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BY-LAW I

Additional emoluments and allowances

1. **Entertainment allowance** The Official and Professorial Fellows shall be granted an annual entertainment allowance of such sum as the Governing Body may from time to time decide, payable in December of each year.

2. **Book, equipment and travel allowance** In each College financial year Official and Professorial Fellows shall be entitled to order books and equipment that are necessary for the purpose of their work for the College to the value of such sum as the Governing Body may from time to time determine. Books and equipment purchased from this allowance shall remain the property of the College.

3. **Housing allowance** In each College financial year every Official Fellow not residing in College accommodation shall be granted a housing allowance of such sum as the Governing Body may from time to time determine.

4. The Governing Body may at a Stated Meeting extend any or all of the above allowances to other Fellows who hold College Offices.
BY LAW II

Leave of Absence (Sabbatical)

Definition: In this By-Law Fellow means an Official Fellow who is also a tutor.

(1) The Governing Body will grant leave of absence, for the purpose of travel or study or some similar object, for one, two, or three terms to every Fellow who has applied for it not less than a term previously, provided that:

(a) the cumulated number of terms of leave which the Fellow has taken since his election shall not at any time exceed one-sixth of the cumulated number of terms in which he has performed his duties since his election, except that:

(i) a Fellow who has held an appointment in this University carrying with it entitlement to sabbatical leave shall carry with him into his Fellowship whatever service qualification he has accumulated as a University officer, and, subject to the other rules of this By-Law, may be granted leave on the basis of such service;

(ii) when a Fellow has been granted a period of Special Leave on the basis that either the whole of the Fellow’s salary is paid by an outside body or replacement of all the Fellow’s teaching duties is funded by an outside body, or has been granted a period of unpaid Maternity Leave, that period of Special Leave or of unpaid Maternity Leave shall normally count neither as Sabbatical Leave nor as qualifying service for the purposes of calculating entitlement to Sabbatical Leave;

(iii) leave will not normally be granted to a Fellow during the first six terms of his Fellowship;

(b) the Governing Body shall not grant leave to a Fellow for a continuous period exceeding three terms in duration or for more than three terms in all within any continuous period of nine terms; nor normally to any Fellow who has taken leave within the previous six terms;

(c) a Fellow granted leave under these rules shall before the beginning of his leave make such arrangements as the Governing Body deems adequate for the teaching of his pupils and for the discharge of his other responsibilities during his absence;
(d) the Governing Body shall ensure that not more than one quarter of the total number of Fellows shall be on leave at any one time.

(2) The period of leave shall be allowed to count towards service for a pension, and during this period the College and the Fellow shall continue to pay their respective portions of the Fellow’s superannuation contributions.

(3) A Fellow granted leave under these rules shall be entitled during his leave to his College stipend, together with any allowances to which he is ordinarily entitled, but not to any part of the stipend of any College office, nor, if he resides away from Oxford for a substantial part of his leave, to rooms in College, except that:

a Fellow, who, for the period of his leave, accepts paid employment, shall receive from the College only such part of his College stipend as the Governing Body, taking into account the Fellow’s total earnings during the period of his leave, shall deem equitable.
BY-LAW III

Maternity/paternity and parental leave

1. A member of the College who is also an employee of the College shall be entitled to either maternity or paternity leave and to parental leave, the benefits, terms and conditions of such entitlement to be those offered, for the time being, by the University to academic staff.

2. Application for such leave shall be made in writing to the Master.

3. In the event that an applicant wishes to vary the period of maternity leave relative to her expected date of confinement, her request shall be referred to the Sabbatical Leave Committee, the Committee having the power to act provided that the total benefit is not thereby increased.

4. Any period of paid maternity or paternity leave shall be regarded as on a par with formal sick leave and shall not affect an individual’s entitlement to apply for Sabbatical Leave. However unpaid maternity or parental leave shall be discounted as qualifying service for the purpose of calculating such entitlement.
BY LAW IV

Residence of Official Fellows

Under the provisions of Statute V. 3 (c), the Governing Body shall normally be deemed to have dispensed from the requirement to reside within the University any Official Fellow who resides up to a limit of twenty-five miles from Carfax, without application. In exceptional circumstances, the Governing Body may authorise an Official Fellow, on application, to reside beyond this limit.
BY-LAW V

Public Advertisement of Stipendiary Posts

Every stipendiary post, whether Fellowship or Lectureship, to which an appointment is to be made, shall normally be advertised in the University Gazette and in at least one duly registered newspaper.

