



# **Fitzwilliam College Regulations 2018 / 2019**

## INTRODUCTION

The College is a community in which undergraduates, graduate students and senior members join together for the purpose of learning and research and for a large part of their social life. All communities need rules to govern the conduct of their members. In the College, the basis of these rules is to be found in the Statutes of the College, a copy of which may be inspected in the College Library. This booklet details the main regulations which have been found necessary to give effect to the Statutes and to ensure the smooth running of the College in the interests of all its members, senior and junior alike. References to junior members include both undergraduates and postgraduate students. These regulations are supplemented from time to time by notices displayed on the Screens by College Officers. The College is part of the University and Junior Members are also required to observe the regulations contained in A summary of Information and Regulations for the use of Junior Members, a copy of which is given to all students when they come into residence. Failure to conform to the requirements of University Regulations may be regarded as an offence comparable to a breach of College Regulations.

Even more important than the specific regulations, however, is the spirit, which lies behind them. This is that members of the College must at all times act with consideration for other members and Assistant Staff. Any action, which might cause distress, annoyance or inconvenience to other members of the College or to members of the Assistant Staff may be treated as an offence, even if it does not involve disregard of a specific regulation. Such offences will be treated under Regulation 15.

The following shall constitute misconduct:-

1. disruption of, or improper interference with, the academic, administrative, sporting, social or other activities of the College, whether on College premises or elsewhere;
2. Obstruction of, or improper interference with, the functions, duties or activities of any student, member of staff or other employee of the College or any authorised visitor to the College;
3. violent, indecent, disorderly, threatening or offensive behaviour or language whilst on College premises or engaged in any College activity;
4. fraud, deceit, deception or dishonesty in relation to the College or its staff or in connection with holding any office in the College or in relation to being a student of the College;
5. action likely to cause injury or impair safety on College premises;
6. breach of the provisions of the Code of Practice on Freedom of Speech issued under Section 43 of the Education (No.2) Act 1986. (See Appendix 7);
7. examination offences;

8. damage to, or defacement of, College property or the property of other members of the College community caused intentionally or recklessly, and misappropriation of such property;
9. misuse or unauthorised use of College premises or items of property including computer misuse;
10. conduct which constitutes a criminal offence where that conduct -
  - (a) took place on College premises, or
  - (b) affected or concerned other members of the College community, or
  - (c) damages the good name of the College;
11. behaviour which brings the College into disrepute;
12. failure to disclose name and other relevant details to an officer or employee of the College in circumstances when it is reasonable to require that such information be given;
13. failure to comply with a previously-imposed penalty;
14. the College will not tolerate harassment of one member of its community by another. Nor will it tolerate sexual misconduct. The College has adopted the University's Code of Conduct in Respect of Harassment and Sexual Misconduct and subscribes to its policy on Breaking the Silence – Preventing Harassment and Sexual Misconduct (<https://www.breakingthesilence.cam.ac.uk/breaking-silence-university-statement/student-policy>). The College's policy on Harassment and Sexual Misconduct may be found in Appendix 10.

It may be that from time to time a Junior Member wishes to make a complaint. It is the College's hope that most complaints will be resolved informally. Complaints procedures are given in Appendix 9 of this document, which includes information about the Office of the Independent Adjudicator.

[The term "College" also includes University wherever appropriate.]

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## REGULATIONS FOR STUDENTS

1. Breaches of College Regulations are dealt with by the Dean of College and the Disciplinary Committee. Details of disciplinary procedures are printed as Appendix I of these Regulations

### RESIDENCE AND KEEPING TERM

2. It is necessary for Undergraduate students (those studying for their first degree) to reside for a minimum of nine terms to obtain a degree at Cambridge. All Graduate students must reside in Cambridge for a minimum of three terms before they can be awarded any degree. Students may not generally proceed to their degrees unless their Colleges certify that they have 'kept terms' by being in residence for the specified period. In order to 'keep term' it is necessary to reside in Cambridge for nights equivalent in number to those of Full Term.

Any nights spent in residence during the Residence Period before the beginning or after the end of Full Term may be counted towards keeping term. Any nights spent away from Cambridge (see Regulations 8 to 15) must be made up either before or after the end of Full Term in the Residence Period in order that term may be kept. Failure to comply with this University Regulation will mean that a student may become ineligible to take examinations at the required time and thus will not be able to proceed to a degree.

Term dates are available: <http://www.cam.ac.uk/about-the-university/term-dates-and-calendars>

Detailed information for Graduate students is available:

<http://www.cambridgestudents.cam.ac.uk/new-students/manage-your-student-information/graduate-students/terms-study#residence>

3. All students must come up not later than the first day of Full Term and they may not go down before the last day of Full Term even though they may have kept term. Tutorial permission is needed for any departure from this rule. First year students coming into residence for their first term are usually required to come up two or three days before the beginning of Full Term and will be notified of the date concerned in advance. All Undergraduates must sign the Redit and Exeat Book each term at the Porters Lodge. All Graduate students must contact the Graduate Secretary at the end of each term to confirm that Residence has been kept.
4. Undergraduate students are normally permitted to reside during any part of the agreed Residence Period but must state the dates on which they intend to go down and to return into residence on the termly Request for Out of Term Accommodation form circulated by the Accommodation & Housekeeping Manager. Any changes in these dates must be reported immediately to the Accommodation & Housekeeping Manager. If it appears desirable in a particular case, the Senior Tutor may require a student to go out of residence when term has been kept.

For detailed information relating to accommodation, please refer to the Fitzwilliam Student Accommodation Handbook: <http://www.fitz.cam.ac.uk/college-life/accommodation>

5. Every student is held responsible for ensuring that the Term has been kept and for confirming that this is so by signing the Redit/Exeat Book in the Porters Lodge.
6. All Junior Members must validate their personal information on CamSIS (Cambridge Student Information System) at the start of every academic year and again when any changes occur during the year (address, phone numbers etc).

### **THE TUTORS**

7. Students below the status of Bachelor of Arts are required to call upon their Tutor, without special summons, at the beginning and end of each term, within the period of Full Term. Students with the status of Bachelor of Arts and above are required to call upon their Tutor during their first term of study.

### **DINING**

8. All students are required to pay a fixed charge and to observe such other regulations as may from time to time be published.

### **EXEATS**

Students in certain approved categories (see Regulation 79) are exempt from the provisions of Regulations 9-15 inclusive. Their attention is drawn, however, to Regulation 16 to which they are subject.

9. Until they have kept term, persons in *statu pupillari* may not leave Cambridge for the whole of any night (see Regulation 11) without Tutorial permission and the grant of an Exeat. Any such nights spent away must be made up otherwise a student may become ineligible to take their degree (see Regulation 1).
10. Students living in College must return to it before 06:00. Tutors may require students to remain in College after 00:00.
11. All students, unless they have an Exeat, must be in their rooms or rented accommodation at 06:00.
12. Students must apply to the Tutorial Office for Exeats. These will not be granted for indefinite periods nor without good reason.
13. Copies of Exeats must be shown at the Porters' Lodge on departure and deposited there on return.

14. Students living out of College must deposit their Exeats with the Porters' Lodge on return to College.
15. Any days of residence lost during a Full Term must be made up before the end of the Residence Period of that Term.

