Pembroke College
Changes to College Regulations
From Trinity Term 2021 due to COVID-19 Pandemic

EXPLANATORY NOTE:
On 16th September 2020, Governing Body approved a number of revisions to certain sections of the College Regulations in light of the COVID-19 pandemic. These revisions were subsequently reviewed and amended, in light of the latest Government guidance, and approved by correspondence by Governing Body at the beginning of Hilary Term 2021. The latter version was reconfirmed by Governing Body at its meeting on 28th April 2021 to remain in effect for Trinity Term 2021.

These revisions are effective immediately and until further notice. They will be reviewed regularly, and revert where possible, as Government and University guidance changes, and will be reconsidered again by Governing Body no later than its first meeting in Michaelmas Term 2021.

The following sections and clauses have been amended:

- Section 3.1 (Residence) - (e) (f) and (g)
- Section 3.2 (Safety and Security) - (a)
- Section 3.5 (Sale and Purchase of Alcohol)
- Section 3.7 (Library)
- Section 3.14 (Penalties and Charges which may be imposed by Bursar and the Dean) - (k)
- Section 3.15 (Disciplinary Procedure)
- Section 3.16 (Penalties and Charges which may be imposed by the Master) - (b)

The changes to the College Regulations are highlighted in yellow.
It should be noted that these changes align with the disciplinary procedures set out in Sections 3.13 to 3.17 of the College Regulations.
PEMBROKE COLLEGE
OXFORD

COLLEGE REGULATIONS AND CODES

28 April 2005
Amended 15.6.06, 29.6.06, 17.01.07, 13.06.07, 11.06.08, 15.10.08, 17.06.09, 25.01.13,
28.11.14, 28.7.16, 21.01.20, 16.09.20, 22.01.21
PEMBROKE COLLEGE REGULATIONS AND CODES

The following Regulations have been approved by the Governing Body of Pembroke College, Oxford, acting under Stat. V1, 8 of the College Statutes. The Regulations came into force on 1 October 1999 and were amended in 2005, 2006, 2007, 2008 and 2009.

Acceptance

All students accepting a place at Pembroke College are deemed to have agreed to be bound by these regulations and any subsequent amendments to them. These regulations shall be posted on the Pembroke College website.

Application

Unless otherwise stated, these regulations apply to all students of Pembroke College, Oxford. There are three categories of students:

(i) Undergraduates: who are taking a first B.A. degree course or other non-postgraduate course of study.

(ii) Graduates: who have a full degree from Oxford or another university, and are either taking the B.A. as "senior status students" or are reading for a post-graduate degree.

(iii) Visiting Students: who are not matriculated members of the University but who are following a course of directed study within the College.

The masculine shall include the feminine and the singular the plural.

Definitions

In these regulations

“academic obligations” has the meaning, in relation to undergraduates, set out in regulation 2.1(a);

“banning” means that the student continues on course and to be provided with tuition by the College, but permission to enter specified premises belonging to the College, and use of specified facilities of the College, may be withdrawn for a fixed period;

“Bursar” refers either to the Bursar or the Home Bursar, and either of the Bursars may deal with the matter as they consider appropriate;

“Dean” includes the Deputy Dean;

"Expulsion" means that the student ceases to be a member of the College and that his or her name shall be "removed from the books of the College" under Stat. V1.8. This may be done only by resolution of the Governing Body and the University must be informed. The student ceases to be a member of Oxford University and may not thereafter enter for any University Examination;

"Suspension of course" means that the student ceases for a fixed period to be provided with tuition by the College, but the student remains registered with the University and may
resume the course after the end of the period of suspension, subject to any conditions that may be imposed. Under University regulations, suspension also carries exclusion from University facilities, subject to appeal to the Proctors;

"Termination of course" means that the student ceases to be provided with tuition by the College or to have use of College facilities. But the student remains registered with the University;

“Writing” includes communication by electronic means.

1. THE JUNIOR AND MIDDLE COMMON ROOMS

1.1 Subject to 1.2, and the constitutions of the Junior Common Room (J.C.R.) and Middle Common Room (M.C.R.) respectively, undergraduate students are members of the J.C.R.; graduate students are members of the M.C.R. and Visiting Students are members of the J.C.R., unless they have a full degree from Oxford or another University, in which case they are members of the J.C.R. and M.C.R.

1.2 Any student may exercise the right under s. 22 of the Education Act 1994 not to be a member of the J.C.R. or M.C.R. by so informing the President of the J.C.R. or M.C.R., as appropriate, in writing. Any such student shall not be disadvantaged with regard to services or facilities provided by the J.C.R. or M.C.R. by reason only of the exercise of this right.

1.3 The constitutions of the J.C.R. and the M.C.R., and the Code of Practice issued by the Governing Body in relation to the J.C.R. and the M.C.R. shall be posted on the websites of the JCR and MCR respectively.

1.4 The J.C.R. and the M.C.R. hold their assets and moneys on charitable trusts and accordingly can devote those assets and moneys only to valid charitable purposes, which are the educational (broadly defined) welfare of their members.

2. REGULATIONS CONCERNING ACADEMIC OBLIGATIONS

2.1 Academic Obligations

(a) An undergraduate’s academic obligations are to pursue his studies to the best of his abilities, to attend all tutorials, lectures and practicals as directed by tutors, to prepare and submit work for tutorials and classes as required, to keep appointments with tutors and college officers, to keep himself informed of electronic and other communications sent by tutors and the University and College academic authorities and those on the notice boards, to attend Collections and Academic Review as required, and to comply with the requirements of the University regarding the course and examinations. Inadequate performance in Collections also constitutes failure of academic obligations.

(b) Collections are written test papers set within the College on a regular basis. Students who fail to take Collections without good cause, or who perform at an inadequate
standard, may be required to take repeat Collections at a time directed by their tutors. Academic gowns must be worn at collections. (For Special Collections, see 2.4.(c) (iii) and (e)(i)).

(c) Every undergraduate offered a place on an undergraduate course at Pembroke College, Oxford, is required, as a condition of acceptance, to sign a document indicating his acceptance of the academic obligations and of the right of the College, in accordance with the specified procedures, to impose penalties including banning, suspension of course, termination of course and expulsion if the student does not fulfil those obligations or fails to meet the College’s requirements concerning the First Public Examination (see 2.2.).

(d) The College is only responsible for payment for tuition received by its student members if that tuition has been given prior authorisation by a member of the College’s academic staff who is responsible for the student’s studies, or by the Senior Tutor.

(e) It is a fundamental assumption of tuition that undergraduate and graduate students do not pass off someone else’s work as if it were their own. Plagiarism from any source, such as essays or other materials on the internet, therefore, constitutes a breach of academic obligations, and also contravenes University regulations.

(f) The Senior Tutor may impose a fine of up to £20 for failure to wear a gown at Collections or for failure to attend Academic Review without good reason. Appeal may be made to the Dean; whose decision is final.

2.2. First Public Examination

(a) In the case of failing one or more paper in the First Public Examination students are, depending on the regulations related to that particular exam, able to re-sit either the papers failed or the whole examination on one occasion. Any further attempt will require the student to make a separate application to the university for permission, which will only be granted in exceptional circumstances. Should the student not pass the examination, then their course will be terminated.

(b) Should the student pass the examination, at the first re-sit or an exceptional subsequent attempt, they will remain on course. The results from their First Public Examination will form part of their student record and may be relevant evidence in any subsequent academic disciplinary matters.

(c) If the student is already subject to an academic disciplinary regime at the time of the First Public Examination, it will remain in force. The college will not use the First Public Examination as a penal collection but will set its own penal collections if required as part of the disciplinary regime.

