

# MAGDALEN COLLEGE

## OXFORD



### INFORMATION AND REGULATIONS

### FOR MEMBERS OF THE COLLEGE

*2020 – 21*

All junior members of the College should read this booklet carefully, and be sure they know what it contains insofar as it affects them. Those living in College Accommodation are required to sign a Summary Sheet upon collection of keys from the Porters' Lodge and in so doing accept the contents of this booklet in its entirety.

## TABLE OF CONTENTS

	<b>Page</b>
<b>Academic and Related Matters</b>	1
General	1
College Contract	2
Student Complaints Procedure	2
Academic Policy of the College (undergraduate studies)	3
<i>Selection Policy</i>	3
<i>First Public Examination</i>	3
<i>Collections and Penal Collections</i>	4
<i>President's Collections</i>	4
<i>Tutor-Student Relationship</i>	4
<i>Tutorial Feedback Scheme</i>	5
<i>Study Skills</i>	5
<i>Plagiarism</i>	5
<i>Academic Discipline</i>	5
<i>Deadlines</i>	5
Awards and Prizes	6
The Choral Foundation	6
<i>Music Scholarships</i>	7
Vacation Study Grants	8
Travel and/or Research Grants and Summer Internship Grants	8
Book Grants	9
Notices	9
Academic Dress	9
Residence and Intermission (Suspension of Status)	9
<b>The JCR &amp; MCR</b>	10
Code of Practice	10
Personal Tutors	11
<b>Chapel</b>	11
Dean of Divinity	11
College Chapel	11
<b>Decanal and Welfare Matters</b>	12
The Deans of Arts	12
<i>Sub-Deans</i>	13
Welfare	13
<i>Guidance on Confidentiality in Student Health and Welfare</i>	14
<i>PREVENT Duty</i>	15
Financial Assistance	16
Other Decanal Matters	17
<i>Music Hours</i>	17
<i>Meetings &amp; Parties</i>	17
<i>Lawns</i>	19
<i>Disorderly Behaviour</i>	19
<i>Social Media</i>	19
<i>Post-examination Celebrations</i>	19
<i>Roofs</i>	20
Codes of Practice on Harassment and on Freedom of Speech	20
<b>Graduate Matters</b>	20
The Tutor for Graduates	20
Admission of Graduates to Magdalen	20
College Advisers	21
College Advisees	21
Feedback and Records	22
Financial Help for Graduates	23
Tavella Stewart and Senior Mackinnon Scholarships	25
<b>Home Bursarial Matters</b>	26
Home Bursar	26

Meals Service	26
Old Kitchen Bar	27
College-Owned Rooms	28
Security	29
Vacation Residence	30
Furniture, Decoration, and Maintenance	30
Lighting, Heating, and Electrical Safety	31
Bedding	31
Animals	32
Laundry	32
Keys and College Gates	32
Guests	32
Cars, Motor-cycles, and Bicycles	33
Smoking	34
Fire	34
Firearms and Illegal Drugs	34
Post	35
Charges	35
<i>Electronic Point of Sale Facility (EPOS)</i>	36
Medical Arrangements	36
Personal Insurance	37
Health and Safety	37
Computer Arrangements	37
Sports Facilities	38
Waste Management	39
Weather Response	39
Television Licensing	39
Electoral Register	40
<i>Voting Rights</i>	40
<b>Members of the Tutorial Board 2020-21</b>	41
<b>Administrative Staff</b>	43
Appendix A: Student Complaints Procedure	45
Appendix B: Academic Disciplinary Procedure	54
Appendix C: Non-Academic Disciplinary Procedure	73
Appendix D: Procedure for Unpaid Batells Accounts	90
Appendix E: Intermission Procedure	92
Appendix F: Accommodation Licence Agreement	105

*All junior members of the College should read this booklet carefully, and be sure they know what it contains insofar as it affects them. Those living in College Accommodation are required to sign a Summary Sheet upon collection of keys from the Porters' Lodge and in so doing accept the contents of this booklet in its entirety.*

The **Governing Body** of the College, consisting of the President and all Fellows, meets formally three times each Term to administer College business. Representatives of the JCR and MCR attend for certain items. The posts of President, Senior Tutor, Bursar, Home Bursar, Dean of Divinity, and Development Director are full-time; other College Offices are held in rotation by College Fellows who continue to teach and do research.

## **ACADEMIC AND RELATED MATTERS**

### **1. GENERAL**

The **Tutorial Board** is the College standing committee responsible for admission and instruction. It appoints a Senior Tutor (who acts also as Tutor for Graduates in Residence), a Tutor for Undergraduate Admissions, and a Tutor for Graduate Admissions, who carry out these functions from the Tutorial Office and the Admissions Office on the top two floors of the Grammar Hall. Its membership includes all Tutorial Fellows of the College; the Senior Tutor is the Principal Officer of the Tutorial Board and is responsible for the administration of all academic matters. The Tutorial Board meets three times per Term and makes decisions on all issues concerning teaching within the College, as well as making recommendations to the Governing Body on the appointment of Tutorial Fellows and full-time Stipendiary Lecturers.

A sub-committee of the Tutorial Board, the **Cases Committee**, of which the JCR and MCR Presidents are members, meets four times per Term. It considers and makes recommendations to the Board on such matters as changes of subject or status, travel grants, the election of Demies, Scholars, and Exhibitioners, and the award of prizes and commendations.

**Undergraduates** are advised to consult the Senior Tutor **BEFORE** writing to the Student Loans Company, or similar body, about grants, years abroad, vacation courses, etc. They must apply to the Senior Tutor if they wish to transfer from one Honour School to another, as the permission of the Tutorial Board is required; they must also consult the Tutors in both Schools concerned, without whose agreement transfers cannot take place. Changes of course prior to the First Public Examination are not normally permitted. Similarly, suspension of status (intermission) is only granted in special cases and requires the express permission of the Tutorial Board: see Appendix E for details of the relevant procedure. A serious problem of an academic nature may be brought directly to the attention of the Senior Tutor at any time.

Details of the syllabus for examinations and entry dates are given in the *University of Oxford Examination Regulations*, available online at: <http://www.admin.ox.ac.uk/examregs/>. Junior members (undergraduate and graduate) will be sent an email by the University's Student Administration providing them with a link to the relevant information on Examination Entry Dates and Provisional Start Dates. In the case of examinations which contain only compulsory core assessment units, they will be automatically entered for those examinations, but where students are required to select the options they wish to take, they will be invited by email to enter for their examinations when the relevant examination entry window opens. The email

invitation will ask them to log in to Student Self Service to complete their optional examination entry assessment selections by a given date.

**IT IS THE RESPONSIBILITY OF ALL CANDIDATES TO BE AWARE OF THEIR EXAMINATION ENTRY DATES. TWO WEEKS AFTER EACH ENTRY DATE CANDIDATES MUST CHECK THAT THEY HAVE BEEN ENTERED FOR ALL EXAMINATIONS AND OTHER ASSESSMENTS CORRECTLY THROUGH THE ACADEMIC AND ASSESSMENT INFORMATION PAGE IN STUDENT SELF-SERVICE, AND MUST NOTIFY ANY ERRORS TO THE ACADEMIC ADMINISTRATOR VIA [liz.howdill@magd.ox.ac.uk](mailto:liz.howdill@magd.ox.ac.uk) AND TO THE UNIVERSITY'S ACADEMIC RECORDS OFFICE VIA [aro@admin.ox.ac.uk](mailto:aro@admin.ox.ac.uk) AS SOON AS POSSIBLE (on deadlines, see also section 3).**

Undergraduates should read carefully the sections on the academic policy of the College (section 3) and on awards and prizes (section 4).

**Graduates** should consult the Senior Tutor, who is also the Tutor for Graduates, about any changes of course, change of status, etc., as the permission of the College is required. Problems in their subject, however, should be taken in the first instance to the College Adviser, who is appointed when they are offered a place. The Senior Tutor also signs forms on behalf of the College and deals with the University and award-giving bodies on a student's behalf. Financial problems should initially be addressed to the Senior Tutor but may be referred to the Deans of Arts (see section 18).

**Change of College.** The College discourages migration from Magdalen to other Colleges during a course of study. Permission is required to migrate during a course; this will not normally be given unless there are sound academic grounds for migration *or* unless the migration would enable the student to hold a Fellowship or Scholarship covering fees and maintenance.

Anyone wishing to see the Senior Tutor/Tutor for Graduates should call at the Tutorial Office, which is located on the top floor of Grammar Hall, or email [liz.howdill@magd.ox.ac.uk](mailto:liz.howdill@magd.ox.ac.uk) to arrange a meeting or (if necessary because of pandemic arrangements) an online call.

## **2. COLLEGE CONTRACT AND STUDENT COMPLAINTS PROCEDURE**

Since the academic year 2007-08, all new undergraduate and graduate students have been required to sign a contract with the College before taking up residence. The contract covers the various aspects of a student's relationship with the College, including academic issues.

Anyone who has questions about the contract should consult the Senior Tutor in the first instance.

In respect of College charges, which are referred to in the contract, there is consultation with representatives of students through the House Committee, which is attended by representatives of the JCR and MCR. Among the responsibilities of the House Committee, under College Bylaw 155 (iii), is 'recommendation to the Bursarial Committee for room charges', and, under Bylaw 155 (vi), 'catering, including recommendation to the Bursarial Committee on food pricing'.

The College is concerned to maintain a good relationship with its students, and has adopted a detailed Student Complaints Procedure to enable Magdalen undergraduate and graduate students to bring matters of concern about the College to its attention, and to enable those matters to be investigated and responded to, with the aim of reaching a resolution satisfactory to all within a reasonable timescale and having due regard to the principles of procedural fairness. The full Student Complaints Procedure is detailed in Appendix A.

### **3. ACADEMIC POLICY OF THE COLLEGE concerning undergraduate studies**

The academic policy of the College concerning undergraduate studies has been approved by the Tutorial Board. It is kept under constant review.

#### **SELECTION POLICY**

The aim of the College is that no one should be admitted to read for a degree who is not thought by the Tutors concerned to be capable of obtaining an Upper Second Class or better. The First Public Examination (Prelims or Honour Mods) will be used by the Tutorial Board as a screening device to identify those few undergraduates who are unlikely to achieve at least a Second in the Final Honour School. Poor performance in the examination due to illness or because of lack of ability of a student not detected at the time of admission will be treated as special cases and with understanding. However, generally, the rules laid out below will be followed.

#### **FIRST PUBLIC EXAMINATION**

The requirements laid down in the University's *Examination Decrees and Regulations* are the minimum and the College would normally expect a higher standard to be achieved. In particular, undergraduates are expected to pass the First Public Examination at the first attempt.

The University's current regulations (General Regulations for the First and Second Public Examination, Part 3 (First Public Examination), 3.16) on failure in the First Public Examination are as follows:

'(1) A candidate who fails to satisfy the examiners in his or her initial examination for the First Public Examination shall be permitted to re-enter for the examination on one further occasion in accordance with the special regulations governing re-sits in the programme concerned. This resit attempt shall normally be taken at the next opportunity, but may be deferred once, i.e. it must be taken at one of the next two opportunities. Candidates shall be required to resit the same papers for which they were examined at the first attempt.

(2) A further exceptional opportunity to re-sit the examination shall require application to and approval on behalf of the Education Committee. If granted, this exceptional resit attempt shall normally be taken at the next opportunity, but may be deferred once, i.e. it must be taken at one of the next two opportunities. Candidates shall be required to resit the same papers for which they were examined at the previous attempts.

(3) A candidate who passes the First Public Examination whether at the first attempt or after re-sitting the examination shall be deemed to have reached the University's threshold standard for embarking on the Final Honour School.'

At Magdalen, those failing the First Public Examination at the first attempt are allowed to re-sit, but it is no longer within the College's power to permit a second re-sit. Those whose performance in the First Public Examination is particularly weak will have this fact reported to the Tutorial Board by their Tutors.

## **COLLECTIONS AND PENAL COLLECTIONS**

All undergraduates are expected to sit Collections (i.e. written tests) on the Friday and/or Saturday of Noughth Week at the beginning of each Term (and, when specified by subject tutors, on Thursday of Noughth Week), except before the start of their first Term in residence, and the Term after a University examination. Collections are very important and serve more than one purpose. They give undergraduates and their Tutors information on how well they are progressing. They provide an opportunity to consolidate term-time work over the vacation or to do essential preparatory work for the term ahead over the vacation. Preparation for Collections is also preparation for University Examinations at a later stage, and the taking of Collections provides essential practice in taking examinations and developing good examination technique. Cheating in Collections will be regarded as no less serious an offence than cheating in University examinations, and will be subject to disciplinary procedures accordingly. Undergraduates are expected to take some holiday during the vacation, and may well have other obligations during the vacation, but they are expected to spread their work for Collections over the whole vacation, not just its latter stages. Undergraduates in any confusion or doubt about what is required for a forthcoming Collection should contact their subject tutor immediately, and not leave the enquiry until late in the vacation.

Wednesday of 4th Week is the time by which, under normal circumstances, undergraduates can expect their beginning-of-term collections to have been marked and returned.

A Penal Collection is required of those few undergraduates whose permission to continue with their course at Magdalen depends on the outcome of that Collection. Details are given below in Appendix B ('Academic Disciplinary Procedure').

In deciding to sit any Collection, including a Penal Collection, undergraduates are deemed to be declaring themselves to be in a satisfactory state of health and a satisfactory state of mind to take the Collection.

## **PRESIDENT'S COLLECTIONS**

These are Collections of a different kind. They are reviews of progress, held on Friday and Saturday of Eighth Week, at which the President meets undergraduates individually and hears a report from Tutors on their academic work. The President then invites comments from the undergraduate and a brief discussion may follow. Undergraduates are seen once in each academic year by the President and the subject Tutors concerned. **Gowns are worn and attendance is mandatory, unless prior permission to be absent is obtained from the President.**

Subject Tutors will see the remaining pupils individually towards the end of each Term to discuss the Term's work, and if necessary the pupil's general progress in the course.

For Collections for **graduate students**, see Section 25.

## **TUTOR-STUDENT RELATIONSHIP**

A good working relationship between Tutors and their students is the foundation of the Oxford educational system. Tutors' assessments of the academic performance of their students are communicated informally in the course of tutorials, as well as at the end-of-term meetings and at President's Collections. Very occasionally, the tutor-student relationship threatens to break down. Any undergraduate who is unhappy in the tutorial relationship should consult another College Tutor in the subject, or the Senior Tutor, one of the Deans, or the President. Such consultations will be kept confidential.

**Undergraduates are required to obtain written permission from their subject tutors before taking on or applying to take on any major extracurricular commitment that might detract from their academic work, such as office-holding, the organization of College or University clubs or societies, outreach activities, or taking part in plays, concerts, sports, or time-consuming voluntary work. Permission forms which must be completed by the undergraduate and signed by the subject tutor (who must be a Tutorial Fellow or Stipendiary Lecturer of the College) are available from the window-sill on the ground floor of Grammar Hall or from the Internal Pages of the College website.**

## **TUTORIAL FEEDBACK SCHEME**

The College has an established system of termly tutorial feedback for undergraduates. Members of the JCR are encouraged to comment on their previous term's academic experience via an online form, the anonymized results of which are reported to the College's Academic Affairs Committee for consideration. Issues of general concern may then be considered further by the College's Tutorial Board.

## **STUDY SKILLS**

Tutors constantly provide guidance of various sorts about study skills, and these will develop in the course of tutorial work. The College has also appointed a College Mentor for Students, who can help with study skills (see below, section 17 'Welfare'). For initial written guidance about study skills, undergraduates should consult the relevant course handbook and the guide on Academic Good Practice available from the following page on the University website:

<http://www.ox.ac.uk/students/academic/guidance/skills>.

## **PLAGIARISM**

Plagiarism, which is the copying or paraphrasing of other people's work or ideas into your own work without full acknowledgement, is regarded as a serious offence by both the University and the College and is wholly unacceptable. Guidance about what constitutes plagiarism is available on the following page of the University website:

<http://www.ox.ac.uk/students/academic/guidance/skills>.

## ACADEMIC DISCIPLINE

The College has adopted a detailed policy on academic discipline. This is set out in full in Appendix B.

## DEADLINES

See above (section 1) for junior members' responsibility to be aware of their Examination Entry Dates and to check that they are entered correctly for their examinations. Application forms for Vacation Study Grants, Travel and/or Research Grants, etc. are available from the ground-floor window-sill of Grammar Hall or from the Internal Pages of the College website, and junior members must comply with the specified deadlines. Essays and other written work for Tutors and practical work for laboratory classes should be submitted by the required times.

## 4. AWARDS AND PRIZES

The College recognises the academic achievements of its undergraduates by awarding Demyships, Scholarships, Exhibitions, Tutorial Prizes, and Commendations. This note is a brief explanation of the system of awards.

When the College was founded, Bishop William of Waynflete provided for **Demyships** (*demi-socii*, i.e. half-fellows). Though they have over the centuries been reduced from a full stipend to a relatively token sum, the College Statutes still provide for financial support for the academically outstanding members of the College. Also, over the years, **Scholarships** (which are equal in status and value to Demyships) have been established from various endowed funds, and **Exhibitions** (which are of a lower status and value, but are still distinctions for those who have shown academic excellence) have been created. Demies and Scholars receive £200 and Exhibitioners £100 per year, credited to batells termly in arrears.

Demyships, Scholarships, and Exhibitions are awarded at the beginning of each academic year on the basis of undergraduates' academic work in the previous year. The criterion for election is exceptionally good academic work, taking into account both tutorials and examination performance. A Demyship may be awarded if the junior member is, in the judgement of the Tutors responsible, highly likely to obtain a First in Schools, and an Exhibition may similarly be awarded if the junior member is judged to have a reasonable chance of obtaining a First in Schools. Each election will be strictly subject to annual review.

Anyone obtaining a First in Finals who is not a Demy, Scholar, or Exhibitioner will receive a prize of £200, as will those obtaining a Distinction in the BCL or (in the case of graduate-entry Medical students) the Preliminary Examination in Medicine Part II. Exhibitioners obtaining a First will receive £100.

**Tutorial Prizes**, many of them from endowed funds, may be given each year in Michaelmas Term, normally to those in their final year, on the recommendation of Tutors. The prizes are of £100 and are given for outstanding achievement. **Commendations**, to the value of £40, may be given at the same time, as rewards for good effort.

Undergraduates who are intending to continue at Magdalen to take a graduate degree may be eligible for an academic award from the Student Support Fund (see Sections 22, 26, and 27).

See below for information about **Music Scholarships**.

## 5. THE CHORAL FOUNDATION

The College maintains a Choir that was established by the Founder as part of the original Statutes. It sings seven services each week during Full Term, as well as additional concerts and services both within and outside the College. It consists of 16 boy Choristers (educated at Magdalen College School) and 12 Academical Clerks, who are normally junior members of the College.

The majority of **Academical Clerks** are appointed by the Tutorial Board at the time of their admission to the College as a result of the special auditions for Choral Awards, and successful performance in the academic Admissions process. Some are appointed when in residence; occasionally, there are additional Clerks who are junior members of other Colleges or **Stipendiary Clerks** who are appointed to one-year contracts by the Informator Choristarum and paid a monthly stipend.

The appointment of all Academical Clerks is reviewed by the **Chapel and Choir Committee** annually, but Clerks normally hold office for three years. Clerks normally reside in College accommodation and receive a stipend that consists of two elements, the value of a College award (currently £420) and an allowance (reviewed annually) for residence out of Full Term. The College meets the cost of approved singing tuition. All Academical Clerks have a keyboard instrument in their rooms and headphones may be borrowed from the Home Bursary.

The Choir is directed by the Organist and *Informator Choristarum*, who is also a Fellow and Tutor in Music. He is normally aided by an **Assistant Organist** (who also acts as Tutor to the Choristers at Magdalen College School) and an **Organ Scholar**.

**Organ Scholars** are auditioned and examined before the beginning of Michaelmas Term. Each normally holds the scholarship for three years, but this is subject to annual review by the Chapel and Choir Committee. Organ Scholars are required to be in residence for substantial periods outside Full Term. They normally reside in College and receive a stipend which consists of two elements, the value of a College award (£420) and an allowance for residence out of Full Term (reviewed annually). The College meets the cost of approved organ tuition.

There is a Child Safeguarding Policy for the College Choir which makes admission to Academical Clerkships and Organ Scholarships conditional upon the possession of a satisfactory DBS (formerly CRB) check at the Enhanced level, and the receipt of two references which satisfactorily address the question of the candidate's suitability for work with children.

All members of the Choral Foundation are entitled to receive *per capita* fees paid by outside bodies for broadcasts, concerts, and recordings.

## MUSIC SCHOLARSHIPS

In addition to the academic Music awards, the College awards up to two **Music Scholarships** each year, should suitable candidates present themselves. Undergraduates in their first year of study may apply (with no restriction on subject). Successful candidates will be entitled to wear

the Scholar's gown and to receive an annual award of £200, and will have a status comparable to that of Demies or Academical Clerks. Academical Clerks and Organ Scholars who are presenting themselves in an area of musical performance beyond that connected to their duties as chapel singers and organists are eligible to apply. Music Scholars will be required to offer to the College an annual concert recital during the tenure of the Scholarship. The Scholarship will be reviewed annually.

An annual award is also made from the Domingos Vasconcellos Fund to assist in the cost of music performance tuition for students who are not receiving such tuition in respect of the degree course for which they are studying.

## **6. VACATION STUDY GRANTS**

Grants are available to all Magdalen undergraduates currently in residence for essential academic work in Oxford during the vacations, primarily for University Examinations, compulsory courses or submissions, and study that cannot be undertaken at home. Details of the grant and how to apply can be found on the Vacation Study Grant Application form available electronically on the Internal Pages of the College website or in hard copy on the window-sill on the ground floor of the Grammar Hall. Applying for a grant is a two-step process, involving an initial application submitted before the vacation in question, and a subsequent claim form submitted following the vacation. N.B. Residence during the vacation also requires submission of a separate vacation residence application which can be obtained from, and should be submitted to, the Conference and Accommodation Office in the Home Bursary.

## **7. TRAVEL AND/OR RESEARCH GRANTS and SUMMER INTERNSHIP GRANTS**

The College is currently able to offer up to £1,050 per student over the course of their time as an undergraduate or graduate student of the College for travel for purposes approved by the Tutorial Board or for certain expenses incurred in pursuit of course-related research (these expenses may include travel, accommodation and conference fees, but exclude books, stationery, computer equipment, and photocopying: a separate BOOK GRANT is available for books and photocopies – see section 8).

Through the generosity of Old Members of the College who have contributed to the Student Support Fund, from 2019-20 the College has also been able to offer a one-off grant of up to £1,050 per undergraduate or graduate over the course of their time as a Magdalen student towards the cost of a Summer Internship, which may be in the private sector, with a charitable organization, with a think-tank, or involve English language teaching abroad.

In the case of both sorts of grant, the Cases Committee considers applications and makes recommendations to the Tutorial Board at its three meetings each Term. Application forms are available from the ground-floor window-sill of Grammar Hall or on the Internal Pages of the College website, and must be returned by noon on the Wednesday of Noughth, Third, or Sixth Week to be considered at the next meeting of the Cases Committee. In the case of graduates attending conferences during term-time, applications should be made by one of these deadlines in the term in question. Retrospective applications for support of travel and/or research or an internship undertaken in the previous vacation (but no further back) can also be considered.

Junior members are strongly advised to take out adequate insurance when making their travel plans and should take steps to obtain up-to-date information (especially from the Foreign and Commonwealth Office, <http://www.fco.gov.uk>) on any precautions to be taken in particular regions. The College cannot accept liability for injury, loss, or damages incurred by junior members when travelling. Any grant awarded is for the purpose specified and does not facilitate in any way any further financial call on the College directly or indirectly.

## **8. BOOK GRANTS**

The College has instituted a book grant scheme whereby junior members of Magdalen, both undergraduates and graduates, may receive grants against the purchase of approved new or second-hand books relevant to their courses of study. Photocopies for which receipted bills have been obtained may also be counted against the book grant. The grant to each applicant will be 75% of expenditure up to a maximum of £100 p.a., approved by the Tutor or Supervisor. Applications for book grants must be received in the Accounts Office during Michaelmas, Hilary, or Trinity Full Term and by noon on Friday of 8th week of Trinity Term at the latest. For details, see the relevant form available from the ground-floor window-sill of Grammar Hall or on the Internal Pages of the College website, which should be consulted before incurring any expenditure. Each student may submit only one form per term.

In addition to the above scheme, from 2019-20 the College has instituted a second book grant scheme for fresher undergraduates and graduates in their first term, who will be issued with a Blackwell's Gift e-Card for use on academic books relevant to their courses of study during that term. Further details will be provided to freshers at induction.

## **9. NOTICES**

It is important that you check in the Post Room each day for any mail addressed to you, as this frequently contains important messages from Tutors or College Officers. Many important messages are sent by email, and you are expected to check your email at least once a day as a matter of course.

## **10. ACADEMIC DRESS**

Academic dress is obligatory at the Matriculation ceremony, when sitting University examinations, and when taking a degree. Academic dress consists of 'subfusc' clothing which consists of: (1) one of the following: (a) a dark suit with dark socks or (b) a dark skirt with black tights or stockings or (c) dark trousers with dark socks; plus (2) dark coat if required; (3) black shoes; (4) plain white collared shirt or blouse; and (5) a white bow tie or a black bow tie or a full-length black tie or a black ribbon, together with the appropriate gown and a mortar board or soft-cap.

Gowns should be worn on formal occasions in College, and are required at President's Collections. They are also worn at Formal Hall on Wednesday, Thursday, Friday, and Sunday evenings in term. Undergraduates wear Commoners' gowns or, if they are elected Demies or Scholars, Scholars' gowns. Graduates wear the Oxford Advanced Students' gowns if they are doing graduate courses and not a second BA. Second BA students wear Commoners' gowns, unless they have an Oxford undergraduate degree or a BA by incorporation, in which case they

may wear the Oxford Advanced Students' gown. Second BA students elected to Demyships or Scholarships wear Scholars' gowns.

## **11. RESIDENCE AND INTERMISSION (SUSPENSION OF STATUS)**

All Oxford degrees have residence requirements, and degrees cannot be awarded unless the College certifies that the required number of Terms have been kept as members of the College. In order for a particular Term to count as a Term of residence for undergraduates, no fewer than 42 nights of the Term must be spent in College. The College therefore needs to know of periods of absence during term-time.

Junior members who wish to be away overnight for any occasion during Term should inform the College Lodge. This is also an important security and fire precaution so that the College has a record of people who are not in residence at a particular time.

**Junior members must return to Oxford by 5.00 p.m. on the last Thursday of the vacation (i.e. Thursday of Noughth Week), unless required to return earlier by their Tutors or by University Decrees appropriate to their courses.**

Junior members must remain in Oxford until the last Saturday of Term (Saturday of Eighth Week). See also sections 31 and 33.

For the College's procedure for intermission (suspension of status), see Appendix E.

**Please note that Magdalen students who are permitted or required to go out of residence (i.e. suspend status) may not during this period enter the College or any College premises, other than for a pre-arranged meeting with a College tutor or with the written permission of the Senior Tutor or one of the Deans of Arts.**

## ***THE JCR AND MCR***

### **12. CODE OF PRACTICE**

i) The JCR is an association open to all undergraduate and graduate members of the College (although it is concerned primarily with undergraduate students). The MCR is a similar association open to all graduate students. Their main objects are to promote the interests and welfare of, and social activities among, their members, and to represent the interests of students to the Governing Body of the College.

ii) The JCR and MCR have written constitutions, elect officers, and hold regular meetings. Membership of the JCR and MCR is automatically granted to all students who qualify for membership. Anyone who does not wish to take up membership should notify the President of the JCR or MCR (as the case may be) not later than the end of the Fifth Week of Michaelmas Term.

iii) Membership is free of charge.

iv) Withdrawal from membership will disqualify students from standing for office, and voting at or attending meetings of the JCR or MCR.

v) The written constitutions of the JCR and MCR contain detailed arrangements for the conduct of elections, the conduct of officers, the formation of policy, financial management and reporting, affiliation to external organisations (including Oxford SU), and the handling of complaints. The implementation of financial arrangements is supervised on behalf of the Governing Body of the College by the JCR and MCR advisers.

vi) The College provides certain social, recreational, and welfare facilities for all its junior members, including the use of common rooms and the bar. It allows the JCR and MCR as associations to participate in the management and provision of these services and provides the JCR and MCR with funds to enable them to maintain some of these services on behalf of the College and to offer their own. The services provided by the College are available to all undergraduate or graduate students (as the case may be) on equal terms whether or not they are members of their respective association.

vii) Complaints about the management of the JCR or MCR should in the first place be made to the President of the Common Room in question. If you are dissatisfied with the handling of any complaint, it may be referred to the Deans of Arts.

viii) A copy of the constitution of the JCR may be inspected on the JCR webpages or in the Deans' Office. A copy of the constitution of the MCR may be inspected on the MCR webpages or in the Deans' Office.

### **13. PERSONAL TUTORS**

Since the academic year 2016-17, the College has run a Personal Tutors scheme, whereby first-year undergraduates can request to be assigned to a Personal Tutor in a different subject from their own, to provide additional pastoral support throughout the undergraduate's course. Further information about this is supplied separately on the College website in a section about the various aspects of the College's welfare provision.

## ***CHAPEL***

### **14. DEAN OF DIVINITY**

The Dean of Divinity is pastoral Chaplain to the College. His responsibility for welfare and spiritual care extends to all members of the College, not just to those who attend Chapel. He may be called on in Cloisters IV.2 for assistance or conversation without appointment, or contacted on (2)76027 or [andrew.bowyer@magd.ox.ac.uk](mailto:andrew.bowyer@magd.ox.ac.uk). He and the Organist and *Informator Choristarum* use the Chapel and Choir Office in Cloisters II. The Chapel and Choir PA is Melanie Bennette.

### **15. COLLEGE CHAPEL**

The Chapel is intended to be used by all members of the College, and all are welcome at Chapel services. Every Sunday in Term there is a sung celebration of the Eucharist, and Morning and

Evening Prayers are said or sung daily. The times of services appear on the Chapel card which is distributed to all members of the College at the start of each Term. A termly booklet is also published giving details of music at choral services.

The Choir of Academical Clerks and Choristers on the Foundation of the College sings the main services each day of Term except Monday. On some Saturdays, Evensong is sung by the Consort of Voices and Academical Clerks.

Gowns are normally worn, but are not compulsory, at Choral Evensong.

Enquiries about the Chapel and the general life of the Church in College should be made to the Dean of Divinity.

## ***DECANAL AND WELFARE MATTERS***

### **16. THE DEANS OF ARTS**

The two Deans of Arts advise junior members generally on College and University matters. They are one of several sources of advice on issues concerning student welfare (further information on other sources in College is provided in section 17 below), and the first port of call in cases of financial difficulty or problems between junior members. They also have responsibility for the enforcement of College rules. Ordinarily they would hold a regular drop-in surgery (known as Deans' Hour) twice a week in Full Term in their office on the ground floor of the Grammar Hall. In Michaelmas Term 2020 these surgeries will need to be suspended, but if students wish to talk to the Deans, they can email [deans@magd.ox.ac.uk](mailto:deans@magd.ox.ac.uk) to arrange an online call. All conversations will be treated in confidence, subject to the guidance on confidentiality and welfare in section 17 below. If conditions allow a return to regular face-to-face meetings later in the academic year, the timings of Deans' Hours will be circulated by email.

Junior members are expected to familiarise themselves with the standards of conduct expected by the College, as set out in this document, including section 19 ('Other Decanal Matters'), section 20 ('Codes of Practice on Harassment and Freedom of Speech'), section 44 (the College's policy on illegal drugs), and Appendix F (the Accommodation Licence Agreement), and with the standards of conduct expected by the University as set out in University codes and regulations (see below). The College has adopted a detailed procedure on Non-Academic Discipline, which is set out in Appendix C below. Junior members are reminded that living in College premises is a privilege which can be removed with immediate effect as a consequence of serious breaches of College or University regulations.

For the year 2020-21, the Senior Dean of Arts will be Prof. Joe Sampson, and the Junior Dean of Arts will be Dr Daniel Robinson.

The Deans are assisted by the Student Support Administrator, Miss Amelia Woodhouse (in Michaelmas Term 2020), whose office is also on the ground floor of the Grammar Hall. She is available from 8.30 am to 12.30 pm every weekday, and from 1.30 pm to 5.00 pm on Mondays to Thursdays, and from 1.30 pm to 4.00 pm on Fridays. She welcomes any students who may have queries or need assistance in any way. Her telephone number is (2)76021, and her email

address is [studentsupport@magd.ox.ac.uk](mailto:studentsupport@magd.ox.ac.uk). For urgent matters, appointments with the Deans outside Deans' Hour can be arranged through the Student Support Administrator. The Deans will be very glad to help any undergraduates with personal or domestic problems, and they can be contacted by email at [deans@magd.ox.ac.uk](mailto:deans@magd.ox.ac.uk) and in an emergency via the Porters' Lodge. Further details of the College's welfare provision can be found in the section on Welfare below and in the section on Welfare on the College website.