### **COLLEGE BUILDINGS**

16. College rooms are assigned by the Senior Tutor, and the statement of the terms and conditions applying to the occupation of a student's room will be provided at the time when they are assigned. Details of Rules governing the use of College Accommodation are given in the Accommodation Handbook – available here: <http://www.fitz.cam.ac.uk/college-life/accommodation>
17. Room keys should be collected from the Head Porter and signed for. In the event of the room key being lost, the Porters' Lodge should be informed immediately; a charge of £20 will be made for a replacement. Lost security fobs will be charged at £5. It is forbidden to cut extra keys. All room keys must be handed to the Head Porter by the end of the contracted Residence Period for use, if necessary, by other guests. Failure to do this causes great inconvenience and cost to the College and will result in an automatic fine of £25.00.  
  
Meeting Room and Music Room keys must be returned to the Porters Lodge immediately after use. Failure to do so will result in a £10 fine.
18. North Lodge is secured at all times with access via Card. The Hall Building will be secured no later than 02:00, except as provided in notices posted from time to time, or by special permission of the Senior Tutor, or the Bursar.
19. Junior Members may accommodate a guest in their room if permission is obtained. The rules governing such visits and the procedure to be followed to obtain such permission are specified in Appendix 5.
20. Undue noise is not allowed in the College and precincts or in College houses. Noise should never be at a level at which it disturbs other nearby residents. Audio equipment should not be audible outside a student's own room.
21. Except by permission of the Senior Tutor, the playing of musical instruments is allowed only between the hours of 09:00 and 22:00, in rooms booked for this purpose at the Porters' Lodge, or in a student's own room between 17:00 and 20:00.
22. The use of audio equipment is permitted in students' own rooms, the Auditorium Music Rooms, the Junior Combination Room, the Middle Combination Room, the Fitzwilliam Society Common Room, the Gym, the Art Room, and the Café Bar. Except by special permission of the Senior Tutor it is forbidden elsewhere in the College buildings and precincts. Disturbance to other members of the College must be avoided and the use of such devices will be prohibited where this Regulation is neglected.

23. Doors, walls and woodwork must not be defaced by drawing pins, nails, adhesive tape, blu-tack etc. Pictures, wall decorations etc., must be displayed by means of the picture rail, pin-up board or 'magic whiteboard' paper provided. It is particularly important not to use drawing pins for the purpose of affixing notices and the like to doors and window frames, or indeed woodwork of any kind. Items must not be affixed to windows of rooms, including (without limit) posters, banners, flags, stickers or decorations. Any interference with fire extinguishers, heat sensors or smoke alarms is forbidden, dangerous and is likely to result in disciplinary action. Any damage caused by disregard of this regulation will be charged to the Junior Member concerned.
24. Further rules governing the use of certain public rooms may be posted in the room concerned.
25. The rules governing the use of Gyp Rooms are given in Appendix 6.
26. No animals may be brought within the College or its precincts.
27. Members of College should endeavour to ensure that no disturbance or inconvenience is caused to neighbours of the College, and any such disturbance without good cause will be treated as a disciplinary matter.
28. Walking on lawns in the centre of the College site (around the Grove) is permitted at all times of the year (subject only to restrictions necessary in certain weather conditions, to be determined by the Head Gardener). Walking on the grass outside of these areas is not permitted at any time.
29. Deposition of litter in the College is a punishable offence.
30. Disciplinary action will be taken against any Junior Member who damages College property. In the event of damage to or misuse of College property by a Junior Member or Junior Members, those concerned will be responsible for the costs of making good such damage.
31. Games with balls or other projectiles are not permitted on the main College site. Croquet may be played on the Grove Lawn with the permission of the Master, the Bursar or the Senior Tutor. Roller Blades, Skate Boards or Scooters are not to be used within the College grounds.

### **SMOKING POLICY**

32. Smoking (including 'vaping'/e-cigarettes) is not permitted within the perimeter of the College buildings, including gardens, study bedrooms and public rooms, or in any off-site College property. Anyone wishing to smoke may do so in the designated smoking areas in Storey's Way and Huntingdon Road car parks. In College off-site properties, smoking may only take place in the garden areas to the rear of the properties. Any junior member of the College found to be in breach of this regulation will be automatically referred to the Dean.

## MOTOR CARS, MOTOR CYCLES AND BICYCLES

33. The University Regulations do not in general allow undergraduates to keep motor vehicles, including motor cycles, in Cambridge. Exemptions are made, however, for special reasons and particular uses. Permission to keep a vehicle should be sought in the first place from the Senior Tutor and thereafter from the University Motor Proctor.
34. Those resident in College who have the necessary permissions from the Motor Proctor and the Senior Tutor to keep a motor vehicle in Cambridge must obtain, from the Head Porter, a car-parking badge, which must be clearly displayed, in order to use the College car park. Undergraduates and postgraduates with such permission must park their cars and motorcycles in the car park they have been given permission to use (this may be at one of our outside houses). Use of College car parks may be temporarily suspended by the Bursar. Students without such permission, or who fail to observe a car park suspension, will be liable to a fine of £20 per day.
35. **Bicycles:**
- (a) **All student bicycles must be registered with the Porters Lodge within the first two weeks of residence period of the new academic year.** Each bicycle must be marked clearly in one place with the registration number provided by the Porters. Failure to comply will result in a fine of £5.00. Unregistered bicycles are liable to be removed and disposed of.
  - (b) The riding of bicycles is forbidden on all flagstone pathways on the College site.
  - (c) Bicycles must not be brought within College buildings, on or off the main College site, at any time.
  - (d) Junior Members may park bicycles on the College site only in the bicycle racks provided for students, and not in those racks provided for Fellows, Staff and visitors. They must not be kept within College buildings, on or off the main College site, at any time.
  - (e) Bicycles may be ridden in Wychfield Lane (the gravel roadway to the west of the College buildings between the College and Wychfield). Great care is needed because of the number of blind exits.
  - (f) In the College roadway leading from Huntingdon Road bicycles may be ridden only in the direction of permitted traffic circulation, i.e. from the entry at the east (New Hall) and towards the exit at the West (Girton) end. **Bicycles must be wheeled if it is desired to go in the opposite direction.**
  - (g) Cyclists attempting to use the vehicle entrance to the College to exit onto Huntingdon Road put themselves and road users in serious danger. The only routes of exit from the College to Huntingdon Road are:

- i) Using the roadway exit from Wychfield Lane at the western end of the carpark.
- ii) Using the newly built cycle path from the Cycle bay at the eastern end of the carpark (closest to the North Lodge entrance).

A first infringement of any of the above will incur an automatic fine of £5. The Porters have instructions to take the names of all students breaking the Regulations. The Dean will punish any subsequent offences severely.

### **NON-COLLEGE ACCOMMODATION**

36. Any student living in non-College accommodation must inform the Tutorial Office of their address as soon as they have arranged accommodation.
37. Students living out must settle their terminal accommodation account in full by payment direct to the owner of the property before going down each term or as agreed.
38. All changes of address must be notified immediately to the Porters' Lodge.
39. It is necessary sometimes for a student to change their accommodation and in such cases a Tutor may require a student to occupy alternative accommodation chosen by the College.

### **GENERAL MATTERS**

40. Junior Members are advised to report to their Tutor any charges which have been made against them by the Police and any legal or official enquiries in which they are involved.
41. The use of drugs, other than under medical direction, is both dangerous and illegal and unauthorised possession of them is a criminal offence. The College will take a most serious view of any unauthorised possession or use of such drugs by students. Disciplinary action, including termination of residence, may be taken in relation to any student who is in any way concerned with unauthorised use of such drugs either personally or by others.
42. Students who use firearms, air-guns, ammunition, crossbows, long bows, or other dangerous weapons, for sporting purposes should normally make arrangements for the weapons to be kept on the premises of the sporting club or society concerned. They may never be brought into College or kept in students' rooms in College or elsewhere.
43. All members of the College shall comply with any instruction given by a College officer, or by any other person authorised to act on behalf of the College, in the proper discharge of their duties.
44. Unmanned Aerial Vehicles (drones) must not be flown within the College precincts or at College houses.
45. Members are prohibited from utilising the College as their registered office address for

any business, company or limited partnership in which they may be involved.