2.3. Second Public Examination

The course of a student who fails the Second Public Examination shall be terminated unless the Governing Body should determine otherwise.

2.4. Procedures to be followed in cases of Failure to Fulfil Academic Obligations and
Impairment of Academic Performance through disability or other adverse conditions

(a) Preliminary Discussions

Serious concern about a student’s academic performance should be discussed at an early stage between the relevant tutors and the student, at Academic Review and, in appropriate cases, with the Senior Tutor. Consideration should be given, in appropriate cases, to referring the student to appropriate sources of assistance. The results of such discussions should be recorded and agreed with the student.

(b) Further action

On the basis of the preliminary discussions, the Senior Tutor shall determine what, if any, further action is appropriate. In cases of failure to fulfil academic obligations, such action may include probation, suspension of course, termination of course, or expulsion. Normally probation should be used in the first instance. In other cases of impairment of academic performance, such action may include arranging for appropriate support and making reasonable adjustments regarding teaching and duration of the course. In determining what action is appropriate, the Senior Tutor shall take into account relevant evidence provided by a qualified medical practitioner or practitioners.

(c) Academic Rehabilitation (Probation) in cases of Failure to Fulfil Academic Obligations

First Formal Warning

(i) If, having discussed the concerns with the student, the Senior Tutor and the subject tutor(s) believe that it may be necessary to initiate academic disciplinary procedures with respect to the student, the Senior Tutor may give the student a formal warning. The Senior Tutor must make sure that the student understands the situation, and has the opportunity to make known all the material circumstances. The Senior Tutor must specify to the student what is expected of him or her in the future, for example, attendance at tutorials, completion of assignments and/or attainment of appropriate levels at “special” collections, that probation will follow if the steps are not taken, and the nature and consequences of probation. In all cases this information should be embodied in a formal letter agreed with the student.

(ii) In the case of a student taking a joint school, references to a subject tutor means the tutors in charge of each subject that the student is taking.

Second Formal Warning, Probation and Objective Test of Academic Performance

(i) If the student fails to comply with the conditions set out in the first formal warning, the Senior Tutor may issue a further formal warning which can place the student on probation. The terms of probation may include such matters as attendance at tutorials, classes, lectures or practicals, making and keeping appointments with counselling or medical personnel, the expenditure of stated periods of time in academic study, the attainment of stipulated grades at Collections (known as Penal Collections), and any other matter which is considered appropriate. The subject tutor(s) should advise on the appropriate expectations and levels of attainment. The
terms of probation should be agreed between the Senior Tutor and the student and, when agreed, set out in writing and communicated to the student, together with a statement of the possible consequences of non-compliance. The consequences may include an automatic recommendation by the Senior Tutor that the student’s course be suspended or terminated on breach of any term of the probation. If the Senior Tutor considers that the terms of probation have been complied with, the probation shall be discharged and the Senior Tutor shall so inform in writing the student, and the tutor in charge of the student’s subject.

(ii) If agreement is not reached on the terms of the probation, the Senior Tutor shall refer the case to the Chairman of the Tutors’ Committee, with a recommendation on the terms of the probation and a full statement of the reasons for making the recommendation. The Senior Tutor shall notify the student in writing of the referral, of the recommendation he is making to the Committee and the reasons for making it, and of the student’s right to make written representations to the Committee, which must be received by the Chairman of the Committee not less than 48 hours (excluding Saturdays and Sundays) before the meeting. The Master and the tutor in charge of the student’s subject shall be informed of the referral.

(iii) On receiving a referral under (ii), the Chairman of the Tutors’ Committee shall convene a meeting of the Committee, giving the student not less than 5 days’ (excluding Saturdays and Sundays) notice of the meeting. The student may attend the meeting accompanied by another person, who may not be a practising member of the legal profession. The Senior Tutor shall make available to the Committee the student’s full written academic record. The Tutors’ Committee may regulate its proceedings as it sees fit consistently with providing the student and the tutor(s) in charge of the student’s subject(s) a fair opportunity to present and comment on relevant evidence. The Senior Tutor shall not take any part in the proceedings. The Tutors’ Committee, which shall not include any person who has been directly concerned in teaching the student, may accept, reject, or amend the recommendation of the Senior Tutor as to the probation. The decision of the Committee shall be communicated in writing to the student and the Senior Tutor and shall be final.

(iv) Where a student has been placed on probation by agreement under (i), and the Senior Tutor considers that the terms of the probation have been breached, he may either vary the terms with the agreement of the student, and in consultation with the subject tutor (s), or refer the matter to the Tutors’ Committee. If the student has been placed on probation by the Tutors’ Committee under (iii) and the Senior Tutor considers that the terms of the probation have been breached, he must refer the matter to the Tutors’ Committee. In either case, the Senior Tutor shall notify the student in writing of the referral, of the recommendation he is making to the Committee and the reasons for making it, and of the student’s right to make written representations to the Committee, which must be received by the Chairman of the Committee not less than 48 hours (excluding Saturdays and Sundays) before the meeting. The Master and the tutor in charge of the student’s subject shall be informed of the referral.

(v) On receiving a referral under (iv), the Tutors’ Committee shall proceed as set out in (iii) above. If the Committee decides that the student is in breach of the terms of
probation, it may impose any of the following penalties: banning, suspension of course, termination of course.

(vi) A student may appeal from the decision of the Tutors’ Committee under (v) either on the grounds of errors of fact or the appropriateness of the penalty. The appeal shall be made to the Standing Committee of the Governing Body referred to in 3.17. In hearing such an appeal, the Committee shall not include the Senior Tutor, nor any member of the Tutors’ Committee when it dealt with any matter concerning the student, nor any other individual who has been involved in the case. But it may include the Master or Dean unless they have been involved in the case. Notification of intention to appeal must be made in writing to the Senior Tutor, the Secretary of the Governing Body, or to the Bursar within two days (excluding Saturdays and Sundays) of the decision of the Tutors’ Committee.

(vii) Enough time must be allowed to enable a student to prepare adequately for penal collections. Penal Collections shall, wherever possible, be marked by two appropriate persons outside the College, who should be unaware of the circumstances of the case, other than that they are marking Penal Collections and the stage the student has reached in the course. Care should be taken that the papers are, in terms of level and content, appropriate for the candidate sitting the collections. Double blind marking is preferred. In the case of a disparity of marks, the markers will attempt to agree a reconciliation of the marks. Should this fail, the mark most favourable to the student shall stand. The Collections shall be written under special arrangements for invigilation.

(d) **Termination or Suspension of Course, or Expulsion, without Probation**

(i) Where, exceptionally, the Senior Tutor decides to recommend to the Tutors’ Committee termination or suspension of course or expulsion, without probation, the Senior Tutor shall inform the student of the nature of such recommendations and the grounds for making them.

(ii) The Senior Tutor shall refer the matter to the Tutors’ Committee together with any recommendations for decision. On receiving such a referral, the Chairman of the Tutors’ Committee shall convene a meeting of the Committee, giving the student not less than 5 days’ notice (excluding Saturdays and Sundays) of the meeting. The student may attend the meeting accompanied by another person, who may not be a practising member of the legal profession. The Senior Tutor shall make available to the Committee the student’s full written academic record. The Tutors’ Committee may regulate its proceedings as it sees fit consistently with providing the student and the tutor in charge of the student’s subject a fair opportunity to present and comment on relevant evidence. The Senior Tutor shall not take any part in the proceedings. The Tutors’ Committee, which shall not include any person who has been directly concerned in teaching the student, may accept, reject, or amend the recommendation of the Senior Tutor.

