illness or disability that may affect their fitness to practise to their Senior Tutor or Director of Studies and, as appropriate, to the Director of Teaching in the Faculty of Veterinary Medicine or the Director of Education (Biological Sciences) in the Faculty of Biology.

**7.** The University also has a duty to support its veterinary students. The Medical and Veterinary Student Progress Panel (MVSP) monitors the academic performance and progress of preclinical and Medical and Veterinary Student Progress Panel.

clinical veterinary students, including issues relating to ill health and any other cause for concern which does not merit a referral to the VFTP Committee.

**8.** A student who wishes to remain on the Veterinary Students Register will be expected to co-operate with obtaining such reports from the University's Occupational Health Service and/or other experts as may be deemed necessary.

**9.** When applying for registration with the Royal College of Veterinary Surgeons (RCVS) veterinary students will be required to inform the RCVS of the details of any referral to the VFTP Committee and any and all matters that might have a bearing on his or her fitness to practise.

## THE COMPOSITION, ROLES, AND DUTIES OF THE FITNESS TO PRACTISE BODIES

### *Fitness to Practise Committee (VFTP Committee)*

Membership.

**10.** The VFTP Committee shall comprise a minimum of three members:

- (a) a Chair appointed by the Faculty Board of Veterinary Medicine who shall be a practising veterinary surgeon;
- (b) one member appointed by the Faculty Board of Veterinary Medicine who shall be a practising veterinary surgeon; and
- (c) one member appointed by the Faculty Board of Biology who shall be a member of the Regent House and not normally a registered veterinary surgeon.

**11.** No member of the VFTP Committee shall have had any material involvement or interest in respect of each individual case before the VFTP Committee. All members of the VFTP Committee shall be required to make a declaration of interest in the case.

**12.** Members of the VFTP Committee shall be appointed in the Michaelmas Term to serve for three years from 1 January following their appointment.

Veterinary  
Fitness to  
Practise  
Support Panel.

**13.** The Faculty Boards of Veterinary Medicine and Biology shall in addition jointly maintain a Veterinary Fitness to Practise Support Panel (VFTP Support Panel). Every three years in the Michaelmas Term, or as necessary:

- (a) the Faculty Board of Veterinary Medicine shall appoint to the VFTP Support Panel at least six members qualifying for appointment to the VFTP Committee under Regulation 10(b);
- (b) the Faculty Board of Biology shall appoint to the VFTP Support Panel at least six members of the Regent House qualifying for appointment to the VFTP Committee under Regulation 10(c).

**14.** In the event of a member of the VFTP Committee appointed under Regulations 10(a) or 10(b) having a conflict of interest in any case, a replacement member qualifying for appointment to the VFTP Committee under those regulations shall be appointed from the VFTP Support Panel for the purposes of the case in question by the Chair of the Faculty Board of Veterinary Medicine.

**15.** In the event of a member of the VFTP Committee appointed under Regulation 10(c) having a conflict of interest in any case, a replacement member qualifying for appointment to the VFTP Committee under that regulation shall be appointed from the VFTP Support Panel for the purposes of the case in question by the Chair of the Faculty Board of Biology.

Secretary.

**16.** The Faculty Board of Veterinary Medicine shall appoint a person to be Secretary to the VFTP Committee.

Co-opted  
members.

**17.** The VFTP Committee may co-opt a maximum of two members to the VFTP Committee from the VFTP Support Panel or elsewhere and may require such reports to be prepared as it considers necessary.

Duties of the  
Committee.

**18.** The duties of the VFTP Committee shall be:

- (a) to maintain the Veterinary Students Register on behalf of the Faculty Boards of Biology and of Veterinary Medicine;
- (b) to produce and keep under review a code of conduct to be observed by veterinary students;
- (c) to consider all expressions of concern about a veterinary student's fitness to practise and, if appropriate, to appoint an Investigator from the VFTP Support Panel who shall have discretion to investigate any issues relating to the student's fitness to practise medicine;
- (d) to consider an Investigator's report, make recommendations and, if appropriate, refer a veterinary student to a VFTP Adjudication Panel;
- (e) to keep under review these Fitness to Practise procedures and to recommend changes to the Faculty Boards of Biology and Veterinary Medicine, who shall report such changes to the University for approval.

**19.** The VFTP Committee shall meet at least once a year in the Michaelmas Term and whenever there is any business to consider. Three members shall constitute a quorum. The Chair shall have a casting vote, if necessary. In the absence of the Chair for a meeting of the VFTP Committee, the member appointed under Regulation 10(b) may become Chair for that meeting, or the meeting may be adjourned. Meetings.

**20.** The VFTP Committee shall submit the minutes of its meetings to the Faculty Boards of Biology and of Veterinary Medicine and to the Veterinary Education Committee.

*Fitness to Practise Adjudication Panel (VFTP Adjudication Panel)*

**21.** A VFTP Adjudication Panel shall comprise a Chair and two other members, all of whom shall be appointed by the Registry from the VFTP Support Panel as soon as practicable after she or he has been notified (by the Secretary to the VFTP Committee) that a case has been referred to a VFTP Adjudication Panel. The Chair shall be a practising registered veterinary practitioner. Chair and members.

**22.** The three members of a VFTP Adjudication Panel shall constitute the quorum for a hearing of the VFTP Adjudication Panel at which a veterinary student's fitness to practise is determined. The Chair shall have a casting vote, if necessary. Quorum.

**23.** A VFTP Adjudication Panel shall decide whether a veterinary student is fit to practise medicine and should remain on the Veterinary Students Register and/or should be subject to sanctions.

**24.** No member of a VFTP Adjudication Panel shall have had any material involvement or interest in the case. All members of a VFTP Adjudication Panel shall be required to make a declaration of interest in respect of the case. A replacement member shall be appointed by the Registry from the VFTP Support Panel in the event of a conflict of interest.

**25.** A VFTP Adjudication Panel may require such reports to be prepared as it considers necessary.

**26.** The Secretary of the veterinary student's Faculty Board, or his or her nominated deputy, shall serve as Secretary to a VFTP Adjudication Panel. For the purpose of these regulations, preclinical students are assigned to the Faculty of Biology and clinical students to the Faculty of Veterinary Medicine. Secretary.