Junior members should also read and note carefully the *Student Handbook* published annually by the University, which is available online at [www.ox.ac.uk/students/academic/student-handbook](http://www.ox.ac.uk/students/academic/student-handbook). It contains information about the University's codes, regulations, policies, and procedures. The College will expect students to be aware of these and to take them very seriously.

Junior members are reminded that there are certain occasions at which attendance is obligatory, unless express permission has been otherwise granted. These include all tutorials and classes, all Collections (including President's Collections at the end of Term), meetings with the Senior Tutor, and summonses from the Deans to attend Deans' Hours. Failure to respond to a Decanal summons, without express permission to postpone, is a serious offence. Junior members, living in or out of College, are expected to check their pigeon-holes and emails daily and, if invited to College functions, to reply as a courtesy as soon as possible.

## **SUB-DEANS**

The College appoints Sub-Deans with responsibility for welfare and disciplinary matters in the evenings, at weekends, and at other times when neither of the Deans of Arts is available. In 2020-21 the Sub-Deans will be Ms Alannah Jeune, Ms Aneyn O'Grady, and Ms Claudia Paul. Claudia Paul is based in the Waynflete Building, and the other Sub-Deans within walls. The Sub-Deans operate with decanal authority in the absence of the Deans of Arts. Information about how to contact them is given in the section of the College website on Welfare.

## **17. WELFARE**

There is a range of help available to any student who is experiencing personal difficulties, and who would like to talk in confidence to someone willing to offer advice, support, or just a sympathetic ear. The choice at Magdalen can seem bewilderingly large, but whoever you choose to talk to will treat everything you say in confidence (subject to the guidance below on confidentiality in student health and welfare) and will do everything they can to help. Besides the information given here about the College's welfare provision, a section of the College website also sets out its various aspects.

If you are not sure who would be the best person to approach with a particular question or worry, then the **Student Support Administrator**, Amelia Woodhouse (in Michaelmas Term 2020), will know who to refer you to: you can talk to her in confidence in her office on the ground floor of the Grammar Hall. See section 16, above, for contact details.

The overall co-ordination of the College's provision is the responsibility of the **Tutor for Welfare**. In 2020-21 this position will be held by Prof. Rob Gilbert, who will be available in term-time for any undergraduate or graduate students who wish to bring ideas, questions, or concerns about the College's welfare provision to his attention (see the section of the College

website on Welfare). The **Deans of Arts** are always happy to offer informal guidance on a range of issues. Within the SCR, you may wish to approach your **Tutor** in the first instance, or if you would like to discuss things with another Senior Member of College then the **Dean of Divinity** (The Rev'd Dr Andrew Bowyer) is very experienced at helping students through difficult times, irrespective of their beliefs. Female students may choose instead to approach the **Tutor for Equality and Diversity** (Prof. Siân Pooley), who can offer practical advice and more general support, and any issues of harassment can be discussed with the College's **Harassment Advisers**: see their contact details in the College's Code of Practice on Harassment, available at <http://www.magd.ox.ac.uk/other-policies/>.

Magdalen also employs a **College Mentor for Students** to provide practical help and advice on a variety of issues, including study skills. Further information about what the College Mentor for Students offers is supplied in the section of the Magdalen website on the College's welfare provision.

Many students find that they prefer discussing certain issues – questions over their sexuality, doubts over their course, and so on – with other students in the first instance, and if you would rather not approach a friend or SCR member there are other options available to you within College. The **JCR Welfare Reps** are chosen by their peers to offer confidential and sympathetic help, and are often the first form of support to which fellow students turn. In addition, there are a number of fully-trained **Student Peer Supporters** who are available to chat informally and confidentially.

Magdalen also employs a part-time **College Counsellor** to see students in College. All appointments are treated in the strictest confidence, and can be made by emailing [counsellor@magd.ox.ac.uk](mailto:counsellor@magd.ox.ac.uk). The Counsellor will be in College for the equivalent of one full day per week in term-time. If you would rather discuss personal problems with a Counsellor outside the College, then you can make an appointment with the University Counselling Service. This service is also free; you can make appointments by phone or online (01865 270300, email address: [reception@counserv.ox.ac.uk](mailto:reception@counserv.ox.ac.uk)), and will normally be seen for an initial consultation within two weeks.

Professional help for any medical problems, including depression, eating disorders, and sexual matters can be sought through the College Doctors (01865 311500). Outside normal surgery hours you should ask the Porters to call a taxi to take you to the hospital, and for an emergency at any time you should ask the Porters to call an ambulance. The **College Nurse**, Mrs Victoria Manellari, is available in her office in St Swithun's (Staircase VI, Room 3) on Monday to Thursday during term (and in 0th and 9th Weeks) from 9.00 to 10.00 am in Michaelmas Term and from 9.00 to 11.00 am in Hilary and Trinity Terms (see section 47, below).

## **GUIDANCE ON CONFIDENTIALITY IN STUDENT HEALTH AND WELFARE**

The College endorses the University's guidance on confidentiality in student health and welfare, as set out in a document available on the University website at the following address: [https://www.admin.ox.ac.uk/media/global/wwwadminoxacuk/localsites/aad/documents/swssbuletin/Guidance\\_on\\_Confidentiality\\_in\\_Student\\_Health\\_and\\_Welfare.pdf](https://www.admin.ox.ac.uk/media/global/wwwadminoxacuk/localsites/aad/documents/swssbuletin/Guidance_on_Confidentiality_in_Student_Health_and_Welfare.pdf).

The College recognises the same practical and legal obligations as set out in the University document. In all cases, the duty of confidence is not absolute and may be overridden in

circumstances where there is an obligation to do so.

Information given in confidence by a student will, as a general rule, be treated in a confidential manner. This would include information about a student's physical or mental health or financial circumstances. Disclosure of such information will be on a need-to-know basis. Confidential information should not be disclosed to parents or other family members. However, in exceptional circumstances (e.g. where there appears to be a risk that the student will harm himself/herself or others, or where the student is seriously ill), confidential information may be disclosed to parents or other family members, usually with the consent of the student.

The College owes a duty of care to all its members, staff and students, and in some circumstances it might not be able to discharge this duty without infringing confidentiality. There will be circumstances in which the disclosure of information may be necessary; students will normally be asked to give their consent, but the College reserves the right to use its professional judgement to decide whether any such disclosure should be made.

Those to whom information has been given in confidence, or who have acquired information which they regard as confidential, may be concerned about the welfare of a student but uncertain whether they should disclose this information or not. In these circumstances it may be sensible to seek advice from an appropriate person e.g. a senior College Officer or the College Doctor, on whether the matter is sufficiently important to breach confidentiality and, if so, to whom they should report their concerns. A concern for confidentiality need not, and should not, prevent communication that is necessary to help students, or fellow students, in difficulty.

This statement on confidentiality is being made available to students and staff to provide reassurance to students but also to clarify the limits of confidentiality. Any member of College who wishes to seek clarification on this policy should contact the Deans of Arts.

### **PREVENT DUTY (see also section 20)**

1. The Counter-Terrorism and Security Act 2015 imposes a duty on many types of institutions, including universities, to "have due regard to the need to prevent people from being drawn into terrorism". This is also known as the PREVENT duty. In fulfilling this duty, the College must have regard to statutory guidance issued by the Home Secretary:

<https://www.gov.uk/government/publications/prevent-duty-guidance>.

2. The purpose of this policy is to specify a formal procedure by which any member of College (Fellows, Lecturers, Staff, and Students) can raise concerns they may have over any other member of College's being drawn into terrorism.

3. Any member of College who thinks that another member of College may be being drawn into terrorism or nurturing it in others (this could be from what they say, material they may have, or from other observations) should speak to the College's PREVENT Lead Officer (the Home Bursar), or to the President if the concern pertains to the PREVENT Lead Officer, and should not report the matter to anyone else either as part of the process or in casual conversation. The PREVENT Lead Officer (or the President, if appropriate) will act in accordance with the College's Guidance on Confidentiality in Student Health and Welfare. The identity of the reporting person will remain confidential at all times.

4. The PREVENT Lead (or the President, if appropriate) will assess the risk from the information provided and may seek other forms of verification before determining what action, if any, to take.

## 18. FINANCIAL ASSISTANCE

Junior members who are experiencing, or suspect they will experience, financial hardship, are urged to contact the Student Support Administrator or the Deans directly, informally and confidentially, to discuss their needs.

For junior members who are experiencing, or expect to face, financial hardship, assistance is available from the College's **Student Support Fund** (administered by the Student Support Committee), the College's **Junior Members' Fund** (administered by the Deans), the **University Hardship Fund** (administered by the University Hardship Committee), and the Government's **Access to Learning Fund** (administered by the University's Student Fees and Funding Office). In addition, **Oxford Bursaries** are available for UK undergraduates.

**Student Support Fund (SSF).** The College is concerned to ensure that all its students are adequately funded during their time here and to help undergraduates and graduates who are in financial need by means of the **SSF**. 2002 saw the first meeting of the **Student Support Committee** within the College, whose purpose is to administer this fund. Graduate members should refer to Section 26 (**Financial Help for Graduates**) for more information. For undergraduates, information about the purpose of these funds will be published separately.

The College's **Junior Members' Fund** is designed to enable junior members (undergraduate and graduate) to meet short-term financial needs. Applications to the Deans can be made at any point. All applicants will be asked to fill out a form detailing their current financial situation and to make an appointment to discuss their application with the Deans. The precise amount given will vary according to the extent of the student's need. Unforeseen circumstances are the condition of most applications, although there may be exceptions to this rule, for example in the case of students applying for help with the costs of sporting or other College or University commitments they would not be able to undertake without some financial assistance. All applications are assessed according to the student's particular circumstances. Please note that students are expected to have their own insurance for personal items, including computers and mobile telephones, covering loss, damage, theft, and necessary repairs. The Junior Members' Fund will not help students with such items other than in exceptional circumstances.

Money is distributed from this Fund in the form of both grants and interest-free loans, depending on circumstances. Students who are experiencing delays in the arrival of local authority financial assistance of any sort are encouraged to contact the Deans. Graduate members who have difficulty in paying the College's Graduate Continuation Charge will be expected to attempt to finance the payment, but if they are unable to obtain the required amount can seek waiver of the charge through application to the Deans. In addition, although it should be stressed that the Junior Members' Fund is for short-term needs (while the Student Support Fund addresses long-term ones), any student anticipating or experiencing chronic financial need during his or her time at Magdalen should contact the Deans as soon as possible in order to discuss his or her particular situation. The Deans are also very happy to consider requests for

financial assistance towards sporting costs, and will advise students as to which fund would be most appropriate for their circumstances.

The **University Hardship Committee** provides financial aid to students who experience unforeseen and/or exceptional losses of expected income beyond their control. The Committee meets in Sixth Week of Michaelmas and Hilary Terms and Fourth Week of Trinity Term. All parts of the completed application form must reach the Student Funding and International Office, University Offices, Wellington Square by Friday of Third Week of Michaelmas and Hilary Terms and Friday of First Week of Trinity Term. If you wish to apply for such a grant, you can collect a form from the Student Support Administrator. However, as applications must receive the endorsement of the College, the Deans require completed forms to be returned to them at least one week before these deadlines.

The **Access to Learning Fund** provides discretionary financial assistance for undergraduates and graduates with Home fee status to help them access and remain in higher education, particularly those students who need financial help to meet extra costs that cannot be met from other sources of support. The Fund also helps to alleviate unexpected financial hardship. Students who may be considering leaving higher education because of financial problems are particularly encouraged to apply. You can apply to the Fund at any point during the academic year, including the long vacation. Students must fulfil the eligibility criteria that are provided on the application form, and any help received from the Fund is usually non-repayable. Application forms are available from the Student Support Administrator, but the fund is administered by the University's Student Fees and Funding Office.

**Oxford Bursaries** are available for Home undergraduates. Detailed information on eligibility is available at:

<http://www.ox.ac.uk/admissions/undergraduate/fees-and-funding>.

No additional applications are necessary for the Oxford Bursaries; your eligibility for support will be assessed centrally, providing you have given consent on your UK Government funding application for the University to access your household income figure.

## **19. OTHER DECANAL MATTERS**

**Music hours.** The use of musical instruments and stereo equipment or radios in College should be restricted to times between 1 p.m. and 5 p.m. and between 7 p.m. and 11.30 p.m. in order to avoid disturbing tutorials, study, and sleep. You should take care during music hours that you do not disturb anyone, particularly in neighbouring rooms, and that at no point is the volume at an unreasonable level. The playing of radios or any other musical device out of doors in the College is forbidden at all times. Any abuse of these rules may result in disciplinary action by the Deans. Please see also 'Disorderly Behaviour' below.

The Chaplain's II Practice Room may normally be used by members of the College between 8 a.m. and 9 p.m., and bookings should be made with the Porters. It may also be possible to arrange rehearsal space for bands. Guidance should be sought from the Deans in the first instance. The base of the Great Tower may also be used for music practice but again permission should be sought from the Deans and bookings should be made with the Porters.

**Meetings and parties.** The permission of the Deans of Arts must be obtained in advance for all meetings and for parties involving more than ten people. This applies to those held in private rooms as well as to those held in other places (indoors or out of doors). In addition to events held within College, any external event organized, advertised, or referenced via an official mailing-list (both the JCR and MCR lists are official mailing-lists), will be considered as an 'official' function which will therefore require permission from the Deans. Members of College should ensure that their behaviour in pubs, clubs, etc. would not reasonably be thought to bring the College into disrepute.

College rooms available for booking for parties include the Oscar Wilde Room and the JCR Dining Room. Meetings can be held in these two places and also in the Old Law Library, Lecture Room A, Longwall Seminar Room, Grove Seminar Room, Daubeny Laboratory, Archway Meeting Room and the base of the Great Tower. Enquiries about the availability of all these rooms may be made through the Student Support Administrator. The following rules are those common to most colleges and are subject to room availability. Charges for catering or other facilities will apply as normal. You must be a current Magdalen College student in order to book a College room.

- For Magdalen College students, there will be no room hire fee for a Magdalen College-only event.
- For Magdalen College students who are President of a registered University Club or Society event, there will be no room hire fee.
- A room hire fee will be applied for Magdalen College students booking for a University Club or Society if they are not the President, no matter what their position within the Society Committee. For Oxford SU bookings, there will be no room hire fee; however, the room must be booked through the Magdalen MCR or JCR President. Where rooms are left in an unacceptably messy state the students responsible may be fined. Junior Members should be aware that drinking games are not allowed in College.

The Deans of Arts also enforce a moratorium on all entertainment in College (except Schools Dinners) from Fifth to Eighth Weeks inclusive in Trinity Term to accommodate the needs of Finalists preparing for and taking University examinations. No bookings for the Oscar Wilde Room or the JCR Dining Room will be accepted for this period, nor will parties held in private rooms be permitted. The Deans of Arts may impose restrictions on entertainments, parties and meetings in College at other times to accommodate the needs of students preparing for and taking University examinations.

During Trinity Term, Bat Willow Meadow is available for booking in addition to the rooms listed above, using the same procedures. Very occasionally it may also be possible to hold a party in New Building Colonnade finishing no later than 7.30 p.m. Permission may only be obtained from the President, the event must be discussed with the Deans, and all living-in Fellows with rooms in New Building must be given the opportunity to object.

Those who hold parties are personally responsible for making sure that everything is cleared up when the party is over. This is particularly important in the case of parties held out of doors, in the New Building Colonnade, or in Bat Willow Meadow, which must not be left untidy. Rubbish should be collected and placed in the large bins situated in 1-7 Longwall Street courtyard, at Holywell Ford, and by the Longwall Gate. Barbecues may only be used with the prior permission of the Deans and the Home Bursar.

Regardless of the number of people present, music must end at 11.30 p.m., and all parties must be finished by midnight. Please note that the Porters and Deans regularly check that the College is quiet after midnight. Detectable noise after this time interferes with study and sleep and will not be tolerated. Failure to observe these deadlines may result in disciplinary action by the Deans.

The gate-crashing of balls or equivalent social occasions at this or any other College is a serious College offence.

The attention of junior members is drawn to the College's Code of Practice on Freedom of Speech (see section 20), the provisions of which must be complied with. In particular, it is not permitted to disrupt or to attempt to disrupt the lawful exercise of freedom of speech by members of the College or visiting speakers on College premises. The Deans should be informed immediately in the event of such disruption occurring or being threatened. The Code of Practice also contains important information about room bookings, and takes into consideration the College's PREVENT duty, including procedures for completing a risk assessment in respect of speakers external to the College.

**Lawns.** The taking of short cuts across all lawns is forbidden, in order to prevent undue wear to the grass; infractions of this rule may lead to fines. Sitting on the lawns **during daylight hours only** may be permitted between 1 May and the end of September, subject to notices by the Home Bursar. No hot containers of food or drink may be placed on the lawns. No litter or belongings are to be left on the lawns and in particular no mess is to be made following examinations (see below).

Croquet may only be played in Trinity Term and only on the New Building Lawn between 1 p.m. and dusk. Frisbees and ball games are not allowed on the lawns – the College Sports Ground should be used instead. Hammocks are not permitted. Unattended items may be removed for safety and security.

The Deer Park in the Grove and the Water Meadow are out of bounds at all times.

**Disorderly behaviour.** Members of College are asked not to make any noise, particularly after dark, which may disturb others in College: singing, screaming, or even loud conversations (for example, on the lawns in summer) often disturb both junior and senior members resident in College. Disturbances of this sort will be regarded as violations of the rules on music hours and will be treated accordingly.

**Social Media.** It is important that junior members ensure that they publish responsibly when using social media. The Deans of Arts have no interest in censoring personal accounts, but students are advised that it is entirely possible for a digital footprint to compromise future career prospects. Instances of online bullying and/or harassment will be taken extremely seriously.

**Post-examination celebrations.** The University is very concerned about behaviour outside exam venues such as Schools and Ewert House. You should not throw or spray foods or fluids (e.g. champagne/fizzy drink, flour, eggs, shaving foam, silly string), because they create a major hazard (the pavements become extremely slippery) and doing so is viewed very negatively by the Proctors, the City Council, and the Police. Other forms of litter which are not hazardous are also not allowed (e.g. confetti, glitter).

The City Council and Police mount a significant presence outside exam venues, including their litter enforcement officers. They and the Proctors' Officers have imposed spot fines of up to £80 in recent years. Furthermore, the Police will arrest anyone who continues to consume alcohol in public when they have been asked to stop.

You are very welcome to meet friends finishing exams, and to take flowers and balloons if you wish. You are also allowed to take along champagne/fizzy drink as long as the bottle remains unopened – for example to consume back in College or at a pub. The Deans are very keen that you enjoy the end of your own exams and congratulate your friends when they finish, but it needs to be done in a way that does not endanger or inconvenience others or place yourselves at risk.

If you are celebrating in College you must make sure that you don't create a mess or make undue noise. Other students are likely still to be preparing for or taking exams and upkeep of the College grounds is important. The same rules about the need to refrain from throwing food, spraying champagne, etc. apply inside the College as much as outside it, and will be strictly enforced. If mess is left on the lawns then use of them will be forbidden.

**Roofs.** Walking or climbing on roofs and/or walls/railings/fences, and in or out of windows, or entering any construction site, is extremely dangerous and is absolutely forbidden. The Deans view climbing on roofs and/or walls/railings/fences with the greatest seriousness and will take substantial disciplinary action against anyone caught doing so.

## **20. CODES OF PRACTICE ON HARASSMENT AND ON FREEDOM OF SPEECH**

The College has adopted Codes of Practice on Harassment and on Freedom of Speech, which can be found at <http://www.magd.ox.ac.uk/other-policies/>. The Code of Practice on Freedom of Speech takes into consideration the College's PREVENT duty, and includes procedures for completing a risk assessment in respect of speakers external to the College.

### ***GRADUATE MATTERS***

## **21. THE TUTOR FOR GRADUATES**

The Senior Tutor, as Tutor for Graduates in Residence (TfG), has a general responsibility for graduate students of the College. S/he monitors their academic progress by means of the termly reports which come to the College from their supervisors, oversees College Advisers, and will also ensure that quality assurance processes in College function satisfactorily (see FEEDBACK AND RECORDS below). If any problems emerge, s/he will ask the individual's College Adviser to discuss these with the individual concerned and report back. S/he is also available to discuss any matters – academic or non-academic – with graduates and can be reached via the Tutorial Office. See also FINANCIAL HELP FOR GRADUATES below.

It is the Tutor for Graduate Admissions, and not the Tutor for Graduates, who has the operational responsibility for the admission of graduate students to the College.

## **22. ADMISSION OF GRADUATES TO MAGDALEN**

The College does not accept graduate applications for certain subjects: the University website shows for each course whether or not it is offered at the College.

Applicants for graduate admission to Magdalen should be aware of the following points:

- Applicants must first have been accepted by a Department or Faculty of the University of Oxford before any college or permanent private hall may consider them.
- Applications are considered for any of the courses in which the College offers admission. Please consult the ‘Colleges’ tab on the relevant course page on the University’s Graduate Admissions website to see whether we can accept an application for your chosen course.
- Applications are usually considered by subject tutors, the Tutor for Graduate Admissions, and in certain cases the College’s Graduate Admissions Committee.
- The College aims to admit a certain number of graduate students each year spread across the range of subjects in which it accepts graduate students, and this will determine the number of offers which can be made to applicants. Where there are more applicants than offers which can be made, the relative academic merit and potential of the applicants may be taken into account. It may not be possible to make offers to applicants whose applications are received late in the admissions round, when places have been filled.
- The possession of competitively-won funding may be taken into account as an indicator of the applicant’s academic merit and potential.
- Preference may be given to applicants whose area of study overlaps with the academic interests of the College’s academic staff.
- The decision on whether to offer a place is made in the light of the overall competition for graduate places and the spread of those places across subject areas.
- Please note that any offer of a place will be subject to satisfactory completion of the financial declaration form that will be sent to the applicant as part of the offer of a place. Please consult the following guidance for more details:  
<http://www.ox.ac.uk/admissions/graduate/fees-and-funding/financial-declaration>.

**Applications from members of Magdalen will be considered in relation to the points set out above.**

### **23. COLLEGE ADVISERS: THE NATURE OF THE ROLE**

Every graduate student at Oxford has a College Adviser, who is an academic member of his or her College, usually a Fellow.

The College Adviser should be in a position to discuss the student’s academic work. This does not mean that the student and Adviser must be members of the same Department or Faculty. The College Adviser is not in any way intended to replace the University supervisor, or to act in his or her stead and should, therefore, not be expected to give the same detailed academic guidance and direction. Thus, a College Adviser to a student should *not* also be the student’s

University supervisor. Rather, the intention is to provide a focal point for an individual student's relationship with the College, and general academic or pastoral advice and assistance throughout the student's course of study.

Every graduate on a taught course should have a **formal or informal** meeting with his/her College Adviser at least once a Term. Other graduates should have such a meeting at least once a year.

## **24. COLLEGE ADVISEES: GUIDANCE**

All students are assigned a College Adviser, who is usually a Fellow of the College.

Your College Adviser can:

- provide pastoral support, for example on health, personal or coping issues, and/or direct you to appropriate persons for assistance;
- monitor your progress, by discussing your University supervision reports and by being available for consultation, either in person or by email;
- discuss with you any problems or difficulties you may be experiencing in your Department or Faculty, and/or with your supervisor;
- consult the Tutor for Graduates/Senior Tutor if there are concerns about your academic progress and if you appear to be experiencing difficulties with your academic work;
- offer guidance on sources of support available within the College and University.

In addition your College Adviser may be able to offer you advice on academic-related matters such as: applications for research funding, conferences and seminar attendance, publication and career plans. College Advisers would not normally be expected to provide academic references, as others are better placed to do so, but they might provide a reference for other purposes, such as a Junior Deanship application, or a character reference.

Your College Adviser is *not* expected to perform the role of your Department or Faculty Supervisor(s), and is not responsible for directing your academic work or for giving detailed academic guidance.

You will first meet your College Adviser during your first term, and you are encouraged to contact your College Adviser as and when you need advice or help. You should also feel free to consult other College Officers as necessary – see below. College Advisees should respond to invitations from their Advisers to meet them; if the proposed time is not suitable, they should contact their Adviser to arrange an alternative time to meet.

Your College Adviser may be changed during periods of sabbatical or other academic leave. Should there be reasons for you to seek a change of Adviser, you should contact the Tutor for Graduates/Senior Tutor.

Further information:

The above guidance focuses specifically on the role of your College Adviser. Your College Adviser will be able to direct you to relevant sources of advice and support, which you should feel free to consult as necessary. These might include (but are not limited to):

- The MCR President or MCR Welfare Officers (sections 12 and 17, above)
- The Student Support Administrator (sections 16 and 17, above)
- The Tutor for Graduates/Senior Tutor (sections 1 and 21, above)
- The Deans of Arts (sections 16 and 17, above)
- The Dean of Divinity (section 14, above)
- The College Nurse or Doctor (section 17, above, and section 47, below)
- The College Counsellor (section 17, above)
- The Tutorial Office (section 1, above)

## 25. FEEDBACK AND RECORDS

Graduates are given the opportunity to comment on their progress during the term by submitting a report on the University's Graduate Supervision Reporting system (GSR). College Advisers see graduates' termly supervision reports, plus any comments graduates have themselves submitted. If a report raises problems, the TfG will either take action him- or herself or ask the Adviser to do so. Copies of the report and any relevant correspondence will be held by the relevant Adviser and in the Tutorial Office.

When, shortly before the beginning of Hilary Term, the TfG writes to graduate students about Student Support Fund grants (see below), s/he will also invite any graduates who wish to do so to participate in a Collection with the President and the TfG. This will take place during Seventh Week and provide a forum where the graduate's progress can be discussed. Replies must reach the President's PA by the end of Fifth Week.

## 26. FINANCIAL HELP FOR GRADUATES

For Travel and/or Research Grants and Book Grants, see sections 7-8 above.

If you experience financial difficulties during your course of studies because of problems which were not foreseeable when you made your original financial declaration to the College, there are various possible sources of help.

The **University Hardship Committee** makes awards to graduates only on the grounds of **unforeseeable hardship**, and may provide help in the form of a grant or loan, depending on the circumstances. The Committee meets in Sixth Week of Michaelmas and Hilary Terms and Fourth Week of Trinity Term. All parts of the completed application form must reach Student Fees and Funding by Friday of Third Week of Michaelmas and Hilary Terms and Friday of First Week of Trinity Term. If you wish to apply for such a grant, you can collect a form from the Student Support Administrator. However, as applications must receive the endorsement of the College, the Deans require completed forms to be returned to them at least one week before these deadlines.

The University's **Vice-Chancellors' Fund** (named in honour of three recent Vice-Chancellors) makes awards to academically outstanding D.Phil. students who are in the last stages of their work and need extra funding to complete it. In previous years, selection has taken place during

Fourth Week of Trinity Term but the closing date for applications has been early in Hilary Term. Information for this academic year and the relevant forms are available from the Hardship funding section of the University website. As applications must receive the endorsement of the College, completed forms must to be returned to the Student Support Administrator at least one week before the deadline for submission.

**Rhodes Scholars** who need funding must, in the first place, approach the Rhodes Trust.

**Medical students** who need funding of any kind can apply to a wide range of medical charities. The TfG has a list of these and will be happy to give advice on how to apply to them. In addition, it may be possible to receive a John Stein award from the Student Support Fund (a standard Student Support Fund application should be submitted to be considered for one of these awards).

**Student Support Fund (SSF).** The College is concerned to ensure that all its students are adequately funded during their time here and to help undergraduates and graduates who are in financial need by means of the SSF. The Committee which administers this Fund (the Student Support Committee (SSC)) meets four times a year: once in Third Week of each of Michaelmas Term, Hilary Term, and Trinity Term to consider awards for the current year (awards for graduates are rarely made at the Michaelmas Term meeting), and once in July to consider awards for the following year. As the SSF is finite, the SSC has evolved procedures for administering its fund. Although these procedures are complex, they are not meant to be off-putting and the TfG will also be happy to explain them in person to anyone who thinks that s/he is in a situation of hardship.

Shortly before the start of Hilary and Trinity Terms, the TfG writes to all graduates inviting applications for stop-gap or emergency hardship awards. S/he will expect eligible applicants to have applied or be applying to all other sources of funding available to them (including the ones detailed above, as appropriate). If you wish to apply for a hardship award, you need to obtain an application form from the Student Support Administrator, on which you will be asked to address **all** the following issues: why the financial declaration which you provided with your initial application to do postgraduate work at Magdalen **no longer holds good**; whether you have applied for a commercial loan; whether you have asked your family or other sources for financial assistance and been in receipt of such assistance (this includes any scholarship funds); whether you have a partner who is in any kind of employment (and if so, how much s/he earns); whether and to what extent you are already in debt; when you expect to finish the degree for which you are registered; precisely how much you are asking for (broken down as far as possible); what your career intentions are once you have completed your degree; whether you have a job lined up once you have completed your degree, and if so what your starting salary will be. Once the TfG has received your application and checked that all the necessary information is there, s/he will write to your supervisor to enquire about your academic progress, and will interview you in advance of the meeting of the SSC. If the Committee accepts the request for funding, it may make either a grant or a loan.

In the course of Trinity Term, the TfG writes to all graduates and to finalists who have applied to do postgraduate work at Magdalen inviting applications for funding for the following year for consideration at the July meeting. Once your application has been received, giving the kind of information detailed in the above paragraph, the TfG will ask your supervisor, potential supervisor, or a Fellow of the College who knows you for a supporting reference. If you apply

to the SSC during the Trinity Term and subsequently get an award which covers your costs (e.g. from the AHRC or ESRC), you **must** inform the Student Support Administrator immediately so that your application to the SSC can be cancelled. **Failure to do so may cause hardship to other applicants.** If you are a graduate who failed to get an AHRC, ESRC, or similar state-funded award in previous years and are **either** self-supporting **or** in receipt of a College grant or loan, you **must** re-apply to the relevant body for support in the coming academic year if its rules allow. This should anticipate or happen in tandem with any requests for assistance from the SSC. If you fall into this category, you should make it clear to the TfG on the form on which you make your application to the SSC that you are following the above procedure. On that form you must also address all the other issues detailed in the paragraph above beginning ‘Shortly before the start of Hilary and Trinity Terms...’.

Graduates who originally applied for and/or supplied a financial declaration for a one- or two-year course and subsequently decide that they wish to change to a longer course or do a further postgraduate course **will not be considered as hardship cases** and should **not** apply to the SSC unless they are eligible for consideration for a Tavella Stewart or Senior Mackinnon Scholarship (see section 27).

**Please note that incomplete application forms and the lack of contact numbers and other contact information will almost certainly jeopardize your chances of receiving help from the SSC.**

Two sorts of application for funding for the following year are considered at the July meeting of the SSC – requests for help with funding their course from those who did their first (undergraduate) degree at Magdalen (these are Tavella Stewart and Senior Mackinnon Scholarships, for which see section 27) and requests from current graduates who are experiencing unexpected financial difficulty. The SSC will distribute funds at its July meeting in accordance with the following guide-lines:

- i) Unless there are exceptional reasons, it will not give any funding for first postgraduate degrees to applicants whose grade average at finals is 66% or less.
- ii) Unless there are exceptional reasons, it will not give any funding for higher postgraduate degrees unless an applicant has proven research ability. This could mean, for example, that s/he has submitted a dissertation at Finals that has attracted a mark of 72% or more or has achieved a distinction in his or her first postgraduate degree with a grade of at least 72% overall and at least 72% for any dissertation component.
- iii) Unless there are exceptional reasons, applicants in their fifth year of graduate study will be eligible only for loans.
- iv) Unless there are exceptional reasons, graduates past their fifth year of graduate study will not be eligible for any financial help from College.

Please note that if a fee debt to the College and/or the University, including any hardship or student support loans, has not been paid in full, the College may not permit a student to take his or her degree (see Appendix D for details).

## **27. TAVELLA STEWART AND SENIOR MACKINNON SCHOLARSHIPS**

If you did your first (undergraduate) degree at Magdalen and are applying for public funding (e.g. from the AHRC or ESRC) to undertake a graduate degree at Magdalen, you can also apply to the College for a Tavella Stewart or Senior Mackinnon Scholarship in case your application for public funding is unsuccessful. People who did their first (undergraduate) degree at Magdalen and are reading for a further graduate degree after their current graduate degree but are currently self-funding are also eligible to apply for one of these Scholarships. The number of these Scholarships varies from year to year and the College awards them for a year at a time. Competition for them can be very fierce, and they are awarded according to the criteria set out above. As decisions about Tavella Stewart and Senior Mackinnon Scholarships are made at the July meeting of the SSC, those who apply for one of these Scholarships as a back-up measure must inform the Student Support Administrator as soon as possible if their application for public funding is successful.