(iii) A student may appeal from the decision of the Tutors’ Committee made under (ii) either on the grounds of errors of fact or the appropriateness of the penalty. The appeal shall be made to the Standing Committee of the Governing Body referred to in 3.17. In hearing such an appeal, the Committee shall not include the Senior Tutor, nor any member of the Tutors’ Committee when it dealt with any matter concerning
the student, nor any other individual who has been directly involved in teaching the student. But it may include the Master, Bursar or Dean unless they are otherwise disqualified.

(e) **Support and Reasonable Adjustment in cases of Impairment of Academic Performance through disability or other adverse conditions**

(i) In cases of impairment through disability the Senior Tutor shall, and in cases of impairment through other adverse conditions, the Senior Tutor may, consider what support and reasonable adjustments should be made. Such consideration must be made in consultation with the student, the student’s tutors and other advisers, the student’s medical advisers and, where relevant, the University Disability Office. The Senior Tutor shall be guided (but not bound) by the evidence and opinion of the student’s medical practitioner. In all cases the Senior Tutor shall endeavour to draw up an action plan with which the student agrees. The action may be implemented in stages.

(ii) Reasonable adjustment includes special arrangements relating to examinations, special arrangements concerning tuition, intermitting the course for a period of time, repeating a period of study, and adjusting the length of the course. If the adjustment involves intermission, the action plan shall include the conditions which must be satisfied for the student to return on course.

(iii) If a student disagrees with the action plan proposed by the Senior Tutor, or with any aspect of it, the Senior Tutor may refer the plan to the Chairman of the Tutors’ Committee and the procedures set out in (c) (iii) and (iv) above shall apply. In considering such a referral, the Tutors’ Committee shall be guided (but not bound) by the evidence and opinion of the student’s medical practitioner. The Tutors’ Committee has power to determine the content of the action plan, and its decision is final.

(iv) If, exceptionally, having considered the case under (e)(i) above, the Senior Tutor considers that the student is unlikely to be fit to study within a reasonably foreseeable period, he may recommend to the Tutor’s Committee that the student’s course be terminated. In such a case, the procedure set out in (c) (v), (vi), (vii) and (viii) shall be followed. In considering such a recommendation, the Tutors’ Committee shall be guided (but not bound) by the evidence and opinion of the student’s medical practitioner.

(f) **Re-Entry Collections**

(i) Where the Tutors’ Committee has given a student permission to go out of residence for any period, or where the student’s course has been suspended, the Tutors’ Committee may impose such conditions, including, where appropriate, medical certification and the attainment of stipulated grades at Special Collections known as Re-Entry Collections, as it thinks appropriate, taking into account all the circumstances. The Committee shall impose only such academic conditions which, in its view, are reasonably capable of fulfilment by the student.

(ii) A student who wishes to contest any conditions imposed under (e)(i) must inform the Senior Tutor within three days of receiving notification of the Committee's
decision. Thereafter the procedure set out in (c)(x) above shall apply.

(iii) The provisions set out in (c)(ii) and (v) above shall apply to the setting of Re-Entry Collections and to the procedures to be followed in case of failure to fulfill conditions imposed for re-entry on to course.

3. REGULATIONS CONCERNING RESIDENCE AND DISCIPLINE

3.1 Residence

(a) All students reading for a degree are required to fulfil the residence requirements of the University as set out in the University's decrees. Residence is fulfilled by residing on College premises or in accommodation within six miles of Carfax.

(b) All undergraduate students must live on College premises during the first year of their course, unless dispensed by the Bursar.

(c) Students who are not living on College premises must register their address, and any changes of address, with the Head Porter and the Academic Office.

(d) Students must come into residence at the beginning of each term on the day specified by the College authorities. Students living on College premises must enter into a licence agreement as required by the Bursar and must comply with the terms of the agreement.

(e) Students living on College premises must not have overnight guests in their rooms

(f) All Visitors to the Main Site and the Sir Geoffrey Arthur Building must be booked in at the Lodge on arrival to allow for track and trace rules in force at the time. All visitors must leave the Main Site and the Sir Geoffrey Arthur Building by 7.15pm unless they are a member of the college residing outside the college and making use of the college library, until midnight. Visitors, other than members of the college residing outside the college, must be escorted at all times and must observe social distancing rules in force at that time. Permission for visitors to be in College is subject to any reasonable requirement that may be imposed by the College to protect the College community, those isolating, or those particular individuals with vulnerabilities.

(g) Visitors may not enter the Main Site or the Sir Geoffrey Arthur Building after 7.15pm unless they are a member of the college residing outside the College and making use of the College library. Visitors, other than members of the college residing outside the college, must be met by the Pembroke College student responsible for them. If this is not possible, the Lodge should be notified and arrangements made to meet the guest at the Lodge.

3.2 Safety and Security

(a) In accordance with Health and Safety legislation, students are required to obey all instructions concerning health and safety and to behave in a responsible way at all times. All students must sign and comply with the University Student Responsibility Agreement and comply with all relevant guidance and legislation issued by Public
Health England and other relevant authorities.

Any action which endangers the health or safety of the College staff, or any member of or visitor to the College or any member of the public through breach of COVID prevention legislation such as social gatherings of more than the maximum permitted numbers of people, may be the subject of a referral resulting in civil, criminal or disciplinary proceedings.

Any action which endangers the health or safety of the College staff, or any member of or visitor to the College or any member of the public will be regarded as a serious offence, and may result in criminal prosecution. In particular:

(i) The College operates a No Smoking Policy. Students are required to observe the instructions regarding this policy. Lighted candles, incense sticks and similar items are in no circumstances permitted in student rooms. Any such items will be removed.

(ii) Chemicals (e.g. bleach) carrying a hazard sign must not be brought on to College premises.

(iii) All electrical appliances brought on to College premises should be less than 4 years old and comply with the College’s requirements, as set out in the Student Handbook.

(iv) No cooking is allowed in student rooms.

(v) Instructions concerning Fire and Fire Precautions must be observed.

(vi) Damage to, misuse of or otherwise rendering ineffective, or attempting to render ineffective, fire extinguishers or fire prevention equipment is an extremely serious offence which endangers life, and will incur an automatic fine of £500, to which charges for damage may be added.

(vii) The bridge and the walkway between Chapel Quad and The Harold Lee Building / Rokos Quad are for use only as a direct thoroughfare for pedestrians walking across the bridge or along the walkway and accordingly there is to be (a) no running or cycling, (b) no loitering or unruly behaviour, and (c) no display of any banners or advertising.

(viii) In particular, on no account is anything to be pushed off the side of the bridge or walkway or the surrounding area or thrown, dropped or poured on to the street below nor any other activity indulged in which may be a potential danger or hazard; and since any of the foregoing action mentioned in this sub-paragraph (d) would be an extremely serious offence it will incur an automatic fine of £500, to which charges for damage may be added.

(b) It is prudent to be careful about walking around the city at night unaccompanied. Personal alarms are obtainable on loan from the Lodge at the Main Site.

(c) The College gates are closed between 7.15 pm and 6.30 am.
(i) Residents returning between these times will need to use their security keys. A replacement charge of £12 will be made for the loss of a key.

(ii) No visitors are permitted on the college site, either the Main Site or the Geoffrey Arthur Building, after 7.15 pm, other than college members residing outside College making use of the College Library.

(iii) Persons causing or likely to cause a disturbance will be refused permission to enter or required to leave.