*Fitness to Practise Appeal Panel (VFTP Appeal Panel)*

**27.** An Appeal Panel shall be appointed to consider an appeal which is made by a veterinary student or by the VFTP Committee in respect of a decision of a VFTP Adjudication Panel.

**28.** The Council of the University shall maintain three panels, panel (a), panel (b), and panel (c), from which members of an Appeal Panel shall be appointed as follows: Panels.

panel (a): persons who are legally qualified or who have had experience of acting in a judicial capacity, not being members of the Council;

panel (b): members of the Regent House not being members of the VFTP Committee, VFTP Support Panel, or VFTP Adjudication Panel, or of the Faculties of Biology or Veterinary Medicine;

panel (c): members of the academic staff of a UK Veterinary School, being practising RCVS-registered veterinary practitioners, who are not members of the Regent House.

**29.** The Council shall appoint in the Michaelmas Term each year such number of persons as they shall see fit to serve as members of each panel for three years from 1 January following their appointment.

**30.** An Appeal Panel shall consist of three members: Members.

(a) one person designated by the Vice-Chancellor from panel (a), who shall be the Chair of the Appeal Panel;

(b) one drawn by lot from panel (b);

(c) one drawn by lot from panel (c).

**31.** No member of an Appeal Panel shall have had any material involvement or interest in the case. All members of the Appeal Panel shall be required to make a declaration of interest in respect of the case. In the event of a conflict of interest, an alternative member shall be appointed by the Vice-Chancellor or by lot, as appropriate.

**32.** The Registry, or a person nominated by the Registry, shall act as Clerk of the Appeal Panel. Clerk.

**33.** The three members of the Appeal Panel shall constitute the quorum. The Chair shall have a casting vote, if necessary. Quorum.



## FITNESS TO PRACTISE PROCEDURES

**34.** The consideration of whether or not a veterinary student is fit to practise medicine shall take place in accordance with the following procedures which may comprise of at least three stages, a preliminary consideration by the VFTP Committee, an investigation, and an adjudication by a VFTP Adjudication Panel, and may be followed by a final appeal stage.

**35.** If at any stage the Chair of any of the bodies involved considers that the veterinary student may have committed an offence under the criminal law or against the discipline of the University, the Chair shall suspend proceedings and refer the circumstances for consideration by the police or to the University Advocate under Statute D, as appropriate. In such instances, the body or bodies shall not normally reach a decision on the student's fitness to practise until either the police or University Advocate (as appropriate) has confirmed that it is not intended to institute proceedings against the veterinary student, or, if proceedings are taken, until the criminal courts or University courts or disciplinary panels (as appropriate) have ruled finally on the matter. Pending the outcome of any consideration by the police and the criminal courts and/or the University Advocate and the University courts or disciplinary panels, the VFTP Committee and its Chair shall review the student's status and take any measures under these procedures which are considered necessary.

**36.** The VFTP Committee, the Investigator, a VFTP Adjudication Panel, and the Appeal Panel may obtain legal advice through the Registry to assist with the performance of their duties under these procedures.

**37.** Any notification to a veterinary student under these procedures may be sent to the veterinary student's University email address.

*Preliminary stage involving the Fitness to Practise Committee*

**38.** Any expression of concern that a veterinary student may not be fit to practise medicine shall be made in writing to the Secretary of the VFTP Committee; it shall show clearly the author's name and address. Anonymous referrals shall only be acted upon in exceptional circumstances as the VFTP Committee sees fit, having regard to the seriousness of the issues raised and the fairness to any individuals mentioned in the referral. The VFTP Committee may also consider that the identity of individuals, although known to the VFTP Committee, may need to be withheld or protected in exceptional circumstances.

**39.** The Secretary of the VFTP Committee shall communicate the expression of concern to the Chair of the VFTP Committee who may take Chair's action in respect of any measures which are considered necessary or appropriate pending consideration by the VFTP Committee.

**40.** The Secretary of the VFTP Committee shall inform the veterinary student of the details of any expression of concern and, at the discretion of the Chair of the VFTP Committee, arrange for the student to attend a meeting of the VFTP Committee. During any meeting with the VFTP Committee, the veterinary student may be accompanied by a member of the University or other representative chosen by the veterinary student who shall notify the Secretary of the VFTP Committee two days in advance of any meeting if he/she will be accompanied and by whom.

**41.** The Secretary of the VFTP Committee shall inform the veterinary student of the persons appointed to be members of the VFTP Committee. If the veterinary student has good cause to object to the membership of the VFTP Committee, he or she shall provide grounds to the Secretary of the VFTP Committee in writing within seven days. In the case of a member appointed under Regulation 10(a) or (b), the Chair of the Faculty Board of Veterinary Medicine shall decide whether to replace that member of the VFTP Committee and shall appoint an alternative member as considered appropriate. In the case of a member appointed under Regulation 10(c), the Chair of the Faculty Board of Biology shall decide whether to replace that member of the VFTP Committee and shall appoint an alternative member as considered appropriate. The Secretary of the VFTP Committee shall inform the veterinary student accordingly. The decision of the Chair of the Faculty Board of Veterinary Medicine or of the Chair of the Faculty Board of Biology shall be final.

**42.** The VFTP Committee shall decide whether the veterinary student shall during the course of any fitness to practise procedures:

- (a) continue her or his studies without limitation;
- (b) continue her or his studies under specified conditions;
- (c) be prohibited from entering specified clinical facilities as a veterinary student; and/or
- (d) be provisionally suspended from the Veterinary Students Register and therefore from the clinical components of the course.

**43.** The VFTP Committee may, pending the outcome of any fitness to practise procedures, review and change a decision regarding a veterinary student's status and any measures which are considered necessary.

**44.** The VFTP Committee shall determine whether the matter can and should be dealt with informally, whether the matter should be referred back to the Student Progress Panel (MVSPP), or whether an Investigator should be appointed to investigate the student's conduct, health, and/or performance. The VFTP Committee shall normally take this initial decision within one month from the date of receipt of the expression of concern.