### **ACADEMICAL DRESS**

46. Correct academical dress is worn in formal Hall and on other occasions when required. Suitable clothing must be worn at all times.

### **OFFICIAL NOTICES**

47. Students are required to read notices posted or sent to them by email (to @cam.ac.uk addresses) by the College authorities and may not plead ignorance as an excuse for failure to comply with them.

### **BOOKING OF PUBLIC ROOMS**

48. Students may book public rooms in the College. The application procedure for such bookings is specified in Appendix 4, which also sets out the requirements to which those holding parties must conform. If the booking is for a public meeting see Appendix 7.
49. At least 14 days notice is required to the Stewards Secretary for bookings where College catering provision is required. Seven days notice is required for bookings where changes to the normal room set up or AV equipment is required. For all other room bookings, at least five days notice is recommended in order to ensure that the necessary permissions can be secured. Refreshments for large functions must normally be purchased through the College.

### **THE OLISA LIBRARY**

50. Much of the Library's collection is borrowable. Details of loan periods and numbers of items are available in the Library and also on the Library web-pages. The self-issue system works in conjunction with the security system. If you set off the alarm you should return and either leave the book or issue it correctly. Books marked "Reference not for loan" should not be removed from the Library without the permission of the Librarian.
51. Quiet must be maintained in the Library at all times.
52. The use of personal audio equipment, via headphones, is permitted only as long as no sound is audible to other library users.
53. The audible use of mobile phones is prohibited inside the Library. This extends to audible vibration mode. The fine is £5.
54. It is forbidden to bring food and drink, except for bottled water, into the Library. The fine is £5.
55. The marking of library books, even with pencil, is strictly forbidden.

56. Bottles of ink should not be brought into the Library. Any bottles found will be removed.
57. Members of College are requested not to admit non-members to the Library. Anyone who wishes to use the Library, if not a current member of the College, should contact the Librarian, preferably in advance.

### **HALL**

58. A proper standard of behaviour is expected of all those attending meals in Hall.
59. At self-service meals dress may be informal. At Formal Hall dress should be appropriate to the occasion; for example, jacket, collar and tie, or smart evening wear. Gowns are worn unless the Master or Senior Fellow present has given permission for their removal, due to the exceptional heat, or unless the Dean has given written permission for dinner dress or fancy dress to be worn in lieu.
60. At Formal Hall the Code of Conduct in Appendix 4 must be followed.
61. Following a warning gong, it is required that all diners vacate the Hall by 21:30, unless a Fellow is present.

### **DEPOSIT**

62. Students must pay £150 deposit within eight days of first coming into residence.
63. No interest is paid on deposits. The interest is credited to the Master's Gift Fund and the Tutors' Fund to which students may apply for financial assistance, for instance in connection with travel or in the case of financial need arising from unforeseen circumstances. The balance of any deposits, after payment of all sums due to the College or payable by the College on behalf of the student concerned, is normally repaid as soon as possible after the student's final term of residence. If however there is reason to suppose that a student has remaining liabilities, the Bursar reserves the right in consultation with the Tutor concerned to delay payment in whole or in part for any period up to 6 months after the end of final term of residence. In cases where it is appropriate to do so, the deposit will be credited against a student's final bill, the balance remaining being payable as above.
64. Students are not allowed to remain in residence unless their deposits have been paid.

### **ACCOUNTS**

65. Accounts must be settled on or before the eighth day of Full Term and the Master, Tutors and Bursar in consultation may require students failing to do so to go out of residence. An additional charge of £5 is made for each week that the account remains unpaid after the specified date. Students who encounter unavoidable difficulty in complying with this Regulation should in the first instance consult the Student Finance Administrator (Accounts Office, V staircase).

66. Students are required to pay their bills before graduating. The College reserves the right, after consideration of the circumstances of the matter, to decline to present for any degree, diploma or other qualification any member who is in debt to the College. The circumstances that the College will consider include the nature (academic or non-academic) of the debt; its size; the reason for non-payment; the reasonable practicability of its payment by the student, or on their behalf; the likely damage to the student from non-presentation; the likely efficacy of alternative, less damaging sanctions. The College will afford the student the opportunity of commenting on those matters before reaching its decision.
67. All Junior Members of the College, both undergraduate and post-graduate, are members of the Junior Members' Association. The Junior and Middle Combination Rooms, Clubs and Societies are facilities provided by the Association and are governed by its Constitution. The charge for membership of the Association is met by the College. In accordance with the Education Act 1994, a Junior Member has a right not to be a member of the Association and not to be unfairly disadvantaged with regard to provision of services or otherwise.

For further details regarding items on your College Bill please refer to:

<http://www.fitz.cam.ac.uk/college-life/finance/college-bill>

### **FITNESS TO STUDY**

68. The College is fully committed to working with all its students, to meet whatever challenges they may face. The nature of the support offered in cases of difficulty is summarised in the document '[Supported Study at Fitzwilliam](#)'. Each student herself/himself carries the main responsibility for engaging with appropriate services and support, within and beyond the College. If a student is unwilling or unable to engage successfully with a support plan or modify their problematic behaviour, it may be necessary to invoke the College's Fitness to Study procedure. A student's fitness to study may be questioned if their behaviour or health are disrupting their own welfare or academic progress, or that of others, or result in unreasonable demands being placed on staff or other students. The procedures which the College follows when there are concerns about the fitness to study of one of its students (undergraduate or postgraduate) are set out in Appendix 3.

### **SUPERVISIONS**

69. Students are required to attend supervisions arranged for them. Each Supervisor submits a termly report on their academic progress to their Tutor and Director of Studies. If a student fails to attend a supervision without good cause, or without having given due notice to their Supervisor or their Tutor or their Director of Studies, the Director of Studies may charge the cost of the supervision and of any consequent remedial supervisions to the student's College account. In the case of persistent non-attendance at supervisions without good cause, or without due notice, the Director of Studies may refer the case to the Dean, who may impose a fine on the student in addition to any charges for the costs of the supervisions.

## **EXAMINATIONS**

70. A student must consult their Director of Studies about any examinations for which they wish to present themselves. A student's Tutor and Director of Studies can give advice about the standing for examinations. Undergraduates must enter for examinations for which they are of standing. Most students enrol on-line using CamSIS either by themselves or through their Director of Studies. Entries must only be made following consultation with your Director of Studies about paper choices. Further information, including strict deadlines, will be emailed at the start of each Michaelmas Term.
71. Students are held responsible for checking and approving their examination entry in the form of their on-line Examination Verification. Any amendments to their entry must be reported to the Tutorial Office by the strict deadlines which will be clearly stated. Students are also responsible for the safe keeping of their Examination Confirmation Timetable and for the consequence of any failure to attend said examinations.
72. Students are required to show evidence of satisfactory progress in their academic work, by their performance in the University or College examinations for which they are entered. Failure to be classed or to be included in the list of successful candidates, or to reach the standard previously determined by the Tutorial Committee and/or Director of Studies, normally means that they will be required to go out of residence, though in special circumstances other sanctions short of final removal from the College may be imposed. (To be allowed an Ordinary Examination counts as failure for this purpose). Students have the right to explain the reasons for their failure in person to the Master and Tutors and the Governing Body before a decision on their case is taken.
- The final decision to remove a student from the College rests with the Governing Body. Appendix 2 describes the way in which failure in examinations is investigated by the College and the sanctions which may be applied as a consequence of such failure.
73. Medical or Veterinary Medical students who fail to secure exemption from a Second M.B. Examination on the basis of their results in the Tripos are normally required to take the relevant Second M.B. Examination at the first available opportunity.
74. Illegible scripts – special arrangements to type badly written scripts, or to allow candidates to type their answers instead of writing scripts, can be approved in advance only if there is a medically certified reason for bad handwriting.