(iv) Climbing into or out of College premises is an offence.

(d) The Bursar or Dean may from time to time issue instructions on matters of health, safety and security. These must be observed. If the Bursar or Dean cannot agree, either may refer the matter to the Master (or, in his or her absence, the Vicegerent). If it is impracticable to consult the Governing Body in advance, the Master (or Vicegerent) may issue such instruction as he or she deems appropriate, and report on the matter to the next meeting of the Governing Body.

3.3. Entertainment and Noise

(a) No party (defined as a gathering involving more than one household), that is not organised by the College, may be held anywhere on College premises. Except with prior authorization from the Dean, no student may cause any noise of whatever description, emanating from a room or anywhere else in the College, which is likely to disturb or inconvenience others, whether they are on College premises or the surrounding area.

(b) Attention is drawn to Regulation 3.5.

3.4. Meetings

(a) No meetings involving more than one household may be held on College premises.

(b) The Governing Body has adopted the Code of Practice on Freedom of Speech as required by the Education (No. 2) Act 1986, s. 43(3). The Code, breach of which is a disciplinary offence, is appended to these regulations. The Governing Body has also adopted a Free Speech Statement which can be found in Part 5 of these regulations and which complies with the HEFCE monitoring Framework fulfilling the duty under the Counter-Terrorism and Security Act 2015 and having due regard to the need to prevent people being drawn into terrorism (the Prevent duty).

(c) Detailed instructions will be supplied by the Dean when giving permission for a meeting.

3.5. Sale and purchase of alcohol

No alcohol may be served by the College, in line with current national restrictions. Should these restrictions change, the Home Bursar may grant permission for the service, sale, or supply of alcohol on or from College premises.

3.6. Communal Areas
(a) All communal rooms must be kept clean and tidy.

(b) Litter must not be left on the lawns or other open spaces. Walking on the lawns is not allowed, except for the Chapel Quadrangle in Trinity Term, when croquet and bowls may be played at the discretion of the Curator of the Gardens.

(c) Food and drink may be consumed in the Chapel Quadrangle provided due decorum is observed and no litter is left.

3.7. **Library**

Students are required to comply with the Rules governing use of the Library and the Code of Conduct for the Use of Computing Facilities, provided to them at the beginning of their course and updated as required. **Students should consult the College Librarian for the latest rules on Library use.**

3.8. **Motor Vehicles and Bicycles**

(a) The College car parks in Pembroke Square, St. Ebbe's and the Sir Geoffrey Arthur Building are not available for student use unless, in exceptional circumstances, permission is granted by the Bursar.

(b) Bicycles must be registered with the Head Porter. Bicycles must be kept in the bicycle sheds whenever possible and always at night. Bicycles must not be ridden on College premises or left in any of the Quadrangles or taken into the College buildings (communal areas or bedrooms). Bicycles must not be left so as to obstruct the pavements in Pembroke Square or entry into the College.

3.9. **General Behaviour and Harassment**

(a) Violent, indecent, disorderly, threatening, or offensive behaviour or language is forbidden in all places and at all times.

(b) Buildings and other College property may not be damaged, defaced or interfered with.

(c) Acts regarding drugs which are criminal offences and alcohol abuse will be treated as disciplinary offences and these may also be prosecuted by the Police. The Code on Substance Abuse is set out at the end of these regulations.

(d) Any use of computers which is contrary to criminal law will be considered a disciplinary offence. Computer users are required to conform to the College and University Codes of Practice on Computer Use. The College Code is set out at the end of these regulations.

(e) The College requires all its members to comply with a Code of Conduct in relation to all forms of harassment. The College Code of Conduct is set out at the end of these regulations.

(f) No member of the College shall make available any essay or other written work to a provider of such material (for example, Oxbridge essays) for use by other students.
3.10. **Dress**

(a) Academic gowns (which vary slightly according to whether the wearer is an undergraduate or graduate) should be worn when seeing College officials on a formal summons, at Academic Review, in Collections and at Formal Dinner in Hall. When wearing gowns, students should adopt a suitable standard of dress. Men should wear jackets at Formal Hall in Michaelmas and Hilary Terms.

(b) Practice varies between tutors regarding wearing gowns for tutorials; please check on this with your tutor.

(c) Full sub fusc (gowns, academic cap and dark clothing) is required for University Examinations and certain Ceremonial functions (such as Matriculation and Degree Ceremonies).

3.11. **Summonses and Notices**

(a) Students must comply with any summons to attend the Master, Senior Tutor, Bursar, Dean, Junior Deans or any other College official except for reasons outside their control, when an explanation must be given as soon as possible.

(b) Students must disclose their name to an officer or an employee or agent of the college in circumstances where such person has identified himself and explained the reason for disclosure and it is reasonable to require the name to be given;

(c) Important notices on various matters, including registration for Examinations, are frequently posted on the College Notice Boards. These should therefore be consulted regularly, otherwise there is a risk of missing deadlines and losing opportunities or incurring penalties.

(d) The Dean may from time to time issue instructions on matters concerning good order within the College. These instructions must be observed.

3.12. **Financial**

(a) Students are required to pay their debts to both the College and the University on the due dates.

(b) For the purpose of this clause debts means a debt of whatever nature and shall include fees, rent, battels or any penalties or charges imposed on the student. **Students who are encountering difficulties in paying such debts should immediately seek to discuss this with the relevant College officer.**

(c) Where a student fails to pay any debt which is due and payable, whether to the College or the University, the College may take whatever action it considers appropriate to recover the debt. It may suspend or terminate the course of a student, cease teaching, require a student to vacate a room or take any other action it considers necessary.

3.13 **Disciplinary Offences**

(1) A disciplinary offence is:
(a) contravention of any regulation in sections 3.1 to 3.11 of these Regulations; or,
(b) contravention of any University regulation or code as found by the appropriate University authority; or,
(c) Any other conduct which disrupts or attempts to disrupt the lawful activities of members of the college or its staff, constitutes dishonest dealings with another member of the college or its staff or is otherwise seriously detrimental to the interests of the College.

(2) General principles in imposing penalties:

(a) In determining whether a contravention has occurred, the principle that the weight of the evidence should be commensurate to the seriousness of the contravention shall be applied. In imposing penalties under these regulations, regard shall be had to the principle of proportionality.

3.14. **Penalties and charges which may be imposed by the Bursar and the Dean**

(a) Subject to Regulation 3.2.(a) and 3.19, the Bursar may charge an student a sum of up to £500 with respect to damage to College property or for incurring the College in other expenses.

(b) Subject to Regulation 3.2 (a), the Dean may fine any student a sum of up to £200 for the commission of any disciplinary offence.

(c) Where several students have acted together, each of the above figures apply to each student.

(d) The Dean or the Bursar may require any student who is resident on College premises and who commits a disciplinary offence to vacate his or her room.

(e) The Dean may, on the recommendation of the Fellow Librarian, suspend the access of any student to the College library for such period as the Dean considers appropriate.

(f) The Dean may suspend access to a defined part or parts of the College for a period not exceeding one term by a person held to be in contravention of any regulation.

(g) The Dean may require a person held to be in contravention of any regulation to make reasonable reparation to one or more students, members of staff or the College in a manner appropriate to the contravention. The reparation may take the form of apology and act of goodwill, restoration of lost or damaged property, assistance in activities or other acts of appropriate service. Before imposing this penalty, the Dean must consult with the Bursar to ensure compliance with Health and Safety and other relevant regulatory provisions.