**45.** If the University Advocate institutes proceedings against the veterinary student under Statute D, any subsequent judgement of a University court or disciplinary panel may be considered as evidence within any fitness to practise procedures. If a University court or disciplinary panel finds that a charge is proven against the student then that finding shall be conclusive evidence that the veterinary student in question has committed the offence against the discipline of the University with which he or she was charged.

Procedures  
under  
Statute D.

### *Investigation*

**46.** If the VFTP Committee decides to commence an investigation, the Secretary of the VFTP Committee shall write to the veterinary student concerned and to the Senior Tutor of the student's College stating that an investigation of the veterinary student's fitness to practise is going to take place. The letter to the veterinary student shall state the nature of the expression of concern and the grounds for commencing the investigation.

**47.** The VFTP Committee shall appoint an Investigator from the VFTP Support Panel who has had no material involvement or interest in this case. The Investigator shall interview the veterinary student concerned, the maker of the allegation (unless an anonymous concern has been permitted), and any other relevant persons. A formal note of each interview shall be prepared by the Investigator and, if possible, agreed with the person who has been interviewed. A written report shall be prepared and submitted by the Investigator to the VFTP Committee.

Investigator.

**48.** The VFTP Committee, an Investigator, and a VFTP Adjudication Panel may, at any stage, require reports to be prepared by the Occupational Health Service and/or other experts as to the student's fitness to practise and will expect the student to co-operate with obtaining such reports in order for those bodies to discharge their duties to consider the student's fitness to practise. All such reports shall be co-ordinated through the VFTP Committee.

**49.** During any interview with the Investigator, the veterinary student may be accompanied by a member of the University or other representative chosen by the veterinary student who shall notify the Investigator two days in advance of any meeting if he/she will be accompanied and by whom.

**50.** On receipt of the Investigator's report, the VFTP Committee shall take one of the following decisions:

- (a) that no further action be taken;
- (b) that there is no serious issue to be determined with regard to the veterinary student's fitness to practise, but that the veterinary student would benefit from remedial measures being put in place; the Chair of the VFTP Committee shall on behalf of the VFTP Committee (i) agree such measures with the veterinary student, the student's Senior Tutor, and the Director of Teaching in the Department of Veterinary Medicine or the Director of Education in the Faculty of Biology as appropriate, and then so inform the Secretary of the VFTP Committee in writing, or (ii) in the event of failure to agree such measures, the VFTP Committee shall refer the matter to the VFTP Adjudication Panel; or
- (c) that there may be a serious issue to be determined concerning the veterinary student's fitness to practise and shall refer the matter to the VFTP Adjudication Panel.

**51.** The Secretary of the VFTP Committee shall inform the veterinary student, the MVSPP, and the student's Senior Tutor in writing of the VFTP Committee's decision and of any agreed measures normally within seven days. Correspondence from the Secretary informing the student shall be submitted to the next full meeting of the VFTP Committee.

Decision.

*Adjudication by VFTP Adjudication Panel*

**52.** If a veterinary student is referred by the VFTP Committee to a VFTP Adjudication Panel, the Chair of the VFTP Adjudication Panel shall determine the procedure to be adopted by the VFTP Adjudication Panel which shall normally include:

- (a) informing the veterinary student of the persons appointed to be members of a VFTP Adjudication Panel;
- (b) providing the veterinary student with copies of the documents provided by the VFTP Committee to a VFTP Adjudication Panel, including the Investigator's report;
- (c) informing the veterinary student of the names of any persons who may be asked to attend a VFTP Adjudication Panel to give evidence and setting out the basis upon which the veterinary student may call persons who may have information relevant to the case to give evidence (whether they are members of the University or not) either orally at the hearing or in writing;
- (d) setting a timetable for the progress of the proceedings, including time limits for each step of the proceedings and a date, time, and place for the hearing.

**53.** The Secretary of the VFTP Adjudication Panel shall inform the veterinary student and the Chair of the VFTP Committee of the procedure to be followed. The Chair of the VFTP Adjudication Panel may at any stage of the proceedings hold a case management meeting at which she or he may (i) review the progress of the proceedings, and in particular the extent to which any timetable previously set by the Chair has been complied with, (ii) issue or vary directions or time limits for the further conduct of the proceedings, and/or (iii) set or vary a date, time, or place for the hearing. The Secretary of the VFTP Adjudication Panel shall inform the veterinary student and the Secretary of the VFTP Committee of the date, time and place of a case management meeting at least seven days in advance of such meeting.

Objection to members of the Panel.

**54.** If the veterinary student has good cause to object to the membership of a VFTP Adjudication Panel, he or she shall provide grounds to the Secretary of a VFTP Adjudication Panel in writing within seven days of being notified of the membership of the VFTP Adjudication Panel. The Registry shall decide whether to replace that member of a VFTP Adjudication Panel and shall appoint an alternative member from the VFTP Support Panel as considered appropriate. The Secretary of a VFTP Adjudication Panel shall inform the veterinary student accordingly. The decision of the Registry shall be final.

**55.** The veterinary student shall attend all case management meetings and hearings of a VFTP Adjudication Panel in person, unless prevented by exceptional circumstances. If the veterinary student fails to attend any case management meeting or any hearing without reasonable explanation, a VFTP Adjudication Panel may, at its discretion, consider the case in the veterinary student's absence.

**56.** The veterinary student may choose to be accompanied by a member of the University or other representative chosen by the veterinary student who must inform the Secretary of the VFTP Adjudication Panel of the identity of the individual and the capacity in which he or she is attending as soon as practicable and at least four days in advance of the case management meeting or hearing.

**57.** The veterinary student's Senior Tutor (or a deputy appointed by the Senior Tutor), if not nominated by the student, shall be entitled, with the student's consent, to be present at any case management meeting or hearing.

Private hearing.

**58.** Case management meetings and hearings of the VFTP Adjudication Panel shall be conducted in private unless the Chair of a VFTP Adjudication Panel agrees to a request from the student for any case management meeting or hearing to be held in public.

Procedure for conduct of the hearing.