If a script is deemed illegible by the Examiners and returned to the College for transcription, the student will be charged at the current hourly rate for secretarial work.  
Note - University rules do not permit candidates to have all scripts transcribed in this way.

## **CHANGE OF SUBJECT AND EXTENDED COURSE**

75. It is possible for students to change their course of study while in residence, but the College does not normally permit such changes until students have taken the first Tripos examination appropriate to that course. Students considering a change of Tripos are advised to talk to their Tutor and Director of Studies at an early stage.
76. It sometimes happens that students wish to extend their period of residence to include an additional year. The need for this usually arises from a change of subject, but other considerations may also make it necessary. Students must apply for this extended residence to their Tutor with whom they should discuss the matter at the earliest opportunity.

For Home students, extension of Fee Support and Student Loan arrangements may not be automatic, and Home students should contact their Local Authority or Student Finance England as early as possible.

## **POSTGRADUATE AND ADDITIONAL COURSES**

77. After completing the course for which they were admitted, students may be allowed to remain in residence, or after a period away, may be re-admitted, usually to work for a postgraduate qualification. Students should consult their Tutors if they wish to apply for a further period of residence. Applications are considered on their merits, and are treated in a manner similar to initial applications for admission to the College. In reaching a decision the College attaches importance to the academic attainment of the applicant since coming to the College.

## **DEGREE CEREMONIES**

78. Any member of Fitzwilliam College who has fulfilled the appropriate examination and residence requirements, and who has registered for a ceremony via CamSIS, may proceed to their degree at a Congregation of the Regent House. Further information available from [degrees@fitz.cam.ac.uk](mailto:degrees@fitz.cam.ac.uk).

## **RESIDENCE IN VACATION**

79. Research and other graduate students with the status of Master of Arts or Bachelor of Arts, continuing an approved course of study or research during a vacation do not require special permission to remain in residence, but are under the discipline of the University and College.

## **HEALTH MATTERS**

80. (a) During the first week of residence all students, whether they are already registered with a doctor under the National Health Service or not, are normally expected to register with a doctor in Cambridge and to give their name and address to the College Nurse.

- (b) Students are strongly advised to report the fact to their Tutor if they have been in contact with any infectious disease, on the understanding that such information may be shared on a confidential basis with the Senior Tutor and the College Nurse.

### **PUBLIC MEETINGS** (see Appendix 7)

81. No member of the College shall intentionally or recklessly disrupt or impede or attempt to disrupt or impede the activities and functions of the College.
82. No member of the College shall intentionally or recklessly impede freedom of speech or lawful assembly within the Precincts of the College.
83. As regards the Media, access to College premises and statements of College policy are the responsibility of the Master, Bursar and Senior Tutor acting individually or collectively and reporting to the Governing Body or its Committees as may be appropriate.

### **FIRE**

84. Students must comply with the evacuation procedures posted in College and College accommodation and with instructions relating to Fire Practices which may be held from time to time and any other Health and Safety Regulation in force. Failure to do so will be treated as a breach of discipline.

### **BAR**

85. Rules governing the use of the Bar are appended to the College's policy on Alcohol, which can be found at:  
[www.fitz.cam.ac.uk/mi-client/media/policies\\_and\\_regs/alcohol\\_policy.pdf](http://www.fitz.cam.ac.uk/mi-client/media/policies_and_regs/alcohol_policy.pdf)

### **PAID EMPLOYMENT**

86. An undergraduate who registers with their Tutor may, with the Tutor's consent, undertake paid employment during the Residence Period, up to a maximum of 6 hours per week on average.

### **COMPUTING FACILITIES AND NETWORKS**

87. The use of all IT Facilities is governed by the appropriate rules set by the University and the College and these may be updated from time to time. Details of the rules are found on the College website ([www.fitz.cam.ac.uk/computing/network-connections/fcdn-connection-conditions-of-use](http://www.fitz.cam.ac.uk/computing/network-connections/fcdn-connection-conditions-of-use)) and on the University Information Service's website (<http://www.uis.cam.ac.uk/rules>) and any breach of these conditions can result in disconnection from the network and possible disciplinary proceedings.

These rules include, but are not limited to, the following provisions:

- (a) prohibiting the use of the facilities for any illegal activity including downloading, storing and transmitting copyright protected material
  - (b) prohibiting attaching any device that routes or forwards IP packets including the use of wireless access points
  - (c) prohibiting any computer using any IP address or hostname other than that registered for that computer's use
  - (d) ensuring that any computer connected to the College Network is kept secure.
88. The use of the Network and Internet is subject to the agreement that it will be fair and reasonable. If any individual has generated such an excessive amount of network traffic that the IT Office consider it is likely to cause performance degradation for other users or in any way put the College network at risk, the IT Office may disconnect any such individual or device from the network. The IT Office will consult with the individual concerned to understand their usage requirements and advise them about the impact on the network. However, where there are repeated incidents of such behaviour indicating a disregard for the impact on the network or other users the IT Office reserve the right to refer the matter to the Dean.
89. The College provides Computing Rooms, Computers, Printers and Photocopiers for the use of students. These rooms must be used appropriately. In particular:
- (i) it is forbidden to bring food or drink, with the exception of plain bottled water, into any of the computer rooms
  - (ii) it is forbidden to unplug any existing equipment
  - (iii) students should not cause any disturbance to other users of the Facilities.
  - (iv) students must not allow anyone who is not a College member to have access to the computer rooms
90. The College has an Internet Account Policy governing the creation of any internet-based account by Fellows, students or members of staff on behalf of the College and its Departments or any other College function, including social media websites, online purchasing sites and information forums.
- (a) Any such account must be created using a generic or role-based email address and not the individual's personal email address or their university @cam.ac.uk address. If there is no appropriate generic address the IT Office can arrange for one to be set up and assigned to agreed individuals.

- (b) Where an account creates a web presence in the name of Fitzwilliam College or any part or function of the College the Head of Communication Resources must be informed about the creation of the site.
- (c) Details of the account user name and password must also be communicated to the IT Director or the Bursar or, in the case of purchasing sites used by departmental staff, the relevant head of department. The account must be protected from unauthorised access and available to the College independently of whoever created the account. Any changes to the account password or username must also be so notified.
- (d) Prior to the Fellow, student or member of staff leaving their position within the College they must assist with all reasonable steps to ensure the continuity of the account for the College.

August 2018

FITZWILLIAM COLLEGE

**APPENDIX 1: COLLEGE ORDINANCE ON DISCIPLINE FOR MEMBERS OF THE COLLEGE IN STATU PUPILLARI**

UNDER STATUTE XLVIII.2

**Appendix to College Regulation 1**

**1. OFFENCES**

Where the complainant of the alleged offence, the student accused of the alleged offence, or anyone else wishes to bring the matter to the attention of the police, normally formal proceedings will not be taken within the College until it is known whether or not the police intend to prosecute. However, even if the Police do become involved it may be necessary for the College to take disciplinary action.