(h) Subject to 3.15(f), any student charged or fined under sections 3.2 (a) or 3.14 (a), (b) may appeal to the Master, who may uphold, diminish or wholly remit the charge or fine. The Master’s decision is final.
(i) Subject to 3.15(f), any student required to vacate a room under section 3.14 (d) may appeal to the Master who may confirm, vary or rescind the requirement. The Master’s decision is final.

(j) Subject to 3.15(f), any student whose access to the library or a definite part or parts of the College under clause (f) or who has been required to make reparation under clause (g) has been suspended by the Dean may appeal to the Master who may confirm, vary or rescind the suspension. The Master’s decision is final.

(k) The Master, Bursar or Dean may, in exceptional circumstances, suspend any charge or penalty or part thereof conditional on no further offence, whether of the same nature or otherwise, being committed. The Master, Bursar or Dean may defer the imposition of any penalty under 3.14 (d), (e) and (f) until such time as it is safe and permitted by law.

(l) Appeals under (h), (i), and (j) above must be instituted by the student concerned giving notice to the Master within two days (excluding Saturdays and Sundays) from the imposition of the penalty.

3.15 Disciplinary Procedure

Where the disciplinary offence relates to exceptional arrangements in place due to the Covid pandemic, the Dean may impose a requirement on any student involved to reside away from the College or not to return in to residence in the College in advance of any disciplinary hearing. Non-compliance with such a requirement will be referred immediately to the Master under section 3.16.

When notified of an alleged contravention of the regulations, the Dean or Bursar shall

(a) Call the student concerned for interview stating the reason for the summons

(b) State that the student may be accompanied by a senior or junior member of the college

(c) Decide whether or not to proceed to further action, which may involve further investigation or the imposition of a penalty or charge.

(d) The Dean or Bursar may inform the student’s tutor or tutors of the matter, depending on its seriousness.

(e) Before deciding whether to impose any penalty or charge the Dean or Bursar shall give the student concerned a chance to be heard.

(f) If the Dean or Bursar, either at the time of the first interview or later, imposes a penalty or charge, the Dean or Bursar shall within five days of its imposition, write to the student stating the penalty or charge imposed and the reasons for imposing it and informing the student of the time by which the penalty or charge must be paid, and of his rights of appeal according to the regulations. The Dean or Bursar shall keep a record of this communication. If the student appeals to the Master, the Dean or Bursar shall make this communication, and any other relevant evidence, available to the Master.
Except in cases of minor infractions, if the Dean or Bursar imposes a penalty or charge, they shall notify the subject tutor of the student concerned.

The Dean or Bursar may, in addition to, or instead of, imposing a penalty or charge, refer the student to the Master for consideration of action under 3.16. In such a case the Dean or Bursar shall make a statement setting out the circumstances in writing, including any action taken by them, and make this available to the Master and the student concerned. If the Dean or Bursar makes such a referral and also imposes a penalty or charge, appeal from the imposition shall lie to the Standing Committee under 3.17 and not to the Master. But such appeal shall not be heard until after the Master has considered the referral.

3.16. Penalties and charges which may be imposed by the Master

On referral by the Dean or Bursar, the Master may

In the case of disciplinary offences:

(a) Impose a charge upon a student in excess of £500 for damage to College property or for incurring the College in other expenses; and,

(b) In case of disciplinary offences:

(i) impose a fine in excess of £200 but not more than £500;

(ii) suspect or terminate the course of the student; or ban the student from use of College Facilities (which penalty may be deferred until such time as it is safe and permitted by law);

(iii) recommend to the Governing Body that the student be expelled from the College;

(iv) In exceptional circumstances, suspend any charge or penalty or part thereof conditional on no further offence, whether of the same nature or otherwise, being committed.

(c) Before hearing a referral or an appeal under 3.14 (f)(g) or (h), the Master shall give the student concerned an opportunity to make written representations before or at the hearing, and the chance to be heard. The student may be accompanied and assisted by another person, who shall not be a practising member of the legal profession.

(d) If on a referral or an appeal the Master imposes a penalty or charge, the Master shall within five days of its imposition, write to the student stating the penalty imposed and the reasons for imposing it and informing the student of his rights of appeal under (f) below. The Master shall keep a record of this communication. If the student exercises an appeal, the Master shall make this communication, and any other relevant evidence, available to the Committee hearing the appeal.

(e) If the Master imposes a penalty or charge, he shall notify the subject tutor of the student concerned, and such notification shall be placed on the student’s record.

(f) A student may appeal from a decision by the Master under Regulation 3.16 (a) and
(b)(i) or (ii) to the Standing Committee of the Governing Body referred to in 3.17, either with respect to responsibility for the act in question, or with respect to the charge or punishment imposed. Notification of intention to appeal and the grounds upon which the appeal is made must be made in writing to the Senior Tutor, the Secretary of the Governing Body, or to the Bursar within two days (excluding Saturdays and Sundays) of the imposition of the charge or punishment.

(g) When the Master recommends expulsion, the student concerned may, within two days of receiving notification of the decision, submit to the Secretary of the Governing Body representations in writing giving reasons why the Governing Body should not accept the recommendation. The Governing Body shall consider the representations together with the Master's recommendation. The student in question may also appear before the Governing Body and be accompanied and assisted by another person, who shall not be a practising member of the legal profession. The Governing Body may uphold, vary, or reject the Master's recommendation. The Master may not take part in the Governing Body's deliberations or its decision, which, subject to Part 4 of the regulations, shall be final.

(h) The Governing Body may authorize the Master to delegate any or all of the functions assigned to the Master under these regulations to the Vicegerent, either for such period or periods as approved by the Governing Body or in individual cases as the Master may wish.

3.17. Appeals to the Standing Committee of the Governing Body

(a) In the case of appeals from the Master, the Standing Committee of the Governing Body, which does not include the Master, Bursar, or Dean, may uphold, diminish or wholly remit the punishment or charge imposed or recommended by the Master. The student concerned may present his or her case both in writing and orally to the Committee, and may be accompanied and assisted by another person, who shall not be a practising member of the legal profession. Having presented his case, the student (and, if present, the other person) may be required to leave while the Committee considers its decision. Subject to Part 4 of these regulations, the Committee’s decision shall be final.

(b) In the case of appeals from the Tutors’ Committee, the Standing Committee, which may include the Master or Dean, may uphold, vary or set aside the decision of the Tutors’ Committee, and shall have such power to impose penalties as the Tutors’ Committee. The Standing Committee may regulate its proceedings as it sees fit consistently with providing the student and the tutor(s) in charge of the student’s subject(s) a fair opportunity to present and comment on relevant evidence. The student concerned may present his case both in writing and orally to the Committee, and may be accompanied and assisted by another member of the College, who may be a student or senior member. Subject to Part 4 of these regulations, the Committee’s decision shall be final.

(c) Before hearing any appeal, the Standing Committee shall make available to the student concerned not less than five days (excluding Saturdays and Sundays) before the hearing any written statements setting out the matters which are under appeal. The student may submit written representations either before or at the hearing and shall be entitled, at the hearing, to see any written evidence which is before the
Committee. The Committee may give its decision orally at the hearing, but in any event shall communicate its decision and the reasons for it in writing to the student not more than seven days after the hearing.

3.18. **Collective Damages**

Where the cost of damages has been levied on a group of students, the cost will be shared equally among the group, unless otherwise specified, and the following rules will apply:

(a) Unless the Dean considers that the cost should be borne by a named student or students (in which case the relevant procedures of regulations 3.14 and 3.15 shall apply), and subject to the following conditions, the Bursar may impose a charge for the cost of the damage to College property either on J.C.R. funds should the Bursar consider that the damage was intentionally or negligently caused by a member or members of the J.C.R. or their guests, or on M.C.R. funds if the Bursar considers it was so caused by a member or members of the M.C.R. or their guests.