**59.** A Chair of the VFTP Adjudication Panel shall determine the procedure for the conduct of a VFTP Adjudication Panel hearing to consider a veterinary student's fitness to practise. The procedure shall normally be as follows:

- (a) The Chair shall introduce all those present at the hearing and explain the powers of a VFTP Adjudication Panel.
- (b) The Chair shall invite the Chair of a VFTP Committee (or a person appointed by him or her) to make an opening statement and shall then invite VFTP Adjudication Panel members to ask questions.
- (c) The Chair shall invite the veterinary student or her or his representative to make a statement and shall then invite VFTP Adjudication Panel members to question the student.
- (d) The Chair shall invite any other persons called upon to attend the hearing (normally to include the Chair of a VFTP Committee and Investigator) to make a brief statement and shall then invite VFTP Adjudication Panel members to ask questions.

- (e) At each stage, the Chair shall have discretion to allow reciprocal questioning by all parties.
- (f) When the Chair is satisfied that a VFTP Adjudication Panel has completed its questioning and that the veterinary student and other persons present have had a full opportunity to convey information to a VFTP Adjudication Panel, the student and all other persons not on a VFTP Adjudication Panel except the Secretary of a VFTP Adjudication Panel shall withdraw. The Secretary of a VFTP Adjudication Panel shall remain to provide advice on procedure but shall take no part in a VFTP Adjudication Panel reaching its decision on the case itself.
- (g) A VFTP Adjudication Panel shall then discuss the case.
- (h) Those attending the first part of the hearing shall all be invited back into the hearing once a VFTP Adjudication Panel has concluded its discussions. A VFTP Adjudication Panel shall seek any further clarification which it requires, and may at its discretion call for a further adjournment or adjournments. The Chair shall then outline to the veterinary student a VFTP Adjudication Panel's decision.

**60.** A VFTP Adjudication Panel, following consideration of the case, may make one of the following decisions on the balance of probabilities and by a simple majority (the Chair having a casting vote if necessary):

- (a) declare that the veterinary student is fit to practise and that he or she may continue on the course with no conditions or other sanctions;
- (b) declare that the student is fit to practise but provide a formal warning which should be added to the veterinary student's record;
- (c) declare that there are grounds for concern as to the student's fitness to practise and impose other sanctions in respect of the student's continuation with her or his course of study for the Second or Final Vet. M.B. Examinations which may include
  - (i) that the student be temporarily suspended from the Veterinary Students Register, specifying the arrangements for monitoring by the VFTP Committee of the suspension (including a minimum period if appropriate) and the arrangements for the termination of suspension, or
  - (ii) that the student be subject to other conditions.
- (d) declare that the veterinary student is unfit to practise, that the veterinary student be removed from the Veterinary Students Register, and that the Royal College of Veterinary Surgeons be informed of this sanction.

**61.** The Secretary of a VFTP Adjudication Panel shall confirm the decision of a VFTP Adjudication Panel and the reasons for the decision in writing normally within seven days, specifying any time period or sanction that may apply, to the veterinary student and also to the Chair of the VFTP Committee, the MVSP, the Senior Tutor of the student's College, the Director of Teaching in the Department of Veterinary Medicine and, as appropriate, the Director of Education in the School of the Biological Sciences. Decision.

### *Appeal*

**62.** A veterinary student and the VFTP Committee shall have the right of appeal to an Appeal Panel in respect of a decision of a VFTP Adjudication Panel as set out in these procedures.

**63.** A veterinary student and the VFTP Committee may give notice of appeal in respect of a decision of a VFTP Adjudication Panel on only one or more of the following grounds:

- (a) irregularity in process;
- (b) the coming to light of fresh evidence, which was not available and/or presented for a good reason; and/or
- (c) the proportionality of a sanction imposed by the VFTP Adjudication Panel.

**64.** A notice of appeal shall be in writing and shall be received by the Registry within twenty-eight days of the date of notification of a VFTP Adjudication Panel decision. The notice of appeal shall state the grounds on which the appeal is made and provide all material relied upon for the appeal. On receipt of the notice of appeal, and if the Registry considers that there are grounds for an appeal as set out within these procedures, the Registry shall appoint an Appeal Panel to hear the appeal. The parties shall not be entitled to rely during the appeal hearing, without the permission of the Appeal Panel, on any grounds other than those set out in the notice of appeal.

**65.** During the consideration of the appeal, the decision of a VFTP Adjudication Panel shall remain in force.

**66.** An Appeal Panel hearing shall be arranged as soon as possible, and normally within three months of the date of the Registry receiving the notice of appeal, in accordance with the following procedures:

- (a) The Clerk of the Appeal Panel shall inform the veterinary student and the Chair of the VFTP Committee of the persons appointed to be members of the Appeal Panel. If the veterinary student or the Chair of the VFTP Committee has good cause to object to the membership of the Appeal Panel, he or she shall provide grounds to the Clerk of the Appeal Panel in writing within seven days or as determined by the Chair of the Appeal Panel. The Vice-Chancellor shall decide whether that member of the Appeal Panel should be replaced and, if the Vice-Chancellor decides that the member should be replaced, a replacement member shall be designated by the Vice-Chancellor (in the case of the Chair) or drawn by lot (in the case of any other member). The Clerk of the Appeal Panel shall inform the parties accordingly. The decision of the Vice-Chancellor shall be final.
- (b) Any documentation to be considered by the Appeal Panel shall be sent to the parties and the members of the Appeal Panel at least fourteen days before the hearing.
- (c) The veterinary student may be accompanied by a member of the University or other representative chosen by the veterinary student who must inform the Secretary to the Appeal Panel of the identity of the person and the capacity in which he or she is attending seven days in advance of the hearing. The veterinary student's Senior Tutor (or a deputy appointed by the Senior Tutor), if not nominated by the student, shall, with the agreement of the student, be entitled to be present.
- (d) The hearing shall be held in private unless the Chair of the Appeal Panel agrees to a request from the student that the hearing be held in public.
- (e) The Chair of the VFTP Adjudication Panel, or a person appointed by her or him, shall represent the VFTP Adjudication Panel at the Appeal Panel hearing. The Chair of the VFTP Committee, or a person appointed by her or him, shall represent the VFTP Committee at the Appeal Panel hearing.