### *HOME BURSARIAL MATTERS*

#### **28. HOME BURSAR**

The Home Bursar has a general responsibility for the internal administration of the College. For junior members he deals with the catering services, housekeeping matters, grounds, IT facilities, Lodge, works services, the allocation of rooms and flats, and sports facilities management.

The PA to the Home Bursar handles bookings for College guest rooms and all-weather pitch bookings. The Conference and Accommodation Manager deals with student rooms and public room bookings. Representatives of the JCR and MCR are members of the **House Committee**. (The Home Bursary is part of the Bursary located on the first floor of Longwall Quad I.)

#### **29. MEALS SERVICE**

Meals are available in both the Hall and the Old Kitchen. In Hall there are self-service/staff-served meals through the Buttery, and Formal Hall on Wednesdays, Thursdays, Fridays, and Sundays in term. The Old Kitchen serves snack and bistro-style food in term. Both the Hall Buttery and the Old Kitchen offer a wide range of hot and cold food and soft drinks. Vegetarian dishes are offered and those with special dietary requirements should discuss their needs with the Head Chef. Meals may be paid for in cash or through pre-payment on the University Card UPay (see EPOS arrangements in section 46 ('CHARGES') below).

Students will be batelld a termly catering fixed charge, as a contribution to overheads (current charges are on the College website under 'Living Here'.

Out of term-time a schedule of meals services, times and locations is published. All students in residence are eligible to use the service out of term, at the same prices as those that apply in term.

Monday to Saturday Meal times are as follows:

#### **Hall:**

Breakfast	8.00 a.m. – 9.30 a.m.
Lunch	12.00 noon – 1.30 p.m.
Dinner	6.00 p.m. – 7.15 p.m. (Mon, Tues, Sat) 6.00 p.m. – 6.45 p.m. (Sun, Wed, Thurs, Fri)

On Sundays there is only Dinner in Hall from 6.00 p.m. – 6.45 p.m.

**Formal Hall:**

7.15 p.m. on Wednesdays, Fridays, and Sundays, and 7.30 pm on Thursdays. A gown is required on these days, and smart dress is needed on Sundays, when Black Tie may be worn if desired. Guests may be taken (details online), but they must be 16 years old or over in order to comply with the licensing law. Formal Hall must be booked in advance through the web-based booking system.

Members of College and their guests must be on time and may be refused admission, without refund, if late or improperly attired. They should also avoid getting up and walking around or leaving Hall during the meal unless there is an emergency, since doing so disrupts the meal for staff and others dining. Likewise, other activities which are likely to cause a disturbance are prohibited, for example drinking games or the use of flash photography. At formal dinners and on all occasions when members of the SCR dine in Hall (most nights of Term), Grace will be said by the President, and in her absence by the presiding Fellow. Whether you are dining formally or from the Buttery, when Grace is said (signified by the banging of a gavel) you should be silent.

**Old Kitchen:**

Open from 10.00 a.m. to 5.30 p.m. Monday to Saturday for light meals, snacks, coffee, and soft drinks. Also open on Sundays during the Long Vacation, when members of the public may also use this service on a higher tariff.

Open for pizza (eat-in or take-away) in term-time from 1.30 p.m. – 5.30 p.m. Monday to Saturday, and 7.15 p.m. – 9.30 p.m. Monday to Sunday.

No prior booking is necessary for Buttery and Old Kitchen meals. Meals may be paid for in cash or through UPay (see section 46 below). Accompanied guests may use the facilities, for which there is a guest surcharge payable.

**Private Dining:**

Requests for rooms for private catering should be addressed to the Conference and Accommodation Manager. The JCR Dining Room is available for self-catering private functions (see section 19) and, like the Oscar Wilde Room, is booked via the Student Support Administrator. Any use of such rooms requires a Decanal permit.

**30. OLD KITCHEN BAR**

The Old Kitchen Bar offers a full range of beverages which may be bought with cash or by UPay (see section 46 below). Items bought by card attract a discounted price.

The Bar is open as follows:

6.00 p.m. to 11.30 p.m. every day in term time; out of full term the bar may close at 11.00 p.m. and is subject to a published timetable.

Out-of-term opening hours may vary and these are published on the same notice as the vacation meals service.

There is a fifteen-minute drinking-up time and the bar must be empty and shut within twenty minutes of the last orders time above.

No one under the age of 18 may purchase or consume alcohol in the Old Kitchen Bar or anywhere else in the College that falls within the scope of the College's Premises Licence.

Pursuant to the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010, no drinking games are allowed where there is a time-limit or a requirement to drink as much alcohol as possible (whether limited by time or not). The provision of free or discounted alcohol as a prize or reward is also not allowed. Alcohol may not be dispensed directly by one person into the mouth of another (other than for reasons of disability).

### **31. COLLEGE-OWNED ROOMS**

The College maintains over 500 rooms which are used to accommodate junior members. All rooms are located either within the College bounds or just a short distance outside the College walls. The rooms vary in standard and size; undergraduate rooms are of identical charge, those for graduates reflect these variances. All junior members are required to enter into an Accommodation Licence Agreement [see Appendix F] before they will be allowed to occupy their room. All charges are calculated on a daily basis and include an element to cover utility costs. A limited cleaning and linen service is provided in all rooms, but not to graduate partnered flats. Junior members are batted for these charges at the beginning of each Term. Undergraduates are guaranteed accommodation throughout their course, while graduates whose applications, including satisfactory financial declaration, have been approved by 1<sup>st</sup> June in the year of entry are guaranteed accommodation for their first two years (with two exceptions: 2<sup>nd</sup> BM students are guaranteed accommodation for their first and third years, and Graduate-Entry ('Fast-Track') medical students are housed in their first, second, and fourth years). Occupation of College rooms by junior members who have completed their entitlement is often possible but is not guaranteed. Applications are invited in Hilary Term each year and the Deans of Arts decide the priority which should be applied to applicants seeking the few spare rooms which may be available.

Rooms for undergraduates in their second, third, and fourth years are chosen by means of a ballot system, which is created by the JCR and operated by the Conference and Accommodation Manager. A list of available rooms is prepared and undergraduates must apply to go in the ballot for allocation of their room.

New undergraduates are housed in the Waynflete Building (the other side of Magdalen Bridge from the College) or in High Street or Longwall Street properties. They will be given the opportunity to apply for rooms "inside the Walls" in their second, third and fourth years.

The terms of use of College accommodation are set out in the Accommodation Licence Agreement (see Appendix F); the notes that follow are to provide more information on those

terms. Note that the relationship between student and College is governed by the Accommodation Licence Agreement and nothing in this Information and Regulations booklet should be taken as affecting the terms of the Agreement. Students should know about the Universities UK approved code of practice for student accommodation. This sets out basic standards for student accommodation in Higher Education Institutions such as the Oxford Colleges. You can find out more by going to the Universities UK Accommodation Code of Practice website:

<https://www.universitiesuk.ac.uk/accommodationcodeofpractice>.

Rooms for graduates are for a fixed nine-month period from 1<sup>st</sup> October to 30<sup>th</sup> June for which the charge is divided into three termly instalments. Graduates may also apply to stay in the Long Vacation period. Details of the charges are on the College website and posted at the Bursary. For charging purposes graduate rooms are graded primarily according to size and amenity. Graduate partnered flats are let for a ten-month period from 1<sup>st</sup> October to 31<sup>st</sup> July and the charges for these flats do not include the provision of a cleaning service or bed linen.

2<sup>nd</sup> BM Students and Graduate-Entry Medical Students who are not in Oxford during their elective period and/or during their district hospital placement may be able to obtain rent relief on their college accommodation. Students must submit a request to the Conference and Accommodation Manager at least one month in advance of the period in question giving exact dates. This is essential, as the basis of the rebate is to allow the College the opportunity (which may or may not be taken) to let the room to someone else over that period. Under no circumstances will retrospective rebate be given. There is a reduction of 100% of the standard rent if no personal belongings are left in the room and of 40% if personal property is left. Storage may be available in College and on application to the Steward but there is no guarantee of this and its non-availability does not oblige the College to give a higher rebate. For the elective period the maximum number of weeks in which the reduction may be claimed is 12 and for the district hospital placement it is 6.

Rooms must be cleared of personal belongings at the end of Trinity Term. The College may provide limited storage for overseas students or those who have special difficulties in removing their belongings. At Christmas and Easter limited amounts may be left in rooms provided space is available for candidates' and conference visitors' belongings, except in the Waynflete Building, where it must be cleared. Items left remain the responsibility of the owner for insurance purposes. Storage charges may apply in the Long Vacation.

Flats are for use of graduate members of College only and the licence agreement is made between the College and the member of College. The College will not enter into any formal agreement with any partners of members of College who wishes to occupy a flat with the member of College and if anyone other than a member of College occupy the flat it will be as a licensee and no tenancy will be created. The partner/licensee will have to vacate the premises when the member of College does so.

Where a student is permitted or required to go out of residence under the College's procedures, the Home Bursar will decide whether the student is entitled to a refund of all or part of the rent paid for the College room on the basis of whether or not it can still be used.

## **32. SECURITY**

**Members of the College should always lock their door when they go out, even for short periods and at night. Doors at the bottom of staircases should never be left open, nor should any of the various security gates fitted with the Late Gate lock. Challenge strangers who try to tailgate. THE COLLEGE CANNOT ACCEPT LIABILITY FOR THEFT, OR DAMAGE TO, MEMBERS' PROPERTY, INCLUDING BICYCLES (see also below, under 41. 'CARS, MOTOR-CYCLES AND BICYCLES'), AND STRONGLY ADVISES THAT AN ALL-RISKS INSURANCE POLICY BE TAKEN OUT TO COVER THE FULL VALUE OF THEIR PROPERTY.** Leaflets from different companies may be available in the Bursary lobby, Longwall Quad I, or the Grammar Hall, and insurance cover should be arranged as soon as possible after arrival in Oxford.

Junior members have a key role to play in fighting crime within the College. The dispersed nature of the College buildings, and the size of the grounds, makes Magdalen particularly vulnerable to those with criminal intent, and the vigilance of junior members is therefore of vital importance. Any suspicious persons should be challenged and/or reported to the Porters. Concerns regarding security should be reported immediately to the Porters, who will liaise directly with the Home Bursar. Junior Members may not lend their keys or University Card to anyone else. To do so is a serious breach of College regulations and, in the case of the card, University regulations also.

Some areas of the grounds, most notably Addison's Walk, are particularly hard to police. Members are therefore advised to exercise caution if they use such areas when few other people are about.

CCTV covers much of the College precincts and is recorded for the purpose of security monitoring, crime prevention and safety. Such recordings may be used in evidence at any proceedings brought for a breach of College regulations or a criminal act, committed by members or non-members of College alike.

### **33. VACATION RESIDENCE**

Undergraduates who live in termly rented College accommodation and who want to remain in residence after the last Saturday night of Full Term, or to come up before the Saturday of Minus-1st Week of the following term, should apply on the appropriate form to the Home Bursary by the end of Sixth Week. Approval will not normally be given to stay up at the end of Michaelmas Term because of the Admissions Interview period. Each application is judged on its merits by the Deans of Arts since there are relatively severe constraints on the availability of accommodation especially over the Easter and Long Vacation periods due to the use of many rooms for Conference and Summer School purposes and the need to maintain a regular refurbishment and redecoration programme. If the room is required for any of these reasons, an alternative will be provided for successful applicants. Authorization for vacation residence will be given through the Deans' List. The listed daily charge will continue to apply in vacation periods. Staying up without permission is a serious offence and the daily room charge for the time spent without permission will be doubled, in addition to any further sanctions which the Deans in consultation with the Home Bursar choose to impose. Late Vacation Residence forms attract a £10 administration charge.

Graduate students who live in termly rented College accommodation and who want to remain in residence after 30 June must apply on the appropriate form.

### **34. FURNITURE, DECORATION, AND MAINTENANCE**

Rooms are fully furnished by the College. College furniture may not be removed from rooms, nor may furniture be added without the approval of the Home Bursar or the Steward. A room inventory will be issued to each junior member at the commencement of a licence agreement, and this will be used as the basis for assessing claims for damage or loss at the conclusion of the licence. All student rooms contain a mini-fridge. No other fridges or freezers are permitted in rooms or communal areas.

Repairs and renewals are the College's responsibility, but the Home Bursar reserves the right to levy a charge against an occupant in any case where damage has been caused through the fault or negligence of that occupant or his or her guests. Students are asked to report defects and repairs needed direct to the Maintenance Department ([maintenance@magd.ox.ac.uk](mailto:maintenance@magd.ox.ac.uk)) where they will be dealt with as promptly as priorities allow. Charges will automatically be levied for damage to paintwork and walls by adhesives such as Blu-Tack. **Candles must not be used.**

The display of advertising material or posters, including political material, relating to non-College business is not permitted in the windows of College rooms both inside and outside the walls; notice boards are available in College for such material.

The College and its staff reserves the right to enter and inspect College rooms and to allow scouts, employees or workmen into the room to clean the room, leave linen, carry out work to the room or to gain access to enable work to be carried out to other parts of the buildings of the College in accordance with the notice periods (and emergency provisions) in the Accommodation Licence Agreement (para 2.2.2). Occasionally it may be necessary for a student to relocate rooms, for example in the event of work being required to be done to the room or a neighbouring part of the building which cannot wait until the end of a term or period.

### **35. LIGHTING, HEATING, AND ELECTRICAL SAFETY**

Members must not interfere with, or attempt to adjust, any electrical or gas fitting or safety equipment in the College. Each junior member occupying a room in College-owned accommodation is responsible for ensuring the safety of any electrical equipment (including small portable items) s/he introduces into the College: this is best done through Portable Appliance Testing (PAT). If any junior member is uncertain about the safety of any item of personal electrical apparatus, they are to contact the Maintenance Department Co-ordinator, who will assign a qualified electrician to check the safety of the apparatus (through PAT testing) without charge. The UK operates on 240 volts and appliances of other voltages must not be plugged into the supply.

Turn off lights when rooms are unoccupied and do not leave on unattended appliances. Turn down heating (control on radiator) rather than open the window to reduce the temperature. The College is concerned to reduce and mitigate its use of gas, water, and electricity in accordance with best practice, concern for the environment, and with regard to the safety and security of its members.

The College's appliance servicing records are available for inspection by prior arrangement with the Home Bursar during normal office hours.

Members of College are expected to assist in the energy-saving effort by ensuring that it is not wasted by, for example, leaving lights and electrical equipment on when not in use and when rooms are unoccupied, or by leaving radiators on and windows open.

### **36. BEDDING**

Blankets or duvets, and a pillow, sheets and pillowcase are provided in rooms, but not in flats. Charges will be levied for damaged or missing items of bedding. Junior members are expected to provide their own towels. Scouts will leave clean bed linen each week and students must change their bed and leave the dirty linen outside their room for collection, in accordance with the notice on the staircase.

### **37. ANIMALS**

The keeping of pets is not permitted and no animals may be brought into the College grounds. The Deer Park is strictly out of bounds to students. It is a serious offence for any unauthorized person to enter the Deer Park or to feed the deer.

### **38. LAUNDRY**

There are card-operated washing and drying machines at several locations in the accommodation areas. These are not owned or operated by the College and queries on their operation or problems with cards should be reported to Circuit Laundries (contact information is displayed in each launderette). Cards may be obtained and charged up in the Lodge. Students with special needs may arrange service washing in the College laundry: arrangements should be made through the Steward, and a small charge is payable by batells.

### **39. KEYS AND COLLEGE GATES**

Resident junior members of the College are issued with Late Gate keys for their personal use only. Junior members occupying termly rented rooms must return their Late Gate key, together with their room key, to the Lodge at the end of each term. Late Gate keys open most outer doors of staircases and certain doors in the perimeter of the College. Other doors/gates are operated by coded University cards – the Longwall Library, Computer Rooms, JCR, MCR and Post Room.

Gate keys are issued and collected through the Porters' Lodge. For reasons of security, great care must be taken with these keys. If any gate key is lost or not returned at the published time, a substantial charge will be incurred. It is absolutely forbidden to make duplicate copies of any College key, or to pass any key to another person. Lost keys must be reported to the Porters' Lodge immediately; lost cards should be reported to the Student Support Administrator immediately.

The College main gate is locked at 11.00 p.m. Thereafter the Late Gates must be used. For reasons of security all junior members must ensure that gates and doors are relocked once they have passed through them. Lost University cards should be reported as soon as possible.

#### 40. GUESTS

- i) Overnight guests may be accommodated in an official College guest room booked through this link: <http://www.magd.ox.ac.uk/discover-magdalen/fellows-guest-room-booking-request/>.
- ii) Guests may not stay in College for more than three consecutive nights.
- iii) Guests not staying overnight are expected to be out of College by midnight.
- iv) Members of the College are personally responsible for the conduct of their guests in College; after midnight they should take particular care not to make any noise, and should personally accompany their guests within the College.

#### 41. CARS, MOTOR-CYCLES, AND BICYCLES

Parking in central Oxford is exceedingly limited, and the City and University authorities do not encourage the bringing in of cars. Members of the College keeping a car, motor-cycle, or motor-scooter in Oxford must notify the registration number to the Deans of Arts. The College allots a small number of parking places for use by nominated graduates and a charge is made. The Lodge Manager administers the allocation process for such permits which run for the academic year. Other than in exceptional circumstances (and by prior agreement with the Home Bursar), no parking is available for undergraduates' cars or motor-cycles within the College grounds.

Access for loading and unloading vehicles near to College-owned or administered rooms is very limited. Traffic wardens are very active, although temporary exemptions can be arranged at the beginning and end of each Term through use of an approved windscreen display available from the Lodge Manager. Fresher undergraduates will not need access "within walls" for loading and unloading cars until their second year.

No vehicle may otherwise be brought into College, except by special permission. This may, in appropriate circumstances, be obtained from the Home Bursar only. Unauthorized vehicles may be clamped without further notice.

No loading or unloading in the Kitchen yard is allowed.

**All bicycles belonging to members of the College and kept in College must be labelled with the special label which can be obtained from the Lodge. This label has been approved by the police and has been a significant aid in recovering a number of lost or stolen bicycles. Changes of ownership should also be notified to the Lodge.**

Bicycles are to be left in racks provided in Longwall Quad, beside the Auditorium, beside the Daubeny Building, beside Longwall Cottage, at Holywell Ford, at Cowley Place, and behind the Waynflete Building. In no circumstances are they to be left anywhere else in College, nor may they be brought into College premises. Infractions of this rule will lead to their removal by College staff and may result in a fine being levied by the Deans. Bicycles should be locked against theft at all times when not in use. On 1<sup>st</sup> August each year those bicycles within College

that are not bearing a special label (as above) may be removed, and they will be disposed of in October; the College will not be liable for the cost of the lock or bicycle under such circumstances. Notices and reminders will bring this procedure to your attention each year.

**Secure Bicycle Storage.** As stated above, no bicycle may be stored inside College buildings. Those with valuable cycles may wish to use one of the secure cycle stores. These are twenty individual units that may be rented for a small annual charge. Adjacent to the 15 storage units in the garden of 62 High Street is a small shed for working on bicycles. No cycle may be left in this shed unattended. There are five further secure units at Holywell Ford. Applications for a secure storage unit should be made to the Lodge Manager, and they are allocated on a first-come, first-served basis.

## **42. SMOKING**

Smoking is not allowed anywhere inside the College buildings. This includes the Cloisters, Colonnade, and archways between quads. The Health Act 2006 makes it illegal to smoke in the indoor public areas and partially enclosed spaces; it is College policy that smoking is not permitted in residential accommodation.

**Smoking is allowed in the College grounds only in designated areas.** These are marked by the presence of a cigarette butt bin. There are five on the main site, one at the rear of 1-7 Longwall Street, one at Holywell Ford, and one at the Waynflete Building. Smoking must be no more than 3 metres from these bins.

The use of e-cigarettes (‘vaping’) is not permitted in any public rooms or spaces in College, but not restricted elsewhere.

## **43. FIRE**

Junior members must make themselves acquainted with the fire regulations, and with the positions of the break-glass fire alarms in the buildings in which they live and work. Any abuse of fire equipment will be regarded as a very serious offence. The fine for discharging a fire extinguisher, except in emergency, will be not less than £50.

Most of the fire detection systems in the College provide an automatic alert to the fire brigade on activation. Tampering with any detector is regarded as a serious offence (and is also a criminal offence). The setting off of fire alarms through negligence (including smoking, unsupervised cookers, or toasters) or, in particular, through malice is also treated seriously by the Deans, and fines may be imposed or other disciplinary action taken.

The College will pass on to students any charge levied by the Fire Brigade for attending false alarms.

On no account will fireworks be allowed in the College.

The College’s Fire Risk Assessment and Disaster Recovery Plan are held in the Home Bursary and may be inspected by prior arrangement during normal office hours.

**Cooking in rooms is not allowed.** Toasters, microwave ovens and other cooking devices may only be used in the kitchens to be found in most staircases. Each kitchen has a microwave oven as well as a cooker. Information on the use of the equipment provided will be found in each kitchen. These kitchens are provided with the correct type of detection device for warning of fire or potential fire. Toasters must not be used in rooms, only in kitchens. Deep fat fryers are not allowed anywhere. Junior Members are responsible for keeping staircase kitchens clean, in particular hobs, grills and the interior of ovens.

#### **44. FIREARMS AND ILLEGAL DRUGS**

The College forbids the presence of firearms (or imitation firearms, or other offensive weapons) or illegal drugs on the College premises, and their use. The College will report any breach of the law to the Police. Anyone proven to be in possession of a firearm or illegal substance will be subject to Disciplinary proceedings.

#### **45. POST**

Your postal address when you are at Magdalen is:

Name  
Magdalen College  
Oxford  
OX1 4AU

You are strongly advised to use this address even if you live in College accommodation outside the walls: Royal Mail deliveries to houses can be unreliable.

Mail arriving at this address is sorted at the main Lodge. The Porters place mail into alphabetically arranged individual pigeon holes in a room adjoining the Lodge. Junior members collect it from there. Mail is not delivered to any of the junior members' accommodation areas of the College. **It is important to check in the Post Room each day for mail addressed to you. The same applies to email.**

The main College telephone number is (01865) 276000.

The University Messenger Service may be used without charge. This service collects and delivers twice a day Monday to Friday and operates within the central area of the city. Items should be handed in at the Porters' Lodge.

Any mail for clubs and societies must bear the name of the individual for whom it is intended. If the Lodge is not aware of the intended recipient, mail will be returned to the sender. Students are advised to ensure that banks and other organizations include their name in the address field.

Note that the College may **NOT** be used as a postal or service address for Limited Companies and the like. Any student who is a Director or Company Secretary of an incorporated body **MUST** use another address for these purposes. Such mail will be returned to the sender. The College cannot be liable for receiving mail or for the service of documents for incorporated bodies other than those which are wholly owned by the College itself.

## 46. CHARGES

Batells bills are due for payment by the end of First Week of each term. Failure to pay will result in a substantial fine, levied on a weekly basis until payment is made. Any junior member who is unable to pay his or her batells should see the Deans before the due date.

IN CASES OF GENUINE FINANCIAL HARDSHIP, MEMBERS OF THE COLLEGE CAN APPLY, THROUGH THE DEANS OF ARTS, FOR A GRANT OR LOAN. Applicants must expect to provide a full statement of the nature of their difficulties.

At the beginning of the first term of study a pre-payment of £100 is required. This will be shown on your batells statement as 'Caution Money' and is refunded after the last term of study once all debts to the College have been paid.

Postgraduate student members living within 25 miles of the College and whose course extends beyond the period of fee liability will be charged £100 per term. Students with research council awards should approach their funding body in the first instance for help with this fee. Those in financial difficulty as a result of the charge should apply through the Deans for assistance.

The JCR also levies charges, some of which are optional. Details of these charges are available from the JCR Treasurer.

## ELECTRONIC POINT OF SALE FACILITY (EPOS)

The College uses UPay as its payment and management system in the Catering Department. This is operable from a smart phone app or online. Credit on a UPay account is essential for booking Formal Hall and is an option for paying for food and drink in the Buttery and Old Kitchen Bar (where cash and debit/credit cards are also accepted).

## 47. MEDICAL ARRANGEMENTS

Junior members are required to be registered with a doctor in Oxford. The **College Doctors** work at the Surgery at 27 Beaumont Street, Oxford (telephone 01865 311500). Those registering with any other doctor in Oxford must inform the Tutorial Office by the end of the second week of their first term of the name and address of that doctor.

Students from Britain, the European Economic Area (EEA), and any country with reciprocal health arrangements are eligible for free treatment under the National Health Service (NHS). If you are from outside the UK, you should apply for a European Health Insurance Card (EHIC) that will entitle you to NHS medical treatment during your studies in the UK. You are advised to apply for an EHIC card before arriving in Oxford, and reminded that you should show the card if you need medical treatment during your time in the UK. Consult the [NHS guidance leaflet](#) for more information.

Students from outside the EEA who are studying full time for more than 6 months and applied for a visa before 6 April 2015 are entitled to free NHS treatment. Those who paid the [Immigration Health Surcharge](#) (IHS) as part of a visa application on or after 6 April 2015 are also allowed access to the NHS free of charge. Family members in the UK as dependants will be eligible for the same access to the NHS.

Leaflets from organisations offering insurance schemes for private medical care are available in the JCR and MCR.

A nurse, known as the **College Nurse** (Mrs Victoria Manellari), is engaged by the College to act as a recommended source of medical advice for junior members. The College Nurse is in attendance in College during term (and in 0th and 9th Weeks) on Monday to Wednesday from 9.00 to 11.00 am and on Friday from 12.30 pm to 3.00 p.m. (no surgery on Thursdays). The Nurse's consulting room is in St Swithun's (Staircase VI, Room 3). The Duty Porter and the College Nurse (when she is in the College) are able to provide the details of alternative sources of medical help when asked. The College Nurse may, depending on her professional assessment of the needs of an individual, offer limited treatment, including attention to minor ailments and injuries during the times she is in attendance in the College.

Any junior member of College confined to his or her room by ill health should ring or send a message to the College Lodge. The Duty Porter will inform either the College Nurse or other source of medical help depending on the time and situation, and must inform the Deans. Please note that it is essential to inform tutors if an appointment such as a tutorial is liable to be missed on grounds of ill health. Junior members who are ill in private accommodation are expected to make their own medical arrangements through their doctor. They should, however, advise the College Lodge so that a notice of sickness can be sent to tutors.

The College has an arrangement with a **Dental Practice** to see undergraduates under the NHS for emergencies and for other treatment. The arrangement is designed to provide prompt consultation for emergencies; regular work would be subject to the normal appointment availability. Please note that any student using the service would be liable for the normal NHS fee for the treatment concerned, payable at the time by the undergraduate concerned. This is not a free service – we have bought access for undergraduates who are not registered with the practice.

The Practice below is willing to see graduate students, Fellows and staff for emergencies and for other treatment but both will be on a private fees basis. These are payable by the person at the time.

Practice Details: Mr David Barrett, 3 George Street; Tel: (01865) 244304 – out of hours this number will give a message on a number to call for emergency treatment.

It is also possible to receive dental treatment at the Oxford Brookes Clinic (Headington Hill Campus) 8.30 a.m. to 4.00 p.m. Monday to Friday (3.00 p.m. on Fridays) in Brookes' term time. Closed 12.30 p.m. to 1.30 p.m. daily. This is a chargeable service and no special arrangements have been made for members of College. There is no emergency service. Tel: (01865) 484608.

#### **48. PERSONAL INSURANCE**

**The College cannot accept liability for theft, or damage to, members' property, including bicycles, and strongly advises that an all-risks insurance policy be taken out to cover the full value of their property.** Leaflets from different companies may be available in the

Grammar Hall lobby (on the window-sill) and insurance cover should be arranged as soon as possible after arrival in Oxford.

#### **49. HEALTH AND SAFETY**

The College Governing Body has published its policy with regard to maintaining the highest standards of Health and Safety for all persons living in, working in and visiting the College and its grounds. This policy may be inspected in the Home Bursary by arrangement during normal office hours. Each junior member has a duty to behave in a safe manner and bring to the notice of the College authorities any hazard which they identify. The Home Bursar or Maintenance Foreman are the College authorities who may most easily be contacted.

Drones may not be flown anywhere in the College grounds without the prior written permission of the Home Bursar. Fireworks are forbidden.

#### **50. COMPUTER ARRANGEMENTS**

All junior members' rooms have an Ethernet connection point.

There is a computer room located in St Swithun's IV. There are also some facilities in the Reprographic Room on the ground floor of the Longwall Library. Both have print facility and are accessible only by swipe card. **All students are reminded of the requirement (see sections 9, 16, and 45) to check their email daily.**

Both the MCR and JCR elect Computer Representatives and oversee their own websites. The College's two computer officers are located in St Swithun's I.1 and manage the network within College, provide assistance on IT matters, and maintain the computer rooms.

**Strict University regulations govern the use of computers. Any breach of these may lead to sanctions by the University and/or the College, including the withdrawal of services (see <http://www.it.ox.ac.uk/rules/>). The College will adhere to the University's guide-lines for Handling Illegal Material, including any pertaining to the statutory duty imposed by the Counter-Terrorism and Security Act 2015 (the PREVENT legislation) to have due regard to the need to prevent people from being drawn into terrorism. These guide-lines are intended to help and protect computer support staff who may be requested to respond to reports of the presence of illegal images on computers at the University. Allegations of the presence of illegal material on systems connected to the University network must be reported to and dealt with by authorized staff as soon as possible. As soon as the likely presence of such material is confirmed, the matter must be handed to the Police with the minimum delay, with the evidence in the best condition that can be achieved. These guide-lines must be followed, or any departure from them documented with reasons for doing so, to demonstrate that staff have acted responsibly and professionally. For this purpose the Home Bursar (who is also the PREVENT Lead Officer) is the Authorizer to the College's IT staff. Details of the guide-lines and procedures can be found at: <http://www.it.ox.ac.uk/policies-and-guidelines/>.**

#### **51. SPORTS FACILITIES**

The Sports & Societies Committee oversees the interests of sporting activities. The Home Bursar runs the day-to-day management of the facilities including the squash courts and sportsground. The Groundsman (Mr Martin Shirley) can provide information on the use of the grounds. Use of the sportsground and all-weather pitch is shared with Magdalen College School. The boathouse is run by the Boatman (Mr Steve Gaisford). The All-Weather Pitch is operated by Magdalen College School. The College has an allocation of time per week (Monday and Friday afternoons and all day on Sundays) and this must be booked via <http://www.magd.ox.ac.uk/internal-pages/all-weather-pitch-request/>.

Members of College may also use the University Gym and Swimming Pool at the Iffley Road Sports Centre. A £1 coin is required to operate the lockers at the centre; this is returned when the key is inserted. Opening times are displayed at the entrance and at: <https://www.sport.ox.ac.uk/opening-hours>.

Members of College must register their University Card at the Centre Reception on their first visit.

The Waynflete Gym contains equipment belonging to the Boat Club and may be used only by those who have been authorized by the Captain of Boats and have had appropriate induction training. Non-rowers should contact the Captain of Boats annually from the start of Michaelmas Term if they have a particular reason to use this gym rather than Iffley Road.

Students who are awarded a Blue or Half-Blue are eligible for a College Blues Award of £250. To claim this award they should notify the Treasurer of the Combined Clubs Fund who is also the Home Bursar. The College award is only paid in the academic year in which the Blue or Half-Blue is awarded.

## **52. WASTE MANAGEMENT**

The College must dispose of waste in an efficient and legal manner. Waste divides into three broad headings: general waste, recyclable materials (paper, glass, tin, plastic bottles, cardboard, and textiles) and hazardous waste. All rooms have two waste bins: one for general waste and the other (red) for paper. Students must use the correct bin and leave it for collection in accordance with the notice on each staircase.

Glass may be left beside the general waste bin but it is of considerable help if students would take large amounts of glass direct to any of the recycling bin locations (Longwall St entrance opposite the Auditorium, 1-7 Longwall Street courtyard, Daubeny Building, top of Mill Lane to Holywell Ford, Waynflete Building by cycle ramp, or at 2-4 Cowley Place). Bulk amounts of paper can also be placed straight into the correct bins at any of these locations. Tin and Cardboard are collected only from the Kitchen Yard and Holywell Ford and should be placed in the marked bins. Do not put carrier bags or boxes into recycling bins. Recycling of textiles (which must be bagged) is through the container beside the squash courts: this is operated by the charity 'Traid'.

The City Council empties the bulk General Waste bins each weekday, and recycling materials are collected once a week. The textile bin is emptied as necessary.

Never put anything hazardous down a drain – many of the College’s drains are to carry storm water and lead straight to the river.

Hazardous waste (including batteries) must be disposed of in a controlled manner and anyone who thinks they may have something needing proper handling should contact the Maintenance Co-ordinator.

### **53. WEATHER RESPONSE**

When there is ice and snow, staff will clear a path on the principal routes around the main College site. When this occurs overnight, the porters will make some initial provision (salt etc.) in St John’s Quad and at the entrance to the Lodge.