For the purposes of this Ordinance, offences are divided into two categories, minor and major. The Dean of College shall determine whether an offence or class of offence is minor or major.

Any student, who is alleged to have committed an offence which is determined to be minor, shall have the matter dealt with by the Dean of College.

Any student, who is alleged to have committed an offence which is determined to be major, shall have the matter dealt with by the Disciplinary Tribunal.

Any student has the right to choose to be accompanied by their Tutor when having a meeting with the Dean of College in relation to matters detailed in these procedures.

**2. (a) COMPOSITION OF THE COMMITTEE FOR DISCIPLINE**

The Committee for Discipline shall consist of five members of the Governing Body, one designated as Convenor, elected to serve for three years.

**(b) COMPOSITION OF THE DISCIPLINARY TRIBUNAL**

(i) The Disciplinary Tribunal shall consist of:

three members of the Committee for Discipline;

two Tutors, appointed by the Tutorial Committee to hear a particular case;

the Junior President and the President of the Middle Combination Room, or their deputies (who shall be the Vice-President of the JCR and the Treasurer of the Middle Combination Room respectively), to serve during their year of office;

provided that any member of the Tribunal may continue to serve after the expiry of their term of service, if they are still in residence, until the conclusion of a particular case.

- (ii) The Convenor shall convene meetings of the Tribunal. Four members shall constitute a quorum. The Convenor shall act as the Chairperson of the Disciplinary Tribunal. The Convenor shall select the three representatives of the Committee for Discipline by first ascertaining which members of the Committee are available, and if there are more than three available, by then casting lots.
- (iii) The Master, the Dean of College, the Chaplain and the Tutor of the student accused of the alleged offence shall not be eligible to be members of the Tribunal.
- (iv) If any member of the Tribunal who has attended the hearing of evidence is unable to be present at a subsequent meeting, a substitute shall not attend in that member's place.

**(c) COMPOSITION OF THE GOVERNING BODY**

For the purposes of this Ordinance, the Dean of College, the Tutor of the student accused of the alleged offence, and the members of the Disciplinary Tribunal, shall not be reckoned members of the Governing Body for the purposes of determining a majority.

**3. DEFINITION OF 'PROCEEDINGS'**

For the purposes of this Ordinance, 'proceedings' shall mean:

- (a) the presentation of evidence relating to the alleged offence;
- (b) discussion of the case subsequent to the presentation of evidence, but not the consideration and taking of the decision.

**4. MINOR OFFENCES**

- (a) For minor offences the Dean of College shall be empowered to fine a student up to a maximum sum of £350 in respect of each offence (of which no more than £200 shall be immediately payable, the remainder being by way of suspended fine only), and/or to impose such sentence other than requiring her/him to go out of residence as the offence may appear to deserve.
- (b) A student may appeal to the Disciplinary Tribunal from the decision of the Dean of College in minor offences, either against the finding of guilt or the sentence, or against both the finding of guilt and the sentence.
- (c) If the student decides to lodge an appeal to the Tribunal, then they shall notify the Convenor of the Disciplinary Tribunal in writing that they wish to appeal and the grounds of their appeal within fourteen days from the date on which the Dean's decision was communicated to the student.

- (d) The Tribunal shall have the power to determine whether they will hear an appeal.
- (e) In considering an appeal, the Tribunal may receive additional evidence.
- (f) After hearing a case, the Tribunal shall have the power, subject to the provisions of section 5(b), to increase or decrease the penalty, or to quash the Dean's findings altogether.
- (g) The decision of the Tribunal on an appeal on a minor offence shall be final.

## 5. MAJOR OFFENCES

- (a) If the Dean of College determines that the offence which a student is alleged to have committed is major, they shall notify the Convenor of the Disciplinary Tribunal of this decision.
- (b) If the Disciplinary Tribunal, having heard the case, are satisfied that the charge has been proven beyond reasonable doubt, then they shall either:
  - (i) impose a penalty other than that of removing the student temporarily or permanently from the College or
  - (ii) recommend to the Governing Body that the student should be required to go out of residence temporarily or be permanently removed from the College.
- (c) The Chairperson, with the assistance of the Dean of College and in consultation with the Disciplinary Tribunal, shall send a summary of the meetings of the Tribunal and a reasoned decision in writing to both the Master and the student. If the Master considers it appropriate, after consultation with the Tutor of the student concerned and the Dean of College, the Master may reduce the penalty imposed.
- (d) If the Disciplinary Tribunal recommend that the student should be required to go out of residence temporarily, or be finally removed from the College, the student may appeal to the Governing Body either against the sentence or against both the finding of guilt and the sentence; but the student may not appeal to the Governing Body against any other penalty or provision which the Tribunal decide to impose.
- (e) If the student decides not to appeal to the Governing Body, the Chairperson, with the assistance of the Dean of College and in consultation with the Disciplinary Tribunal, shall produce a report on the case to the Governing Body. The report shall be given in confidence to the Governing Body orally or in writing at the discretion of the Chairperson.
- (f) If the student decides to lodge an appeal to the Governing Body, then they shall notify the Master in writing that they wish to appeal against the finding or the penalty, or both, and to state the grounds of the appeal within seven days from the date on which the Disciplinary Tribunal's decision was communicated to her/him.

- (g) If the student appeals to the Governing Body, the Master shall circulate the summary, together with the reasoned decision of the proceedings of the Disciplinary Tribunal, to the members of the Governing Body.
- (h) In considering an appeal, the Governing Body may receive additional evidence.
- (i) Any decision by the Disciplinary Tribunal to initiate legal action against a student shall require the approval of the Governing Body.

## 6. **PROCEDURE**

- (a) When a case under section 4 or 5 of this Ordinance is being heard by the Disciplinary Tribunal or the Governing Body, the hearing shall be in private. The student shall have the following rights:
  - (i) to be apprised in writing by the Dean of College at least seven days in advance of the hearing, of the nature and circumstances of the complaint made against her/him; and of the rights they have under this section;
  - (ii) to have their case heard only by those members of the Disciplinary Tribunal who are Fellows of the College;
  - (iii) to appear in person;
  - (iv) to be accompanied by (a) a current junior member of the College; and/or (b) either the student's Tutor or another Fellow in Classes A, B, C or D of the College. Such, hereafter called 'advocate(s)', may give advice and assistance and may speak on the student's behalf.
  - (v) in so far as is relevant in mitigation or defence, to make a statement, to tender written or other evidence, to authorise their Tutor (or their advocate(s)) to make written or oral statements on their behalf, and to question the Dean of College;
  - (vi) to be present throughout that part of the proceedings of the Disciplinary Tribunal or Governing Body which is concerned with the presentation of evidence relating to the alleged offence, but not for the discussion of the evidence, nor when the decision is considered and taken;
  - (vii) by written approval given in advance, to authorise their Tutor (or their advocate(s)) to participate in the discussion of their case at the Disciplinary Tribunal or Governing Body when the student is not permitted to be present.
- (b) The Dean of College shall arrange for the preparation of the case against the student who is to appear before the Disciplinary Tribunal or the Governing Body.