**67.** The Appeal Panel shall consider its decision in private. The Clerk of the Appeal Panel shall be present throughout the hearing and throughout consideration by the Appeal Panel of its decision.

**68.** The Appeal Panel may confirm, quash, amend, or refer back the decision to the same, or a newly constituted, VFTP Adjudication Panel.

**69.** As soon as possible, normally within seven days from the Appeal Panel hearing, the Clerk of the Appeal Panel shall inform the veterinary student in writing of the decision and the reasons for the decision. That notification shall specify whether the case is to be referred back to a VFTP Panel or, if not, the notification should be a Completion of Procedures letter and inform the veterinary student that she or he may refer the matter to the Office of the Independent Adjudicator for Higher Education. The Secretary to the Appeal Panel shall also inform the Chair of the VFTP Adjudication Panel, the Chair of the VFTP Committee, the MVSPP, the Senior Tutor of the student's College, the Director of Teaching in the Department of Veterinary Medicine and, as appropriate, the Director of Education in the School of the Biological Sciences.

#### *Record and declaration*

**70.** The VFTP Committee and the Faculty Boards of Biology or Veterinary Medicine, as appropriate, shall make a record of any sanctions imposed (including a formal warning, a suspension or removal from the Veterinary Students Register, or other conditions) or undertakings provided by a veterinary student relating to arrangements for the monitoring or supervision of her or his conduct, health, or performance. The VFTP Committee shall determine whether the information is to be kept permanently on the veterinary student's record, until a further review, or until one year after the student has obtained full registration with the Royal College of Veterinary Surgeons.

**71.** A veterinary student upon whom conditions have been imposed shall be required to confirm in writing that he or she shall comply with such conditions.

**72.** A veterinary student who has undertaken to comply with arrangements for the management and supervision of her or his conduct, health, or performance shall be required to confirm in writing that he or she will comply with the arrangements.

**73.** When applying to the Royal College of Veterinary Surgeons for registration, a student shall inform the Royal College of Veterinary Surgeons of the details of any referral to the Fitness to Practise Committee and any and all matters that might have a bearing on his or her fitness to practise.



PROCEDURES TO DETERMINE THE PROGRESS OF PRECLINICAL AND  
CLINICAL MEDICAL STUDENTS AND PRECLINICAL AND CLINICAL  
VETERINARY STUDENTS

*Introduction*

1. The Medical and Veterinary Student Progress Panel (MVSPP) shall be a joint body of the Faculty Boards of Biology, Clinical Medicine, and Veterinary Medicine in consultation with the Colleges.

2. The MVSPP shall review or advise on the progress of a student having regard to:

- (i) academic performance including failure in M.B. or Vet.M.B. examinations;
- (ii) ill health.

Additionally, the advice of the MVSPP may be sought as a result of:

- (iii) cause for concern about the student's conduct but not meriting immediate referral to the Fitness to Practise Committee or Veterinary Fitness to Practise Committee.

THE ROLES, DUTIES, AND COMPOSITION OF THE MEDICAL AND VETERINARY  
STUDENT PROGRESS PANEL (MVSPP)

3. The MVSPP shall consist of:

- (a) the Director of Medical Education in the Clinical School (who shall chair the MVSPP);
- (b) the Director of Education (Biological Sciences) in the Faculty of Biology;
- (c) the Director of Teaching in the Veterinary School;
- (d) the Clinical Sub-Dean (West Suffolk Hospital);
- (e) three members appointed by the Senior Tutors' Committee;
- (f) one member appointed by the Faculty Board of Biology;
- (g) one member appointed by the Faculty Board of Clinical Medicine;
- (h) one member appointed by the Faculty Board of Veterinary Medicine;
- (i) an administrative officer appointed by the Faculty Board of Clinical Medicine and an administrative officer appointed by the Faculty Board of Veterinary Medicine (who shall act as joint secretaries to the MVSPP).

4. In respect of each individual case before the MVSPP, all members of the MVSPP shall be required to make a declaration of interest in the case.

5. Members in classes (e)–(h) shall be appointed in the Michaelmas Term to serve for three years from 1 January following their appointment.

6. The duties of the MVSPP shall include:

- (a) to meet termly, and whenever there is any business to consider, to provide expert advice to the Colleges, and to work with Colleges to ensure that students who have not achieved the required academic standard or are experiencing health or other personal problems receive appropriate support;
- (b) to review the progression of all students annually in the Michaelmas Term;
- (c) to review all requests made on behalf of medical and veterinary students for additional attempts in exceptional circumstances at M.B. and Vet.M.B. examinations, and to give advice to the relevant Faculty Board;
- (d) to prepare an annual summary report on any issues arising for the attention of Senior Tutors and Faculty Boards.

7. Five members shall constitute a quorum. The MVSPP shall report to the Faculty Boards of Biology, Clinical Medicine, and Veterinary Medicine.

APPEAL PROCESS FOR F1 DOCTORS

*Introduction*

1. A holder of the degree of M.B.B.Chir. from the University who seeks full registration with the General Medical Council (GMC) and who satisfies the requirements of the Medical Act 1983 as to experience, may apply to the University for a Certificate of Experience under Section 10 of that Act following satisfactory completion of an approved Foundation Year Programme (F1 Programme) of placements in a formal employment setting. In these procedures, a doctor with a degree of M.B.B.Chir. from the University on an approved F1 Programme is referred to as a 'F1 doctor'.

2. The initial decision to provide a Certificate of Experience to a F1 doctor who holds a M.B.B.Chir. from the University, is taken, on behalf of the University, by Health Education East of England (HEEoE) which is the Local Education and Training Board (LETB) linked to the University. This decision is based on evidence, collated for the Annual Review of Competency Progression (ARCP), that the F1 doctor has completed the requirements of the Foundation Programme Curriculum for Foundation Year 1. This evidence is collated by the LETB (or equivalent body) linked to the F1 doctor's Foundation School.