Any proposal to dispense with advertisement of a particular appointment shall be supported by a reasoned case stated in writing, which the Governing Body shall consider and on which it shall decide no later than the meeting of the Governing Body next following that at which the decision to make such an appointment was taken.
BY-LAW VI

Appointments

No Fellow shall be present at any discussion in the Governing Body or any of its committees which concerns
(a) the decision as to whether, or in what form, the College should continue to provide tuition to undergraduates in the Fellow’s own subject after his retirement or resignation;
(b) the selection of his successor.
BY-LAW VII

Stated Meetings

There shall be a Stated Meeting of the Governing Body immediately before any College Meeting held on the Wednesday of the first week of a Full Term, and this By-Law shall constitute due notice of such Stated Meetings as required by College Statute X, Clause 1, so long as any such College Meeting shall have been scheduled more than seven days in advance.
BY-LAW VIII

Employment and dismissal of academic staff

(i) In any case where under Statute XV an officer of the College or any person is designated to perform any duties or exercise any powers under this Statute, and that officer or person is himself certified by the Master, or in the case of the Master by the Vice-Master, to be himself involved in the matter in question, the Governing Body may on the motion of any two members appoint as an alternate to act in his place any other holder of an office explicitly specified in Statute V.12, or in case the person designated is the Senior Fellow present the official Fellow next to him in seniority and present.

(ii) In any matter which the Master has determined should be considered by a Disciplinary Committee, the Governing Body shall within two weeks appoint a Committee composed as prescribed under Statute XV.16 and shall on the same occasion agree to instruct a solicitor or other suitable person to formulate and arrange the presentation of charge or charges to be considered by the Disciplinary Committee, as provided by Statute XV.17. The Disciplinary Committee shall commence its hearing of the charge or charges within a period not exceeding four weeks from the appointment of the Committee unless the Committee having met and heard submissions on either side so determine in the interest of a just and fair outcome of the proceedings. It shall be the responsibility of the Chairman of the Disciplinary Committee to ensure that the content of its proceedings conforms in every way with the requirements of Statute XV.18.

(iii) In any case referred by the Master to a Medical Board constituted as provided in Statute XV.23 (e), the Board shall commence its hearing of the case within a period not exceeding four weeks from the date of its appointment unless the Board having met and heard submissions on either side so determines in the interest of a just and fair outcome of the proceedings. It shall be the responsibility of the Chairman of the Medical Board to ensure that the conduct of its proceedings conform in every way with the requirements of Statute XV.23.

(iv) In any appeal allowed by Statute XV from a decision made by the Governing Body or by a Disciplinary Committee, Medical Board or other tribunal of first instance appointed under the provisions of Statute XV, the appeal panel shall ensure that the proceedings are held as expeditiously as is reasonably practicable and in conformity with the requirements of Statute XV (b) and (c).

(v) In matters in which members of the academic staff feel themselves aggrieved and which the Master has referred to a Grievance Committee constituted as provided in Statute XV.35-36, the Committee shall commence consideration of the alleged grievance within two weeks of its appointment and shall ensure that the aggrieved person and any person against whom the grievance lies shall have the right to be heard at a hearing and to be accompanied by a friend or representative.
Notice for Governing Body business

(1) For the purpose of the application of Statute X.2, an agenda item will be held to have been communicated to members with "reasonable notice" if it has been circulated to members by the end of the fifth day before the meeting. Any supporting paper not circulated by the same deadline may only be considered at the meeting if all the members present so allow.

(2) Where a paper is circulated electronically a hard-copy must be made available to all those who usually receive hard-copies of Governing Body papers, and therefore such papers should be provided to the College Registrar the day before the deadline for circulation.
Room entitlement of Official Fellows

Officials Fellow engaged in the teaching work of the College shall be entitled to sole occupancy of a room in College for academic purposes. Fellows wishing to take up their entitlement shall give notice of their intention. The appropriate allocation shall be made as soon as possible thereafter, and in any case no later than twelve months after notice has been given.
Part One – Background, rationale and scope of the Employer Justified Retirement Age (EJRA)

I. Introduction

1. St Peter’s College has agreed to maintain a retirement age for the Master and all academic staff (both holders of College-only appointments and those holding joint appointments with the University of Oxford), primarily to support the College's mission to sustain excellence in teaching and research, to maintain and develop its historical position as part of a world-class university and to secure robust leadership for the College. The College’s EJRA procedures aim to provide a fair and inclusive process through which the College is able to manage the future of academic posts by retirement or retention. The procedures seek to balance the wishes of the individual with the needs of the College by

   a. facilitating the timely discussion of options with a view to identifying possible future arrangements which are acceptable to all parties and
   b. providing a clear decision-making and appeal process which allows account to be taken of all relevant considerations.