- (c) The Disciplinary Tribunal may require the student accused of any offence to appear before them and to conform with any instructions the Tribunal may give. They may similarly require others, who may be able to provide information relevant to the case under consideration, to attend a meeting of the Tribunal.
- (d) The Dean of College shall present the case against the student before the Disciplinary Tribunal and/or the Governing Body. The Dean of College shall be present during the proceedings of these bodies, and may participate in the discussion of a case, until such times as the Chairperson requests her/him to withdraw. The Dean of College shall not be present while the Tribunal and the Governing Body are considering and taking their decision.
- (e) If the Disciplinary Tribunal or the Governing Body are satisfied that the procedure laid down in section 6(a)(i) has been carried out, they may proceed to hear and decide upon the case in the absence of the student accused of an offence, even if the student has failed to appear when required to do so under section 6(c).
- (f) The Tutor of the student concerned (or their advocate(s)) may be present during the proceedings of the Disciplinary Tribunal and/or Governing Body until such times as the Chairperson requests her/him/them to withdraw, and may participate in the discussion of a case, unless the student concerned, having appeared at the hearing, has declined to give such authority under the provision of section 6(a)(vii). The Tutor or advocate(s) shall not be present while the Tribunal and the Governing Body are considering and taking their decision.
- (g) The Disciplinary Tribunal shall reach decisions on disciplinary matters by a simple majority vote. In cases of equality of votes the Chairperson shall have an additional casting vote.
- (h) In the event that the Disciplinary Tribunal is given reasons to think that the student may be guilty of a major offence, additional to that with which they are first charged, the procedure for the Tribunal, as described in this Ordinance shall begin afresh in respect of the new charge with a written statement to the student from the Dean of College of the alleged new offence.
- (i) Members of the Disciplinary Tribunal may participate in the proceedings of the Governing Body, but shall not be present when the Governing Body consider and take their decisions.
- (j) The Governing Body shall reach decisions on disciplinary matters by a simple majority of those present and eligible to vote under the terms of this Ordinance, except that a decision to remove a student finally from the College shall require the support of two thirds of those present and eligible to vote under the terms of this Ordinance. In cases of equality of votes, the Chairperson of the Governing Body shall have an additional casting vote.

7. **CONFIDENTIALITY**

All members of the Disciplinary Tribunal shall be required not to disclose information concerning any meetings of the Tribunal, whether in the form of documents, oral evidence, or otherwise, except at a meeting of the Governing Body.

In cases where it is made known to the Master that a Fellow cannot properly exercise their proper role in connection with the student or students concerned without knowledge of the details of the proceedings, the Master may make details of the proceedings available to individual Fellows in confidence.

8. **COSTS**

The Disciplinary Tribunal may require the accused to pay costs if an allegation against her/him has been proven; and the amount of these costs shall be determined by the Tribunal.

9. **INABILITY TO ACT**

In the event of the Dean of College becoming unable to continue to act, the Master shall appoint another person to act as Dean of College. If an advocate becomes unable to continue to act, the student may choose another person eligible under section 6(a)(iv), with that person's consent, to serve as advocate.

10. **NON-DISCIPLINARY MATTERS**

The Disciplinary Tribunal may make recommendations to the Governing Body on strictly non-disciplinary matters, if a hearing has, in the Tribunal's view, revealed some need for modification of College policy and practice.

## **APPENDIX 2: COLLEGE ORDINANCE ON EXAMINATION FAILURES**

### **UNDER STATUTE XLVIII.3**

1. Except as is provided in section 2 of this Ordinance, students are required to attain the honours standard in the Tripos examinations for which they are entered, and to be included in the List of Successful Candidates in the Preliminary or Qualifying examinations for which they are entered.
2. If, because of the nature of their course, a student is entered for a combination of papers in an examination which does not make them eligible to be classed or included in the List of Successful Candidates, they shall be required to attain such standard (not being a higher standard than that required under section 1 of this Ordinance) as may be determined by their Tutor and Director of Studies to be appropriate for their circumstances. Failure to satisfy this requirement shall be deemed to be failure for the purposes of this Ordinance.
3. For the purpose of Statute XLVII.3, this Ordinance and College Regulations 'examinations' shall include College examinations as well as University examinations (whether Tripos, Preliminary or Qualifying examinations).
4. If a student fails to be classed in or included in the List of Successful Candidates for the examination for which they are entered, they shall be interviewed as soon as is convenient after the result is known by their Tutor, their Director of Studies and the Senior Tutor, who shall make a report to the Master and Tutors and shall, if possible, make a recommendation about the action to be taken.
5. The Master and Tutors shall consider the report and the recommendation (if any) and in reaching their decision shall have regard to any mitigating circumstances (including medical reports). The Director of Studies concerned shall have the right to attend but not to vote. The Master and Tutors may require the student to appear before them. Decisions of the Master and Tutors shall be taken by a simple majority of those present. The Tutor of the student concerned shall not vote. In case of an equality of votes, the Chairman shall have an additional casting vote.
6. A student shall have the right to be heard in their own defence by the Master and Tutors before they decide upon their case. For this purpose the student's Tutor shall inform them of the time and place of the meeting of the Master and Tutors, of the recommendation being made (if any) and of their rights under this section. If the student wishes, they may withdraw from the College without having their case heard by the Master and Tutors.
7. The Master and Tutors may decide:
  - (a) to allow the student to remain in residence and continue their course of study;
  - (b) to allow the student to remain in residence subject to certain conditions, which may include satisfactory performance in a College examination and/or compliance with medical requirements;
  - (c) to give the student permission to apply to have terms disregarded;
  - (d) to recommend to the Governing Body that the student be removed from the College.

8. The student's Tutor shall inform them as soon as possible of the decision of the Master and Tutors. If the decision is a recommendation that they be finally removed from the College, the student shall have the right to be heard in their own defence by the Governing Body before they decide upon their case. For this purpose the student's Tutor shall inform them of the time and place of the meeting of the Governing Body and of their rights under this section. If the student wishes they may withdraw from the College, without having their case heard by the Governing Body.
9. The Governing Body shall be provided with a report from the Master and Tutors on each case of failure in an examination. Where there is a recommendation that a student be finally removed from the College, they may require the student to appear before them. The Governing Body may decide:
  - (a) to allow the student to remain in residence subject to such conditions as they may determine;
  - (b) to give the student permission to apply to have terms disregarded;
  - (c) to remove the student finally from the College.
10. The Governing Body shall reach decisions on examination failures by a simple majority of those present and voting, except that a decision to remove a student finally from the College shall require the support of two-thirds of those present and eligible to vote. The Tutor of the student concerned shall not vote. In cases of equality of votes, the Chairman shall have an additional casting vote.
11. In sections 4,5,6,8 and 10 of this Ordinance, the references to 'the student's Tutor', 'Director of Studies concerned' or 'the Senior Tutor', as the case may be, shall include a deputy officially appointed for the purpose in case of unavoidable absence.
12. If the Master and Tutors or the Governing Body are satisfied that the procedure laid down in section 6 or section 8, as the case may be, has been carried out, they may proceed to hear and decide upon a case in the absence of the student concerned, even if they have failed to appear when required to do so under section 5 or 9 respectively.