3. In these procedures, the LETB (or equivalent body) linked to the F1 doctor's Foundation School is referred to as 'the LETS'. The LETS makes a recommendation to HEEoE on whether the F1 doctor has completed the requirements of the Foundation Programme Curriculum for Foundation Year 1 (approved by the GMC). In any case in which the LETB recommends that the F1 doctor has not completed the requirements of the Foundation Programme Curriculum and that the F1 doctor be released from the Foundation Programme, HEEoE will decline to issue a Certificate of Experience and the F1 doctor may appeal to the University under these procedures.

4. Such appeals will normally only be heard after the initial period of F1 training has been extended by the LETS due to the F1 doctor concerned being unable to provide evidence of the acquisition of competences and performance in practice in accordance with the requirements of the Foundation Programme curriculum.

5. Appeals with respect to a decision to extend the F1 year of training will normally be heard by the LETS.

#### *The composition, roles, and duties of the F1 Doctor Appeal Panel*

6. A F1 Doctor Appeal Panel shall be appointed to consider an appeal which is made by a F1 doctor in respect of a decision by the LETS to recommend the F1 doctor is released from the Foundation Programme (ARCP Outcome 4). A F1 Doctor Appeal Panel shall be appointed by the Registry, following consultation with the Director of Medical Education of the Clinical School of the University, as soon as practicable after receiving the notice of the appeal. The F1 Doctor Appeal Panel shall comprise the Director of Medical Education of the Clinical School of the University as Chair (or a nominated deputy) and a minimum of four other members, one of whom shall not be a GMC-registered medical practitioner.

7. The Secretary of the Faculty of Clinical Medicine, or her or his nominated deputy, shall serve as Clerk to the F1 Doctor Appeal Panel.

8. No member of the F1 Doctor Appeal Panel shall have had any material involvement or interest in respect of the individual case before the panel. All members of the F1 Doctor Appeal Panel shall be required to make a declaration of interest in the case.

#### *F1 Doctor Appeal Panel procedures*

9. A F1 doctor may appeal on one or more of the following grounds:

- (i) irregularity in the process followed by the LETS;
- (ii) the coming to light of fresh evidence, which was not available and/or presented to the LETS for a good reason;
- (iii) the recommendation of the LETS was manifestly unreasonable.

10. A notice of appeal shall be in writing and shall be received by the LETS within twenty-one days of the F1 doctor being notified of the decision.

11. The notice of appeal shall state the grounds on which the appeal is made. The F1 doctor shall not be entitled to rely, during the appeal, without the permission of the F1 Doctor Appeal Panel, on any grounds other than those set out in the notice of appeal.

12. On receipt of the notice of appeal, the LETB shall inform the Registry and the Director of Medical Education of the Clinical School of the University. The Registry shall then appoint a F1 Doctor Appeal Panel to determine the appeal.

13. If the F1 doctor formally withdraws, in writing, from the F1 Programme at this stage, the LETB shall confirm the position in writing with the F1 doctor and shall inform the Registry and the Director of Medical Education. The Clerk of the F1 Doctor Appeal Panel shall write to the F1 doctor to confirm that no further action will be taken on the appeal.

14. The Chair of the F1 Doctor Appeal Panel shall determine the procedure to be adopted by the F1 Doctor Appeal Panel which shall normally include:

- (a) informing the F1 doctor of the persons appointed to be members of the F1 Doctor Appeal Panel;
- (b) informing the F1 doctor and the LETB of the evidence required for consideration by the F1 Doctor Appeal Panel;
- (c) informing the F1 doctor and the LETB of the names of any persons who may be asked to attend a F1 Doctor Appeal Panel hearing to give evidence and setting out the basis upon which the F1 doctor may call persons who may have information relevant to the case to give evidence either orally at the hearing or in writing;
- (d) setting a timetable for the progress of the proceedings, including time limits for each step of the proceedings and making arrangements for any hearing.

15. The Clerk of the Appeal Panel shall inform the F1 doctor of the procedure to be followed and whether he or she is required to attend any appeal hearing.

16. If the F1 doctor has good cause to object to the membership of a F1 Doctor Appeal Panel, he or she shall provide grounds to the Clerk of the F1 Doctor Appeal Panel in writing within seven days of being notified of the membership of the panel. The Registry shall decide whether to replace that member of the panel and shall appoint an alternative member as considered appropriate. The Clerk of the F1 Doctor Appeal Panel shall inform the F1 doctor accordingly. The decision of the Registry shall be final.

17. The F1 doctor may choose to be accompanied by another person chosen by her or him. The F1 doctor shall, at least seven days in advance of any hearing, inform the Clerk of the F1 Doctor Appeal Panel of the identity and contact details of any such person, her or his relationship to the F1 doctor (if any) and the capacity in which he or she is attending.

18. The hearing shall be held in private unless the Chair of the F1 Doctor Appeal Panel agrees to a request from the F1 doctor that the hearing be held in public.

19. The Chair of the F1 Doctor Appeal Panel shall determine the procedure for the conduct of any hearing. The Clerk of the F1 Doctor Appeal Panel shall notify the F1 doctor and the members of the panel of the procedure to be followed.

20. The F1 Doctor Appeal Panel shall consider its decision in private. The Clerk of the F1 Doctor Appeal Panel shall be present throughout the hearing and throughout consideration by the panel of its decision.

21. The F1 Doctor Appeal Panel shall normally make a decision on the day of the hearing. If this is not possible the panel shall reserve its decision for a later date to be notified to the parties. The decision of the F1 Doctor Appeal Panel shall be by a simple majority and the Chair shall have a casting vote.

22. The F1 Doctor Appeal Panel may confirm the original decision, or may substitute the previous decision with the recommendation of an alternative course of action in accordance with the options available under F1 Programme guidance.

23. As soon as possible, normally within seven days from the F1 Doctor Appeal Panel hearing, the Clerk of the F1 Doctor Appeal Panel shall inform the F1 doctor in writing of the decision.

24. The decision of the F1 Doctor Appeal Panel is final and there is no further right of appeal within the University.

25. The Faculty Board of Clinical Medicine and the LETS shall make a record of the decision and any recommendations or actions to be taken.