(b) Such a charge may not be imposed unless the President of the Common Room involved has been consulted. If the President is able to procure the sum anonymously, the Bursar shall accept it in lieu of imposing the charge. If the President considers that the charge should not be imposed on the Common Room funds, but upon some named student or students, then the Bursar shall not impose it upon those funds but may impose it upon the student or students so named [whether or not the sum exceeds £50 for each student] up to a maximum of £500 for each student.

(c) Where the Bursar considers he is unable to act under (a), but nevertheless considers that the damage was caused by a student or students or their guests, he may, in consultation with the Presidents of both the J.C.R. and the M.C.R., apportion the charge between the funds of those Common Rooms, in such manner as he deems just.

(d) Any student on whom a charge has been imposed under (b) may appeal to the Master either against the assessment of the cost, or on the ground that the charge should not be imposed on him. Should the Master decide that the charge should be imposed on the J.C.R. or M.C.R. funds, the charge shall be so imposed. A student may appeal from the decision of the Master to the Standing Committee of the Governing Body under 3.17(a).

(e) The Presidents of the J.C.R. and the M.C.R. may appeal to the Master against the imposition of a charge on Common Room funds, either in respect of the assessment of the cost, or against the apportionment between the funds, or on the ground that the damage was not intentionally or negligently caused by any member of their Common Room or their guests. The Master's decision shall be final.

3.19 These regulations are without prejudice to the College’s right to make any claim against a student under the general law of the land.

4. **APPEAL TRIBUNAL**

4.1. Any student against whom a decision has been made by the Standing Committee
of the Governing Body under regulation 3.17(a) or 3.17(b), or by the Governing Body under regulations 2.2(b)(iii) or 3.16(f), may appeal to the Appeal Tribunal established in accordance with the decision of the Conference of Colleges on 23 May 2002.

4.2 Where a decision is made against a student under the regulations referred to in 4.1, the student shall immediately be informed of the right to appeal, and provided with a statement of the nature of the appeal process and the steps necessary to make the appeal.

5. COMPLAINTS

5.1 Any student who wishes to complain about any aspect of college life should normally, in the first instance, discuss the matter informally with the relevant member of the College’s academic, administrative or domestic staff, or (or in addition) with the relevant JCR or MCR representatives. A student who remains dissatisfied with such discussions, or who does not initiate them, may make a formal complaint, in accordance with the following procedures:

5.2 Complaints about tuition and other academic or pastoral matters, including academic administration, should be made to the Senior Tutor; if they concern the Senior Tutor they should be addressed to the Master.

5.3 Complaints about matters of discipline should be made to the Dean; if they concern the Dean, they should be addressed to the Master.

5.4 Complaints about domestic matters, such as accommodation, food or the use of premises, including conduct of staff working in those areas, and in the Porters’ Lodge, should be made to the Home Bursar; if they concern the Home Bursar, they should be made to the Master.

5.5 Complaints about financial matters should be made to the Bursar; if they concern the Bursar, they should be made to the Master.

5.6 Complaints concerning the Master should be addressed to the Senior Tutor or the Bursar.

5.7 On receiving any complaint made under 5.2 to 5.6 above, the officer receiving the complaint shall record that a formal complaint has been made, investigate whether it has foundation, and propose how it may be dealt with. In so doing, the officer shall, if so requested by the complainant, preserve the complainant’s anonymity unless that would make investigation impossible. The complainant may be accompanied by a friend or adviser when making the complaint. In making the investigation the officer shall inform any person against whom the complaint is made of the full nature of the complaint, and give such persons opportunity to comment on them and question the complainant.

5.8

(a) In cases where the complaint is not initially made to the Master, and where the
complaint does not concern the Master, if the complainant is dissatisfied with the manner in which the officer to whom the complaint was made proposes that the complaint be dealt with, or if the officer proposes to take no action, the complainant may refer the matter to the Master. In case of such referral, the Master shall follow the procedures in paragraph 5.7, but shall, if the complainant so requests, also convene a panel of 2 members of the Governing Body and 2 students (unless the complainant objects to the latter) who have not been involved in the issue, to consider the complaint together with him. The members of the panel must be acceptable to the Master and to the complainant. The Master may or may not accept the advice of the panel about how the complaint should be dealt with.

(b) In cases where the complaint is initially made to the Master, the Master shall follow the procedures in paragraph 5.7, but shall, if the complainant so requests, also convene a panel of 2 members of the Governing Body and 2 students (unless the complainant objects to the latter) who have not been involved in the issue. The members of the panel must be acceptable to the Master and to the complainant. The Master may or may not accept the advice of the panel about how the complaint should be dealt with.

5.9 If a complainant is dissatisfied with the Master’s decision, the complainant may appeal to the Office of the Independent Adjudicator for Higher Education. The student shall be informed of the right to appeal, and provided with a statement of the nature of the appeal process and the steps necessary to make the appeal.

5.10 If the complaint concerns the Master, the officer to whom the complaint is made shall propose how the complaint shall be dealt with, and that proposal shall be followed if acceptable to the Master and the complainant. If it is not acceptable to either the Master or the complainant, the complainant may appeal either to the Appeal Tribunal established in accordance with the decision of the Conference of Colleges on 23 May 2002 or to the Office of the Independent Adjudicator for Higher Education.

5.11 These provisions are in addition to those set out in the Code of Conduct, which will apply in cases to which the Code applies.

5.12 In the event that a meeting, talk, activity or other event is deemed to be likely to endanger individuals by the promulgation of information likely to be deemed illegal under the **Counter-Terrorism and Security Act 2015**, permission for the activity may be refused. This will result in an automatic referral to an ad hoc committee of GB Fellows who will review the information and consider whether to uphold the decision or recommend that an alternative solution be considered (eg to continue to allow the event within College or a change of venue). This ‘PREVENT Appeals Committee’ would be chaired by The Dean or Deputy Dean who will co-opt two available GB Fellows to review the case. No GB Fellow directly involved, or with a potential conflict of interest, should be part of that panel. In addition, and in parallel with the process, the JCR and MCR Presidents will both be advised of the case. After consideration of the information the ‘PREVENT Appeals Committee will either:

1. Support the initial decision to **refuse permission** for the event in Pembroke College or

2. Recommend that the event proceed **either** within or outside College
premises.

In both outcomes, the accountable individual – The Master – will make the final decision or seek further information. At the end of this process The Master may refer the case to the Government’s Channel Process.

5.13. In the event of a complaint about the handling of any case the same process will be followed with The Dean recommending to The Master a way forward. The Master’s decision in such cases is final and will be reported to Governing Body at the next meeting. All occurrences of this nature will be reported to HEFCE on an annual basis in line with the requirements of the Act.’
CONFIDENTIALITY POLICY

Pembroke College: Confidentiality Statement with Regards to Students

The College adheres to the statutory principles of privacy and respect for confidentiality, most recently defined in the Human Rights Act 1998 and the Data Protection Act 2018.

This statement sets out the circumstances in which matters relating to individual students may be shared within or outside of College.

Definitions:

The term ‘Adviser’ is used in this Statement to denote anyone a student consults for welfare advice within College in an official capacity. At Pembroke, this could include Peer Supporters, JCR/MCR Welfare Representatives, Junior Deans, individual Tutors, the Chaplain, the Nurse, Welfare Fellows and Academic Office staff.