2. The EJRA will operate for an initial period of 10 years from 1 October 2011. The application and outcomes of these arrangements will be reported annually to the Governing Body and will be subject to an interim review after five years. These reviews will take into account all relevant considerations, including the continued relevance of the aims set out above to the staff to whom the EJRA applies, the application of the EJRA and the procedure for exceptional limited continuation, as well as relevant external developments in relation, for example, to pensions and longevity.

II. Aims of the EJRA

3. The EJRA and its associated procedures are considered to provide a proportionate means of:

   ● safeguarding the high standards of the College in teaching and research;
   ● promoting inter-generational fairness and maintaining opportunities for career progression for those at particular stages of a career, given the importance of having available opportunities for progression across the
generations, in order, in particular, to refresh the academic and research workforce within the College and to enable them to maintain the collegiate University’s position on the international stage;

- facilitating succession planning by maintaining predictable retirement dates, especially in relation to the collegiate University's joint appointment system, given the long lead times for making academic appointments, particularly in a university of Oxford's international standing;

- promoting equality and diversity, noting that recent recruits are more diverse than the composition of the existing workforce, especially amongst the older age groups of the existing workforce and those who have recently retired;

- minimising the impact on staff morale by using a predictable retirement date to manage the need to make efficiencies by retiring staff at the EJRA; and

- in the context of the distinctive collegial processes through which the College is governed, avoiding invidious performance management and redundancy procedures to consider the termination of employment at the end of a long career, where the performance of the individual and/or the academic needs of the College have changed.

- securing strong and active leadership as Master from those who have already distinguished themselves in their careers.

III. Scope

4. The EJRA applies to the Master and to all academic staff employed by St Peter’s College, including (in relation to their College appointments) the holders of joint academic appointments with the University of Oxford.

5. The EJRA applies to any College Officer roles held by a member of academic staff in addition to their academic duties.

6. Subject to (10) below, all existing members of academic staff who have a normal retirement date of 30 September immediately preceding their 66th birthday will be deemed, from 1 October 2011, to have a retirement date of 30 September preceding their 68th birthday, which shall be the EJRA.

7. All existing members of the academic staff who have a vested right (as specified by statute) to a normal retirement age of 67 will continue to have a retirement date of 30 September immediately preceding their 68th birthday.

8. The Master of St Peter’s College, whose retirement age is currently specified in statute as 67, will continue to have a retirement date of 30 September immediately preceding his or her 68th birthday.

9. In cases where, under the College’s procedures applying until 30 September 2011, a member of staff has a retirement date set by
10. Unless the terms of any prior agreement to work beyond the EJRA preclude any further extension of employment, a member of staff whose retirement has been set later than the EJRA may apply for a further extension under the procedures set out below.

11. No provision associated with the EJRA shall affect the right of any employee of the College to retire at a date earlier than that specified under the EJRA, or the benefits to which they are entitled under the relevant pension scheme.

12. The procedure set out in Part Two is intended for the consideration of all requests to continue working beyond the EJRA, including those that entail a modification of duties or working pattern after that date.

IV. Consideration of requests to work beyond the ERJA

13. All requests to continue working beyond the EJRA will be considered in the context of the aims of the College in maintaining the EJRA as set out in section 2 above. Applications will be approved only where, having taken account of the considerations set out below, the Governing Body, having received advice from a College panel, is convinced that any detriment to the furtherance of aims of the EJRA is offset by a balance of advantage arising from an extension of employment. The relevance of each consideration will depend on the post in question. The College panel and subsequently the Governing Body as decision-maker will weigh the advantages of continued employment (whether in the same post, or in only one part of a previous appointment, or on different terms and conditions, or on a part-time basis following partial retirement to pension) against the opportunities arising from creating a vacancy or part-vacancy, including the intention of recruiting someone else, using the vacancy for a different purpose, or leaving the post vacant for a period (whichever may apply).