### **54. TELEVISION LICENSING**

Students are responsible for obtaining a licence for any television or receiving equipment they have in their accommodation. Everyone needs to be covered by a TV Licence to download or watch BBC programmes on demand – including catch-up TV – on BBC iPlayer. This applies to all devices, including a smart TV, desktop computer or laptop, mobile phone, tablet, digital box, or games console. Even if you access BBC iPlayer through another provider, such as Sky, Virgin, Freeview, or BT, you must have a licence. As before, you still need a TV Licence to watch or record any live TV on any channel, no matter what device you use. Such equipment is not covered by the College’s own licences for the common rooms. Further information can also be found at [www.tvlicensing.co.uk/students](http://www.tvlicensing.co.uk/students) or call 0870 600 1236.

### **55. ELECTORAL REGISTER**

It is the responsibility of the individual to register (which can be done online). Although the College provides to the City Council a bulk upload of those resident in College accommodation, each student still needs to verify their listing at: [www.gov.uk/register-to-vote](http://www.gov.uk/register-to-vote).

### **VOTING RIGHTS**

British, Commonwealth or Irish citizens – full voting  
EU (not British or Irish) – local elections and EU Parliamentary elections only

Individuals are responsible for registering to vote. The College provides information on this at the appropriate point each year, but the responsibility lies with the individual.

Those who are also registered at their home address may only vote there or in Oxford.

By local arrangement designed to avoid problems with deliveries, polling cards are sent via the Porters’ Lodge and will be placed in pigeonholes. Some College buildings are in different wards or constituencies and thus have different polling stations.

Those on the electoral register are liable to be called for Jury Service. Any student who receives such a notification should immediately contact the Academic Administrator who will advise on seeking a deferment if the service call is for term time.

## **MEMBERS OF THE TUTORIAL BOARD 2020 - 21**

*PRESIDENT* – Dinah Rose QC  
*VICE-PRESIDENT* – Prof. K.D. Grevling  
*DEAN OF DIVINITY* – Rev'd Dr A. Bowyer  
*SENIOR TUTOR AND TUTOR FOR GRADUATES IN RESIDENCE* – Dr M.P. Pobjoy  
*TUTOR FOR UNDERGRADUATE ADMISSIONS* – Prof. A. Ardavan  
*TUTOR FOR GRADUATE ADMISSIONS* – Dr T.W.L. Norman  
*SENIOR DEAN OF ARTS* – Prof. J.W. Sampson  
*JUNIOR DEAN OF ARTS* – Dr D. Robinson  
*BURSAR* – Mr J.R.H. Maw  
*HOME BURSAR* – Mr M.R. Blandford-Baker  
*LIBRARIAN* – Dr L. Gwynn  
*TUTOR FOR EQUALITY AND DIVERSITY* – Prof. S.K. Pooley  
*TUTOR FOR WELFARE* – Rev'd Prof. R.J.C. Gilbert

### **TUTORIAL FELLOWS**

ANCIENT  
HISTORY                      Dr A. Moreno

ARCHAEOLOGY &  
ANTHROPOLOGY      Prof. C.E. Harris

BIOCHEMISTRY      Rev'd. Prof. R.J.C. Gilbert

BIOLOGY                      Prof. J.A.C. Smith  
                                    Prof. T.G. Barraclough

CHEMISTRY                      Prof. T.J. Donohoe  
                                    Prof. S.R. Mackenzie

CLASSICS                      Prof. F.J. Budelmann

COMPUTATION                      Prof. R. Santhanam

ECONOMICS                      Dr T.W.L. Norman  
                                    Dr J.L. Castle

ENGINEERING                      Prof. Z. You  
                                    Prof. R. Cleveland

ENGLISH                      Prof. L.E. Maguire  
                                    Prof. R.J. Douglas-Fairhurst  
                                    Prof. S.C.P. Horobin

HISTORY                      Prof. J.B.W. Nightingale

Prof. E.N.R. Stargardt  
Prof. S.K. Pooley  
Prof. A.S. Lifschitz

HUMAN SCIENCES Prof. L. Fortunato

LAW Prof. K.D. Grevling  
Prof. R.M. Bagshaw  
Prof. J. Prassl  
Prof. J. Sampson

MATHEMATICS Prof. J. Kristensen  
Prof. J. Berestycki

MEDICINE Prof. Q.J. Sattentau  
Prof. C.J. Garland  
Prof. S.F. Goodwin

MODERN LANGUAGES Prof. R.S.S. Garrod (French)  
Dr R. Due (European Cinema)  
Prof. J.C. Conde (Spanish)

MUSIC Prof. C. Leitmeir  
Mr M. Williams (Organist and *Informator Choristarum*)

PHILOSOPHY Prof. P. Elbourne (Clerk to the College)  
Prof. B. Salow

PHYSICS Prof. J.F. Gregg  
Prof. G.D. Barr  
Prof. A. Ardavan

POLITICS Prof. J. Gingrich  
Prof. P. Billingham

PSYCHOLOGY Prof. L.N. Bowes

## ***ADMINISTRATIVE STAFF***

**PRESIDENT'S LODGINGS:** P.A. TO THE PRESIDENT – Ms Limara Bertram

### **GRAMMAR HALL:**

<b>TUTORIAL OFFICE</b> (top floor)	ACADEMIC ADMINISTRATOR – Miss Liz Howdill  TUTORIAL ADMINISTRATOR – Mrs Louise Robson (mornings)
<b>ADMISSIONS OFFICE</b> (middle floor)	ADMISSIONS OFFICER – Mrs Harsha Gibb
<b>COLLEGE OFFICE</b> (middle floor)	FELLOWS' ADMINISTRATOR – Ms Rachel Mehtar  SENIOR OUTREACH AND ACCESS OFFICER – Miss Olivia Webster
<b>DEANS' OFFICE</b> (ground floor)	STUDENT SUPPORT ADMINISTRATOR – Miss Amelia Woodhouse (MT20)

### **BURSARY** (Longwall Quad I – ground floor):

BURSAR – Mr Rory Maw  
P.A. TO THE BURSAR AND COLLEGE ACCOUNTANT –  
Mrs Susy Wood  
HOME BURSAR – Mr Mark Blandford-Baker  
P.A. TO THE HOME BURSAR – Mrs Celia Brown  
CONFERENCE AND ACCOMMODATION  
ADMINISTRATORS – Mrs Penny Johnson and Ms Hayley  
Coleman  
COLLEGE ACCOUNTANT – Ms Naomi Massie  
ASSISTANT COLLEGE ACCOUNTANT – Mrs Helen  
Taylor  
PAYROLL MANAGER – Mrs Tina Bakardzhieva  
BATELLS CLERK/STUDENT LOAN ADMINISTRATOR  
– Mr Alan Eyles  
CASHIER/PURCHASE LEDGER CLERK  
– Mrs Sarah Fegan (Mon., Tues., Thurs.)  
FINANCE OFFICER – Mrs Ayisha Akram

### **LIBRARY:**

DEPUTY LIBRARIAN – Ms Anne Chesher  
ASSISTANT LIBRARIAN – Dr William Shire  
LIBRARY ASSISTANT – Mrs Maggie Wainwright

IT MANAGER – Mr Paul Cooley (St. Swithun's I.1)

P.A. TO DEAN OF DIVINITY AND INFORMATOR CHORISTARUM –  
Miss Melanie Bennette (Cloisters II)

SUB-DEANS – Ms Claudia Paul (Waynflete Building)  
Ms Alannah Jeune (within walls)  
Ms Aneyn O'Grady (within walls)

LODGE MANAGER – Mr Andy Higgs (College Lodge)

DEPUTY LODGE MANAGERS – Mr Robert Posarsek (College Lodge)  
Mr Andy Wilson (College Lodge)

STEWARD – Ms Linda Norton (Ground floor, Cloisters VI)

MAINTENANCE FOREMAN – Mr Tim Dowdeswell (Kitchen Yard)

MAINTENANCE CO-ORDINATOR – Mr Martin Emberton (Kitchen Yard)

HEAD CHEF – Mr David Murden (Kitchen)

HEAD GARDENER – Mrs Claire Shepherd

GROUNDSMAN – Mr Martin Shirley (Pavilion)

BOATMAN – Mr Steve Gaisford (Boathouse)

MAGDALEN COLLEGE

STUDENT COMPLAINTS PROCEDURE

**1. Introduction**

- 1.1. This Student Complaints Procedure exists to enable junior members (students) of Magdalen College to bring matters of concern about the College to its attention, and to enable those matters to be investigated and responded to, with the aim of reaching a resolution satisfactory to all within a reasonable timescale and having due regard to the principles of procedural fairness.
- 1.2. The College welcomes feedback and takes complaints seriously. Students will not suffer any disadvantage as a result of making a complaint in good faith. However, making a complaint which is frivolous, vexatious or malicious is likely to be a breach of a student's obligations to the College and may result in disciplinary action being taken against that student under the College's Disciplinary Procedures as set out from time to time in the College's *Information & Regulations for Members of the College*.
- 1.3. The College will endeavour to resolve complaints informally and quickly between the relevant parties and this Complaints Procedure will only take effect if that approach fails. Where such a good faith attempt has been made to deal with the matter outside this Complaints Procedure, and that attempt has failed, stage one of the Procedure may be waived by agreement between the student and the College.
- 1.4. The College aims to deal with complaints promptly so that delay does not hinder fair resolution. Accordingly, this Complaints Procedure includes various deadlines with which the College and any student making a complaint must make every reasonable effort to comply. In a case where delay is unavoidable, the delaying party must explain the situation giving rise to the delay before the deadline expires, or failing that at the earliest possible opportunity afterwards, and must also keep the other party informed of progress in making up for lost time. In cases where a complaint relates to an ongoing exclusion from College premises or facilities, the College recognizes that it may be appropriate to deal with the matter as promptly as fair resolution permits.

**2. When does the Student Complaints Procedure apply?**

- 2.1. The College makes a distinction between Complaints and Appeals, and there are separate procedures for dealing with each.
- 2.2. A Complaint is an objection to the College's academic, pastoral, or domestic provision, the behaviour of its senior members (Fellows) or employees, or any other aspect of College life, where what is objected to is alleged to have had a special individual impact upon the student making the Complaint. The procedures set out in this document are those that apply to Complaints.
- 2.3. An Appeal is an application by a student for reconsideration of a disciplinary decision made against that student by an officer or committee of the College under

the Disciplinary Procedures. Where a student wishes to object to a disciplinary decision under the Disciplinary Procedures, this Complaints Procedure is not applicable. Instead, the student should consult the Disciplinary Procedures which make specific provision for Appeals.

2.4. In addition, this Complaints Procedure does not apply to:

- a) complaints about another junior member of the College. The College would normally deal with such matters by invoking its Disciplinary Procedures against the other student, where there is cause to do so.
- b) complaints that a member or employee of the College has committed an act of bullying or harassment (including sexual or racial harassment). These matters are covered by the College's Code of Practice on Harassment.
- c) complaints falling within the reach of any other more specific procedures that may be established from time to time by the College.
- d) private disputes between students and members or employees of the College, meaning those that do not arise out of the conduct of those members or employees acting or purporting to act in their capacity as members or employees of the College.
- e) complaints about people who are not members or employees of the College.
- f) complaints of matters affecting a wider circle of students, where there is no special individual impact upon the student making the complaint. These should instead be raised through the College's consultative mechanisms, which include student representation in the governance of the College.

### **3. Who may make a Complaint?**

3.1. Those eligible to make a Complaint under this Complaints Procedure are current students of the College, students temporarily suspended from the College for disciplinary, medical or pastoral reasons (whether or not a condition attaches to their return), and former students of the College whose Complaint relates to a matter that arose while they were current or temporarily suspended students.

3.2. A Complaint may be made and pursued by another person ('a Nominee') on behalf of a student eligible to make a Complaint under 3.1 but only in exceptional circumstances of illness or other severe difficulty. In such a case the Nominee must be authorised in writing by the student to make and pursue the Complaint, and an explanation must be given for why the student is unable to pursue it personally. The College will not be in communication with more than one person at a time in connection with any Complaint under this Complaints Procedure, so the appointment of a Nominee to make and pursue such a Complaint is also, until revoked in writing, the surrender of the student's own right to make and pursue the same Complaint. The College will not entertain a Complaint under this Complaints Procedure made or pursued on the student's behalf by the student's legal or other professional representatives. In what follows 'Student' refers to student complainants and their Nominees alike.

#### **4. Summary of Procedure**

- 4.1. Before making a Complaint, a Student can seek the advice of any senior member of the College who seems appropriate and is prepared to be consulted, and discuss confidentially whether there is a Complaint to be addressed and, if so, how to proceed.
- 4.2. There are three internal stages to follow when making a Complaint. Subject to the exception in 6.1 below, the Student should start at Stage One and follow the stages only in the sequence set out below:
  - a) Stage One: Informal Stage
  - b) Stage Two: Formal Stage
  - c) Stage Three: Application for Review of the Handling of Stage Two

A Student who is dissatisfied with the outcome of the internal procedures for hearing his or her Complaint may complain to the Office of the Independent Adjudicator under the national Student Complaints Scheme. Information about this is available in 8 below.

#### **5. Stage One: Informal Stage**

- 5.1. The Student should raise the Complaint informally as soon as possible after the problem arises. If there has been a delay, the Student should explain why. The College will not normally consider Complaints which are made more than three months after the problem originally arose or (in the case of a gradually emerging problem) more than three months after the actions or events that, according to the Student, brought the problem to a head.
- 5.2. The Complaint should initially be made, in person or in writing, to the College Officer who seems most appropriate to deal with it. A list of College Officers is to be found in the College's *Information & Regulations for Members of the College*. A Student making a Complaint in person may be accompanied in doing so by another student of the College. A College Officer who feels that he or she is not the most appropriate to deal with the Complaint may, in consultation with the Student, make inquiries to identify the most appropriate College Officer, to whom the handling of the Complaint may then be transferred.
- 5.3. The College Officer handling the Complaint will investigate and attempt to resolve the Complaint expeditiously by informal means. In doing so, he or she may seek further information from the Student or from any others involved, subject to the consent of the Student. The Student should give full and prompt assistance if asked to provide further details.
- 5.4. If the Complaint is about a particular person, the College Officer handling the Complaint will normally expect to be at liberty to inform that person that the Complaint has been made, and may decline to proceed further with Stage One of this Complaints Procedure if the Student's consent to inform that person is not given.
- 5.5. The College Officer handling the Complaint will advise the Student either orally or

in writing of the results of the investigation, and any suggested resolution of the Complaint, within 7 days of the completion of the investigation. If the Student is dissatisfied with the results or the suggested resolution, he or she may proceed to Stage Two of this Complaints Procedure.

## **6. Stage Two: Formal Stage**

- 6.1. The Student must exhaust Stage One above before registering the Complaint formally, or give a good reason for not doing so. A good reason might be that the problem is particularly grave, or that when the Student raised the matter informally there was a refusal to deal with it (under 5.4 above or otherwise). The College and the Student may also agree to waive Stage One where there have already been efforts to resolve the problem outside this Complaints Procedure (1.3 above).
- 6.2. If it appears that the informal procedure under Stage One has not been exhausted, and the Student has not given a good reason under 6.1 above, a Complaint taken to Stage Two may be referred back by the College for informal resolution under Stage One.
- 6.3. If the Student decides to pursue the Complaint to Stage Two, he or she must do so within 7 days of hearing the outcome of Stage One.
- 6.4. At Stage Two, the Complaint should be addressed to the appropriate Senior College Officer according to the following criteria:
  - Complaints about academic provision and support: the Senior Tutor;
  - Complaints about welfare and pastoral support: the Tutor for Welfare;
  - Complaints about non-academic staff and non-academic facilities, and related financial matters: the Home Bursar;
  - Complaints about other financial matters: the Bursar;
  - Complaints about the conduct of the Sub-Dean or the Waynflete Dean: the Senior Dean of Arts (who may delegate the matter to the Junior Dean of Arts);
  - Complaints about one of the above College Officers and Complaints not assigned on the list above: the President or Vice-President;
  - Complaints about the President: the Vice-President;
  - Complaints about the Vice-President: the President.
- 6.5. At Stage Two, the Complaint must be made in writing and identified by the heading 'Formal Complaint' and should include at least the following:
  - a) a description of what has happened to give rise to the Complaint, including dates, times, and all other relevant details;
  - b) if applicable, the name of the person or body within the College about whom or which the Complaint is made (although a Complaint need not necessarily

- be against a specific person or body);
  - c) details of the steps which have been taken so far to resolve the Complaint;
  - d) an explanation of why the Student is dissatisfied with the outcome of the informal procedure at Stage One.
- 6.6. Within 14 days of its delivery, the Senior College Officer to whom the Complaint is addressed at Stage Two will:
- a) consider the matters set out in the Complaint and determine whether it is covered by this Complaints Procedure and whether he or she is the appropriate Senior College Officer to consider it further;
  - b) acknowledge receipt of the Student's Formal Complaint and either confirm that more detailed investigation will follow under Stage Two of this Complaints Procedure, or notify the Student that the Complaint falls outside the Complaints Procedure (with an explanation of the reasons) or should be sent to a different College Officer (with an explanation of the reasons).
- 6.7. If the Complaint is to proceed under this Complaints Procedure, the Senior College Officer handling the Complaint will appoint an Investigator, usually another senior member of the College with no previous involvement in the Complaint or the matter complained about, who will investigate the Complaint in an independent and impartial manner. The Student will be informed of the identity of any proposed Investigator before that Investigator is appointed, and will be given a reasonable opportunity to object to the appointment, stating the grounds for doing so. The Senior College Officer handling the Complaint will appoint an alternative Investigator if, in that Senior College Officer's opinion, the Student's grounds for objecting are reasonable ones.
- 6.8. The Investigator may make such inquiries as he or she thinks fit, and the taking of a Complaint to Stage Two implies consent by the Student to all such inquiries. In particular the Investigator may request additional information and documents from the Student or any other person, and may hold interviews with or seek written statements from the Student, any witnesses named by the Student, and any other person. Notes will be taken of all interviews. Although there is no time-limit for the completion of the investigation, it will be conducted as expeditiously as the subject-matter allows.
- 6.9. Within 14 days of the completion of the investigation, the Investigator will produce a report setting out details of the investigation together with copies or notes of any evidence relied upon, and will provide copies of the report (complete with the supporting documentation) to the Student and to any person or body who or which is the subject of the Complaint (as identified in 6.5.b above), inviting both parties to submit written comments or objections within a further 7 days.
- 6.10. Upon receipt of the response or (if no response is provided within the time allowed) after the expiry of 7 days, the Investigator will provide to the Senior College Officer handling the Complaint at Stage Two copies of the report and any accompanying documents and any written response received from the Student or the person who is

directly the subject of the Complaint.

- 6.11. The Senior College Officer handling the Complaint at Stage Two will consider the Student's Complaint and the Investigator's report, and make a decision about the remedies, if any, to be implemented or any other action to be taken. In making this decision the Senior College Officer will not (without the agreement of those concerned) take account of information or documents which are not available to the Student or any person who is the subject of the Complaint.
- 6.12. Within 14 days of receiving the Investigator's Report the Senior College Officer will write to the Student to notify him or her of the outcome of the Stage Two Complaint and the action which the Senior College Officer proposes to take, including recommendations, if any, to the College's Tutorial Board or Governing Body.

### **7. Stage Three: Application for Review of the Handling of Stage Two**

- 7.1. If the Student is dissatisfied with the response to the Complaint at Stage Two, and wishes to take it further, he or she should pursue the Complaint to Stage Three. This must be done within 7 days of the date of the letter from the Senior College Officer setting out the outcome of the Stage Two Complaint.
- 7.2. The Complaint at Stage Three should be addressed to the President, or (if the Complaint is against the President or the President was the Senior College Officer handling the Complaint at Stage Two) to the Vice-President.
- 7.3. A Stage Three application must be made in writing, marked 'Application for Review of Handling of Formal Complaint' and should set out:
  - a) an explanation of why the Student is dissatisfied with the response to the Complaint at Stage Two; and
  - b) an outline of what action the Student would like to be taken instead of that proposed by the Senior College Officer handling the Complaint at Stage Two.
- 7.4. The President or Vice-President (as the case may be), together with one other senior member of the College chosen by the President or the Vice-President (as the case may be), will together review the Stage Three application and the Stage Two response within 14 days of receipt to determine whether there is a prima facie case for enlisting a Complaint Panel. If in their shared view there is no prima facie case the Complaint will not be pursued further by the College, and the Student will be issued with a Completion of Procedures letter. The letter will contain the final decision and the reasons for it, which allows the Student to proceed to a Complaint to the Office of the Independent Adjudicator if desired (see 8 below).
- 7.5. If the view of either person reviewing the matter under 7.4 above is that the Complaint, or any part of it, should be heard by a Complaint Panel, the matter must be put before a Complaint Panel. In that case the President or Vice-President (as the case may be) will:
  - a) inform the Student of the decision to enlist a Complaint Panel within 7 days of receipt of the Stage Three application; and

b) enlist a Complaint Panel to hear the Complaint.

7.6. A Complaint Panel will comprise:

- a) one Fellow of the College of suitable seniority and experience, holding an academic post, who will chair the Complaint Panel;
- b) one further Fellow of the College, holding either an academic or a non-academic post;
- c) one junior member of the College nominated by the JCR President (for a Complaint by an undergraduate student) or by the MCR President (for a Complaint by a graduate student).

7.7. The members of the Complaint Panel must have no previous involvement in the Complaint or the matter complained about, and must act in an independent and impartial manner. If Panel members meeting these conditions cannot be identified from within the College then the President or Vice-President (as the case may be) will have the option of substituting one or more members from another College or other Colleges of the University of Oxford who do meet these conditions, and who (apart from the fact that they are members of another College, not of Magdalen College) fall under the descriptions in 7.6 above.

7.8. The Complaint Panel will be assisted by the Academic Administrator (or another administrative employee of the College enlisted by the President or the Vice-President as the case may be) who will act as Secretary to the Panel. The Secretary to the Panel will fix a date for the hearing which should take place no later than 14 days after the appointment of the Panel. Subject to that limit of 14 days, the date should be fixed in consultation with the Student and the members of the Panel as well as any person who or body which is identified as the subject of the Complaint under 6.5.b above ('the Subject').

7.9. At least 7 days before the hearing, the Secretary to the Panel will:

- a) write to the Student and the Subject to inform them of the date, time and location of the hearing;
- b) provide the Panel Members with a bundle containing copies of:
  - the Complaint as received at Stage Two;
  - the Investigator's Report from Stage Two;
  - any written comments on the Investigator's Report made by the Student or a person who is the subject of the Complaint;
  - the letter from the Senior College Officer handling the Complaint at Stage Two to the Student setting out the Stage Two response;
  - the Complaint as received at Stage Three;
  - any other relevant documents; and

- c) ensure that the Student and the Subject have copies of all of the documents which are before the Panel.
- 7.10. The Student and the Subject will also be informed that they are each entitled to be represented or accompanied at the hearing by a Friend. This Friend will normally be a member or employee of the College. A Panel will not allow legal or other professional representation for the Student or the Subject. The Student and the Subject will inform the Secretary to the Panel of the identity of their respective Friends, indicating whether they will be representing or merely accompanying Friends, at least 72 hours before the hearing. It is the responsibility of the Student and the Subject to inform their Friends, if any, of the arrangements for the hearing. If a Friend is speaking on behalf of any person that person will surrender the right to speak on his or her own behalf, except as a witness. Unless the Panel agrees that exceptional circumstances prevent it, the Student must attend the hearing for the Complaint to be heard, and must be ready to appear as a witness at the Panel's request. This is so even if the Student has asked a Friend to speak on his or her behalf. The attendance of the Subject or a Friend of the Subject is not compulsory.
- 7.11. If the Student or the Subject wishes the Panel to take account of any additional documentation or written submissions, copies must be provided to the Secretary at least 72 hours before the hearing. Any documentation submitted after this date will not be considered by the Panel unless the Panel decides that exceptional circumstances warrant its inclusion. The Secretary will then ensure that it is circulated to the Panel and the other party as soon as possible.
- 7.12. At least 7 days before the hearing, the Student and the Subject will inform the Secretary of any witnesses they wish to appear at the hearing. The Secretary will in advance of the hearing provide a list of witnesses to the Student, the Subject, and the Panel. Witnesses will normally be required to give evidence in person at the hearing, and will be expected to answer questions from the Panel and from either party as allowed under 7.14 below. It is the responsibility of the person desiring the appearance of the witness to ensure that he or she attends. The Panel Chair may also request the attendance of witnesses not nominated by the parties, in which case it will be for the Secretary to ensure attendance and to notify the parties of the additional witnesses being called by the Panel.
- 7.13. Where the Student and the Subject agree that a witness need not attend, or where it is impracticable for a witness to attend, or where in the opinion of the Chair of the Panel it would not be appropriate for a witness to attend, the Panel may accept evidence given in a written statement. Any written statements should be submitted to the Secretary at least 72 hours before the hearing. The Secretary to the Panel will then circulate them to the other parties and the Disciplinary Panel as soon as possible.
- 7.14. The Student and the Subject will have the opportunity to address the Panel at the hearing, either in person or through their respective Friends. The Panel may also hear witnesses in any order and in any manner that it deems appropriate, having regard to the principles of procedural fairness. Questions will be asked of witnesses in the first instance by the members of the Panel. At the discretion of the Chair, the Student and the Subject may also (personally or through their Friends as the case may be) ask questions of any witnesses.

- 7.15. Subject to the above, the Panel has the power (having regard to the principles of procedural fairness) to regulate the procedures governing preparations for the hearing, and the hearing itself, so as to ensure that the process is fair and reasonable and, so far as appropriate, informal and flexible.
- 7.16. When the Panel members consider their findings and recommendations, each will be given the opportunity to present and discuss his or her impressions and conclusions regarding the Complaint and the hearing. The Panel will attempt to reach a unanimous conclusion regarding its findings and recommendations. If a unanimous conclusion cannot be reached, a motion for a decision may be made by any Panel member other than the Chair. The success or failure of any motion will be determined by majority vote. The Panel will not take account of any information or documents which were not available to the Student or which were not available to the Subject (if there is one) at or before the hearing.
- 7.17. The decision of the Panel will not be announced until at least 24 hours after the hearing. The Panel may take up to 7 days after the hearing to reach a decision. Within 14 days of the hearing, the Panel will produce a written report setting out their findings and recommendations, and the reasons for them. In the case of a majority decision, the decision and the reasons will be those of the majority. No dissenting opinion will be presented.
- 7.18. The decision of the Complaint Panel is final. Within 7 days of the Panel's reaching a decision, the College will issue a Completion of Procedures letter to the Student, which allows the Student to make a Complaint to the Office of the Independent Adjudicator. The letter will contain or append the decision of the Panel and the reasons for it.

## **8. Complaint to the Office of the Independent Adjudicator under the national Student Complaints Scheme**

- 8.1. A Student who is dissatisfied with the outcome of the internal procedures for hearing their Complaint may have their case reviewed by the Office of the Independent Adjudicator for Higher Education (OIA).
- 8.2. If the Student wishes to pursue the Complaint, he or she must apply to the OIA within 3 months of the issue of the Completion of Procedures letter.
- 8.3. The application form and guidance notes may be downloaded from the OIA's website: [www.oiahe.org.uk](http://www.oiahe.org.uk).

MAGDALEN COLLEGE

ACADEMIC DISCIPLINARY PROCEDURE

**1. Introduction**

- 1.1 *Purpose.* This Academic Disciplinary Procedure exists to enable the College to take appropriate measures in cases in which one of its junior members (students) is in breach of his or her academic obligations. Such breaches take various forms, and may attract various sanctions and remedies. The College's first priority, and primary purpose of this Academic Disciplinary Procedure, is to ensure that its students remain in good academic standing, fulfilling their academic potential and completing their studies in a timely way. In the event of a breach of academic discipline the College will attempt, so far as possible, to use the procedures in this Academic Disciplinary Procedure in such a way as to restore the affected student to good academic standing at the earliest opportunity. However, this is not always possible and this Academic Disciplinary Procedure also makes provision for dealing with rare situations in which academic discipline has broken down to the extent that no recovery of good academic standing is realistically possible.
- 1.2 *Student support.* Students who are subject to disciplinary proceedings under this Academic Disciplinary Procedure have a number of sources of support available to them, including the College's welfare team, the relevant JCR or MCR officers, and the OUSU sabbatical officers.
- 1.3 *Deadlines.* The College aims to deal with problems covered by this Academic Disciplinary Procedure as quickly as possible so that delay does not hinder a fair resolution or interfere with academic progress, where this is still possible. Accordingly this Academic Disciplinary Procedure includes various deadlines with which the College and any student subject to disciplinary proceedings must make every reasonable effort to comply. In a case where delay is unavoidable, the delaying party must explain the situation giving rise to the delay before the deadline expires, or failing that at the earliest possible opportunity afterwards, and must also keep the other party informed of progress in making up for lost time.
- 1.4 *Giving notice.* Where this Academic Disciplinary Procedure requires a notice or record to be given in writing, the normal way for this to be done is by email to the recipient's personal ox.ac.uk email address, or where the recipient lacks such an address, to the email address which has been supplied by the recipient to the College for such purposes. The email is regarded as having been delivered to the recipient at the time of sending. However, a notice or record written on paper is also valid for the purpose of this Academic Disciplinary Procedure and where that method is used the notice or record is regarded as having been delivered when it is placed in the recipient's pigeonhole in College, or on the second working day after it is posted

to the recipient by first class post (as the case may be). The recipient's pigeonhole in College should only be used where the sender is reasonably satisfied that the recipient is in residence in Oxford at the time of delivery.

## **2. When does the Academic Disciplinary Procedure apply?**

2.1 *Scope.* This Academic Disciplinary Procedure applies to any current student of Magdalen College ('the Student'), whether undergraduate or graduate, and whether in residence or out of residence at the time, if and only if

- (a) in the opinion of at least one of the Student's designated tutors, the Student has committed an academic offence within the terms of 2.2 below; or
- (b) in the opinion of at least one of the Student's designated tutors, the Student is not of good academic standing within the terms of 2.3 below.

A 'designated tutor', for the purposes of this Academic Disciplinary Procedure, is any person who meets at least one of the following conditions:

- (i) he or she is a Tutorial Fellow of the College who is currently teaching or organising the teaching of the Student; or
- (ii) he or she is a person for the time being charged by the College with the task of organising the teaching of the Student; or
- (iii) in the case of a graduate Student, he or she is the Student's College Adviser;
- (iv) in the case of a graduate Student, he or she is a fellow of the College who is also the Student's university supervisor.

2.2 *Offences.* The following constitute academic offences:

- (a) plagiarism, fabrication or falsification of research data, sources, or results, underhand use of *aides memoires* in assessments, and analogous forms of dishonesty and impropriety in the conduct of academic work;
- (b) attempting to commit an offence under (a) above;
- (c) knowingly or recklessly assisting one or more other students in the commission of an offence under (a) or (b) above.

'Academic work' includes work undertaken by any student as part of or in preparation for a tutorial, a practical, an examination, or any other academic exercise forming part of that student's course of study, whether or not it forms a required part of that course.

2.3 *Failure to be of good academic standing.* A student is deemed to be of good academic standing if and only if he or she:

- (a) Keeps the residence requirements laid down by the University;
- (b) Passes (by the second attempt in cases where resits are allowed) the First Public Examination or other examinations laid down by the University as a necessary part of the course in question;
- (c) Attends all tutorials, classes and other required academic engagements, except where permission on adequate grounds is obtained, preferably in advance, from the Tutor(s) concerned;
- (d) Produces assignments (essays, problem sheets, etc.) and sits collections with the regularity required by the Tutor(s), except where permission on adequate grounds is obtained, preferably in advance, from the Tutor(s) concerned;
- (e) Produces work of an appropriate standard, given the student's particular level of ability.

A student who fails to meet one or more of these five criteria is not of good academic standing.

2.4 *Overlap with other College policies and procedures.* Where this Academic Disciplinary Procedure applies and the student's situation also constitutes a proper basis for steps to be taken under another policy or procedure of the College, and steps under this Academic Disciplinary Procedure and under that other policy or procedure have been proposed or initiated, the responsible Officers of the College will together determine, in consultation with the Student, whether all steps on the same basis should be consolidated so that they are taken under a single policy or procedure, provided that such a consolidation will never have the effect of depriving the Student of an avenue of appeal that he or she would otherwise have enjoyed. In the event of disagreement as to the appropriateness of a consolidation, the final determination is to be made by the President (or in the event that the President is unable to act, the Vice-President). The responsible Officer of the College for the purpose of this Academic Disciplinary Procedure is the Senior Tutor.