## **APPENDIX 3: COLLEGE ORDINANCE ON FITNESS TO STUDY**

### UNDER STATUTE XLVIII.4

#### **1. Purpose and Scope**

- 1.1 The purpose of this document is to set out the procedures which the College follows when there are concerns about the fitness to study of one of its students. It applies to both undergraduates and postgraduates.
- 1.2 A student's fitness to study may be questioned if their behaviour or health are disrupting their own welfare or academic progress, or that of others, or result in unreasonable demands being placed on staff or other students. Concern may be raised by the student or a third party, or may be prompted by observation of damaging behaviour or persistent academic underperformance thought to be the consequence of an underlying mental or physical health problem.
- 1.3 As a general rule this procedure is only intended for use in cases in which the behaviour, disruption or risk presented by the student is perceived to be of a serious or potentially serious nature. The tutorial system and other student support services should generally be fully explored, in accordance with the guidance document 'Supported Study at Fitzwilliam College', prior to initiating this procedure.
- 1.4 The term 'fitness to study' as used in this document relates to the entire student experience, and not just a student's ability to engage with their studies. For example, the College expects its students to be able to live in harmony with others, and not conduct themselves in ways which have an adverse impact on those around them.
- 1.5 This procedure is not designed to address academic performance issues (which should be dealt with under the normal academic assessment and monitoring procedures) except where poor academic performance results from a fitness to study issue.
- 1.6 This procedure is not designed to address breaches of regulations (which should normally be dealt with under the College or University disciplinary procedures - [www.admin.cam.ac.uk/univ/so](http://www.admin.cam.ac.uk/univ/so)). The procedures described below do not take precedence over the relevant provisions of the College's Statutes, other Ordinances and Regulations or, where applicable, those of the University. In particular, the College has no authority over the provisions and decisions of the Faculty or Department in which a graduate student is studying. If a decision by the College would require alteration to a student's standing for an examination, the College will consult the Student Registry.
- 1.7 If concerns are raised whilst a student is on authorised study away from Cambridge (e.g. is on a year abroad, has leave to work away, or is on a placement) the College will discuss with the other institution and the University Department, where appropriate, alternative arrangements that might address any concerns.
- 1.8 In the case of medical and veterinary students, concerns should be reported by the Senior Tutor to the Medical and Veterinary Students Progress Panel.

1.9 Parents or guardians may naturally be concerned in such cases. However, unless a student is under the age of 18, strict rules of confidentiality apply, as set out in the College's policy on confidentiality.

## **2. Stage 1 - Case Review Group**

2.1 A Case Review Group will be convened by the Senior Tutor, to include the student's Tutor and the Senior Tutor and (if appropriate) the Director of Studies, the Supervisor or Course Director (in the case of a graduate student) and/or the College nurse, College Counsellor or another member of the College support services. Representatives such as the University Mental Health Advisor or a member of the Disability Resource Centre may also attend for information and advice if felt appropriate by the Senior Tutor.

2.2 In both stages of this procedure the student's Tutor should be the point of contact with the student and should ensure that the Senior Tutor is kept informed of all relevant communications. The Senior Tutor should be the main point of contact with all other agencies and individuals and should keep records of the whole process.

2.3 The Senior Tutor should appoint a deputy if aware of a conflict of interest or otherwise unable to act.

2.4 The student will be informed of the convening of the Case Review Group and will normally be invited, with at least 7 days' notice, to a meeting of the Group. This period may be shortened in an emergency on the advice of the Senior Tutor. The student will also be provided with any documents that will be considered by the Group, and asked to provide any documentation they may wish the Group to consider, in good time for the meeting.

2.5 The student may be accompanied to this meeting by a friend or representative if they so wish; a support worker, if required, may also accompany a disabled student. The student should notify the Senior Tutor at least 24 hours in advance of the meeting if they are to be accompanied and by whom. Should the student choose not to attend, they are welcome to send the individual who would have accompanied them as an observer. The meeting will proceed even in the student's absence.

2.6 The Case Review Group will order its proceedings at its own discretion, according to the characteristics of the case; it may call witnesses and institute enquiries to assist its deliberations.

2.7 A medical assessment may be sought from a qualified practitioner familiar with the Cambridge University system and the spectrum of student difficulties or from the University Occupational Health Service. The student will be encouraged to consent to this medical assessment, and to authorise full disclosure to the College of the results, as it will enable the College to make an accurate assessment of risk, offer the most appropriate advice and support, and address the student's difficulties in the most effective manner possible.

2.8 The medical assessment will be used to determine the following matters: -

- the nature and extent of any medical condition from which the student may be suffering;
- the student's prognosis;
- whether the student will be receiving any ongoing medical treatment or support;
- the extent to which a medical condition may affect their fitness to study and ability to manage the demands of student life;
- any impact it may have or risk it may pose to others;
- whether any additional steps should be taken by the College, in light of the medical condition, to enable the student to study effectively.

2.9 The College recognises that any medical information disclosed will constitute "sensitive data" for the purposes of the Data Protection Act 1998 and will be handled, processed and stored accordingly.

2.10 Should the student refuse to undertake a medical examination, or disclose results, the College may continue this procedure based on the information already in its possession.

2.11 In the case of graduate students, the principal Research Supervisor and/or the Course Director will be informed about the College's concerns and the nature of the case review, and, where appropriate, they will be asked to provide a written report on the student's progress and performance and any concerns that might relate to the case review.

2.12 The Case Review Group will seek to ensure that: -

- the student is fully aware of the nature of the concerns that have been raised;
- the student's views are heard and taken into account and the best way to proceed is agreed upon;
- the student is fully aware of the possible outcomes if difficulties remain.

2.13 The Case Review Group may decide: -

- (a) that no further action is required
- (b) to formally monitor the student's progress for a specified period of time

In this case an action plan will be agreed with the student, outlining any steps which the student will need to take, and/or any support to be provided to the student to address the concerns identified. Regular review meetings with the student will be arranged with a nominated member of College staff, to ensure that the action plan is being appropriately followed and/or that reasonable support to enable the student to study effectively is being provided. The student will be informed of their responsibility for co-operating fully with the action plan, and that failure to do so will normally lead to initiation of the second stage of the procedure.

- (c) to recommend that special academic arrangements or support be put in place  
Such recommendations should be agreed with the student's department, research supervisor or course director (as appropriate) and by the student. A date should be fixed at once for review of the special arrangements. The student will be informed that unless these arrangements remedy the concerns to the College's satisfaction, their fitness to study may be considered in the second stage of these procedures;
- (d) with the consent of the student, to agree that their studies be suspended for a period of time with appropriate application to the relevant University authority (normally the Applications Committee);
- (e) to refer the case to an appropriate senior member of the College, to be considered under Stage 2 of this procedure

This is likely to be appropriate only in the most serious cases, where for example evidence of a serious risk to either the health and safety of the student or others has been identified, and where it is thought that suspension, exclusion or expulsion of the student may be the appropriate course of action; or where a particular course of action has been recommended but the student does not agree.

- 2.14 The decision of the Case Review Group, together with a concise record of the meeting, should be sent to the student within 7 days from the date of the meeting, and a copy kept on the student's personal file. The decision should be communicated in such a way that support is available to the student at the time, preferably from the student's Tutor or Senior Tutor. A copy of this documentation, where relevant, should be sent to the student's Director of Studies, Department and, in the case of a graduate student, Research Supervisor or Course Director.

### **3. Stage 2 - Fitness to Study Review Panel**

- 3.1 This stage of the procedure will only be implemented following a referral from a Case Review Group, or if in the opinion of the Senior Tutor (having consulted as appropriate) initial concerns are raised which are sufficiently serious as to warrant the consideration of the student's suspension or expulsion (e.g. if they pose a threat to the health and safety of themselves or others, or if their conduct is seriously disrupting the working of the institution).
- 3.2 As a first step in this stage the Senior Tutor will consider whether interim suspension of the student pending further action is appropriate, including from College accommodation. Such temporary suspension may be authorised by the Master and Tutors in accordance with Statute XLVIII.4. (In the case of an international student, in view of the interruption to visa status, the University's International Student Team should be informed immediately.)
- 3.3 The Senior Tutor will then convene a Review Panel, which will be chaired by a senior member of the College Governing Body (appointed by the Master) with no previous involvement in the case. The Review Panel will normally comprise the Chair, the student's

Tutor, the Senior Tutor, and another independent member of the College Governing Body. The Graduate Tutor will also normally sit on the panel in the case of a graduate student.