- Is the individual, if extended in employment, expected to make a significant contribution to the College, for example through distinguished scholarship, and would the loss of this contribution be unacceptable to the College and collegiate University?

- Would the employee's contribution be very hard to replace given his or her particular skills set and/or the employment market? For example, does the College need, for a defined period, to retain expertise in order to complete a specific project, or to retain skills that are currently in short supply?
• How would continued employment, compared with the opportunity arising from a vacancy, fit with the future academic and business needs of the College over the proposed period (for example, where there is a desire to develop a new field of research or a new course, or to develop new business systems or approaches?)

• What is the likely impact of continued employment compared with the opportunity arising from a vacancy on the quality of work of the College, for example on its ability to respond to student needs, to meet research aims, or to provide professional and administrative services of the highest quality?

• How would any financial commitments or benefits which would accrue from a continued employment over the period proposed compare with those which might accrue from the opportunity arising from a vacancy?

• What is the likely impact of continued employment compared with the opportunity arising from a vacancy on opportunities for career development and succession planning, bearing in mind recent and expected turnover?

• What is the likely impact on the promotion of diversity?

• Is the duration of the proposed extension of employment appropriate in terms of the benefits expected to the College?

• In the case of a joint appointment, what are the implications of the wishes of the applicant for the joint nature of the post: for example, where the request involves only one part of a joint appointment, has some suitable means been found of managing the future of the joint appointment so as to protect the shared educational interests of the University and colleges?

• Are there relevant personal circumstances that would properly justify exceptional treatment?
Part Two - The Process

(a) Notification and Discussions

The College has adopted the following procedure for considering requests from academic staff who are due to retire on or after reaching the EJRA but who wish to extend their employment and are not precluded from so doing under the terms of any individual agreement.

Step One – Notification

The Senior Tutor will remind academic staff in writing of their normal retirement date and of the process for requesting continuation in employment beyond that date no later than two years before their retirement date under the EJRA. In the case of joint appointments, this notification will be copied to the relevant Head of Division and the Head of Division will also send a letter to the member of staff with reference to their University employment. Where it judges it necessary, the College may decide to give earlier notification.

Transitional and special arrangements

Staff who are due to retire at or beyond the EJRA within the first two years after the introduction of these procedures will be notified in writing by the College at the earliest opportunity of their normal retirement date and of the process for requesting continuation in employment beyond that date. Staff receiving notification under this clause will be asked to pursue any application to continue working beyond the EJRA at their earliest convenience, and the deadline for applications specified in this process will be adjusted accordingly.

Step Two – Discussions

Any staff member who wishes to continue in employment beyond the EJRA should first discuss his/her situation informally and in good time with the Senior Tutor. Holders of joint appointments should also consult their Head of Department and/or Division. Similarly, where a contract of
any type is held with another body, such as an NHS trust or another college, that other body should also be consulted.

Early exploration of all options is encouraged. In the case of joint appointments, it is possible that the staff member may wish to continue working in only one part of the joint appointment, or one employer might wish to agree continued employment while the other does not. Flexibility in the continuation or variation of contracts should be encouraged, subject to the aims of the EJRA. In this context, a staff member wishing to continue to work might wish to consider a variation or a new contract issued by one employer that would be compatible with retirement from the other part(s) of the joint employment. In such cases, the employers will wish to discuss how their respective interests in the future of the substantive joint appointment should be protected. Such discussions, which could involve consideration of interim arrangements for the joint appointment, will be facilitated if agreement can be reached as to when the two parts of the joint appointment will fall vacant.

These informal discussions, which may take place at any time, will not result in a definitive decision by the College but may help inform any formal request which might subsequently be made by the individual. Such discussions are intended to provide opportunity for the formulation of a request with which all parties will be content.

(b) Submission and consideration of the request to continue

Step Three – Request to Continue

If the staff member wishes to continue in employment beyond the EJRA, they should submit their case in writing to the Senior Tutor in good time, setting out the proposed working arrangements and the length of extension requested.