2.5 *Overlap with Proctors' jurisdiction.* Where this Academic Disciplinary Procedure applies and the student's situation also constitutes a proper basis for disciplinary steps to be taken by the University Proctors, and such steps have been proposed or initiated, any steps proposed or initiated under this Academic Disciplinary Procedure will be stayed until the conclusion of Proctorial proceedings. This Academic Disciplinary Procedure will not be used to add to the severity of a Proctorial disposal but may be used to determine what steps it is appropriate for the College to take to give effect to a Proctorial disposal. It should be understood, however, that certain Proctorial disposals have automatic implications for the Student's relationship with the College which do

not require steps to be taken under this Academic Disciplinary Procedure, e.g. a Student expelled or suspended from the University is automatically expelled or suspended from the College.

- 2.6 *Overlap with department/faculty codes for Graduates.* In the case of a graduate Student, where this Academic Disciplinary Procedure applies and the student's situation also constitutes a proper basis for disciplinary steps to be taken by the Student's university department or faculty, and such steps have been proposed or initiated, any steps proposed or initiated under this Academic Disciplinary Procedure will be stayed until the conclusion of the department's or faculty's proceedings. The College will make all reasonable efforts to liaise with the department or faculty concerned so as to ensure that any measures taken under this Academic Disciplinary Procedure do not subject the Student to disproportionate punishment for the same offence or failure to be of good academic standing. It should be understood, however, that certain disposals by the University have automatic implications for the Student's relationship with the College which do not require steps to be taken under this Academic Disciplinary Procedure, e.g. a Student expelled or suspended from the University is automatically expelled or suspended from the College.

### **3. Summary of procedure**

- 3.1 *Four stages.* This Academic Disciplinary Procedure has four stages summarised here. Except as provided later in this Academic Disciplinary Procedure, no Student's case is to progress to the next stage until the previous stage has been completed.

#### Stage One: Informal warning

Issued to the Student by a designated tutor. See section 4 below.

#### Stage Two: Formal warning

Issued to the Student by the Senior Tutor. See section 5 below.

#### Stage Three: Disciplinary measures

Imposed by the Tutorial Board on the recommendation of an Academic Disciplinary Panel. See section 6 below.

#### Stage Four: Appeal

Heard by an Academic Disciplinary Appeal Committee which is convened for that purpose. See section 7 below.

- 3.2 *Questions about progress.* Any student to whom this Academic Disciplinary Procedure applies is to be kept informed, in the ways provided for below, of the stage to which his or her case has progressed. In case of doubt the Senior Tutor is empowered, upon application by the Student, to make a determination of the stage to which his or her case has so far progressed and to give the Student notice in writing of this determination within 72 hours of the application.

#### **4. Stage One: Informal warning**

- 4.1 *Informal warning.* Any student to whom this Academic Disciplinary Procedure applies may be issued with an informal warning to that effect by any of his or her designated tutors.
- 4.2 *Leapfrog to Stage Two.* If, in the opinion of the designated tutor in question, the academic offence or the failure to be of good academic standing is of such gravity or singularity that the primary purpose of this Academic Disciplinary Procedure cannot be served by the issue of an informal warning under 4.1 above, the Student may instead be referred to the Senior Tutor for immediate progress to Stage Two (formal warning) without the issue of an informal warning.
- 4.3 *Timeline.* An informal warning is to be issued within the shortest reasonable time of the events that give rise to it, and in any event within 14 days of the date on which those events (or the latest of them if they constitute a series of events) were drawn to the attention of the tutor issuing the warning. A referral to the Senior Tutor under 4.2 above is also to be made within a reasonable time of the events that give rise to it, and in any case within 14 days of the date on which those events (or the latest of them if they constitute a series of events) were drawn to the attention of the tutor making the referral.
- 4.4 *Chance to respond.* A designated tutor who believes that there are grounds for issuing an informal warning should have a full discussion with the Student, so that the latter can respond to the view that an informal warning should be issued. If the designated tutor considers that the Student's work is not of an appropriate standard, he or she should inform the Student what constitutes an appropriate standard. The discussion should include an opportunity for the Student to present a justification or excuse for failure to be of good academic standing if that is what is at issue, and an opportunity to contest any steps which the Student is expected to take under 4.5 below. If any mitigating or complicating circumstances come to light, they should (with the permission of the student) be noted on the Student's file in the Tutorial Office and the designated tutor should be prepared to give advice, which may include reference to an agency such as the College Doctor or the Counselling Service. A designated tutor who is satisfied, upon hearing the response of the Student, that an informal warning is justified, should issue the Student with an informal warning.
- 4.5 *Written record.* An informal warning may be issued orally or in writing in any form of words. However, a written record of the fact that it has been issued must be kept by the tutor and sent within 72 hours to the Senior Tutor. The Senior Tutor, when informed that an informal warning has been given, should within 72 hours send the Student in question written notice confirming that an informal warning has been given, explaining the grounds for that warning, enclosing a copy of this Academic Disciplinary Procedure, and inviting the Student to bring to his or her attention any factors that the Student thinks should be taken into account at this stage. The Senior Tutor's notice should state that any further academic offence or failure to be of good

academic standing will mean that the Student is liable to receive a formal warning (Stage Two of this Academic Disciplinary Procedure). Where the designated tutor expects the Student to take particular steps to avoid progress to Stage Two of this Academic Disciplinary Procedure, the Senior Tutor's notice should set out what these steps are and what is the timetable for taking them. Where the issue is failure to produce work of an appropriate standard, the Student should be allowed a reasonable period of time to improve his or her performance.

- 4.6 *Reporting.* The issue of an informal warning is recorded in the Student's file in the Tutorial Office.
- 4.7 *Currency of warning.* For the purpose of taking further steps under this Academic Disciplinary Procedure, an informal warning is current until (and including) the date on which the Student sits his or her last examination for award of any degree or other qualification, upon the course of study towards which he or she had already embarked at the time when the informal warning was issued. For these purposes a student is regarded as studying towards the same degree or other qualification even if he or she changes subject (so long as this does not involve a formal readmission to the College in ordinary competition).
- 4.8 *Effect of non-compliance with procedure.* Subject to the general principle concerning deadlines in 1.3 above, the effect of any failure to follow these rules for the issue and recording of an informal warning will be that the informal warning will be ineffective for the purpose of proceeding with further stages of this Academic Disciplinary Procedure.
- 4.9 *Appeal against informal warning.* Except as provided for under 4.4 above, there is no College procedure to appeal against the issue of an informal warning.

## **5. Stage Two: Formal warning**

- 5.1 *Formal warning.* Any student who, during the currency of an informal warning, again commits an academic offence or fails to be of good academic standing, or fails to take any of the steps set out in the informal warning within the timescale set out in that warning, may be referred to the Senior Tutor by the issuer of the warning, or by any other designated tutor, for consideration to be given to the issue of a formal warning. The Senior Tutor may issue such a formal warning if, in the Senior Tutor's opinion, the circumstances of the case warrant it.
- 5.2 *Leapfrog cases.* Any student who is referred to the Senior Tutor by a designated tutor under 4.2 above (grave or singular offence or failure to be of good academic standing) must be issued with a formal warning by the Senior Tutor unless in the Senior Tutor's opinion, one of the following two conditions obtains:

- (a) the offence or failure to be of good academic standing was not so grave or so singular that it should have been referred to the Senior Tutor by the designated tutor, in which case the Student should be referred back to the same designated tutor for consideration of the issue of an informal warning under 4.1 above; or
  - (b) the offence or failure to be of good academic standing is of such exceptional gravity and singularity that the primary purpose of this Academic Disciplinary Procedure cannot be served by the issue of any warning, in which case the Student must be referred to the Cases Committee for immediate progress to Stage Three (disciplinary measures) without the issue of any warning.
- 5.3 *Timeline.* A formal warning is to be issued within the shortest reasonable time of the events that occasion it, and in any event within 21 days of the date of the referral to the Senior Tutor under 4.2 or 5.1 above. If the referral takes place later than 7 days before the end of Full Term then the latest date for issue of a formal warning is within 7 days of start of the next Full Term.
- 5.4 *Inquiries by Senior Tutor.* In determining whether to issue a formal warning, and if so on what terms, the Senior Tutor may make such inquiries as he or she sees fit, including consultation with the Student's tutors (designated or otherwise).
- 5.5 *Representations to Senior Tutor.* Before issuing a formal warning, the Senior Tutor must offer the Student an opportunity to make representations as to the issue of the warning. Representations include, but are not limited to, representations regarding any justification or excuse for failure to be of good academic standing if that is the ground for the proposed warning, and representations concerning the appropriate conditions to be attached to the warning under 5.8 below. Normally such representations should be heard at a meeting in person between the Student and the Senior Tutor. However, where the Student is out of residence at the time, or it is not reasonably practicable for representations to be made in person, the opportunity to make representations in writing may be substituted for the opportunity to make oral representations, at the discretion of the Senior Tutor.
- 5.6 *Meeting.* Any meeting between the Student and the Senior Tutor for the purpose of hearing representations under 5.5 above should be held in the presence of a member of the administrative staff of the College who will take notes of the meeting. No other person will be present at the meeting.
- 5.7 *Form of formal warning.* A formal warning must be issued in writing signed by the Senior Tutor (or emailed from the Senior Tutor's account) in a form of words that conveys:
- (a) that it is a formal warning for the purpose of this Academic Disciplinary Procedure; and
  - (b) the grounds on which it is being issued; and

- (c) what conditions are included in the formal warning; and
- (d) what consequence will attach to a breach of each condition included in the formal warning.

A formal warning must be accompanied by a copy of this Academic Disciplinary Procedure in either paper or electronic form.

5.8 *Conditions included in warning.* The formal warning should include a statement that any further academic offence or failure to be of good academic standing will mean that the Student is liable to be referred to a Disciplinary Panel (*Stage Three* of this Academic Disciplinary Procedure). In addition, either or both of the following conditions may be included in a formal warning at the discretion of the Senior Tutor:

- (c) that the Student is to pass (or to achieve any specified mark in) any specified College examination or examinations, which may include an examination or examinations to be set specifically for the purpose of this condition (a 'special collection' or 'special collections');
- (d) that the Student is to take some other reasonable step or steps specified in the warning, the step or steps to be taken before a date specified in the warning.

5.9 *Consequences of breach of conditions.* At the discretion of the Senior Tutor, to be exercised at the time of issue of the warning, each condition included in a formal warning under 5.8 above is to be such that one and only one of the following consequences is attached to its breach:

- (a) referral back to the Senior Tutor for consideration of whether the case should be referred to the Cases Committee for progress to the next stage of this Academic Disciplinary Procedure; or
- (b) referral to the Cases Committee for progress to the next stage of this Academic Disciplinary Procedure without further consideration by the Senior Tutor.

5.10 *Written record.* A formal warning by the Senior Tutor is to be recorded in the Student's file in the Tutorial Office and a copy of the warning must be produced for the purpose of referring the case to the Cases Committee for disciplinary measures to be taken under the next stage of this Academic Disciplinary Procedure. After issue, a formal warning cannot be varied or cancelled (except as provided for under 5.12 below).

5.11 *Currency of warning.* For the purpose of taking further steps under this Academic Disciplinary Procedure, a formal warning is current until (and including) the date on which the Student sits his or her last examination for award of any degree or other

qualification, upon the course of study towards which he or she had already embarked at the time when the formal warning was issued. For these purposes a student is regarded as studying towards the same degree or other qualification even if he or she changes subject (so long as this does not involve a formal readmission to the College in ordinary competition).

- 5.12 *Effect of non-compliance with procedure.* Subject to the general principle concerning deadlines in 1.3 above, the effect of any failure to follow these rules for the issue of a formal warning will be that the formal warning will be ineffective for the purpose of proceeding with further stages of this Academic Disciplinary Procedure.
- 5.13 *Appeal.* Except as provided for in 5.5 above, there is no College procedure to appeal against the issue of a formal warning.

## **6. Stage Three: Disciplinary measures**

- 6.1 *Disciplinary Panels.* Any student who is referred to the Cases Committee under 5.2(b) above (exceptionally grave and singular offence or failure to be of good academic standing) or 5.9 above (breach of a condition included in a formal warning) must be considered for the imposition of disciplinary measures. The Cases Committee must delegate this consideration to a Disciplinary Panel which makes a recommendation to the Cases Committee for an appropriate disposal of the case (whether by disciplinary measures or otherwise). By convention the Cases Committee will follow the recommendation of the Disciplinary Panel in making a recommendation to the College's Tutorial Board. By convention, the College's Tutorial Board will in turn follow the recommendation of the Cases Committee. A Student therefore has no right to make further representations to the Cases Committee or to the Tutorial Board in respect of any recommendation of a Disciplinary Panel. Any adjustment of the disposal by the Cases Committee or Tutorial Board would, by convention, give the Student good grounds for appeal against the adjusted disposal under Stage Four of this Academic Disciplinary Procedure. Because of the strength of these conventions, the recommendation of a Disciplinary Panel is referred to in the following provisions as a 'determination'.
- 6.2 *Membership and convening of Panel.* A Disciplinary Panel consists of three members, all of whom will be Governing Body Fellows of the College. The convening of Disciplinary Panels and the assignment of cases to them will be a responsibility of the Cases Committee, always to be carried out as expeditiously as possible, bearing in mind the primary purpose of this Academic Disciplinary Procedure. A Disciplinary Panel may be convened to consider a single case or a group of cases. Where there is a group of cases involving the same student it may elect to consolidate these into one case for the purpose of considering that student for disciplinary measures.

6.3 *Timeline.* Without prejudice to the general rule in 6.2 requiring expedition, the Disciplinary Panel will be convened within 14 days, or 21 days if any of the 14 days would be outside Full Term, of a referral by the Senior Tutor.

6.4 *Disqualifications.* The following are not eligible to serve on a Disciplinary Panel:

- (a) The President, the Vice-President, the Senior Tutor, the Senior and Junior Deans of Arts, or any member of the Cases Committee;
- (b) Any person who has served as a designated tutor as defined in 2.1 above to any student whose case is to be considered by the Disciplinary Panel in question;
- (c) Any person who has taught (in tutorials or in any other capacity where reporting on individual progress was required or expected) any student whose case is to be considered by the Disciplinary Panel in question;
- (d) Any person who has been directly involved, whether under this Academic Disciplinary Procedure or otherwise, with any of the events that have brought the case before the Disciplinary Panel in question, where membership of the Tutorial Board does not qualify as direct involvement merely because it involves routine scrutiny of reports on student progress and examination results.
- (e) Any person who has served on a Disciplinary Panel or a Disciplinary Appeal Committee under this Academic Disciplinary Procedure, or on any similar panel under another Procedure of the College, in another case involving the same student or students.

Within 72 hours of a Disciplinary Panel's being convened, each Student in whose case the Panel is intended to make a determination will be given notice by the Senior Tutor (on behalf of the Cases Committee) of the identities of its members. The Student will then have 72 hours to draw attention to the ineligibility of any member to serve on the Panel under (a) to (e) above (but not to object on any other ground). If satisfied that a member is indeed ineligible to serve, the Cases Committee will replace that member within 72 hours. That replacement will count, for the purpose of any deadlines that follow, as the convening of a new Disciplinary Panel.

6.5 *Investigator and objections to Investigator.* For each case before it each Disciplinary Panel will, within 72 hours of its being convened, appoint one of its number as Investigator in that case. Within 72 hours of the Investigator's appointment, the Student will be given notice by the Senior Tutor of the identity of the Investigator, and will have 72 hours from the time of being given that notice to object to the appointment, stating the grounds for doing so (which are not restricted to ineligibility under 6.4 above). The Disciplinary Panel dealing with the case will appoint an alternative Investigator from its own number within 72 hours of the

objection's being made if, in the view of the Disciplinary Panel, the Student's grounds for objecting are reasonable ones.

- 6.6 *Conduct of investigation.* With all possible speed consistent with a careful investigation, the Investigator is to obtain a note from the Senior Tutor of how the case progressed through Stages One and Two of this Academic Disciplinary Procedure, and a copy of any formal warning, together with any comments from any of the Student's current designated tutors and from the Senior Tutor that might, in the opinion of the Investigator, bear on the application of disciplinary measures. The Student's current designated tutors are to be informed, through the Senior Tutor, that the Student is being investigated by a Disciplinary Panel, and of the identity of the Investigator. The Student's current designated tutors may communicate to the Investigator their views on the suitability of disciplinary measures or other disposals in the case, or their views on any other relevant matter, whether or not the Investigator solicits those views. In framing his or her report under 6.9 below, the Investigator is to draw attention to and take due account of any such views received.
- 6.7 *Representations to Investigator.* The Investigator must offer to the Student an opportunity to make representations as to the disciplinary measures or other disposals to be applied. Representations include, but are not limited to, representations regarding any justification or excuse for failure to be of good academic standing if that is the reason for the proposed measures. The Student must also be given the opportunity to comment more generally on the case against him or her under this Academic Disciplinary Procedure, a case which should be outlined to him or her by the Investigator, relying on the notes and comments obtained under 6.6 above. Normally such representations should be heard at a meeting in person and in private between the Student and the Investigator, at which the Investigator should take notes of the Student's representations. However, where the Student is out of residence at the time, or it is not reasonably practicable for representations to be made in person within a reasonable time, the opportunity to make representations in writing may be substituted at the discretion of the Investigator, in which case the Investigator may outline the case against the Student to the Student in writing.
- 6.8 *Meeting.* Any meeting between the Student and the Investigator for the purpose of hearing representations under 6.7 above should be held in the presence of a member of the administrative staff of the College who will take notes of the meeting. If the Student wishes to be accompanied by another Student of the College, who may assist with the making of representations as well as giving support to the Student, then one such person may be present at the invitation of the Student. Notice of at least 72 hours is to be given of the fact that another Student of the College will be present or has been invited to be present.
- 6.9 *Report and determination.* On completion of his or her investigation, the Investigator will make a written report to the Disciplinary Panel containing recommendations as to the disposal of the case. The report will be considered by the Disciplinary Panel at a meeting, at which the appropriate disposal of the case will also be determined by

simple majority voting. It is normally expected that, where the Student cooperates fully in the process, this process will be completed within 21 days of referral of the case to the Cases Committee by the Senior Tutor.

6.10 *Possible disposals.* A Disciplinary Panel has the power to make the following disposals:

- (a) expulsion from the College; or
- (b) suspension from the College for a period of up to one academic year, with conditions that need to be satisfied before return to College; or
- (c) expulsion from the College unless certain conditions are satisfied; or
- (d) suspension from the College for a period of up to one academic year unless certain conditions are satisfied, with further conditions that need to be satisfied before return to College; or
- (e) a conditional discharge, whereby no disciplinary measures under (a), (b), (c) or (d) will be applied to the Student so long as certain conditions are satisfied; or
- (f) an absolute discharge.

In determining the appropriate disposal from this list the Disciplinary Panel must always have regard to the primary purpose of this Academic Disciplinary Procedure. Disposals (a) to (d) qualify as disciplinary measures. Disposals (e) and (f) qualify as non-disciplinary measures. For the avoidance of doubt, the coming into effect of an expulsion or suspension by virtue of the Student's failure to meet any condition imposed under (b), (c), or (d) is an automatic process and does not itself qualify as a further disposal for the purposes of this Academic Disciplinary Procedure. The effect is that, where a condition as to return to College set under (b) or (d) is not satisfied, the suspension automatically becomes an expulsion without further intervention by a Disciplinary Panel, by the Cases Committee, or by the College's Tutorial Board.

6.11 *Conditions attached to disposals.* The conditions attached by a Disciplinary Panel to a disposal under 6.10(c), (d), or (e) will include the condition that the Student is to commit no academic offence of any type for the duration of his or her course, and the condition that the Student is to be of good academic standing for the duration of his or her course. The conditions that may be attached by a Disciplinary Panel to a disposal under 6.10(b), (c), (d) or (e) above include, at the Panel's discretion,

- (a) that the Student is to achieve any specified mark in any specified College examination or examinations, which may include an examination or examinations to be set specifically for the purpose of this condition (a 'special collection' or 'special collections');

- (b) that the Student is to take some other reasonable step or steps specified in the disposal, the step or steps to be taken before a specified date.

In respect of 6.11(a) above, a specified mark should be set following consultation with the subject tutors and the Senior Tutor. The mark should be set at an appropriate level, taking account of the student's ability and aptitude. Enough time must be allowed to enable the student to prepare adequately for the special collection or collections. These should be set and marked by two external assessors (i.e. from outside Magdalen) appointed by the Senior Tutor (after taking advice from the relevant tutors). Assessors will be instructed to set a paper that is, in terms of level and content, appropriate for the candidate in question. As far as possible, the assessors should not be informed of the identity of the candidate or of the circumstances of the case; however, they should be told of the stage in the course that the student has reached and instructed to take this into account when deciding on an appropriate mark. Double blind marking will be used if possible. If the marks are discrepant, the College will accept the mark more favourable to the student. The collection should be sat in appropriate circumstances, with due safeguards against noise and disruption, and should be properly invigilated.

- 6.12 *Communication of determination.* The Panel is to report its determination without delay to the Cases Committee, via the Senior Tutor, supported by a copy of the Investigator's report on the case. If the Panel's determination departs from the Investigator's recommendation, then a further report is to be included explaining the departure. Notice of the Panel's determination will within 72 hours of its having been made be given in writing to the Student by the Senior Tutor acting on behalf of the Cases Committee, supported by a copy of the Investigator's report and a copy of any other report submitted by the Panel in support of its determination.
- 6.13 *Failure to meet conditions.* If conditions attach to the disposal under 6.10 (b), (c), (d), or (e) above and, in the opinion of the Senior Tutor, the Student fails to meet those conditions, then notice of that failure, and of the consequences as determined by the terms of the disposal, will be given in writing to the Student by the Senior Tutor acting on behalf of the Cases Committee, within 72 hours of the failure's having come to the attention of the Senior Tutor. In case of dispute about whether the conditions specified in a disciplinary measure have been met by the Student, the appeal procedure under 7.2 below applies.

## **7. Stage Four: Appeal**

- 7.1 *Appeal against determination.* The Student has a right of appeal against any determination of a Disciplinary Panel that involves the imposition of a disciplinary measure. The Student exercises the right of appeal under this provision by giving notice of appeal in writing to the President within 7 days of the Student's being given notice under 6.12 above of the Disciplinary Panel's determination.

7.2 *Appeal against coming into effect of consequences.* The Student also has a right of appeal against the coming into effect of the consequences of his or her failure to meet any condition specified in any disciplinary measure, but only on one or both of the following grounds:

- (a) that the Senior Tutor was mistaken in his or her opinion under 6.13 above that the Student failed to meet the condition; or
- (b) that the Student's failure to meet the condition was excusable.

For the avoidance of doubt, it is not a ground of appeal under this provision that the condition should not have been imposed. The Student exercises the right of appeal under this provision by giving notice of appeal in writing to the President within 7 days of the Student's being given notice under 6.13 above of his or her failure to meet the condition.

7.3 *Constitution of Academic Disciplinary Appeal Committee.* An appeal under 7.1 or 7.2 above is to be heard by an Academic Disciplinary Appeal Committee constituted by the President specifically to hear the appeal. Any disciplinary measures appealed against are stayed pending determination of the appeal, save that it is still possible for a student to meet any conditions specified in the disciplinary measure, and hence to terminate the measure, while the appeal is pending.

7.4 *Membership.* An Academic Disciplinary Appeal Committee will comprise:

- (a) one Fellow of the College of suitable seniority and experience, who is a Member of the Tutorial Board holding an academic post, and who will chair the Academic Disciplinary Appeal Committee; and
- (b) two further Governing Body Fellows of the College holding academic posts (who need not be members of the Tutorial Board).

7.5 *Disqualification.* The following will not be eligible to serve on an Academic Disciplinary Appeal Committee:

- (a) The President, the Senior Tutor, the Senior and Junior Deans of Arts, or any member of the Cases Committee;
- (b) Any person who has served as a designated tutor as defined in 2.1 above to any student whose case is to be considered by the Academic Disciplinary Appeal Committee;
- (c) Any person who has taught (in tutorials or in any other capacity where reporting on individual progress was required or expected) any student whose case is to be considered by the Academic Disciplinary Appeal Committee;

- (d) Any person who has been directly involved, whether under this Academic Disciplinary Procedure or otherwise, with any of the events that have brought the case before the Academic Disciplinary Appeal Committee, where membership of the Tutorial Board does not qualify as direct involvement merely because it involves routine scrutiny of reports on student progress and examination results.
- (e) Any person who has served on a Disciplinary Panel or an Academic Disciplinary Appeal Committee under this Academic Disciplinary Procedure, or on any similar panel under another Procedure of the College, in another case involving the same student or students.

If sufficient Academic Disciplinary Appeal Committee members not disqualified under these headings cannot be found from within the College then the President will have the option of substituting one or more members from another College or other Colleges of the University of Oxford who do meet these conditions, and who (apart from the fact that they are members of another College, not of Magdalen College) fall under the descriptions in 7.4 above.

- 7.6 *Secretary of the Academic Disciplinary Appeal Committee.* The Academic Disciplinary Appeal Committee will be assisted by the Academic Administrator (or another administrative employee of the College enlisted by the President) who will act as Secretary to the Academic Disciplinary Appeal Committee ('the Secretary').
- 7.7 *Objections to membership.* Within 72 hours of the constitution of the Academic Disciplinary Appeal Committee, the Student will be given notice by the Secretary of the identities of its members, and will have 72 hours from the time of being given that notice to object to the appointment of one or more of them, stating the grounds for doing so. The President will appoint an alternative member or members of the Academic Disciplinary Appeal Committee within 72 hours of the objection being made if, in the President's view, the Student's grounds for objecting are reasonable ones.
- 7.8 *Representation of the Cases Committee before the Academic Disciplinary Appeal Committee.* Within 72 hours of the constitution of the Academic Disciplinary Appeal Committee (or of its reconstitution if required under 7.7 above) the Cases Committee is to nominate a person ('the Cases Committee Representative') to make a case, before the Academic Disciplinary Appeal Committee, in favour of the implementation of the disciplinary measure. The Cases Committee Representative may be the Senior Tutor or any member of the Academic Disciplinary Panel that determined the disciplinary measure.
- 7.9 *Date of hearing.* Within 7 days of the constitution of the Academic Disciplinary Appeal Committee (or of its reconstitution if required under 7.7 above), the Secretary will fix a date for an Academic Disciplinary Appeal Committee hearing. The hearing is to take place no later than 14 days after the constitution (or reconstitution) of the

Academic Disciplinary Appeal Committee. Subject to that limit of 14 days, the date should be fixed in consultation with the Student, the Cases Committee Representative, and the members of the Panel.

7.10 *Hearing details.* At least 7 days before the hearing the Secretary will:

- (a) write to the Academic Disciplinary Appeal Committee members, the Student, and the Cases Committee Representative to confirm the date, time, and location of the hearing;
- (b) provide the Academic Disciplinary Appeal Committee members, the Student, and the Cases Committee Representative with a bundle containing copies of:
  - the formal warning, if any, issued at Stage Two;
  - the Investigator's report from Stage Three;
  - the letter from the Senior Tutor giving the Student notice of the disposal;
  - the letter from the Senior Tutor giving the Student notice of his or her failure to meet the conditions in the disposal (if applicable);
  - the letter from the Student giving notice of appeal; and
  - any other relevant documents.

7.11 *Assistance and representation.* The Student will also be informed by the Secretary that he or she is entitled to be represented or accompanied at the Academic Disciplinary Appeal Committee hearing by one other person. Except with the special leave of the Chair of the Academic Disciplinary Appeal Committee, this person ('the Friend') must be a current member or employee of the College or an Officer of OUSU. The JCR and MCR may make available a list of people from among their memberships who have indicated a willingness to be approached to assist with representations and support for the purpose of this Academic Disciplinary Procedure. Members of the College welfare team may also be approached if required. These are optional facilities. The Student may bring any current member of the College or of its staff or any Officer of OUSU who is willing to assist, or nobody at all if preferred. Cases for the granting of special leave include but are not limited to those in which no suitable member or employee of the College or OUSU Officer is available to assist, or in which the Student has reasonable grounds to wish his or her situation to remain unknown to those current members or employees of the College or to those OUSU Officers who are available to assist. However, an Academic Disciplinary Appeal Committee will not normally allow legal or other professional representation for the Student. At least 72 hours before the hearing the Student will inform the Secretary of the identity of his or her Friend, if

any, indicating whether the Friend will be a representing or merely an accompanying Friend. It is the responsibility of the Student to inform his or her Friend, if any, of the arrangements for the hearing. If a Friend is speaking on behalf of the Student, the Student will surrender the right to speak on his or her own behalf, except as a witness. Unless the Chair of the Academic Disciplinary Appeal Committee agrees that exceptional circumstances prevent it, the Student must attend the hearing for the appeal to be heard, and must be ready to appear as a witness at the Academic Disciplinary Appeal Committee's request. This is so even if the Student has asked a Friend to speak on his or her behalf.

- 7.12 *Additional documentation.* If the Student or the Cases Committee Representative wishes the Academic Disciplinary Appeal Committee to take account of any additional documentation or written submissions, copies must be provided to the Secretary at least 5 days before the hearing. The Secretary will then ensure that it is circulated to the Academic Disciplinary Appeal Committee and the other party as soon as possible. Any documentation submitted after this deadline will not be considered by the Academic Disciplinary Appeal Committee unless the Chair of the Academic Disciplinary Appeal Committee decides that exceptional circumstances warrant its inclusion.
- 7.13 *Identity of witnesses.* No later than 5 days before the hearing, the Student and the Cases Committee Representative will inform the Secretary of any witnesses they wish to call at the hearing. The Chair of the Academic Disciplinary Appeal Committee will also inform the Secretary of any witnesses that the Academic Disciplinary Appeal Committee itself intends to call if they are not called by the parties. The Secretary will in advance of the hearing provide a list of all these witnesses to the Student, the Cases Committee Representative, and the Academic Disciplinary Appeal Committee members. Witnesses will normally be required to give evidence in person at the hearing, and will be expected to answer questions from Academic Disciplinary Appeal Committee members and from either party as allowed under 7.15 below. It is the responsibility of the person calling the witness to ensure that he or she attends.
- 7.14 *Written testimony.* Where the Student and the Cases Committee Representative agree that a witness need not attend, or where it is impracticable for a witness to attend, or where in the opinion of the Chair of the Academic Disciplinary Appeal Committee it would not be appropriate for a witness to attend, the Academic Disciplinary Appeal Committee may accept evidence given in a written statement. Any written statements should be submitted to the Secretary at least 72 hours before the hearing. The Secretary to the Academic Disciplinary Appeal Committee will then circulate them to the other parties and the members of the Academic Disciplinary Appeal Committee as soon as possible.
- 7.15 *Order of speaking and adducing evidence.* The Student (either in person or through his or her Friend) and the Cases Committee Representative will have the opportunity to address the Academic Disciplinary Appeal Committee at the hearing. The Academic Disciplinary Appeal Committee may also hear witnesses in any order and in any

manner that to it seems appropriate, having regard to the requirements of natural justice. Questions will be asked of witnesses in the first instance by the members of the Academic Disciplinary Appeal Committee. At the discretion of the Chair, the Student (either in person or through his or her Friend) and the Cases Committee Representative may also ask questions of any witnesses. Any witness of whom questions are asked by the calling party will also be subject to cross-examination by the other party. The Cases Committee Representative and the Student also have the right to make closing speeches, in that order.

- 7.16 *Regulation of procedure.* Subject to the above, the Academic Disciplinary Appeal Committee has the power (having regard to the requirements of natural justice) to regulate the procedures governing preparations for the hearing, and the hearing itself, so as to ensure that the process is fair and reasonable and, so far as possible in view of the seriousness of the case, informal and flexible.
- 7.17 *Making of decision by the Academic Disciplinary Appeal Committee.* When the Academic Disciplinary Appeal Committee members consider their findings and recommendations, each will be given the opportunity to present and discuss his or her impressions and conclusions regarding the issues and the hearing. The Academic Disciplinary Appeal Committee will attempt to reach a unanimous conclusion regarding its findings and recommendations. If a unanimous conclusion cannot be reached, a motion for a decision may be made by any Academic Disciplinary Appeal Committee member other than the Chair. The success or failure of any motion will be determined by simple majority vote. The Academic Disciplinary Appeal Committee will not take account of any information or documents which were not available to the Student or which were not available to the Cases Committee Representative at or before the hearing.
- 7.18 *Notification of decision by the Academic Disciplinary Appeal Committee.* The decision of the Academic Disciplinary Appeal Committee is announced by notice in writing to the President, the Student, and the Cases Committee Representative. The decision will not be announced until at least 24 hours after the hearing. The Academic Disciplinary Appeal Committee may, however, take up to 7 days after the hearing to reach and to announce a decision. Within 14 days of the hearing, the Academic Disciplinary Appeal Committee will produce a written report setting out its findings and recommendations, and the reasons for them. In case of a majority decision, the decision and the reasons will be those of the majority. No dissenting opinion will be presented.
- 7.19 *Possible disposals by the Academic Disciplinary Appeal Committee.* The Academic Disciplinary Appeal Committee may, at its discretion, uphold the implementation of the disciplinary measure or vary the conditions of its implementation or require those conditions to be satisfied afresh or override the whole measure and substitute any alternative disposal which it was open to the Disciplinary Panel to have imposed in place of the disposal, having regard to the same principles and purposes to which the Disciplinary Panel was required, under this Academic Disciplinary Procedure, to have regard.