The term ‘Officer’ is used to refer to College staff who may not be directly involved in an individual student’s welfare case, but may need to be informed of it. This could include:

- The Master, the Academic Director, the Welfare Fellows: those with responsibility for students’ overall welfare.
- The Academic Office: responsible for academic implications of welfare problems and dealing with external enquiries about students.
- The Home Bursar: responsible for domestic implications of welfare problems and absence from accommodation.
- Tutors/College Advisers: responsible for the academic implications of welfare problems, and pastoral responsibilities.
- Junior Deans: responsible for general welfare matters.
- Lodge Porters: responsible for the involvement of external agencies on College site, together with security issues, and student absences from College.

The term ‘College Officer’ refers to the Master, the Academic Director, the Welfare Fellows, the Equalities Fellow and the Home Bursar.

Statement:

1. Information given in confidence by a student to an Adviser will not generally be disclosed to others. This document sets out the basis for dealing with exceptions to that general rule.

2. The College’s duty of care for the welfare of students may make it necessary in certain circumstances for confidential information to be disclosed, but only to Officers who need to know such information in order to exercise that care. Advisers will use their professional discretion to assess what information needs to be shared, and with whom.
3. In cases of uncertainty as to whether information should be passed on, or where Advisers wish to consult others without betraying confidence, they may do so by outlining the general circumstances of a case anonymously to another Adviser or Officer.

4. At the outset of any consultation with a student, an Adviser will normally explain these principles (1 and 2 above) and, if relevant, attempt to establish the extent of the confidentiality necessary in the particular case.

5. Whenever possible, consent to disclose any necessary information to other Officers or Advisers will be sought. The Adviser will explain why others may need to know, or why it would be helpful for other Officers/Advisers to be informed and for Officers/Advisers to discuss the matter; and that such third parties will also be bound by the same principles.

6. If consent is not given, the Adviser will explain that, in certain circumstances, some disclosure and consequent action may be necessary because of the duty to protect the student or others from harm. Examples include circumstances where this or another student may put themselves or others at serious risk of harm or death.

7. Only in rare circumstances, such as when a student is unconscious or has been assessed as lacking the capacity to make the decision, will families or emergency contacts be contacted without the consent of the student, and they would normally be informed that such contact had been made. Such disclosure will only be made with the agreement of two College Officers. Requests from family members for confidential information about students will be treated in the same basis.

8. Tutors will be informed when a student is absent from college or otherwise unable to fulfil their academic obligations (noting that often, tutors are the first to know about a welfare issue).

9. Medical practitioners, clergy and counsellors, including those at the University Counselling Service, have their own professional guidelines. Student Peer Supporters also adhere to the Peer Support Code of Confidentiality.

10. Special considerations apply to students on courses leading to qualifications for professions governed by codes of conduct and health intended to protect the public, such as medicine, social work and teaching. Any concerns about the health or behaviour of a student on one of these courses may be discussed with the department concerned, initially on an anonymous basis.

11. In matters relating to the misuse of drugs and other banned substances, the Chaplain and College Nurse are happy to talk in complete confidence to any student. They will encourage people to face any issues that they may have honestly and with empathy, including any underlying issues which may prevent people from addressing their problems. They have a network of appropriate professional support to which they can refer the student, with their agreement. The College Nurse and Chaplain are committed to accompanying people in the process should students desire that. If students disclose information about the use of drugs, alcohol or banned substances to any other person apart from the College Nurse or Chaplain, confidentiality cannot be guaranteed, in line with the exceptions outlined in
paragraph 6 above.

12. Any request from the police for information about a student should normally be made in writing and should be considered carefully. Disclosure may be made when necessary for the prevention or detection of crime or apprehension or prosecution of offenders and seeking an individual’s consent will prejudice the enquiry. If it is decided that a degree of disclosure is appropriate this should be limited to the minimum required. Such disclosure may only be made with the agreement of two College Officers.

13. All parties must also respect privacy, including communication by email and in dealings with the press. There is a need to exercise caution in using email for sensitive welfare matters. Emails should not be used to convey detailed information about a student; they should be used only as an effective means of recording and circulating essential, factual information. ‘Welfare in confidence’ should be included in the subject line of emails where relevant, and the unnecessary inclusion of other parties (e.g. through forwarding emails or using the CC or BCC fields) should be avoided. Individual names can be used in emails, as anonymity is not practical in most cases. Email must be used with care to ensure that no inadvertent disclosure takes place, for instance by failing to modify circulation lists and collective addresses, or using ‘Reply to all’ when not necessary.
CODE ON SUBSTANCE ABUSE

1. The College may itself face prosecution for acts regarding drugs which are a criminal offence and alcohol abuse which take place on its premises. Such acts will be treated as disciplinary offences, and also may be prosecuted by the Police.

2. Students are reminded that many employers now require drugs tests and will investigate applicants’ backgrounds. For example, if there is a police caution on record, this may adversely affect a job application.

3. Alcohol abuse is a serious issue for some students. It often leads to problems with studies, and frequently to long term health and behavioural problems. It can also be offensive to and disturbing to other students.

4. The involvement of alcohol in disciplinary offences will be regarded as an exacerbating and not a mitigating factor.

5. If people think they have a problem, or know of friends who have a problem, they should seek help from either the College Welfare Officers or from the College Nurse or Doctors.
COMPUTING FACILITIES CODE OF CONDUCT

The College provides computing equipment and access to networks only for the furtherance of the academic work of Fellows, staff and students. All users of any College computing are required to observe this Code of Conduct.

Please click on the link below to download the Code of Conduct agreement form.

Computing code of conduct (PDF 12k)
CODE OF PRACTICE ON PROTECTION OF CHILDREN AND VULNERABLE ADULTS

Objective

To provide a safe environment for children and vulnerable adults within college premises and in activities undertaken with the approval of the college. For these purposes, a child is a person under 18, and a vulnerable adult is a person who is receiving any form of health care whose ability to protect him or herself from neglect abuse or violence is significantly impaired on account of disability, illness or otherwise.

Premises

The college will take all reasonable steps to ensure that its premises are safe for children and vulnerable adults whose presence can be reasonably anticipated.

Safeguarding Vulnerable Groups Act 2006

The College will discharge its obligations under the Safeguarding Vulnerable Groups Act 2006.

Sexual Offences Act 2003

Members of staff are reminded that, under the Sexual Offences Act 2003, activities of a sexual nature between a child and someone who is in a “position of trust” constitute an offence, even though the child is capable of giving consent (that is, is 16 or over). A person is in a position of trust if they are “regularly involved in caring for, training or supervising” another person in an education institution (SOA 2003, s. 22(3)(a)). This could be taken to apply to a tutor or other personal advisor.

Duty of Care

The College will discharge its duty of care to ensure that it will not permit any activity which puts any child or vulnerable adult at risk of abuse, understanding that abuse can be physical, sexual, emotional, or neglect. In the furtherance of this duty it will take proper care that

(a) persons who undertake any welfare role with regard to students or members of staff on behalf of the college have been demonstrated to have appropriate qualities to perform such a role;

(b) members of staff who come into contact with children or vulnerable adults do not do so in circumstances in which there is risk of abuse.

(c) any allegations or evidence of harm to a child or vulnerable adult will be taken seriously and investigated

Confidentiality

The College will respect the privacy confidentiality of any child or vulnerable adult in as far as this is consistent with its obligation to discharge its duty of care and statutory obligations.
The Code of Practice of the University

The College takes note of the University’s Code of Practice on the Protection of Children and Vulnerable Adults and will observe it in as far as it applies to the College.