The request to continue working in a College appointment, or in the College part of a joint University and College appointment, beyond the EJRA should be submitted formally in writing, by the Senior Tutor to the Vice-Master, as part of an agreed submission. Any request relating to the University part of a joint appointment should be made to the Director of Personnel and Related Services, in accordance with the University’s procedures. The submission should consist of, and set out clearly:
a) the request as made by the member of staff, including the proposed working arrangements and the length of extension requested;

b) an account, agreed where possible, of how the request relates to the considerations for extensions set out in the College’s policy;

c) a note from the Senior Tutor setting out relevant academic or other College circumstances and background

d) in the case of joint appointments, the views of the Division and any other associated employers (e.g. the NHS or another college), including, in particular, comment on any special arrangement which would result in the parts of the joint appointment being treated differently. If, in the case of a joint appointment, a decision has already been made with regard to the University employment, the outcome of this should be included.

The member of staff should be invited to append to the submission any supporting material he or she may consider appropriate.

The normal deadline for such requests to reach the Vice-Master is 18 months before the retirement date. Later requests may be considered in exceptional circumstances but only with the agreement of the relevant employers (e.g. division, department, NHS Trust). A delayed deadline will be given in cases where, within the first two years after the introduction of these procedures, it is not possible to give a full two years’ notification of retirement.

Step Four – Consideration of request

The College will aim to complete the following steps as soon as possible, with the aim of ensuring that a final decision is made by the end of Trinity Term, a full year before the EJRA retirement date.

All requests to continue in employment by the College beyond the EJRA, will be considered by a panel appointed by the Vice-Master. The panel will normally comprise the Vice-Master (who will chair it) and two other members of the Governing Body. As the Senior Tutor is responsible for presenting the case for extension to the Vice-Master, he/she will not be involved in the panel.

The panel will assess each request on its own merits in the context of the aims of the EJRA as set out above, and in the light of any exceptional personal circumstances.

In the case of the consideration of joint appointments, the chair of the College panel will liaise with the chair of the equivalent University panel over matters of process, including the relative timings of the work of the
two panels and the communication between the panels of their decisions, as may best suit the individual case and allow for issues relating to the joint nature of the post to be addressed.

The panel will consider the request in the light of the considerations set out in section 4 of the policy above, taking due account of the views of the individual staff member, the College, and any others with an interest, which may include the Division, Department, another college or an NHS Trust, as appropriate. The panel will seek any clarification it deems necessary.

Where the College and, in the case of a joint appointment, all parties representing the employers support the request to continue beyond the EJRA, the expectation is that the panel will approve that request after having satisfied itself that the aims of the EJRA have been sufficiently addressed.

Where the College does not support the request for an extension, or, in the case of a joint appointment, where there is a difference of views between the employers, the panel will invite the staff member to a meeting to make his/her request for an extension in person, if they so choose. The College will also be able to present their case and the panel may also call upon the Division, Department and any other parties as appropriate. Relevant documentation will be provided to all the parties in advance of the date of any meeting of the panel arranged to address the request. The staff member will have the right to be accompanied by a trade union representative or a colleague.

**Step Five: The panel makes a recommendation**

The panel will make a recommendation to the Governing Body on the request for extension of employment including the length of time of any such extension.

**Step Six : Communication**
The panel will inform the individual and, as relevant, the Division, the Department, and any other employer of its recommendation in writing. The letter will give brief reasons for the recommendation and the length of any extension proposed.

Step Seven: College makes decision

The Governing Body (excluding those who have been members of the appeal panel) will then decide whether to accept the panel’s recommendation and will notify the individual, Division and Department, as relevant, of its decision.

Where the request to continue working beyond the EJRA is rejected, the individual will be notified in writing of the right of appeal under this By-Law.

Where a decision is taken to extend employment under these procedures beyond the EJRA, the employee will be issued with a fixed-term contract, to terminate at the date set by the Governing Body in agreeing to the extension. This contract will state the details of the specific hours, duties, salary and other terms and conditions for the extension. On any occasion when the Governing Body shall agree an extension to the period of employment in accordance with this procedure, it shall decide whether to permit any further application to be made under this procedure. If so, it shall decide whether any further notification is necessary equivalent to that set out in step 1 above and set an appropriate time limit in place of that set out in step 3 above by which any application shall be made for a further extension.

Step Eight: Appeal

The College shall make arrangements to hear any appeal against a decision made under step 7. Appeals will be heard by an appeal panel chaired by the Master. There will be two further members appointed by the Master, who will be Fellows who are not members of the Governing Body. The appeal panel shall inform the College, the employee and any other employer, as relevant, of its decision.

Note:
In the event of a request by the Master to continue in employment beyond the EJRA, the above processes will apply, but a suitable individual will be designated by the Governing Body to act where the process indicates a role for the Master.