7.20 *Finality and further appeals.* The decision of the Academic Disciplinary Appeal Committee is final and not open to further appeal within the College. By convention, the Tutorial Board of the College will not interfere with it. The Tutorial Board will not normally receive notice of the decision of a Disciplinary Panel until after the time for appeal has expired or until any appeal has been resolved. The finality of the Academic Disciplinary Appeal Committee's determination is without prejudice to the right of the Student to make appeals or other applications to bodies outside the College, in particular to the Conference of Colleges Appeal Tribunal (CCAT), or to the Office of the Independent Adjudicator (OIA). For more information about CCAT, see <https://weblearn.ox.ac.uk/portal/hierarchy/colleges/confcoll>; for more information about the OIA, see <http://www.oiahe.org.uk/>. The Senior Tutor will, at the Student's request, issue to the Student a Certificate of Completion of Procedures once all in-College remedies have been exhausted.

## MAGDALEN COLLEGE

## NON-ACADEMIC DISCIPLINARY PROCEDURE

**1. Introduction**

- 1.1. *Purpose.* This Non-Academic Disciplinary Procedure exists to enable the College to take appropriate measures in cases in which one of its junior members (students) is in breach of his or her non-academic obligations as a member of the College (for a complete view of the College's disciplinary system, this procedure must be read in conjunction with the College's Academic Disciplinary Procedure). Such breaches take various forms, and may attract various sanctions. Most are dealt with by the Deans of Arts, who report direct to the Tutorial Board of the College on matters of non-academic discipline. The Deans of Arts are authorized under Bylaw 31 pursuant to Statute III.6 to impose various penalties falling short of suspension and expulsion. This policy governs such cases and also governs cases in which the breach of obligation is so severe that suspension or expulsion is called for, in which case authority shifts from the Deans of Arts to a Disciplinary Panel of the College. This Non-Academic Disciplinary Procedure does not regulate, and is without prejudice to, the power of the Deans of Arts to take steps to ensure the peace of the College and the safety of its members even in cases where no penalty is (yet) appropriate, for example by excluding someone from College premises. Throughout this policy, the term 'Dean of Arts' will be used: for any given case, this means the Senior Dean of Arts or the Junior Dean of Arts, depending on whether the Senior Dean of Arts is dealing with the case or has delegated it to the Junior Dean of Arts.
- 1.2. *Student support.* Students who are subject to disciplinary proceedings under this Non-Academic Disciplinary Procedure have a number of sources of support available to them, including the College's welfare team, the relevant JCR or MCR officers, and the OUSU sabbatical officers. Wherever practicable, the Dean of Arts will remind those against whom disciplinary proceedings under this Non-Academic Disciplinary Procedure are contemplated of these sources of support. College policies may restrict the extent to which other members of the College's welfare team may liaise with the Dean of Arts, but such liaison can always be authorised by individual students in their own cases.
- 1.3. *Deadlines.* The College, and the Dean of Arts acting on its behalf, aims to deal with problems covered by this Non-Academic Disciplinary Procedure as quickly as possible so that delay does not hinder a fair resolution or interfere with academic progress. Accordingly, this Non-Academic Disciplinary Procedure includes various deadlines with which the College and any student subject to disciplinary proceedings must make every reasonable effort to comply. In a case where delay is unavoidable, the delaying party must explain the situation giving rise to the delay before the deadline expires, or failing that at the earliest possible opportunity afterwards, and must also keep the other party informed of progress in making up for lost time.
- 1.4. *Giving notice.* Where this Non-Academic Disciplinary Procedure requires a notice or record to be given in writing, the normal way for this to be done is by email to the

recipient's personal ox.ac.uk email address or, where the recipient lacks such an address, to the email address which has been supplied by the recipient to the College for such purposes. The email is regarded as having been delivered to the recipient at the time of sending. However, a notice or record written on paper is also valid for the purpose of this Non-Academic Disciplinary Procedure, and where that method is used the notice or record is regarded as having been delivered when it is placed in the recipient's pigeonhole in College, or on the second working day after it is posted to the recipient by first class post (as the case may be). The recipient's pigeonhole in College should only be used where the sender is reasonably satisfied that the recipient is in residence in Oxford at the time of delivery.

## **2. When does the Disciplinary Procedure apply?**

- 2.1. *Scope.* This Non-Academic Disciplinary Procedure applies to any current student of Magdalen College (the 'Student'), whether undergraduate or graduate, and whether in residence or out of residence at the time, if and only if, in the opinion of the Dean of Arts, the Student has committed one or more offences in his or her capacity as a member of the College within the terms of 2.2 and 2.3 below.
- 2.2. *Offences.* For the purposes of this Non-Academic Disciplinary Procedure, the following constitute offences:
- a) any act, omission, or course of conduct prohibited by the criminal law of England and Wales;
  - b) any act, omission, or course of conduct contravening a Statute or Regulation of the University of Oxford, or a local rule of any University site or building, or a regulation promulgated by the Proctors or by the University's Rules Committee (the sources of University rules governing student conduct are set out in the *Proctors' and Assessor's Memorandum*, which is contained within the Student Handbook issued by the University. This clause is interpreted in the light of that *Memorandum*);
  - c) any act, omission, or course of conduct contravening a regulation or code of conduct of the College (including any rules as to neighbourly or collegial conduct that may form part of any license to occupy College accommodation);
  - d) any act, omission, or course of conduct that is, in the opinion of the Dean of Arts, to the reasonable annoyance, discomfort or distress of any person, whether or not that person is a member of the College, and whether or not that person makes a complaint or petition to the Dean of Arts;
  - e) any act, omission, or course of conduct which is in contravention of an order or summons issued by the Dean of Arts, or which the offender has been warned in writing by the Dean of Arts not to repeat on pain of becoming an offender under this provision.
- 2.3. *The capacity to commit an offence.* An offence by the Student under 2.2 above may be the subject of disciplinary steps under this Non-Academic Disciplinary Procedure, whether under part 3 or part 4 below, only if the Student committed it in his or her

capacity as a member of the College. An offence counts as having been committed in that capacity if and only if:

- a) it was committed on College premises; or
- b) it was committed on the premises of another college or on University premises and a reasonable request is received from the Dean or other competent official of that other college, or from the University Proctors or the Head of a University Department or the Chair of a University Faculty Board as the case may be, to deal with the matter as an offence against College discipline; or
- c) it threatens to bring the College into disrepute among reasonable people; or
- d) it was committed by the use of College facilities (such as computer networks) or privileges (such as intercollegiate internal mail); or
- e) it was committed by the use of University facilities (such as computer networks) or privileges (such as a University Card) and a reasonable request is received from the University Proctors to deal with the matter as an offence against College discipline; or
- f) it was committed against any other member of the College.

2.4. *Overlap with other College policies and procedures.* Where this Non-Academic Disciplinary Procedure applies and the Student's situation also constitutes a proper basis for steps to be taken under another policy or procedure of the College, and steps under this Non-Academic Disciplinary Procedure and under that other policy or procedure have been proposed or initiated, the responsible Officers of the College will together determine, in consultation with the Student, whether all steps on the same basis should be consolidated so that they are taken under a single policy or procedure, provided that such a consolidation will never have the effect of depriving the Student of an avenue of appeal that he or she would otherwise have enjoyed. In the event of disagreement as to the appropriateness of a consolidation, the final determination is to be made by the President (or in the President's absence the Vice-President). The responsible Officer of the College for the purpose of this Non-Academic Disciplinary Procedure is the Dean of Arts.

2.5. *Overlap with Proctors' jurisdiction.* Where this Non-Academic Disciplinary Procedure applies and the Student's situation also constitutes a proper basis for disciplinary steps to be taken by the University Proctors, and such steps have been proposed or initiated, any steps proposed or initiated under this Non-Academic Disciplinary Procedure will be stayed until the conclusion of Proctorial proceedings. For the avoidance of doubt, disciplinary steps may subsequently be taken under this Non-Academic Disciplinary Procedure notwithstanding that Proctorial proceedings were discontinued or that Proctorial charges were dismissed, and no finding of fact by the Proctors or absence of any such finding will bind the College.

2.6. *Overlap with the criminal justice system.* Where this Non-Academic Disciplinary Procedure applies and the Student's situation also constitutes a proper basis for investigation by the police or by any other public authority, or for any other steps to

be taken towards prosecution in the criminal courts, and such steps have been proposed or initiated (or their imminent proposal or initiation can reasonably be foreseen), any steps proposed or initiated under this Non-Academic Disciplinary Procedure will be stayed until the conclusion or abandonment of the investigation or prosecution. For the avoidance of doubt, disciplinary steps may subsequently be taken under this Non-Academic Disciplinary Procedure notwithstanding that criminal proceedings were discontinued or that criminal charges were dismissed, and no finding of fact by the criminal courts or absence of any such finding will bind the College. Where an investigation by the police is never initiated because of a refusal by someone who may have been the victim of a serious criminal offence to report the matter to the police, or is abandoned because of a refusal by someone who may have been the victim of a serious criminal offence to co-operate with an investigation by the police, the College may refuse to take further steps under this Non-Academic Disciplinary Procedure if it appears to the Dean of Arts, or to a Disciplinary Panel (if the case has already been referred to a Disciplinary Panel), that the College lacks the powers and resources necessary to investigate such an offence in a fair and responsible manner. The fact that proceedings under this Non-Academic Disciplinary Procedure are stayed pending the outcome of criminal investigation or prosecution will not prevent the Dean of Arts from taking interim measures, which are not regulated by this Non-Academic Disciplinary Procedure, to ensure the peace of the College and the safety of its members, which may include the exclusion of the Student from College premises, or from certain College facilities or activities.

- 2.7. *College response to Proctorial or criminal conviction.* Where the Student is found guilty of a breach of University regulations or a criminal offence, the College retains the right subsequently to pursue the same matter under this Non-Academic Disciplinary Procedure, and to attach its own penalty or other disciplinary measure to the same breach or offence, making due allowance for any penalty or other measure already imposed by the Proctors or by the courts. The College also retains the right, following any Proctorial or criminal conviction of the Student as well as in any other circumstances, to take steps to ensure the peace of the College and the safety of its members, steps which are not regulated by this Non-Academic Disciplinary Procedure.

### **3. The Dean of Arts' summary jurisdiction and appeals to the President**

- 3.1. *Power to summon.* The Dean of Arts may summon to appear before him or her any student to whom this Non-Academic Disciplinary Procedure applies ('the Student') and any student of the College who, in his or her opinion, may be able to provide evidence relevant to the investigation or determination of whether any offence contrary to this Non-Academic Disciplinary Procedure has been committed. Notice of summons must be given in writing, unless the Dean of Arts or the Sub-Dean or the Waynflete Dean is present at or immediately after the time at which the Non-Academic Disciplinary Procedure arises and the student is then and there orally summoned, with reasonable cause for expedition, to appear before the Dean of Arts immediately or at any specified time within 24 hours. Where notice of summons is required to be given in writing under this provision the minimum period of notice of the date and time of appearance will be 24 hours, and the notice will state what offence, in substance, is alleged.
- 3.2. *Proceedings in absentia.* Investigation and determination of whether any offence has

been committed may proceed without any appearance of the Student before the Dean of Arts, provided that, before proceeding to any determination (except in respect of an offence of failure to answer a summons of the Dean of Arts under 2.2(e) above) the Student has been summoned to appear before the Dean of Arts at least twice, the second summons to be issued only when the Student did not appear before the Dean of Arts in response to the first.

- 3.3. *The Dean of Arts' determination of jurisdiction by determination of suitable penalty.* Where the Dean of Arts is of the opinion that the penalties provided for in 3.5 below provide a sufficient disposal for an offence under his or her investigation, he or she may proceed to determine whether that offence has been committed and to impose a penalty under 3.5 for that offence. For the avoidance of doubt, the Dean of Arts may impose multiple penalties for multiple offences arising out of the one and the same situation, so that the total penalty in respect of that situation rises beyond any limits set in 3.4 below, so long as the penalties in question are not, in substance, multiple penalties for the same offence.
- 3.4. *Due process.* Before the Dean of Arts determines under 3.3 above whether an offence has been committed and before the Dean of Arts imposes a penalty under 3.5 below, he or she will
- a) make reasonable efforts to obtain all relevant evidence from the Student and from others, whether orally or in writing;
  - b) assess and weigh the relevant evidence, disregarding any evidence that appears to him or her to be clearly unreliable or that it would be unfair to consider (evidence that might be disregarded under this sub-paragraph could include mere rumours and suspicions, and evidence that had been obtained by trickery or duress);
  - c) satisfy himself or herself from that evidence that, on the balance of probabilities, the offence was committed by that student, and in circumstances warranting a penalty;
  - d) allow the student a reasonable opportunity to present a justification or excuse for the offence, and a plea in mitigation bearing on the penalty, whether orally or in writing.

Where the student did not appear in response to a second summons to appear before the Dean of Arts under 3.2 above, he or she is to be regarded as having had a reasonable opportunity for the purposes of (d) above unless he or she has a justification or excuse for having failed to respond to both of the two summonses that were issued.

- 3.5. *Decanal penalties.* The penalties that may be imposed by the Dean of Arts for any offence under this Non-Academic Disciplinary Procedure are:
- a) a fine of up to £500 to be added to the Student's College batells, so calculated as not to expose the Student to disproportionate hardship; or
  - b) community service of up to 10 hours on College premises, so scheduled as to

give priority to the Student's academic work; or

- c) a ban, not exceeding 14 days in duration (though these days need not be consecutive), from any specified College locations, facilities, and services, not including the student's own College-provided living accommodation or the route to it, special regard to be had to any impact that the ban may have on the Student's ability to progress with his or her academic work during the period of the ban;
- d) a ban, not exceeding 28 days in duration (though these days need not be consecutive) from any specified College locations, facilities, and services which, for the Student, serve an exclusively or almost exclusively recreational function;
- e) a combination of penalties under any two of (a), (b), (c), or (d), or a combination of a penalty under any of (a), (b), (c), or (d) with a conditional discharge under 3.6(a).

3.6. *Decanal disposals other than penalties.* The following non-penal disposals are also available to the Dean of Arts in respect of any offence under this Non-Academic Disciplinary Procedure:

- a) a conditional discharge, whereby penalties or further penalties will not be applied to the Student, so long as certain conditions are satisfied; or
- b) an absolute discharge.

Conditions to be satisfied for the purposes of (a) may be set out in a conduct agreement, where assent to the agreement is itself a condition of the discharge.

3.7. *Provision for passing on of costs.* Irrespective of the penalty or other disposal imposed for an offence under this Non-Academic Disciplinary Procedure, it is always open to the Dean of Arts to pass on to the Student who has committed an offence under this Non-Academic Disciplinary Procedure, in addition, any reasonable costs that have been borne by the College in direct consequence of the offence, not including any cost attributable only to the time spent on the detection, investigation or determination of the Student's case by any Officer of the College or by the Sub-Dean or the Waynflete Dean.

3.8. *Notice of decision.* The Dean of Arts will give notice to the Student in writing, within 72 hours of reaching determinations as to whether an offence was committed and as to the penalty or other disposal (including costs) to be imposed, of the determinations reached. In the same communication the Dean of Arts will remind the student of his or her right of appeal, appending the words of 3.9, 3.10, 3.11, 3.12, and 3.13 below and stating their source in this Non-Academic Disciplinary Procedure.

3.9. *Appeal.* An appeal lies from the Dean of Arts to the President (or in the President's absence the Vice-President) in respect of any matters which are for the Dean of Arts to determine under 3.1 to 3.7 above. In exercising his or her appellate jurisdiction the President may determine any matter afresh that the Dean of Arts had power to determine under 3.1 to 3.7 above. However, the President will not revisit any

conclusions of fact drawn by the Dean of Arts except to the extent necessary

- a) to satisfy himself or herself that the Dean of Arts' conclusions were not such that no reasonable Dean of Arts could have drawn them, and
- b) to satisfy himself or herself that the Dean of Arts' duties under 3.4 were performed.

3.10. *Notice of appeal.* Any appeal to the President under 3.9 above will be initiated by written notice sent by the Student to the President within 72 hours of the giving of written notice under 3.8 above by the Dean of Arts.

3.11. *Outcome of appeal.* The possible outcomes of an appeal to the President under 3.9 above are:

- a) confirmation by the President of the Dean of Arts' determination that an offence has been committed and of the penalty imposed by the Dean of Arts for the offence;
- b) confirmation by the President of the Dean of Arts' determination that an offence has been committed coupled with a recommendation by the President to the Dean of Arts, for which the President is to give reasons, that the penalty should be reduced, or varied from one type of penalty under 3.5 above to another in such a way that the variation is regarded by the Student as a reduction;
- c) a recommendation by the President to the Dean of Arts, for which the President is to give reasons, that the Dean of Arts should reconsider his or her determination that an offence has been committed.

3.12. *Notice of outcome of appeal.* The President will determine the outcome of the appeal with all reasonable expedition and will give notice of that outcome, together with reasons if applicable, to the Student and to the Dean of Arts within 72 hours of that determination. The Dean of Arts will then proceed with all reasonable expedition to consider, and if appropriate implement, any recommendation made by the President.

3.13. *Finality and further appeals.* No further appeal within the College lies from the determinations of the President under 3.9 above. The finality of the President's determinations is without prejudice to the right of the Student to make appeals or other applications to bodies outside the College, in particular to the Conference of Colleges Appeal Tribunal (CCAT), or to the Office of the Independent Adjudicator (OIA). The President will, at the Student's request, issue to the Student a Certificate of Completion of Procedures once all in-College remedies have been exhausted.

#### **4. Proceedings before disciplinary panels**

4.1. *Disciplinary panels.* Where the Dean of Arts is of the opinion that the penalties provided for in 3.5 above do not provide a sufficient disposal for an offence under his or her investigation, he or she may refer the case to a Disciplinary Panel which operates as an ad hoc committee of the College's Tutorial Board and makes a recommendation to the Tutorial Board for an appropriate disposal of the case (whether by disciplinary measures or otherwise). By convention, the Tutorial Board

will follow the recommendation of a Disciplinary Panel under this Non-Academic Disciplinary Procedure. A Student therefore has no right to make further representations to the Tutorial Board in respect of any recommendation of a Disciplinary Panel. Any adjustment of the disposal by the Tutorial Board would, by convention, give the Student good grounds for appeal against the adjusted disposal under part 5 of this Non-Academic Disciplinary Procedure. Because of the strength of these conventions, the recommendation of a Disciplinary Panel is referred to in the following provisions as a 'determination'.

- 4.2. *Notice of panel.* Within 72 hours of referring a case to a Disciplinary Panel the Dean of Arts will give notice to the Student in writing that the referral has been made, and the notice will state what offence or offences, in substance, is or are alleged such as to warrant the referral. The jurisdiction of the Disciplinary Panel is limited to investigating the offence or offences that are identified, in substance, in the notice of referral, and to determining whether that offence was or those offences were committed by the Student, and to attaching a disposal to that offence, or to those offences, in accordance with 4.14 below.
- 4.3. *Membership and convening of panels.* A Disciplinary Panel consists of three members drawn from a standing pool of ten, to be nominated by the Tutorial Board of the College from among its members. The convening of Disciplinary Panels and the assignment of cases to them will be a responsibility of the President, always to be carried out as expeditiously as possible. A Disciplinary Panel may be convened to consider a single case or a group of cases. Where there is a group of cases involving the same student a Disciplinary Panel may elect to consolidate these into one case for the purpose of considering that student for disciplinary measures.
- 4.4. *Timeline.* Without prejudice to the general rule in 4.3 requiring expedition, the Disciplinary Panel will be convened within 14 days, or 21 days if any of the 14 days would be outside full term, of a referral by the Dean of Arts.
- 4.5. *Disqualification.* The following are not eligible to serve on a Disciplinary Panel:
  - a) The President, the Vice-President, the Senior Tutor, or the Senior or Junior Dean of Arts;
  - b) Any person who has taught (in tutorials or in any other capacity where reporting on individual progress was required or expected) any student whose case is to be considered by the Disciplinary Panel in question;
  - c) Any person who has organised teaching falling under the description in (b) for any student whose case is to be considered by the Disciplinary Panel in question;
  - d) Any person who has been directly involved, whether under this Non-Academic Disciplinary Procedure or otherwise, with any of the events that have brought the case before the Disciplinary Panel in question, where membership of the Tutorial Board does not qualify as direct involvement merely because it involves routine scrutiny of reports from the Deans of Arts on disciplinary matters;

- e) Any person who has served on a Disciplinary Panel or a Disciplinary Appeal Committee under this Non-Academic Disciplinary Procedure, or on any similar panel under another Procedure of the College, in another case involving the same student or students.
- 4.6. *Notice of constitution of panel.* Within 72 hours of a Disciplinary Panel's being convened, each Student in whose case the Panel is intended to make a determination will be given notice by the President of the identities of its members. The Student will then have 72 hours to draw attention to the ineligibility of any member to serve on the Panel under (a) to (e) above (but not to object on any other ground). If satisfied that a member is indeed ineligible to serve, the President will replace that member within 72 hours. That replacement will count, for the purpose of any deadlines that follow, as the convening of a new Disciplinary Panel.
- 4.7. *Investigator and objections to Investigator.* For each case before it each Disciplinary Panel will, within 72 hours of its being convened, appoint one of its number as Investigator in that case. Within 72 hours of the Investigator's appointment, the Student will be given notice by the President of the identity of the Investigator, and will have 72 hours from the time of being given that notice to object to the appointment, stating the grounds for doing so (which are not restricted to ineligibility under 4.5 above). The Disciplinary Panel dealing with the case will appoint an alternative Investigator from its own number within 72 hours of the objection's being made if, in the view of the Disciplinary Panel, the Student's grounds for objecting are reasonable ones.
- 4.8. *Conduct of investigation.* With all possible speed consistent with a careful investigation, the Investigator is to obtain a note from the Dean of Arts of how the case progressed to the point at which a Disciplinary Panel was convened, including a note of any evidence already obtained (and how and when and from whom) and of the identities of any persons who might, in the opinion of the Dean of Arts, provide further evidence bearing on the disposal of the case.
- 4.9. *Representations to Investigator.* The Investigator must offer to the Student an opportunity to make representations as to the disciplinary measures or other disposals to be applied. Representations may include, but are not limited to, representations regarding any justification or excuse for the offence or offences under investigation, and any plea in mitigation that may bear on disposal of the case. The Student must also be given the opportunity to comment more generally on the case against him or her under this Non-Academic Disciplinary Procedure, a case which should be outlined to him or her by the Investigator, relying on the notes and comments obtained under 4.8 above. Normally such representations should be heard at a meeting in person between the Student and the Investigator (see 4.10), at which notes should be taken of the Student's representations. However, where the Student is out of residence at the time, or it is not reasonably practicable for representations to be made in person within a reasonable time, the opportunity to make representations in writing may be substituted at the discretion of the Investigator, in which case the Investigator may outline the case against the Student to the Student in writing.
- 4.10. *Meeting.* Any meeting between the Student and the Investigator for the purpose of hearing representations under 4.9 above should be held in the presence of a member of the administrative staff of the College who will take notes of the meeting. If the

Student wishes to be accompanied by another member or employee of the College, who may assist with the making of representations as well as giving support to the Student, then one such person may be present at the invitation of the Student. The JCR and MCR may make available a list of people from among their memberships who have indicated a willingness to be approached to assist with representations and support for the purpose of this Non-Academic Disciplinary Procedure. Members of the College welfare team may also be approached if required. These are optional facilities. The Student may bring any member or employee of the College who is willing to assist, or nobody at all if preferred. Notice of at least 72 hours is to be given of the fact that another person will be present or has been invited to be present under this section of the Procedure.

- 4.11. *Report and determination.* On completion of his or her investigation, the Investigator will make a written report to the Disciplinary Panel containing a recommended verdict on the question of whether the offence was committed, and, if so, recommendations as to the disposal of the case. The report will be considered by the Disciplinary Panel at a meeting, at which the verdict and the disposal of the case will be determined by simple majority voting. It is normally expected that, where the Student co-operates fully in the process, this process will be completed within 21 days of referral of the case to the President by the Dean of Arts.
- 4.12. *Due process.* Before the Disciplinary Panel determines whether an offence has been committed and before it makes a disposal under 4.14 below, it will
- a) satisfy itself that reasonable efforts have been made to obtain all relevant evidence from the Student and from others, whether orally or in writing;
  - b) assess and weigh the relevant evidence, disregarding any evidence that appears to him or her to be clearly unreliable or that it would be unfair to consider (evidence that might be disregarded under this sub-paragraph could include mere rumours and suspicions, and evidence that had been obtained by trickery or duress);
  - c) satisfy itself from that evidence obtained that, on the balance of probabilities, the offence was committed by that student, and in circumstances warranting the proposed disposal; and
  - d) satisfy itself that the Student has had a reasonable opportunity to present a justification or excuse for the offence, whether orally or in writing.
- 4.13. *Plea in mitigation.* If the Disciplinary Panel determines that an offence has been committed, it will notify the Student promptly of that determination and will give the Student an opportunity to make representations to the Panel as a whole, within 72 hours of notification of the determination, regarding the appropriate disposal. Such representations may be made, at the Student's discretion, either orally or in writing, and either by the Student personally or by the member or employee of the College (if any) who accompanied the Student under 4.10 above.
- 4.14. *Possible disposals.* A Disciplinary Panel constituted under this Non-Academic Disciplinary Procedure has the power to make the following disposals:

- a) expulsion from the College; or
- b) suspension from the College for a period of up to one academic year, with or without conditions that need be satisfied before return to College; or
- c) expulsion from the College unless certain conditions are satisfied; or
- d) suspension from the College for a period of up to one academic year unless certain conditions are satisfied, with or without further conditions that need to be satisfied before return to College; or
- e) a referral back to the Dean of Arts for the imposition of a penalty for the offence, the penalty to be in the Dean of Arts' discretion but limited to those that the Dean of Arts could have imposed under 3.5 above in the exercise of his or her original summary jurisdiction;
- f) a conditional discharge, whereby no disciplinary measures under (a), (b), (c), (d) or (e) will be applied to the Student so long as certain conditions are satisfied; or
- g) an absolute discharge.

Disposals (a) to (d) qualify as disciplinary measures for the purpose of grounding a right to appeal under part 5 of this Non-Academic Disciplinary Procedure. Disposal (e) puts the Student in the same position, with regard to an appeal, as if the Student had been dealt with by the Dean of Arts under part 3 of this Non-Academic Disciplinary Procedure. Disposals (f) and (g) qualify as non-disciplinary measures and do not give rise to a right of appeal under this Non-Academic Disciplinary Procedure.

- 4.15. *Consequences of failure to meet condition.* For the avoidance of doubt, the coming into effect of an expulsion or suspension by virtue of the Student's failure to meet any condition imposed under 4.14 (b), (c), or (d) is an automatic process and does not itself qualify as a further disposal for the purposes of this Non-Academic Disciplinary Procedure. The effect is that, where a condition as to return to College set under 4.14 (b) or (d) is not satisfied, the suspension automatically becomes an expulsion without further intervention by a Disciplinary Panel or by the College's Tutorial Board.
- 4.16. *Conditions attached to disposals.* The conditions that may be attached by a Disciplinary Panel to a disposal under 4.14 (b), (c), (d) or (f) above include, at the Panel's discretion,
- a) that the Student is to commit no offence under this Non-Academic Disciplinary Procedure of any type or of any specified type for a specified period or indefinitely;
  - b) that the Student is to report to the Dean of Arts at such intervals and for such period as the Disciplinary Panel may determine with a view to keeping the Student's conduct under review, whether offences are committed or otherwise, and for the purposes of which review the Student's assent to a conduct agreement may be required;

- c) that the Student is to take some other reasonable step or steps specified in the disposal, the step or steps to be taken before a specified date, provided that the step will not be one designed to penalise the student.

- 4.17. *Communication of determination.* Subject to the completion of the procedure in 4.13 above, the Panel is to report its determination and disposal to the President with all due speed, supported by a copy of the Investigator's report on the case. If the Panel's determination departs from the Investigator's recommendation then a further report is to be included explaining the departure. Notice of the Panel's determination and disposal will be given in writing to the Student by the President within 72 hours of its having been reported, supported by a copy of the Investigator's report and a copy of any other report submitted by the Panel in support of its determination and disposal.
- 4.18. *Failure to meet conditions.* If conditions are attached to the disposal under 4.14 (b), (c), (d), or (f) above and, in the opinion of the Dean of Arts, the Student fails to meet those conditions, then notice of that failure, and of the consequences as determined by the terms of the disposal, will be given in writing to the Student by the Dean of Arts within 72 hours of the failure's having come to the attention of the Dean of Arts. In case of dispute about whether the conditions specified in a disciplinary measure have been met by the Student, the appeal procedure under 5.2 below applies.

## **5. Appeals following Disciplinary Panel proceedings**

- 5.1. *Appeal against determination of Disciplinary Panel.* The Student has a right of appeal against any determination of a Disciplinary Panel that involves the imposition of a disciplinary measure, and against any disciplinary measure imposed. The Student exercises the right of appeal under this provision by giving notice of appeal in writing to the President within 7 days of the Student's being given notice under 4.17 above of the Disciplinary Panel's determination and disposal.
- 5.2. *Appeal against coming into effect of consequences.* The Student also has a right of appeal against the coming into effect of the consequences of his or her failure to meet any condition specified in any disciplinary measure, but only on one or both of the following grounds:
  - a) that the Dean of Arts was mistaken in his or her opinion under 4.18 above that the Student failed to meet the condition; or
  - b) that the Student's failure to meet the condition was excusable.

For the avoidance of doubt, it is not a ground of appeal under this provision that the condition should not have been imposed. The Student exercises the right of appeal under this provision by giving notice of appeal in writing to the President within 7 days of the Student's being given notice under 4.18 above of his or her failure to meet the condition.

- 5.3. *Constitution of a Non-Academic Disciplinary Appeal Committee.* An appeal under 5.1 or 5.2 above is to be heard by a Non-Academic Disciplinary Appeal Committee constituted by the President specifically to hear the appeal. Any disciplinary measures appealed against are stayed pending determination of the appeal, save that it is still possible for a student to meet any conditions specified in the disciplinary

measure, and hence to terminate the measure, while the appeal is pending.

5.4. *Membership.* A Non-Academic Disciplinary Appeal Committee will comprise:

- a) one Fellow of the College of suitable seniority and experience, who is a Member of the Tutorial Board holding an academic post, and who will chair the Non-Academic Disciplinary Appeal Committee; and
- b) any two of the following in any combination:
  - i. Fellows of the College who hold academic posts (but who need not be members of the Governing Body);
  - ii. Fellows of the College who are members of the Governing Body (but who need not hold academic posts).

5.5. *Disqualification.* The following will not be eligible to serve on a Non-Academic Disciplinary Appeal Committee:

- a) The President, the Senior Tutor, or the Senior or Junior Dean of Arts;
- b) Any person who has taught (in tutorials or in any other capacity where reporting on individual progress was required or expected) any student whose case is to be considered by the Non-Academic Disciplinary Appeal Committee;
- c) Any person who has been directly involved, whether under this Non-Academic Disciplinary Procedure or otherwise, with any of the events that have brought the case before the Non-Academic Disciplinary Appeal Committee, where membership of the Tutorial Board does not qualify as direct involvement merely because it involves routine scrutiny of reports from the Deans of Arts on disciplinary matters, or merely because the Tutorial Board has already received a report of a Disciplinary Panel in the same case;
- d) Any person who has served on a Disciplinary Panel or a Non-Academic Disciplinary Appeal Committee under this Non-Academic Disciplinary Procedure, or on any similar panel under another Procedure of the College, in another case involving the same student or students.

If sufficient Non-Academic Disciplinary Appeal Committee members not disqualified under these headings cannot be found from within the College then the President will have the option of substituting one or more members from another College or other Colleges of the University of Oxford who do meet these conditions, and who (apart from the fact that they are members of another College, not of Magdalen College) fall under the descriptions in 5.4 above.

5.6. *Secretary of the Non-Academic Disciplinary Appeal Committee.* The Non-Academic Disciplinary Appeal Committee will be assisted by the Academic Administrator (or another administrative employee of the College enlisted by the President) who will act as Secretary to the Non-Academic Disciplinary Appeal Committee ('the Secretary').