CODE ON FREEDOM OF SPEECH

PART 1 – General Duties

1. General Duty to uphold freedom of speech

Members, students and employees of the College are bound at all times so as to conduct themselves as to ensure that freedom of speech within the law is secured for members, students, and employees of the College and for visiting speakers.

2. The freedom protected by para.1 of this Code of Practice is confined to the exercise of freedom of speech within the law. Examples of statements which involve a breach of the criminal law are incitement to commit a crime, sedition, and stirring up racial hatred in contravention of statute. Statements may also be unlawful if they are defamatory or constitute a contempt of court.

3. General Duty not to impede access to, or egress from, places at which the right of freedom of speech is exercised on premises of the College.

Subject to such limitations on access as may lawfully be imposed by the competent college authorities, it shall be the duty of every member, student, and employee of the College not to impede any person entitled to be present from entering or leaving a place where the right of freedom of speech is being or is to be exercised on premises of the College.

4. Right of peaceful protest

Nothing in this Code of Practice shall be taken to prohibit the legitimate exercise of the right to protest by peaceful means; provided always that nothing is done which contravenes the foregoing general principles or the other requirements of this Code.

PART 2 – Academic Activities

5. The College expects that all persons concerned with the organization or conduct of an activity which forms part of the College’s teaching, study, or research (such as a tutorial, lecture, seminar, class, conference, research work, or examination) shall immediately give notice to the Dean of any facts coming to their notice which indicate that such activity is likely to be delayed or disrupted by improper means.

6. The Dean shall be empowered to give such directions and to adopt such measures as seem appropriate to the Dean to prevent or minimize the delay or disruption of an academic
activity, and all persons, concerned with the organization or conduct of the academic activity under threat shall co-operate in carrying out the Dean’s directions and in facilitating the measures adopted.

7. In the event that any academic activity is delayed or disrupted by improper means a report shall forthwith be made to the Dean by the person or persons responsible for the conduct of such activity.

PART 3 – Meetings and assemblies on premises of the College or clubs, societies, and other organizations (PREVENT)

8. Not less than TEN days before any meeting the person organizing it must book a room in College and notify the Dean of (a) the nature of the meeting; (b) the time and place; (c) the numbers expected; (d) the names of the organizer(s) and of all visiting speakers. This notification must be made by completing the online form at https://intranet.pmb.ox.ac.uk/room-event-bookings. The booking of the room must be made separately. This regulation applies to all meetings held in the public rooms of the College. The organizers of the meeting will be held responsible by the Dean for ensuring that the meeting is properly conducted and that the provisions included within the Counter Terrorism and Security Act 2015 (under PREVENT) are adhered to.

Where a member of the College identifies a concern in relation to a student or a member of staff they shall report this to the Home Bursar, as PREVENT lead. The Home Bursar will act in a manner that secures and protects the existing rights of students, including, in the absence of serious crime, to confidentiality and privacy; and, at all times, to equal treatment under the law.

Those responsible for student welfare and pastoral care shall be alert to the risk that students may be less likely to use welfare provision because they perceive it to be linked to the PREVENT duty.

9. The College expects that any member, student, or employee of the College who, whether alone or in collaboration with other persons, makes arrangements for the holding on premises of the College of any meeting or assembly of persons (including any meeting of any club, society or other organization and whether with or without a restriction to college membership), and who becomes aware of facts indicating that such meeting or assembly is likely to be delayed or disrupted by improper means, shall immediately report such facts to the Dean.

10. In relation to any such meeting or assembly which he believes to be threatened, the Dean shall be empowered to give such directions and to require the adoption of such measures as seem appropriate to the Dean to prevent or minimize the improper delay or disruption, and all persons concerned shall be bound to co-operate in carrying out the Dean’s directions and in facilitating the measures required to be adopted.

PART 4 – Powers of the Dean in relation to threatened meetings

0. (1) Directions and measures to be adopted

In relation to any academic activity or any meeting or assembly of persons which the Dean believes to be threatened by disruption, the Dean may give directions and require measures
to be adopted pursuant to paras. 6 and 10 of this Code on the following (amongst other) matters:

(a) the number of persons to be admitted to the premises where the meeting is to be held;

(b) the issue of tickets of admission;

(c) the designation of one or more persons as the official organizers of the meeting with direct responsibility to the Dean for all arrangements thereof;

(d) the designation of a person as the chairman of the meeting with responsibility for the proper conduct of such meeting;

(e) the admission (or non-admission, as the case may be) of members of the university who are not members of the college, or members of the public generally);

(f) the appointment of stewards to assist with the control of the meeting;

(g) the employment of security staff to ensure the orderly conduct of the meeting and safe access to and egress from the meeting;

(h) the carrying of banners, placards and similar objects into the meeting;

(i) the place where the meeting is to be held.

(2) Meetings where breach of the law is anticipated

The Dean may as necessary consult with the Proctors and the local police about forthcoming meetings and activities covered by this Code of Practice. In any case where serious disruption may be anticipated the Dean shall have power, having taken into consideration such advice from the police as may be available, to order the cancellation, postponement, or relocation of the meeting.

(3) Expenses incurred in safeguarding academic activities and other meetings

Where expenses are incurred (e.g. in the engagement of stewards or the employment of security staff) to safeguard an academic activity under Part 2 of this Code of Practice the cost thereof shall be borne by the College. In all other cases the cost shall be borne by the person or persons organizing the meeting, save that the Dean may (if so advised) make representations to the Governing Body of the College suggesting that the cost shall be borne in whole or in part by the College and the Governing Body may decide the matter.

PART 5 – College premises made available for use by outside organizations and Statement of Free Speech
12. In any case where the College is proposing to grant permission to an outside organization or group to hold meetings on its premises, the attention of such outside organization or group will be drawn to the contents of this Code of Practice and permission to use the premises may be refused unless the outside organization or group both undertakes to secure that the principles embodied in this Code will be upheld and satisfies the college authorities of its ability to discharge its obligations in regard to upholding freedom of speech.

**Statement of Free Speech:** Free Speech is the lifeblood of a university. It enables the pursuit of knowledge. It helps us approach truth. It allows students, teachers and researchers to become better acquainted with the variety of beliefs, theories and opinions in the world. Recognising the vital importance of free expression for the life of the mind, a university may make rules concerning the conduct of debate but should never prevent speech that is lawful.

Inevitably, this will mean that members of the College are confronted with views that some find unsettling, extreme or offensive. The College must therefore foster freedom of expression within a framework of robust civility. Not all theories deserve equal respect. A university values expertise and intellectual achievement as well as openness. But, within the bounds set by law, all voices or views which any member of our community considers relevant should be given the chance of a hearing. Wherever possible, they should also be exposed to evidence, questioning and argument. As an integral part of this commitment to freedom of expression, we will take steps to ensure that all such exchanges happen peacefully. With appropriate regulation of the time, place and manner of events, neither speakers nor listeners should have any reasonable grounds to feel intimidated or censored.

It is this understanding of the central importance and specific roles of free speech in a university that underlies the detailed procedures of Pembroke College, laid out in College Regulations.

This Free Speech Statement frames all the activities and policies of the College. **PART 6 – Miscellaneous**

13. The Governing Body of the College is under a duty pursuant to Section 43(3) of the Education (No. 2) Act 1986 to keep this Code of Practice up to date. No revision of the Code will, however, take effect until after due notice has been given.

14. Failure to comply with the provisions of this Code of Practice may render the offender liable to disciplinary proceedings. Nothing in this Code of Practice affects the normal operation of the criminal law.