26. The Faculty Board of Clinical Medicine shall send a copy of the record to the LETB, HEEoE, and the General Medical Council.

## PROCEDURE TO DETERMINE FITNESS TO STUDY

### *Introduction*

1. This procedure sets out the formal steps which will be taken by the University when there is concern that a student's behaviour or health is seriously disrupting the welfare or academic progress of the student, or of others in the academic community, or has the potential to do so. It applies to all registered students.

2. The procedure should not be initiated until all avenues of local support have been explored and, in the case of disabled students, all reasonable adjustments<sup>1</sup> have been determined and put in place, or declined (in whole or part) by the student.

Disabled students.

3. Any action taken under this procedure will be limited to that necessary and proportionate to protect the best interests of the student, and other members of the University.

### *Circumstances under which this procedure may be implemented*

4. A student's fitness to study may be brought into question as a result of a wide range of circumstances. These include, but are not restricted to, the following:

- (a) serious concerns about the student's behaviour or health emerge which have not been resolved through College channels, and which indicate that there is a need to address the student's fitness to study;
- (b) behaviour that would otherwise be dealt with as a disciplinary matter, but might be the result of an underlying physical or mental condition which has not been resolved through informal support;
- (c) the student's academic performance or persistent behaviour is considered to be unacceptable and this is thought to be the result of an underlying problem which may mean he or she is not fit to study;
- (d) serious concerns arise about the student's fitness to sit examinations or other assessment.

### *Procedure for determining fitness to study*

5. If staff within a student's College or in any University institution have concerns regarding a student's fitness to study they should normally first discuss them with the student's Senior Tutor. The Senior Tutor is expected to try to resolve the matter under the College's pastoral responsibilities and

Senior Tutor and College processes.

<sup>1</sup> Under the Equality Act 2010 where a provision, criterion, or practice, a physical feature or the absence of an auxiliary aid puts a disabled student at a substantial disadvantage in comparison with students who are not disabled, the University is required to take such steps as it is reasonable to take to avoid the disadvantage.

applicable processes and to ensure that an appropriate record of the handling of the matter within the College is made and retained.

6. If processes within a student's College have not been successful in resolving satisfactorily concerns about the student's fitness to study, for example, because of the severity of the problem and/or the student's lack of engagement with efforts to respond to it, or exceptionally where it is not considered appropriate for the College's processes to be pursued first, the case may be referred to a Fitness to Study Panel. Procedures will be initiated by the Registry following a written referral setting out the grounds for concern about the student's fitness to study:

- (a) from the student's Head of Faculty or Department,<sup>1</sup> or Senior Tutor;
- (b) from the University Advocate; *or*
- (c) from the General Board<sup>2</sup> or the Board of Graduate Studies.

The Registry may designate a deputy to act in her or his place in connection with this procedure, in which event any reference to the Registry in this procedure shall be deemed to be a reference to such a deputy.

7. A Fitness to Study Panel shall comprise:

- (a) a member of the Regent House who shall act as Chair;
- (b) a Senior Tutor from a College other than that of the student concerned; *and*
- (c) a medically qualified person.

8. Members of the Panel shall be appointed by the Registry within 21 days of the receipt of a written referral under this procedure (or, in the case of a Panel being appointed to consider an application to resume study, within 21 days of the receipt of the application) from standing panels appointed by the University Council. No member of the Panel shall have any potential conflict of interest or previous involvement in the case. The Registry shall also appoint a Secretary to the Panel.

9. In cases where a student's condition or conduct gives rise to a need for immediate action, the student may be excluded from the University's facilities and premises, or her or his access to such facilities and premises may be made subject to specified conditions, for periods of up to 21 days. The Registry, in consultation with the student's Senior Tutor and the Head of the student's Faculty or Department, is empowered to make a determination under this provision in the first instance, with subsequent renewals and/or variations of the arrangements being determined by the Chair of the Panel appointed to consider the student's case. Prior to determining whether arrangements should be renewed and/or varied, the Chair shall invite the student to make written representations and shall take into account any representations submitted by the student. The Chair shall have the discretion to revoke any exclusion under this Regulation.

10. The Panel will give preliminary consideration to any written referral made under this procedure to determine whether a *prima facie* case has been made to warrant further consideration under this procedure. If the Panel considers that there is no *prima facie* case it may decline to consider the case further, or may refer it for consideration under disciplinary or other procedures as it deems appropriate.

11. If any person has been or is liable to be prosecuted for an offence under the criminal law in respect of any conduct set out in a written referral under this procedure as giving cause for concern about a student's fitness to study, or where such conduct warrants referral to an external agency, the Chair of a Fitness to Study Panel may stay all or part of the proceedings under this procedure for such period or periods as he or she may think fit.

12. The Chair will set a date for a formal meeting of the Fitness to Study Panel to hear the case, which date may be changed by the Chair if the circumstances require it.

13. The Secretary of the Panel shall give the student at least 14 days' notice of the date of the meeting of the Fitness to Study Panel. The student will also be informed of the time, venue, and purpose of the hearing, and will be provided with any documents to be considered at the meeting. He or she will be invited to provide any documentation which he or she wishes the Panel to consider. The Secretary of the Panel will ensure that all parties have access to the same documents.

14. If the student is unable to attend the meeting, or declines to do so, the Panel may agree to proceed in the student's absence.

15. The student may be accompanied and/or represented (including in her or his absence) at the meeting by a member of the Cambridge University Students' Union or Graduate Union, a fellow

<sup>1</sup> In the case of students on inter-departmental courses referral may be by the Head of any of the Departments teaching the student.

<sup>2</sup> The General Board has delegated authority to the Examination and Assessment Committee.

Fitness to  
Study Panel.

Composition of  
Panel.

Appointment of  
Panel.

Secretary.

Exclusion.

Stay of  
proceedings.

Notice of  
meeting.

student, her or his College Tutor or Senior Tutor, or other person approved by the Chair. A support worker may also accompany a disabled student. The student should notify the Secretary of the Panel at least 48 hours in advance of the meeting if he or she intends to attend the meeting and if he or she is to be accompanied and/or represented, and, if so, by whom. Where a student attends the meeting but is represented, the student may still be required to answer questions at the Chair's discretion.