- 5.7. *Objections to membership.* Within 72 hours of the constitution of the Non-Academic Disciplinary Appeal Committee, the Student will be given notice by the Secretary of the identities of its members, and will have 72 hours from the time of being given that notice to object to the appointment of one or more of them, stating the grounds for doing so. The President will appoint an alternative member or members of the Non-Academic Disciplinary Appeal Committee within 72 hours of the objection's being made if, in the President's view, the Student's grounds for objecting are reasonable ones.
- 5.8. *Representation of the College before the Non-Academic Disciplinary Appeal Committee.* Within 72 hours of the constitution of the Non-Academic Disciplinary Appeal Committee (or of its reconstitution if required under 5.7 above) the President is to nominate a person ('the College Representative') to make a case, before the Non-Academic Disciplinary Appeal Committee, in favour of the implementation of the disciplinary measure. The College Representative is to be, at the President's discretion, either the Dean of Arts or a member of the Disciplinary Panel that determined the measure, or if none of these are available to act then another senior member of the College selected by the President.
- 5.9. *Date of hearing.* Within 7 days of the constitution of the Non-Academic Disciplinary Appeal Committee (or of its reconstitution if required under 5.7 above), the Secretary will fix a date for a Non-Academic Disciplinary Appeal Committee hearing. The hearing is to take place no later than 14 days after the constitution (or reconstitution) of the Non-Academic Disciplinary Appeal Committee. Subject to that limit of 14 days, the date should be fixed in consultation with the Student, the College Representative, and the members of the Panel.
- 5.10. *Hearing details.* At least 7 days before the hearing the Secretary will:
- a) write to the Non-Academic Disciplinary Appeal Committee members, the Student, and the College Representative to confirm the date, time, and location of the hearing;
  - b) provide the Non-Academic Disciplinary Appeal Committee members, the Student, and the College Representative with a bundle containing copies of:
    - the notice of referral by the Dean of Arts to the Disciplinary Panel;
    - the Investigator's report;
    - any report by the Disciplinary Panel explaining its departure from the Investigator's recommendations;
    - the letter from the President giving the Student notice of the Disciplinary Panel disposal;
    - the letter from the Dean of Arts giving the Student notice of his or her failure to meet the conditions in the disposal (if applicable);
    - the letter from the Student giving notice of appeal; and

- any other relevant documents.

- 5.11. *Assistance and representation.* The Student will also be informed by the Secretary that he or she is entitled to be represented or accompanied at the Non-Academic Disciplinary Appeal Committee hearing by one other person. Except with the special leave of the Chair of the Non-Academic Disciplinary Appeal Committee, this person ('the Friend') must be a current member or employee of the College or an Officer of OUSU. The JCR and MCR may make available a list of people from among their memberships who have indicated a willingness to be approached to assist with representations and support for the purpose of this Non-Academic Disciplinary Procedure. Members of the College welfare team may also be approached if required. These are optional facilities. The Student may bring any current member or employee of the College or any Officer of OUSU who is willing to assist, or nobody at all if preferred. Cases for the granting of special leave include but are not limited to those in which no suitable member or employee of the College or OUSU Officer is available to assist, or in which the Student has reasonable grounds to wish his or her situation to remain unknown to those current members or employees of the College or to those OUSU Officers who are available to assist. However, a Non-Academic Disciplinary Appeal Committee will not normally allow legal or other professional representation for the Student. At least 72 hours before the hearing the Student will inform the Secretary of the identity of his or her Friend, if any, indicating whether the Friend will be a representing or merely an accompanying Friend. It is the responsibility of the Student to inform his or her Friend, if any, of the arrangements for the hearing. If a Friend is speaking on behalf of the Student, the Student will surrender the right to speak on his or her own behalf, except as a witness. Unless the Chair of the Non-Academic Disciplinary Appeal Committee agrees that exceptional circumstances prevent it, the Student must attend the hearing for the appeal to be heard, and must be ready to appear as a witness at the Non-Academic Disciplinary Appeal Committee's request. This is so even if the Student has asked a Friend to speak on his or her behalf.
- 5.12. *Additional documentation.* If the Student or the College Representative wishes the Non-Academic Disciplinary Appeal Committee to take account of any additional documentation or written submissions, copies must be provided to the Secretary at least 5 days before the hearing. The Secretary will then ensure that it is circulated to the Non-Academic Disciplinary Appeal Committee and the other party as soon as possible. Any documentation submitted after this deadline will not be considered by the Non-Academic Disciplinary Appeal Committee unless the Chair of the Non-Academic Disciplinary Appeal Committee decides that exceptional circumstances warrant its inclusion.
- 5.13. *Identity of witnesses.* No later than 5 days before the hearing, the Student and the College Representative will inform the Secretary of any witnesses they wish to call at the hearing. The Chair of the Non-Academic Disciplinary Appeal Committee will also inform the Secretary of any witnesses that the Non-Academic Disciplinary Appeal Committee itself intends to call if they are not called by the parties. The Secretary will in advance of the hearing provide a list of all these witnesses to the Student, the College Representative, and the Non-Academic Disciplinary Appeal Committee members. Witnesses will normally be required to give evidence in person at the hearing, and will be expected to answer questions from Non-Academic

Disciplinary Appeal Committee members and from either party as allowed under 5.15 below. It is the responsibility of the person calling the witness to ensure that he or she attends.

- 5.14. *Written testimony.* Where the Student and the College Representative agree that a witness need not attend, or where it is impracticable for a witness to attend, or where in the opinion of the Chair of the Non-Academic Disciplinary Appeal Committee it would not be appropriate for a witness to attend, the Non-Academic Disciplinary Appeal Committee may accept evidence given in a written statement. Any written statements should be submitted to the Secretary at least 72 hours before the hearing. The Secretary to the Non-Academic Disciplinary Appeal Committee will then circulate them to the other parties and the members of the Non-Academic Disciplinary Appeal Committee as soon as possible.
- 5.15. *Order of speaking and adducing evidence.* The Student (either in person or through his or her Friend) and the College Representative will have the opportunity to address the Non-Academic Disciplinary Appeal Committee at the hearing. The Non-Academic Disciplinary Appeal Committee may also hear witnesses in any order and in any manner that to it seems appropriate, having regard to the principles of procedural fairness. Questions will be asked of witnesses in the first instance by the members of the Non-Academic Disciplinary Appeal Committee. At the discretion of the Chair, the Student (either in person or through his or her Friend) and the College Representative may also ask questions of any witnesses. Any witness of whom questions are asked by the calling party will also be subject to cross-examination by the other party. The College Representative and the Student also have the right to make closing speeches, in that order.
- 5.16. *Regulation of procedure.* Subject to the above, the Non-Academic Disciplinary Appeal Committee has the power (having regard to the principles of procedural fairness) to regulate the procedures governing preparations for the hearing, and the hearing itself, so as to ensure that the process is fair and reasonable and, so far as possible in view of the seriousness of the case, informal and flexible.
- 5.17. *Making of decision by the Non-Academic Disciplinary Appeal Committee.* When the Non-Academic Disciplinary Appeal Committee members consider their findings and recommendations, each will be given the opportunity to present and discuss his or her impressions and conclusions regarding the issues and the hearing. The Non-Academic Disciplinary Appeal Committee will attempt to reach a unanimous conclusion regarding its findings and recommendations. If a unanimous conclusion cannot be reached, a motion for a decision may be made by any Non-Academic Disciplinary Appeal Committee member other than the Chair. The success or failure of any motion will be determined by simple majority vote. The Non-Academic Disciplinary Appeal Committee will not take account of any information or documents which were not available to the Student or which were not available to the College Representative at or before the hearing.
- 5.18. *Notification of decision by the Non-Academic Disciplinary Appeal Committee.* The decision of the Non-Academic Disciplinary Appeal Committee is announced by notice in writing to the President, the Student, and the College Representative. The decision will not be announced until at least 24 hours after the hearing. The Non-Academic Disciplinary Appeal Committee may, however, take up to 7 days after the

hearing to reach and to announce a decision. Within 14 days of the hearing, the Non-Academic Disciplinary Appeal Committee will produce a written report setting out its findings and recommendations, and the reasons for them. In case of a majority decision, the decision and the reasons will be those of the majority. No dissenting opinion will be presented.

- 5.19. *Possible disposals by the Non-Academic Disciplinary Appeal Committee.* The Non-Academic Disciplinary Appeal Committee may, at its discretion, uphold the implementation of the disciplinary measure or vary the conditions of its implementation or require those conditions to be satisfied afresh or override the whole measure and substitute any alternative disposal which it was open to the Disciplinary Panel to have imposed in place of the disposal, having regard to the same principles and purposes to which the Disciplinary Panel was required, under this Non-Academic Disciplinary Procedure, to have regard.
- 5.20. *Finality and further appeals.* The decision of the Non-Academic Disciplinary Appeal Committee is final and not open to further appeal within the College. By convention, the Tutorial Board of the College will not interfere with it. The Tutorial Board will not normally receive notice of the decision of a Disciplinary Panel until after the time for appeal has expired or until any appeal has been resolved. The finality of the Non-Academic Disciplinary Appeal Committee's determination is without prejudice to the right of the Student to make appeals or other applications to bodies outside the College, in particular to the Conference of Colleges Appeal Tribunal (CCAT), or to the Office of the Independent Adjudicator (OIA). For more information about CCAT, see <https://weblearn.ox.ac.uk/portal/hierarchy/colleges/confcoll>; for more information about the OIA, see <http://www.oiahe.org.uk/>. The President will, at the Student's request, issue to the Student a Certificate of Completion of Procedures once all in-College remedies have been exhausted.

**PROCEDURE FOR UNPAID BATELLS ACCOUNTS**

1. Junior members will be reminded by the Accountant by email to their [magd.ox.ac.uk](mailto:magd.ox.ac.uk) accounts at the end of 0<sup>th</sup> Week that payment of batells is due by the end of 1<sup>st</sup> Week. This email will enclose a full copy of the Procedure for Unpaid Batells Accounts, and highlight the following information and guidance:
  - a. That batells statements will have been emailed to all junior members from [batells@magd.ox.ac.uk](mailto:batells@magd.ox.ac.uk); junior members will be asked to check that they have received their batells statement on their [magd.ox.ac.uk](mailto:magd.ox.ac.uk) email account and to contact the Batells Clerk if they have not.
  - b. The due date for payment.
  - c. What junior members should do if they cannot pay in full by the due date. This is:
    - i. Reach an agreement with the Deans for a deferment to a later date. This is particularly relevant to junior members who receive a stipend, grant, or loan in instalments during the year.
    - ii. Apply to the Student Support Fund for financial support if they think that they might not have sufficient funds to pay their batells.
  - d. In Michaelmas Term only, Home/EU junior members will be reminded to ensure that they have applied to Student Finance for a fees loan if they do not intend to pay the fee themselves.
  - e. In Trinity Term only, returning Home/EU junior members will be reminded that now is the time to apply to Student Finance for fees and maintenance loans for the following year.
2. Batells are due for payment by the end of 1<sup>st</sup> Week.
3. If payment has not been received by the middle of 2<sup>nd</sup> Week, and the Bursary has not been informed that the Deans have made an agreement with the junior member for a deferral of payment or for an application to be made to the Student Support Fund, an email will be sent from the Bursary informing the junior member that his or her payment is overdue, and that arrangements should be made for immediate payment. Junior members who have not already done so but who do not have sufficient funds to pay batells will be reminded (in this email) to contact the Deans as matter of urgency.
4. In respect of University fees, the College will follow the University's non-payment of fees process, as set out in its annual circular, by referring all students who have not paid their fees by the due date to the University for further action.
5. On the Friday of 3<sup>rd</sup> Week, all junior members who have been awarded part-funding from the Student Support Fund and all those who have been granted permission to defer payment will receive an email telling them how much remains to be paid on their account and the due date for payment. This will either be the Friday of 4<sup>th</sup> Week or the agreed due date if this is later.
6. On the Monday of 5<sup>th</sup> Week, a letter will be sent notifying the junior member that College facilities will be withdrawn on the Friday of 5<sup>th</sup> Week and will remain so until payment or an arrangement has been made with the Deans or the College. The letter will explain that the College has a legitimate interest in encouraging junior members who do not pay their

batells accounts by the end of 1<sup>st</sup> Week to come to an arrangement with the Deans, and that withdrawal of facilities is a proportionate response where the unarranged non-payment continues into 5<sup>th</sup> Week. Before this letter is sent, the senior subject tutor of the junior member (if an undergraduate) or the College adviser (if a graduate) will be forewarned of the intention to withdraw facilities.

7. A service charge for unarranged late payment will take the form of a flat-rate charge of £25, with effect from the beginning of 6<sup>th</sup> Week, where the junior member has not made an arrangement for deferred payment.
8. “Withdrawal of College facilities” for the above purpose means that no access is permitted to the Hall, the Bar, and (in certain cases) the College Libraries. It does not mean a requirement to go out of residence (although this further step will be available to the College in certain cases). For practical purposes, partial disabling of the University Card will prevent transactions for all College catering facilities and, if applicable, College Library access.
9. All letters will be sent by the College Accountant and countersigned by either of the Deans of Arts as endorsement.
10. The Tutorial Board will be presented at its meeting in 8<sup>th</sup> Week with the names of those junior members who have had their College facilities withdrawn. The Board, taking account of the latest guidance from the Competition and Markets Authority, will at this point consider the further step of requiring the junior member to go out of residence (or of not being entered for a degree ceremony if a graduand). The Tutorial Board will take into account the College’s legitimate interest in encouraging junior members to pay their batells or else come to an arrangement for deferred payment and will not take any steps that are out of all proportion to its interests. The Tutorial Board will also take into account all the circumstances surrounding the non-payment by the junior member. The Tutorial Board may decide that a junior member who has any balance remaining on his or her batells account from the previous year will not be permitted to return into residence at the start of an academic year unless the debt is paid. In cases of hardship, the junior member will be required to submit an application to the Student Support Fund in time for it to be considered at the July meeting of the Committee. Students who go out of residence during an academic year (whether permitted or required to do so) are expected to have cleared their batells debt before they go out of residence.
11. Other than in exceptional circumstances, neither those with debts to the College (or debts to the University which have been brought to the attention of the College, such as library fines or overdue books) nor their guests will be permitted to attend any social occasion at the College associated with graduation or any subsequent social occasion. The College will use appropriate means to recover outstanding debts.
12. Procedures for the payment of unpaid batells will be adequately and prominently publicised to junior members.

**MAGDALEN COLLEGE**  
**INTERMISSION PROCEDURE**

**1. Introduction**

- 1.1. *Purpose.* This Intermission Procedure ('Procedure') exists to enable the College to make suitable provision for those rare cases in which its junior members (students) are in medical or other difficulties which require them to take a temporary break from their studies, such that they will not be able to complete those studies according to the originally anticipated schedule. The College's first priority is to enable its students, so far as possible, to be thriving participants in their courses of study. In service of this goal, the primary purpose of this Procedure is to ensure that students remain in good academic standing, fulfilling their academic potential and completing their studies in a timely way. Already implicit in this statement is the College's view that breaks in study (including postponements of examinations) are undesirable, and can be allowed only in exceptional cases, and even then only within strict limits. Students admitted for a course of study of fixed or limited duration are expected to complete the course of study within that duration, without interruption, unless major life-events conspire to make that impossible. Sometimes the nature of those life-events may be such that, regrettably, the course of study cannot be completed at all. The interruption may be too prolonged or too repeated to allow for the measure of continuity that is necessary to make satisfactory academic progress. This Procedure also makes provision for this very rare eventuality. This Procedure does not regulate, and is without prejudice to, the power of the Deans of Arts to take steps to ensure the peace of the College and the safety of its members, for example by excluding someone from College premises.
- 1.2. *Support for students.* Students whose situations are or may be covered by this Procedure have a number of sources of support available to them, including the College's welfare team, the OUSU sabbatical officers, and the relevant JCR or MCR officers. The College has an arrangement with the College Doctors whereby they will provide opinions and certifications for the purpose of this Procedure. This arrangement is explained in more detail in section 3 below. It still allows for students to consult the College Doctors confidentially for the purpose of obtaining the normal range of advice and support, as opposed to the purpose of obtaining opinions and certifications under this Procedure. The Procedure is intended not to affect the normal interactions of students with the College Doctors acting as their general medical practitioners.
- 1.3. *Definitions.* In what follows 'the Applicant' means the person who is applying for (or who has applied for) intermission, whether the Student or not. 'The Student' means the junior member of College for whom intermission is sought or to whom intermission has been or will be granted or upon whom intermission has been or will be imposed. 'A student' (without initial capital letter) means any junior member of the

College. In accordance with the definition of ‘fitness to study’ set out in the University’s Statute XIII, ‘fitness to study’ means:

(a) a student’s fitness:

(i) to commence a distinct course of academic study; or

(ii) to continue with his/her current course of academic study; or

(iii) to return to his/her current or another course of academic study; and

(b) his/her ability to meet:

(i) the reasonable academic requirements of the course or programme; and

(ii) the reasonable social and behavioural requirements of a student member

(whether resident in college or not) without his/her physical, mental, emotional or psychological health or state having an unacceptably deleterious impact upon the health, safety and/or welfare of the student and/or other students and/or University or college staff (not withstanding adjustments required by law).

1.4 *Deadlines.* The College aims to deal with cases covered by this Procedure as quickly as possible so that delay does not aggravate any difficulties with academic progress. Accordingly, this Procedure includes various deadlines with which the College and the Student must make every reasonable effort to comply. In a case where delay is unavoidable, the delaying party must explain the situation giving rise to the delay before the deadline expires, or failing that at the earliest possible opportunity afterwards, and must also keep the other party informed of progress in making up for lost time.

1.5 *Form of communication.* Where this Procedure requires communication to the Applicant or the Student in writing, the normal method is by email to the recipient’s personal [ox.ac.uk](mailto:ox.ac.uk) email address, or, where the recipient lacks such an address, to the email address which has been supplied by the recipient to the College for such purposes. Where this Procedure requires communication to the Senior Tutor in writing, the normal method is by email to the Senior Tutor’s own [ox.ac.uk](mailto:ox.ac.uk) email address or to the [ox.ac.uk](mailto:ox.ac.uk) email address of the Academic Administrator. The email is regarded as having been delivered to the recipient at the time of sending. However, a communication on paper is also valid for the purpose of this Procedure and where that method is used, the communication is regarded as having been delivered when it is placed in the recipient’s pigeonhole in College, or on the second working day after it is posted to the recipient by first class post (as the case may be). The recipient’s pigeonhole in College should only be used where the sender is reasonably satisfied that the recipient is in residence in Oxford, and has reasonable access to the College, at the time of delivery.

## 2. General principles

2.1 *Intermission defined.* Subject to 2.2 below, any interruption of full-time studies (except where imposed by the College under disciplinary procedures) that has among its consequences the postponement of any University examination is an intermission for the purposes of this Procedure. For the avoidance of doubt, this includes any case in which a student withdraws from a University examination during or immediately before that examination with a view to re-entering for that examination at a later date.

2.2 *Scope of Policy.* This Procedure covers intermissions (i.e. ‘suspensions of status’) on

medical or compassionate grounds only and the word 'intermission' in this Procedure should be understood accordingly.

2.3 *Grounds of intermission.* The College will permit a student's intermission only where the Cases Committee is satisfied

(a) that an intermission is necessary on medical or compassionate grounds (such as injury, illness, very recent bereavement, urgent need for the Student to act as a carer towards a close family member, or maternity/paternity); and

(b) that the circumstances are such that the Student can reasonably be expected to be able to resume his or her studies at the end of the period of intermission.

For the avoidance of doubt the College will not grant intermission solely on the ground that the Student is or feels ill-prepared for examinations, giving rise to anxiety.

2.4 *Period of intermission.* In the case of undergraduates or students taking postgraduate taught courses, an intermission for the purposes of this Procedure will normally last for one year. However, there may be certain exceptions to this, in particular:

(a) if in the judgement of the Cases Committee the circumstances warrant it, a student who has already missed a substantial amount of work during a period in which he or she was not intermitted under this Procedure may be granted an intermission of less than one year so as to allow resumption of work at the point at which, effectively, it was abandoned;

(b) if in the judgement of the Cases Committee the circumstances warrant it, a student who is intermitted under 2.5(b) below may have his or her year of intermission calculated from the beginning of the term in which his or her intermission is imposed, or from the start of the next term, notwithstanding that the intermission will then be, in effect, longer than or shorter than one year;

(c) if in the judgement of the Cases Committee the circumstances warrant it, a student studying for a research degree (being a degree for which the only public examination is the examination of a thesis) may be intermitted for a period of one term, or any multiple of one term up to three terms (which need not be consecutive), where such intermissions match suspensions of student status granted by the University on medical or compassionate grounds.

The maximum permissible aggregate length of intermissions for any undergraduate during his or her course of study will be two years. The maximum permissible aggregate length of intermissions for a graduate student will accord with that specified in the University's Regulations.

2.5 *Initiating intermission.* Intermission is normally at the Student's application. However in the following two classes of cases, and only in the following two classes of cases, it may be imposed upon a student by the College:

(a) Where a student is subject to disciplinary proceedings (whether academic or non-academic) and makes or proposes to make an excuse in defending those proceedings of a kind that also discloses a possible medical ground of intermission, the disciplinary proceedings may be temporarily stayed (at the initiative of the panel or committee then having charge of the disciplinary proceedings) and the Student may be required by the chair of the relevant panel or committee to attend the College Doctors for an assessment of fitness to study according to the definition of 'fitness to study' in 1.3 above and the special procedure laid out in 3.3 below. If the Student is then certified unfit to study by the College Doctors, an intermission may be imposed upon the Student by the Cases Committee with or without the Student's consent. If the Student refuses to attend the College Doctors for an assessment of fitness to study as required under this provision, then his or her excuse may be disregarded for the purpose of determining the disciplinary outcome by the officer or committee then having charge of the disciplinary proceedings. 'Disciplinary proceedings', for the purpose of this provision, do not include any steps that can lead, under the College's disciplinary procedures, only to an informal or a formal warning.

(b) Where, in the judgement of one of the Deans of Arts or the Senior Tutor, a student's physical or mental condition is such as to give rise to grave concerns for his or her safety or the safety or wellbeing of those around him or her, the Dean of Arts or Senior Tutor (as the case may be) may require certification of fitness to study by the College Doctors to be provided to the Senior Tutor pursuant to the special procedure set out in 3.3 below. If the Student is certified unfit to study by the College Doctors, an intermission may be imposed upon the Student by the Cases Committee with or without the Student's consent. If the Student fails to attend the College Doctors for an assessment of fitness to study as required under this provision then that will be treated for the purpose of this provision as a case in which the Student was certified unfit to study by the College Doctors. In any case falling under this provision the Senior Tutor is empowered to impose an intermission provisionally on the Student, pending certification of fitness to study by the College Doctors, and without awaiting a decision by the Cases Committee. In any case in which an intermission is imposed provisionally and the imposition is subsequently confirmed by the Cases Committee under this provision, the date of provisional imposition shall qualify as the date of imposition of the intermission.

2.6 *Conditions as to return: academic.* In the case of a research student as defined in 2.4(c) above the College may set, by way of academic condition as to return, the following condition, namely that the University is satisfied that the student is academically prepared to return to his or her studies.

2.7 *Conditions as to return: fitness to study.* In cases in which intermission is on medical grounds, or on other grounds where there is a question of fitness to study, the College will require certification of fitness to study as a condition of return. Where certification of fitness to study is required, that certification can only be made by the College Doctors, who may seek or rely on such further professional opinions as they in their professional judgement see fit. Where, in the professional judgement of the College Doctors, certification of fitness to study requires attendance at the College Doctors' surgery, such attendance forms part of the relevant condition as to return, whether

expressed or not. In the case of a research student, the College may set its own fitness to study condition where it is satisfied that it is not merely duplicating a condition set by the University.

2.8 *Failure to meet conditions as to return.* If the Student fails to meet any condition as to return, then (subject to the outcome of any appeal he or she may launch under 4.4 below) the Student ceases forthwith to be a member of the College, and this is an automatic consequence of the failure rather than a new determination by the Cases Committee or the Senior Tutor. Pending any appeal under 4.4 below the Student remains a member of the College but is to be allowed back into residence only at the discretion of the Cases Committee. In the event of a failed appeal, the Student's membership is regarded as having ceased at the time at which he or she failed to meet the condition as to return, not at the time of determination of the appeal. Subject to the exception in 3.4 below, the College does not allow for repeated attempts at meeting any conditions as to return.

2.9 *Further conditions to be met after return.* Where the College Doctors certify fitness to study at the end of a period of intermission, but add that the fitness to study of the Student is to be kept under review, or that the student is fit to study only under medical supervision, or that the student is fit to study only while taking prescribed medication, or where the College Doctors enter any other proviso in their certificate of fitness to study pursuant to 3.6(d) below, the College may at the stage of the Student's return set further conditions to be satisfied by the Student after return from a period of intermission, so long as these are the very conditions specified by the College Doctors in the proviso to the certificate of fitness to study. If the Student fails to meet any such condition, then (subject to the outcome of any appeal he or she may launch under 4.4 below) the Student ceases forthwith to be a member of the College, and this is an automatic consequence of the failure rather than a new determination by the Cases Committee or the Senior Tutor. Pending any appeal under 4.3 below the Student remains a member of the College.

### **3. Procedures in more detail**

3.1 *Form of application.* An application for intermission of studies is to be made to the Senior Tutor in writing by the Student, or (in cases where the Student is gravely incapacitated) by a close family member or guardian acting on his or her behalf. Except where the opinion of the College Doctors has been (or will shortly be) sought by the Student or by the Applicant and has been (or will shortly be) communicated direct by the College Doctors to the Senior Tutor, evidence supporting the proposed intermission and showing the ground of it is to be included with the application (in the case of a graduate student, this will be on or accompanying the relevant GSO form). In the event that the Senior Tutor doubts the adequacy of the evidence supplied, the Senior Tutor may require additional evidence to be supplied and/or require the Applicant to obtain the opinion of the College Doctors, to be communicated direct to the Senior Tutor.

3.2 *Determination of application.* An application for intermission of studies under 3.1 is to be considered by the Senior Tutor, who is to arrive at a recommendation. The Senior Tutor's recommendation is to be put to the Cases Committee, orally or in writing, and

supported by a brief statement of reasons, at its next available meeting, which may be a special meeting called for the purpose of determining the application for intermission only. The Cases Committee makes a recommendation to the College's Tutorial Board, but by convention the Tutorial Board will follow the recommendation of the Cases Committee (because of the strength of this convention, the recommendation of the Cases Committee is here referred to as a 'decision'). Members of the Cases Committee will be supplied with copies of the application letter and the supporting evidence only

- (a) if and to the extent that the Applicant so requests; or
- (b) if and to the extent that the Senior Tutor believes it necessary and proportionate for the proper consideration of his or her recommendation; or
- (c) where the Cases Committee is minded to reject the application (either in accordance with or contrary to the recommendation of the Senior Tutor) at the request of any member of the Cases Committee.

If the Applicant prefers the application letter or any item or items of supporting evidence not to be passed to the Cases Committee, this should be made clear in the application letter, in which case the item or items in question will be withheld (irrespective of any potential importance to the success of the application). The Cases Committee is not to receive any representations direct from the applicant. The decision of the Cases Committee is to be communicated within 48 hours to the applicant in writing by the Senior Tutor and, in the event that the intermission is allowed by the Cases Committee, the Senior Tutor is to make timely arrangements for the intermission to take effect.

- 3.3 *Special procedure.* Where the College seeks to impose an intermission on the Student under 2.5 above, the committee or panel or officer responsible for initiating the imposition under 2.5 above shall write to the Student requiring the Student to make contact with the College Doctors for the purpose of obtaining a certificate of fitness to study, to be communicated direct to the Senior Tutor by the College Doctors. The letter to the Student shall state the grounds, under this Procedure, for setting such a requirement and shall specify a reasonable time (not exceeding two weeks) for the Student to obtain the certificate. In cases to which this special procedure applies no evidence of fitness or unfitness to study, nor of any other matter bearing on the suitability or desirability of intermission, shall be relevant to the determination of the case for or against the intermission other than the certification of the College Doctors. Within 72 hours of receipt of certification, the Senior Tutor is to notify the committee or panel or officer responsible under 2.5 above of the verdict of the College Doctors. If the verdict is that the Student is not unfit to study, any stayed disciplinary proceedings will be resumed. If the verdict is that the Student is unfit to study, then a report on the case will be made by the Senior Tutor to the Cases Committee, orally or in writing, recommending that the Student be intermitted under this procedure, the intermission to take effect upon ratification by the Cases Committee at its next available meeting, which may be a special meeting called for the purpose of ratifying the Senior Tutor's recommendation. The Cases Committee is required to ratify the recommendation of the Senior Tutor except in cases in which, in the judgement of the Cases Committee, the

special procedure set out here was not correctly followed. The Student shall be entitled to make a written representation to the Cases Committee via the Senior Tutor, but only to draw attention to any respect in which, in the Student's opinion, the special procedure was not followed. If the Cases Committee determines that the special procedure was not followed it may, where in its judgement this would not prejudice the Student's position, require the special procedure to be restarted, but if it does not so require then any stayed disciplinary proceedings will be resumed. The decision of the Cases Committee is to be communicated by the Senior Tutor within 72 hours to the Student in writing and, in the event that the intermission is to be imposed, the Senior Tutor is to make timely arrangements for it to take effect. In cases in which disciplinary proceedings resume under this special procedure, any time limits or deadlines applicable to those proceedings shall be calculated without counting the days during which the proceedings were stayed, unless there was unreasonable delay on the part of the College or its Doctors, in which case the days during which the proceedings were stayed shall be counted in calculating any time limit or deadline for action by the College or its officers or its committees (but not in calculating any time limit or deadline for action to be taken by the Student). The determination of whether a delay was unreasonable shall be made by the panel or committee then having charge of the disciplinary proceedings.

- 3.4 *Return into residence.* Where certification of fitness to study is required as a condition of an intermitted student's return into residence it shall be the responsibility of the Student to consult the College Doctors for the purpose of certification. That consultation is to take place shortly before a period of 12 days (which will be specified in the College's formal communication that intermission is permitted or required) during which the certificate of fitness to study must be received from the College Doctors. This period of 12 days will usually begin approximately seven weeks before the start of the term of intended return into residence, in order to enable arrangements for return to be put into effect, but may under certain circumstances be earlier (for example, where sufficient time needs to be allowed to obtain a Tier 4 Visa). Where the Student is not fit to study in time for the College Doctors to be able to certify fitness to study during the specified period of 12 days, but the College Doctors consider that there is a reasonable prospect that within one year the Student will be fit to study, then, exceptionally, the College will allow a single repeated attempt at meeting the condition as to return one year later (or for research students as specified in 2.4(c)), subject to the maximum permissible aggregate length of intermissions specified in 2.4.
- 3.5 *Failure to meet conditions.* Where, in the judgement of the Senior Tutor, the Student fails to meet any condition as to his or her return set under this Procedure, or fails to meet any condition to be satisfied after return, notice of that failure, and of the consequence, will be given in writing to the Student by the Senior Tutor acting on behalf of the Cases Committee, within 72 hours of the failure's having come to the attention of the Senior Tutor. In case of dispute about whether any condition as to return has been met by the Student, the appeal procedure under 4.3 below applies.
- 3.6 *Content of communication from the College Doctors.* Where the College Doctors provide the Senior Tutor with an opinion for the purposes of this Procedure, that opinion will include such detail of the Student's medical or medically-related conditions as is

necessary, in the opinion of the College Doctors, for their opinion to count as helpful evidence for the College in determining the success of an application for intermission. Where the College Doctors provide the Senior Tutor with a certificate of fitness to study for the purpose of this Procedure, the certificate shall state

- (a) whether, in the view of the College Doctors, the Student is or is not fit to continue with or (as the case may be) resume his or her studies at the date of certification;
- (b) whether that view is informed by the direct observations of the College Doctors, or by material assembled from other sources, or by both methods together;
- (c) where the student is not certified fit to study, the main medical explanation or explanations for that being the case, in the briefest terms;
- (d) where the student is certified fit to study, any proviso to the effect that in the opinion of the College Doctors continuing review of the situation is required or continuing treatment or medication is required, or any similar proviso that will enable the College to set suitable conditions for the Student to meet, under 2.9 above, after his or her return to college.

3.7 *Doctor-patient confidentiality.* In cases in which the College Doctors are to communicate any matter (whether an opinion or a certification) direct to the Senior Tutor, the Student will be required to grant to the College Doctors a limited waiver of doctor-patient confidentiality for that sole purpose. The Senior Tutor undertakes to preserve the confidentiality of any matter communicated by the College Doctors under such a waiver, in accordance with the College's Guidance on Confidentiality in Student Health and Welfare, except to the extent that further communication is required under 3.1 above or for the purpose of 4.11 below, and when such further communication is required a similar obligation to preserve confidentiality will be attached to the communication. The consequences, under this Procedure, of failure to grant a waiver of confidentiality to the College Doctors are the same as the consequences, under this Procedure, of failure to consult the College Doctors when so required. In exceptional and rare cases of grave emergency or severe incapacitation, the College Doctors reserve the right to follow their normal professional practice in communicating with the Senior Tutor without first obtaining from the Student a waiver of doctor-patient confidentiality. In such cases the Senior Tutor undertakes to preserve the confidentiality of any matter communicated exactly as if it were under a waiver of confidentiality.

#### **4. Appeals**

4.1 *Appeals against refusal of intermission.* Intermission instigated by the Student is a special concession granted out of compassion, not a right of the Student. There is therefore no right of appeal against the refusal of an application to intermit or against the College's decision as to the duration of intermission granted. There is no obstacle to the making of a fresh application supported by new evidence or on the basis of a change in situation or on any other basis such that the Cases Committee might reasonably be expected to reach a different determination. The Senior Tutor may, however, decline to

accept, and hence to pass to the Cases Committee, a reapplication which he or she judges to be in substance a mere repetition of a recently refused application. There is no right of appeal against such a judgement of the Senior Tutor.

4.2 *Appeals against imposition of intermission.* There is no appeal against the imposition of an intermission by the College under the special procedure in 3.3 above, except on the ground that this Procedure was not correctly followed. In particular, but without prejudice to the generality of the foregoing, there is no appeal on the ground that the certification or opinion of the College Doctors was incorrect or incorrectly formed. The Student exercises the right of appeal under this provision by giving notice of appeal in writing to the President within 7 days of the Student's being informed under 3.3 above of the decision to impose an intermission upon him or her. The President may extend the 7-day time limit in this provision by any number of days in his or her discretion (up to a maximum of 84 days) in cases in which, in his or her judgement, the health of the Student was such at the time of intermission that he or she could not reasonably have been expected to exercise his or her right of appeal within 7 days.

4.3 *Appeals upon failure to satisfy conditions.* Any student granted an intermission, or who has an intermission imposed upon him or her, may appeal against the coming into effect of the consequence of his or her failure to meet any condition as to his or her return, or any condition to be met after return, but only on one or more than one of the following grounds:

(a) that the Senior Tutor was mistaken in his or her judgement under 3.5 above that the Student failed to meet one or more of the conditions; or

(b) that the Student's failure to meet any condition to be met after return was excusable. Under this provision the Student is entitled to rely, by way of excuse, on the continuing or residual effect of the same circumstances that led to his or her intermission or to the imposition of the condition in question. However, a Student who does so rely may, exceptionally, be found on appeal to be unfit to study, and hence unfit to continue with his or her course as a member of the College, in spite of any certificate by the College Doctors to the contrary.

For the avoidance of doubt, it is not a ground of appeal under this provision that the condition in question should not have been imposed. It is also not a ground of appeal that any certification of the College Doctors as to the Student's fitness to study was incorrect or incorrectly formed. The Student exercises the right of appeal under this provision by giving notice of appeal in writing to the President within 7 days of the Student's being given notice under 3.5 above of his or her failure to meet the condition.

4.4 *Constitution of Intermission Appeal Committee.* An appeal under 4.2 or 4.3 above is to be heard by an Intermission Appeal Committee constituted by the President specifically to hear the appeal. Any determinations or consequences appealed against are stayed pending determination of the appeal.

4.5 *Membership.* An Intermission Appeal Committee will comprise:

- (a) one Fellow of the College of suitable seniority and experience, who is a Member of the Tutorial Board holding an academic post, and who will chair the Intermission Appeal Committee; and
- (b) two further Governing Body Fellows of the College holding academic posts (who need not be members of the Tutorial Board).

4.6 *Disqualification.* The following shall not be eligible to serve on an Intermission Appeal Committee:

- (a) The President, the Senior Tutor, the Senior and Junior Deans of Arts, or the Tutor for Welfare;
- (b) Any person who has served as a designated tutor to the Student as defined in 2.1 of the College's Academic Disciplinary Procedure;
- (c) Any person who has taught the Student (in tutorials or in any other capacity where reporting on individual progress was required or expected);
- (d) Any person who was a member of Cases Committee in the period during which the Student's intermission was under consideration, whether or not participating in such consideration;
- (e) Any person who has served on an Intermission Appeal Committee, or a Disciplinary Panel or Appeal Committee under the College's Academic Disciplinary Procedure, or on any similar panel under another policy or procedure of the College, in another case involving the same student.

If sufficient Intermission Appeal Committee members not disqualified under these headings cannot be found from within the College then the President shall have the option of substituting one or more members from another College or other Colleges of the University of Oxford who do meet these conditions, and who (apart from the fact that they are members of another College, not of Magdalen College) fall under the descriptions in 4.5 above.

4.7 *Secretary of the Intermission Appeal Committee.* The Intermission Appeal Committee shall be assisted by the Academic Administrator (or another senior administrative employee of the College enlisted by the President) who will act as Secretary to the Intermission Appeal Committee ('the Secretary').

4.8 *Objections to membership.* Within 72 hours of the constitution of the Intermission Appeal Committee, the Student will be given notice by the Secretary of the identities of its members, and will have 72 hours from the time of being given that notice to object to the appointment of one or more of them, stating the grounds for doing so. The President will appoint an alternative member or members of the Intermission Appeal Committee within 72 hours of the objection's being made if, in the President's view, the Student's grounds for objecting are reasonable ones.

- 4.9 *Representation of Cases Committee before the Intermission Appeal Committee.* Within 72 hours of the constitution of the Intermission Appeal Committee (or of its reconstitution if required under 4.8 above) the Cases Committee is to nominate a person ('the Cases Committee Representative') to make a case, before the Intermission Appeal Committee, in favour of the position taken by the College. The Cases Committee Representative may be the Senior Tutor or any member of the Cases Committee.
- 4.10 *Date of hearing.* Within 7 days of the constitution of the Intermission Appeal Committee (or of its reconstitution if required under 4.8 above), the Secretary will fix a date for an Intermission Appeal Committee hearing. The hearing is to take place no later than 14 days after the constitution (or reconstitution) of the Intermission Appeal Committee. Subject to that limit of 14 days, the date should be fixed in consultation with the Student, the Cases Committee Representative, and the members of the Panel.
- 4.11 *Hearing details.* At least 7 days before the hearing the Secretary will:
- (a) write to the Intermission Appeal Committee members, the Student, and the Cases Committee Representative to confirm the date, time and location of the hearing;
  - (b) provide the Intermission Appeal Committee members, the Student, and the Cases Committee Representative with a bundle containing copies of any relevant documents, including (but not limited to) the application for intermission if any, the supporting evidence if any, any relevant correspondence between the Senior Tutor and the Student, any record or note of any certification by or opinion of the College Doctors, and the minute of any relevant meeting of the Cases Committee.
- 4.12. *Assistance and representation.* The Student will also be informed by the Secretary that he or she is entitled to be represented or accompanied at the Intermission Appeal Committee hearing by one other person. Except with the special leave of the Chair of the Intermission Appeal Committee, this person ('the Friend') must be a current member or employee of the College or an Officer of OUSU. The JCR and MCR may make available a list of people from among their memberships who have indicated a willingness to be approached to assist with representations and support for the purpose of this Intermission Appeal Procedure. Members of the College welfare team may also be approached if required. These are optional facilities. The Student may bring any current member of the College or of its staff or any Officer of OUSU who is willing to assist, or nobody at all if preferred. Cases for the granting of special leave include but are not limited to those in which no suitable member or employee of the College or OUSU Officer is available to assist, or in which the Student has reasonable grounds to wish his or her situation to remain unknown to those members or employees of the College or to those OUSU Officers who are available to assist. However, an Intermission Appeal Committee will not normally allow legal or other professional representation for the Student. At least 72 hours before the hearing the Student will inform the Secretary of the identity of his or her Friend, if any, indicating whether the Friend will be a representing or merely an accompanying Friend. It is the responsibility of the Student to inform his or her Friend, if any, of the arrangements for the hearing. If a Friend is speaking on behalf of the Student, the Student will surrender the right to speak on his or her own behalf, except as a witness. Unless the Chair of the Intermission

Appeal Committee agrees that exceptional circumstances prevent it, the Student must attend the hearing for the appeal to be heard, and must be ready to appear as a witness at the Intermission Appeal Committee's request. This is so even if the Student has asked a Friend to speak on his or her behalf.

- 4.13 *Additional evidence.* Because the grounds of appeal under this Procedure do not generally raise disputed questions of fact, it is not normally expected that witnesses or additional documentary evidence will need to be brought before the Intermission Appeal Committee. However, there may be rare cases in which such evidence will be relevant. In such cases, the rules under sections 7.12 to 7.15 of the College's Academic Disciplinary Procedure shall have effect (with references to the Intermission Appeal Committee substituting for references to the Academic Disciplinary Appeal Committee).
- 4.14 *Regulation of procedure.* Subject to the above, the Intermission Appeal Committee has the power (having regard to the requirements of natural justice) to regulate the procedures governing preparations for the hearing, and the hearing itself, including the order in which representations are to be heard, so as to ensure that the process is fair and reasonable and, so far as possible in view of the seriousness of the situation, informal and flexible.
- 4.15 *Making of decision by Intermission Appeal Committee.* When the Intermission Appeal Committee members consider their findings and recommendations, each will be given the opportunity to present and discuss his or her impressions and conclusions regarding the issues and the hearing. The Intermission Appeal Committee will attempt to reach a unanimous conclusion regarding its findings and recommendations. If a unanimous conclusion cannot be reached, a motion for a decision may be made by any Intermission Appeal Committee member other than the Chair. The success or failure of any motion will be determined by simple majority vote. The Intermission Appeal Committee will not take account of any information or documents which were not available to the Student or which were not available to the Cases Committee Representative at or before the hearing.
- 4.16 *Notification of decision by the Intermission Appeal Committee.* The decision of the Intermission Appeal Committee is announced by notice in writing to the President, the Student, and the Cases Committee Representative. The decision will not be announced until at least 24 hours after the hearing. The Intermission Appeal Committee may, however, take up to 7 days after the hearing to reach and to announce a decision. Within 14 days of the hearing, the Intermission Appeal Committee will produce a written report setting out its findings and recommendations, and the reasons for them. In case of a majority decision, the decision and the reasons shall be those of the majority. No dissenting opinion will be presented.
- 4.17 *Possible disposals by Intermission Appeal Committee on appeal against a determination of the Cases Committee.* Having heard an appeal under 4.2 or 4.3 above, the Intermission Appeal Committee may, at its discretion
- (a) confirm the determination of the Cases Committee; or

- (b) remit the case for further consideration under this Procedure by the Cases Committee; or
- (c) substitute for the determination of the Cases Committee any determination that the Cases Committee would have been entitled to make under this Procedure.

4.18 *Possible disposals by the Intermission Appeal Committee on appeal following a student's failure to satisfy a condition as to return.* Having heard an appeal under 4.4 above, the Intermission Appeal Committee may, at its discretion

- (a) confirm that the student concerned has ceased to be a member of the College; or
- (b) allow the student concerned to remain a member of College and to return into residence subject to such conditions as the Intermission Appeal Committee may prescribe; or
- (c) allow the student concerned to remain a member of College and to return into residence subject to such conditions as the Cases Committee may prescribe (the case having been remitted by the Intermission Appeal Committee to the Cases Committee for that purpose only).

For the avoidance of doubt, conditions imposed under (b) or (c) above are not restricted to conditions that could have been imposed under 2.9 above, and may include further conditions.

4.19 *Finality and further appeals.* The decision of the Intermission Appeal Committee is final and not open to further appeal within the College. By convention, the Tutorial Board of the College will not interfere with it. The finality of the Intermission Appeal Committee's determination is without prejudice to the right of the Student to make appeals or other applications to bodies outside the College, in particular to the Conference of Colleges Appeal Tribunal (CCAT), or to the Office of the Independent Adjudicator (OIA). For more information about CCAT, see <https://weblearn.ox.ac.uk/portal/hierarchy/colleges/confcoll>; for more information about the OIA, see <http://www.oiahe.org.uk/>. The Senior Tutor will, at the Student's request, issue to the Student a Certificate of Completion of Procedures once all in-College remedies have been exhausted.

4.20 *University's Fitness to Study Panel.* The College reserves the right, in exceptional circumstances not envisaged in the preparation of this Procedure, to refer cases for advice to the University's Fitness to Study Panel. There is no right of individual appeal or petition to this panel, which in respect of colleges exists only to give additional advice in rare and difficult cases.

MAGDALEN COLLEGE OXFORD

-and-

THE STUDENT

**LICENCE TO OCCUPY**

relating to  
student accommodation at Magdalen College Oxford

Blake Morgan LLP  
Seacourt Tower  
West Way  
Oxford OX2 0FB

**THIS LICENCE AGREEMENT** is dated the date on which the Summary Acceptance Form is signed

## **PARTIES**

- (1) "Magdalen" THE PRESIDENT AND SCHOLARS OF THE COLLEGE OF ST MARY MAGDALEN IN THE UNIVERSITY OF OXFORD of High Street Oxford OX1 4AU
- (2) "the Student" A junior member of Magdalen whose name and (if any) address is stated in the Summary Acceptance Form

## **AGREED TERMS**

### **1. Definitions and Interpretation**

The following definitions and rules of interpretation apply in this Licence.

- 1.1 "Accommodation" means a study bedroom or a flat within the College specified in the Summary Acceptance Form allocated to the Student on or before the date of this Licence and in respect of which the Student has been issued a key and pass
- 1.2 "Building" the building at the College within which the Accommodation is situated
- 1.3 "Charge" the amount payable by the Student to Magdalen for the Accommodation at the Rate or such other amount as Magdalen in its absolute discretion may from time to time determine on giving not less than
- 1.3.1 (in the case of an undergraduate member of Magdalen) one Full Term's written notice

- 1.3.2 (in the case of a graduate member of Magdalen) two months' written notice
- 1.4 "the College" means the buildings and grounds comprising Magdalen College Oxford
- 1.5 "Common Facilities" means the bathrooms and WCs within the Building intended for the shared use of the Student and other occupiers of the Building
- 1.6 "Common Parts" means such paths, entrance halls, corridors, lifts, staircases, landing and other means of access in or upon the Building the use of which is necessary for obtaining access to and egress from the Accommodation as designated from time to time by Magdalen.
- 1.7 "Competent Authority" any statutory undertaker or any statutory public local or other authority or regulatory body or any court of law or government department or any of them or any of their duly authorised officers.
- 1.8 "Contents" means the fixtures fittings and equipment in the Accommodation as listed in the inventory supplied by Magdalen on or before the commencement of the Licence Period
- 1.9 "Full Term" means any one of the full terms of the University of Oxford comprising Michaelmas Term Hilary Term and Trinity Term
- 1.10 "Information and Regulations" means the information and regulations for junior members of the College from time to time in force and set out in the booklet provided for or made available to the Student on or before the commencement of this Licence

1.11 "Licence Period"

means in respect of the Academic Year referred to in the Summary Acceptance Form

1.11.1 (in the case of undergraduate members of Magdalen) the periods from and including the Thursday before the first day of each Full Term (or if the Student is in his/her first year) the Monday before the first day of Michaelmas Term) and in either case until the last Saturday of Michaelmas Full Term or the last Sunday of Hilary and Trinity Full Terms; or

1.11.2 (in the case of graduate members of Magdalen occupying a study bedroom) the period of 9 months commencing 1 October; or

1.11.3 (in the case of graduate members of Magdalen occupying a flat) the period of 10 months commencing 1 October

or (in all cases) if sooner until the date on which this Licence is determined in accordance with Clause 4.

1.12 "Necessary Consents"

all planning permissions and all other consents, licences, permissions, certificates, authorisations and approvals whether of a public or private nature which shall be required by any Competent Authority for the Permitted Use.

1.13 "Partner"

means in the case only of a Student who is a graduate member of the College a person from time to time invited and nominated by the Student in writing to Magdalen as his/her partner

- 1.14 "Permitted Use" means
- 1.14.1 (in the case of Accommodation which is a study bedroom) use as a study bedroom for the sole occupancy of the Student (and no other person) whilst a member of the College; or
- 1.14.2 (in the case of Accommodation which is a flat) use as a residential flat for the sole occupancy of the Student together with a Partner
- and in either case in respect of a Student undertaking a full-time course of study at Magdalen
- 1.15 "Rate" means the rate applicable to the Accommodation specified in the Summary Acceptance Form
- 1.16 "Services" the supply or removal of heat, electricity, gas, water, sewage, energy, telecommunications, data and all other services and utilities
- 1.17 "Service Media" means all media for the Services and all structures, machinery and equipment ancillary to those media.
- 1.18 "Summary Acceptance Form" means the form specifying the name of the Student, the Accommodation and the Rate signed by the Student on or before the commencement of the Licence Period to signify the Student's acceptance of the terms and conditions of this Licence Agreement and the Information and Regulations
- 1.19 "Vacation" means any period which is not a Licence Period

- 1.20 Clause headings shall not affect the interpretation of this Licence.
- 1.21 In case of any inconsistency or conflict between the terms and conditions of this Licence Agreement and the Summary Acceptance Form, the Summary Acceptance Form shall prevail
- 1.22 Unless the context otherwise requires, words in the singular shall include the plural and in the plural shall include the singular.
- 1.23 Unless the context otherwise requires, a reference to one gender shall include a reference to the other genders.
- 1.24 A reference to laws in general is a reference to all local, national and directly applicable supra-national laws as amended, extended or re-enacted from time to time and shall include all subordinate laws made from time to time under them and all orders, notices, codes of practice and guidance made under them.
- 1.25 A reference to writing or written includes email but excludes fax.
- 1.26 Any obligation on a party not to do something includes an obligation not to allow that thing to be done and an obligation to use best endeavours to prevent that thing being done by another person.
- 1.27 References to clauses are to the clauses of this Licence.
- 1.28 Any words following the terms including, include, in particular, for example or any similar expression shall be construed as illustrative and shall not limit the sense of the words, description, definition, phrase or term preceding those terms.
- 1.29 A working day is any day which is not a Saturday, a Sunday, a bank holiday or a public holiday in England.

## **2. Licence to Occupy**

- 2.1 In consideration of the Charge and subject to Clause 3 and Clause 4, Magdalen permits the Student to occupy the Accommodation for the Permitted Use for the Licence Period in common with Magdalen and all others authorised by Magdalen (so far as is not inconsistent with the rights

given to the Student to use the Accommodation for the Permitted Use) together with the right for the Student to use :

2.1.1 such parts of the Common Parts for the purpose of access to and egress from the Accommodation as shall from time to time be designated by Magdalen for such purpose.

2.1.2 the Common Facilities

2.1.3 the Service Media serving the Accommodation.

2.2 The Student acknowledges that:

2.2.1 the Student shall occupy the Accommodation as a licensee and that no relationship of landlord and tenant is created between Magdalen and the Student by this Licence;

2.2.2 Magdalen retains control, possession and management of the Accommodation and the Student has no right to exclude Magdalen from the Accommodation;

2.2.3 the licence to occupy granted by this agreement is personal to the Student;

2.2.4 (in the case of a flat occupied by a graduate member of Magdalen) the Accommodation may be shared with a Partner but is not assignable and the rights given in Clause 2 may only be exercised by the Student; and

2.2.5 without prejudice to its rights under Clause 4, Magdalen shall be entitled at any time on giving not less than 3 days' notice to require the Student to transfer to alternative accommodation elsewhere within the College and the Student shall comply with such requirement whereupon this Licence shall apply to the new accommodation once all necessary consequential changes have been made

2.3 If the College agrees in writing to allow the Student to remain in occupation of the Accommodation or any other equivalent accommodation within the College during a Vacation the Student's occupation shall be governed by the terms of this Agreement once all necessary consequential changes have been made subject to the payment of the Charge (at the Rate determined on a daily basis) for each day when the Accommodation or equivalent accommodation is occupied by the Student. The rate for occupation of non-equivalent occupation shall be that notified by the College on acceptance of the Student's application for Vacation residence.

### **3. Student's obligations**

The Student agrees and undertakes:

- 3.1 to pay to Magdalen the Charge without any deduction in advance
  - 3.1.1 (in the case of an undergraduate) for each Full Term on or before the Friday of the first week of each Full Term
  - 3.1.2 (in the case of a graduate occupying a study bedroom) by three equal instalments every three months the first to be paid on or before the first day of the Licence Period
  - 3.1.3 (in the case of a graduate occupying a flat) by monthly instalments on or before the first day of each month.
- 3.2 without prejudice to any other remedy of Magdalen if the whole or part of the Charge has not been paid within 14 days of the due date to pay to Magdalen interest on the amount outstanding at the rate of 2% per annum above the base rate of National Westminster Bank from time to time in force from the date payment became due until the date of actual payment
- 3.3 to keep the Accommodation clean, tidy and clear of rubbish;
- 3.4 not to use the Accommodation other than for the Permitted Use;
- 3.5 not to make any alteration or addition whatsoever to the Accommodation or the Service Media or the Services;
- 3.6 not to display any advertisement, signboards, nameplate, inscription, flag, banner, placard, poster, signs or notices at the Accommodation or elsewhere in the Building or the College
- 3.7 not to share the Accommodation with anyone (other than with a Partner provided the Accommodation is a flat) or purport to sublet or transfer it to any other person
- 3.8 (in the case of Accommodation shared with a Partner) to be responsible for the acts or omissions of the Partner in relation to the use and occupation of the Accommodation and not to cause or permit the Partner to be in breach of any of the terms of this Licence
- 3.9 not to bring into the building any animal unless as an aid for a person with a disability subject to having obtained Magdalen's prior written approval.
- 3.10 not to smoke anywhere within the College (including the Accommodation) and not to keep or permit to be kept or to take drugs other than for presented medicinal purposes
- 3.11 not to do or permit to be done on the Accommodation anything which is illegal or which may be or become a nuisance (whether actionable or not), annoyance, inconvenience or disturbance to Magdalen or to occupiers of the College or any owner or occupier of neighbouring property;
- 3.12 not to cause or permit to be caused any damage to:

3.12.1 the Accommodation, the Building or the College (including their decorative finishes);  
or

3.12.2 the Contents

and immediately report to Magdalen any damage or want of repair to the College or any failure in the provision of any of the Services as soon as reasonably practicable and in any event within 24 hours of becoming aware of it

3.13 not to bring any additional furniture (including upholstered items fridges electrical goods and cookers) into the College without Magdalen's written consent provided that a licensed television may be used in the Accommodation

3.14 to cause or permit anything harmful or which is likely to cause blockage in any of the drainage or water pipes within the Building

3.15 not to obstruct the Common Parts or the Common Facilities, make them dirty or untidy or leave any rubbish on them;

3.16 not to do anything that will or might constitute a breach of any Necessary Consents affecting the Accommodation or which will or might vitiate in whole or in part any insurance effected by Magdalen in respect of the Accommodation and the College from time to time;

3.17 to comply with all laws and with any recommendations of the relevant suppliers relating to the Services and the Service Media to or from the Accommodation;

3.18 to observe and perform the Information and Regulations and any variation thereof from time to time notified to the Student

3.19 without prejudice to Clause 2.2.2 to permit the College at all times to enter the Accommodation for the purpose of viewing, inspection, maintenance or repair, and for routine cleaning and in emergency

3.20 not at any time

3.20.1 to part with possession or control of the keys to the Accommodation and the College passes and/or entry cards; and

3.20.2 forthwith to report any loss to Magdalen;

and to pay the reasonable cost incurred by Magdalen for providing a replacement key and/or pass and/or entry card.

3.21 in the case of an undergraduate member of Magdalen at the end of each Full Term and in the case of a graduate member of Magdalen at the end of the Licence Period

- 3.21.1 to leave the Accommodation in a clean and tidy condition
- 3.21.2 to remove the Student's furniture equipment and goods from the Accommodation
- 3.21.3 return to Magdalen the keys passes and entry cards to the Accommodation;
- 3.22 to indemnify Magdalen and keep Magdalen indemnified against all losses, claims, demands, actions, proceedings, damages, costs, expenses or other liability in any way arising from:
  - 3.22.1 any breach of the Student's undertakings contained in this Clause 3; and/or
  - 3.22.2 the exercise of any rights given in Clause 2;
- 3.23 without prejudice to Clause 3.20 if the Student shall remain in occupation of the Accommodation without Magdalen having agreed Vacation residence pursuant to Clause 2.3 the Student shall pay to the College for each day of occupation a daily charge of Magdalen's standard charge for letting the Accommodation commercially and shall otherwise occupy the Accommodation on the same terms as this Licence

#### **4. Magdalen's obligations**

During the Licence Period Magdalen undertakes with the Student

- 4.1 to keep the Building including the Accommodation in reasonable repair
- 4.2 to provide electricity heating lighting hot and cold running water to the Accommodation and to the Common Facilities
- 4.3 to clean the Accommodation and the Common Parts
- 4.4 to dispose of rubbish deposited only in receptacles provided for that purpose
- 4.5 to provide bedlinen in the Accommodation and its laundering
- 4.6 other than for the purposes set out in Clause 3.19 to give not less than 7 days' prior notice to the Student for planned maintenance work and 24 hours prior notice for other purposes.
- 4.7 to insure the Building (including the Accommodation) fully comprehensively

#### **5. Termination**

- 5.1 This licence shall end on the earliest of:
  - 5.1.1 the last day of the Licence Period

- 5.1.2 the Student ceasing to be a member of the College and/or ceasing to be undergoing a full-time course of education at the College
  - 5.1.3 the expiry of any notice given by Magdalen to the Student at any time on material breach of any of the Student's obligations contained in Clause 3;
  - 5.1.4 the expiry of notice given by Magdalen to the Student if in the reasonable opinion of Magdalen the health or the conduct of the Student or a Partner constitutes a serious risk to the Student or others or to Magdalen's or others' property
- 5.2 The Student may terminate this Licence:-
- 5.2.1 on giving notice to Magdalen if Magdalen exercises its right under Clause 2.2.5 to require the Student to move to alternative accommodation unless the Student moves to such alternative accommodation
  - 5.2.2 on the expiry of not less than 5 working days' notice to Magdalen provided that on expiry of such notice:-
    - (a) there are no arrears of the Charge; and
    - (b) no person is in occupation of the Accommodation; and
    - (c) the Student is not in material breach of any of its obligations under this Licence; and
    - (d) a replacement occupier satisfactory to Magdalen who is not occupying other accommodation at the College has entered into an agreement to take the Accommodation on the terms of this Licence having made all necessary consequential changes.
- 5.3 Termination of this Licence shall not affect the rights of either party in connection with any breach of any obligation under this Licence which existed at or before the date of termination.

## **6. Notices**

- 6.1 Any notice or other communication given under this Licence shall be in writing and shall be delivered by hand or sent by email or by pre-paid first-class post or by other next working day delivery service to the relevant party as follows:
  - 6.1.1 to Magdalen marked for the attention of the Home Bursar and
  - 6.1.2 to the Student at the Accommodation or at the Student's address (if any) given in the Summary Acceptance Form

or as otherwise specified by the relevant party by notice in writing to other party.

6.2 Any notice or other communication given in accordance with Clause 6.1 will be deemed to have been received:

6.2.1 if delivered by hand, at the time the notice or other communication is left at the proper address; or

6.2.2 if sent by email to the last known email address of the Student or of the Home Bursar of Magdalen (as the case may be) at the time of receipt;

6.2.3 if sent by pre-paid first-class post or other next working day delivery service, at 9.00 am on the second working day after posting.

6.3 This clause does not apply to the service of any proceedings or other documents in any legal action or, where applicable, any arbitration or other method of dispute resolution.

## **7. Limitation of College's liability**

7.1 Subject to Clause 7.2, Magdalen is not liable for:

7.1.1 the death of, or injury to the Student, or invitees to the Accommodation; or

7.1.2 damage to any property of the Student or invitees to the Accommodation; or

7.1.3 any losses, claims, demands, actions, proceedings, damages, costs or expenses or other liability incurred by Student or invitees to the Accommodation in the exercise or purported exercise of the rights granted by Clause 2.

7.2 Nothing in Clause 7.1 shall limit or exclude Magdalen's liability for:

7.2.1 death or personal injury or damage to property caused by negligence on the part of Magdalen or its employees or agents; or

7.2.2 any matter in respect of which it would be unlawful for Magdalen to exclude or restrict liability.

## **8. Third party rights**

A person who is not a party to this Licence shall not have any rights under the Contracts (Rights of Third Parties) Act 1999 to enforce any term of this Licence.

## **9. Governing law**



## INDEX

	<b>Page</b>
Academic Matters	1
Academic Dress	9
Academic Policy of the College (undergraduate studies)	3
Awards and Prizes	6
Academic Discipline	5 and Appendix B (54)
Book Grants	9
Choral Foundation	6
Collections and Penal Collections	4
College Contract	2
Deadlines	5
First Public Examination	3
Intermission	9 and Appendix E (92)
Music Scholarships	7
Notices	9
Plagiarism	5
President's Collections	4
Residence	9
Selection Policy (undergraduates)	3
Student Complaints Procedure	2 and Appendix A (45)
Study Skills	5
Summer Internship Grants	8
Suspension of Status	10 and Appendix E (92)
Travel and/or Research Grants	8
Tutor-Student Relationship	4
Vacation Study Grants	8
Accommodation Licence Agreement	105 (Appendix F)
Administrative Staff	43
Animals	32
Batells (see Charges)	36 and Appendix D (90)
Bedding	31
Cars, Motor-cycles, and Bicycles	33
Chapel	11
Charges	35
Codes of Practice on Harassment and on Freedom of Speech	20
College Gates	32
College-Owned Rooms	28
Computer Arrangements	37
Confidentiality in Student Health and Welfare	14
Counselling	14
Dean of Divinity	11
Deans of Arts	12
Disciplinary Procedure, Academic	5 and Appendix B (54)
Disciplinary Procedure, Non-Academic	73 (Appendix C)
Disorderly Behaviour	19
Electoral Register	40
Electronic Point of Sale Facility (EPOS)	36
Financial Assistance	15
Financial Help for Graduates	23
Fire	34
Firearms and Illegal Drugs	34
Furniture, Decoration, and Maintenance	30
Graduate Matters	20
Admission of Graduates to Magdalen	20
College Advisees	21
College Advisers	21
Feedback and Records	22
Financial Help for Graduates	23
Tavella Stewart and Senior Mackinnon Scholarships	25
Guests	32
Health and Safety	37

Home Bursar	26
Insurance, Personal	37
JCR Code of Practice	10
Keys	32
Laundry	32
Lawns	19
Lighting, Heating, and Electrical Safety	31
MCR Code of Practice	10
Meals Service	26
Medical Arrangements	36
Meetings and Parties	17
Music Hours	17
Old Kitchen Bar	27
Personal Tutors	11
Post	35
Post-examination Celebrations	19
PREVENT Duty	15
Roofs	20
Security	29
Smoking	34
Social Media	19
Sports Facilities	38
Sub-Deans	13
Summer Internship Grants	8
Television Licensing	39
Tutor for Graduates	20
Tutorial Board 2020-21, Members of	41
Vacation Residence	30
Voting Rights	40
Waste Management	39
Weather Response	39
Welfare	12

## CONTACT LIST

See Table of Contents for further details. Telephone numbers should be prefixed with a '2' if calling from outside the university network

Porters' Lodge (24 hours) 76000

Maintenance (non-emergency repairs etc.) 76039 or [maintenance@magd.ox.ac.uk](mailto:maintenance@magd.ox.ac.uk)

Maintenance Emergencies (i.e. which cannot wait until 8am on next weekday) – contact via the Lodge

Housekeeping (inc. furniture requests) 76006 or [housekeeping@magd.ox.ac.uk](mailto:housekeeping@magd.ox.ac.uk)

Guest Room bookings [celia.brown@magd.ox.ac.uk](mailto:celia.brown@magd.ox.ac.uk)

JCR Dining Room, Oscar Wilde Room, Seminar Rooms, Daubeny Laboratory (during term time) and Bat Willow Meadow bookings – 76021 or [studentsupport@magd.ox.ac.uk](mailto:studentsupport@magd.ox.ac.uk) or see booking form on the Internal Pages of the Magdalen website

Auditorium and Public Rooms (during vacation time) bookings 76051 or [conferences@magd.ox.ac.uk](mailto:conferences@magd.ox.ac.uk)

Teaching/Seminar Room (during term time) bookings [louise.robson@magd.ox.ac.uk](mailto:louise.robson@magd.ox.ac.uk) or see booking form on the Internal Pages of the Magdalen website

Catering enquiries 76049 or [catering@magd.ox.ac.uk](mailto:catering@magd.ox.ac.uk)

Academic Administrator 76113 or [liz.howdill@magd.ox.ac.uk](mailto:liz.howdill@magd.ox.ac.uk)

Student Support Administrator 76021 or [studentsupport@magd.ox.ac.uk](mailto:studentsupport@magd.ox.ac.uk) or [deans@magd.ox.ac.uk](mailto:deans@magd.ox.ac.uk)

Computer Office 76112 or [computer.office@magd.ox.ac.uk](mailto:computer.office@magd.ox.ac.uk)

College Nurse 76081 or [v.manellari@nhs.net](mailto:v.manellari@nhs.net)

Dean of Divinity 76027 or [andrew.bowyer@magd.ox.ac.uk](mailto:andrew.bowyer@magd.ox.ac.uk)

**FIRE, POLICE OR AMBULANCE EMERGENCY – 999 from any phone**