**16.** The purpose of the meeting will be to consider the evidence available and to reach an appropriate decision, action plan, or other outcome. The student's Senior Tutor and Head of Faculty or Department (as appropriate) will be requested to provide relevant written evidence to the Panel, and may be requested to attend at the Chair's discretion. The Panel may request other specialist opinion, including medical reports or reports from other specialist advisers, and may also request to see documents and records resulting from consideration of the student's case by the student's College under its procedures. The Panel may ask the student to attend a consultation with an expert but the Panel may proceed to consider the student's fitness to study notwithstanding a refusal or failure by the student to attend a consultation as requested. Subject to the express provisions of this procedure, the Chair shall otherwise have the power to regulate the arrangements for the provision of documentation and other evidence, as well as the conduct of the meeting.

Written  
evidence and  
reports.

**17.** The Panel shall make such decisions in respect of a student's fitness to study as it considers necessary and proportionate. These decisions may include, but are not limited to, one or more of the following:

Decisions of  
the Panel.

- (a) to suspend the student temporarily from the University and to determine the minimum period after which the University will consider an application to resume study, and what conditions, if any, must be met before an application to resume study may be made;
- (b) to deprive the student of University membership and exclude her or him permanently from the University;
- (c) to provide that the student's access to University facilities and premises shall be subject to specified conditions;
- (d) to refer the case for consideration under the University's disciplinary procedures;
- (e) in the case of a medical or veterinary student, to refer the case for consideration under the University's Fitness to Practise procedures;
- (f) to agree that no further action be taken by the University; and/or
- (g) to make such recommendations, including to the student's College, and/or direct such actions, in respect of the student, as the Panel thinks fit.

For the purposes of candidature for an examination or competition, any terms during which a student is temporarily suspended by the Panel will be disregarded in reckoning her or his standing.

Where a Panel decides that a student's access to University facilities and premises shall be subject to specified conditions, the Panel shall stipulate arrangements for monitoring the student's compliance with those conditions and for dealing with any alleged breach of those conditions on the part of the student.

**18.** The Fitness to Study Panel may make a decision by a simple majority.

**19.** The student, the Senior Tutor of her or his College, and the Head of her or his Faculty or Department shall be notified in writing of the decision of the Panel, with reasons, within 14 days of the meeting of the Panel.

#### *Return to study*

**20.** A student who has been temporarily suspended from the University under this procedure may make an application addressed to the Registry for permission to resume study after such period and subject to meeting such conditions as may have been determined under Regulation 17(a) above. The application to return will be considered at the discretion of the Registry either by the same Panel who made the decision temporarily to suspend the student or by a differently constituted Panel whose members have been appointed in accordance with Regulations 7 and 8 above. The application shall be heard at a meeting of the Panel, the arrangements for which shall be managed in accordance with Regulations 12 to 16 above, save that, if, having reviewed the student's application and any documentation submitted with it, the Panel agrees that the student may be permitted to resume study either unconditionally or subject to specified conditions to which the student consents in writing, the Panel may proceed without a meeting.

Applications to  
return.



Decisions.

**21.** The Panel shall make such decisions in respect of a student's fitness to return to study as it considers necessary and proportionate. These decisions may include, but are not limited to, one or more of the following:

- (a) to permit the student to resume study, subject (if the Panel considers it appropriate) to specified conditions, including in the case of a disabled student defining reasonable adjustments, as appropriate, to support the student in her or his study and examination;
- (b) to refuse the application to resume study and to determine the minimum period after which the University will consider a further application to resume study, and what conditions, if any, must be met before such an application to resume study may be made;
- (c) in the case of a medical or veterinary student, to refer the case for consideration under the University's Fitness to Practise procedures;
- (d) to deprive the student of University membership and exclude her or him permanently from the University; and/or
- (e) to make such recommendations in respect of the student, including to the student's College, as the Panel thinks fit.

Where a Panel has allowed a student to resume her or his studies, the Panel may, at the request of the student, allow a term of residence, put the student in standing for the purposes of examination, or agree such other academic arrangement as the Panel may think fit.

Where a Panel decides that a student's resumption of studies shall be subject to specified conditions, the Panel shall stipulate arrangements for monitoring the student's compliance with those conditions and for dealing with any alleged breach of those conditions on the part of the student.

*Review of decision of the Fitness to Study Panel*

**22.** A student may seek the review of a decision in relation to that student made by a Fitness to Study Panel.

Request for review.

**23.** A request for review shall be made in writing and sent to the Registry within 21 days of written notification of the Panel's decision (unless, in exceptional circumstances, the Registry permits a longer period). The request for review shall specify the grounds for review which may be only one or more of the following:

- (i) that there was material procedural irregularity in the consideration of the student's case;
- (ii) that there was bias or prejudice on the part of the Panel;
- (iii) that the decision reached was perverse in that it was one which no reasonable Panel could have reached on the available evidence; and/or
- (iv) that fresh material evidence is available, which was not available and/or presented for good reason at the time of the original meeting.

The request for review of a Fitness to Study outcome should be accompanied by supporting documentation.

Appointment of reviewer.

**24.** The Registry will appoint a reviewer chosen from a panel of reviewers appointed by the Council. Exceptionally, a panel of three reviewers may be appointed. If so, references below to the reviewer shall be construed accordingly.

**25.** The reviewer will consider the request for review, the documentation available to the Panel, and (where appropriate) the procedure of the Panel.

**26.** The reviewer, at her or his discretion, may hold a hearing and regulate arrangements for the conduct of the hearing.

Adjudication.

**27.** The reviewer will issue an adjudication in writing as soon as possible, which shall normally be within one month of the receipt of the request for review or (if a hearing is held) within 14 days of the hearing. The reviewer shall have power to confirm, quash, or amend the decision of a Panel or refer it back to the same Panel or to a different constituted Panel (whose members shall be appointed in accordance with Regulations 7 and 8 above).

**28.** The reviewer's adjudication is the final point of decision within the University.

Dismissal.

**29.** A reviewer may summarily dismiss a request for review which seems to her or him to be vexatious or frivolous.