- 3.4 The Chair will fix a date for a formal meeting of the Review Panel to hear the case and invite the student to attend to discuss the concerns and all relevant issues. A member of the College Tutorial staff will act as Secretary to the Panel.
- 3.5 Wherever possible the student will be given at least 7 days' notice of the meeting of the Review Panel. The student will be informed of the purpose of the hearing. The student will also be provided with any documents to be considered at the meeting, and asked to provide any documentation he /she may wish the Panel to consider, in good time for the meeting.
- 3.6 The student may be accompanied to this meeting by a friend or representative if they so wish; a support worker, if required, may also accompany a disabled student. The student should notify the Senior Tutor at least 24 hours in advance of the meeting if he or she is to be accompanied and by whom. Should the student choose not to attend, they are welcome to send the individual who would have accompanied her/him as an observer. The meeting will proceed even in the student's absence.
- 3.7 The purpose of the meeting will be to consider the evidence available, including the student's perception of these concerns and to reach an appropriate decision, action plan or other outcome.
- 3.8 The Review Panel will order its proceedings at its discretion. It may call witnesses, institute enquiries or request further medical assessments to assist its deliberations. It will also consider any previous assessments.
- 3.9 The Chair of the Review Panel will ensure that all parties have access to all documents.
- 3.10 The decision it arrives at will be confirmed by the Chair of the Review Panel having obtained a collective decision from members of the Panel.
- 3.11 The decision may include one or more of the following:
  - a) formal monitoring of the student's progress for a specified period of time. In this case the Panel will provide the student with an agreed action plan, outlining any steps which the student will need to take and/or any support to be provided to the student to address the concerns identified. Regular review meetings with the student will be arranged with a nominated member of staff, to ensure that the action plan is being appropriately followed and/or that reasonable support to enable the student to study effectively is being provided. The student will be informed of the consequences of any breaches of the action plan.
  - b) following consultation with the academic Department, and subject to the approval of the relevant University authority, the implementation of special academic arrangements, or an interruption of studies. The student will be informed of the

consequences should these arrangements fail to remedy the concerns identified to the College's satisfaction.

- c) the recommendation that the College exercise its statutory power to suspend or exclude the student.
  - d) any other action considered to be appropriate and proportionate.
- 3.12 The student will be notified in writing of the decision, with reasons, within 14 days of the meeting of the College Review Panel. The decision will be communicated in such a way that support is available to the student at the time, preferably from the student's Tutor or Senior Tutor. If relevant, the student's Director of Studies, Department and, in the case of a graduate student, Research Supervisor or Course Director, will be informed of the decision. Any decision regarding suspension or exclusion should be communicated by the Senior Tutor to the University and to any support services who have been involved with the student.

#### **4. Return to Study**

- 4.1 Not less than ten weeks before the end of an agreed break in study, the student may indicate to the College a wish to return to the course. The decision as to whether to support an application to the relevant University authority for the student to be authorized to return to study will then be made by the Senior Tutor.
- 4.2 To this end, the Senior Tutor, in consultation with relevant organisations such as the University Counselling Service, the University Mental Health Advisor, and Disability Resource Centre. etc., will identify the issues of concern that the College may have in respect of the student's fitness to study.
- 4.3 The Senior Tutor will also contact the relevant medical professional for an assessment of the student's ability to manage the demands of returning to studying at Cambridge University, drawing attention to the nature and extent of the student's previous problems and the College's concerns about them.
- 4.4 The student will only be permitted to return if, after receiving medical advice, the College and relevant University authority are each satisfied that the individual is fit to study and able to comply with any conditions imposed on their return.
- 4.5 In cases where the College has any continuing concerns about the individual's fitness to study, it may require a second medical opinion. In this case a student may be asked to submit herself or himself for medical assessment, at the College's expense, by doctors / specialists, including the University Mental Health Advisor, nominated by the College, to allow the situation to be properly evaluated.
- 4.6 In any case where a student returns to study following the implementation of the fitness to study procedure, the College should hold a preliminary meeting with the student to discuss what support measures need to be put into place for the student's return and establish a return to study plan. This initial meeting should include the student's Tutor, the Senior Tutor and the Director of Studies. At this meeting a schedule of regular review

meetings with the student must be agreed, in order to monitor and support a return to study plan. A written record should be made of this agreement, and a copy given to the student.

- 4.7 The Senior Tutor should ensure that, where appropriate, a copy of the plan is sent to any support agencies who have agreed to help implement the plan, and that any necessary support from agencies external to the College is put in place.
- 4.8 The student will be expected to provide their continued cooperation in this respect and such review meetings may continue for part or all of the remainder of their course and residency in College.

## **5. Right of Appeal**

- 5.1 If the student is not satisfied with any decision made in accordance with the Fitness to Study Procedure, they should follow the Student Complaints Procedure within 14 days of the receipt of a letter outlining that decision.

## **6. General Matters**

- 6.1 The College will take account of relevant legislation such as the Data Protection Act, the Mental Health Act, the Human Rights Act, the Equality Act 2010 and the general rights and expectations of a student of confidentiality. In cases where Stages 1 or 2 of the Fitness to Study Procedure have been invoked, the Chair will make a decision (in accordance with the College's policy on confidentiality) about whether the student's emergency contact should be informed, and discuss with the student whether any statutory services should be contacted.
- 6.2 The College acknowledges that as a result of implementing this procedure it will receive personal sensitive data and data of a confidential nature pertaining to the student and other third parties, and will ensure that all such data is handled, processed and stored appropriately.

#### **APPENDIX 4: PARTIES, DINNERS AND FORMAL HALL**

(Appendix to College Regulations 48-49 and 58-61)

Attention should be drawn to Fitzwilliam College's Policy on Alcohol, which is distributed to all Freshers and which can be found on the College website:

<http://www.fitz.cam.ac.uk/about/legal-documents>

Organisers of social gatherings (e.g. parties, dinners, barbecues, and groups attending formal hall) are responsible for the conduct of their own guests and for ensuring that all relevant Health & Safety regulations and guidelines are followed and that no disturbance is caused to other members of College or the local community.

Organisers of all social gatherings are responsible for any expense arising from breakages, damages or additional cleaning and security, which will be charged at the current rate. A written guarantee to cover such expenses will be required before permission is given for any gathering to go ahead. There will be a charge made for bar staff or Porters if their attendance is required, or if any additional Porter is required to be on duty.

Any Fellow of the College or the Porters may stop a gathering if it is causing disturbance to other members of the College or neighbouring community, and make a report to the Dean and the Senior Tutor.

Organisers of gatherings should note Regulation 48 and the deadlines for room booking requests. They should make an online preliminary booking request via MyFitz - <https://my.fitz.cam.ac.uk> (Room Booking Request - checking room availability) which will send the details to the Stewards Secretary, who will confirm availability and make the necessary arrangements to confirm the booking and to ensure that the necessary permissions are secured.

During Easter Full Term no parties, barbecues, bops, or bar extensions are permitted.

#### **RULES APPLICABLE TO STUDENT PARTIES IN COLLEGE**

1. No drinks may be served before the starting time or served after the finishing time of the party. The site of the party must be cleared up by one hour after the end of the party, by which time the guests should have been escorted off the College premises. Late evening parties will end at the same time as the bar closes.
2. For bops, parties and similar events, there shall be one steward per 25 attendees, unless alternative arrangements have been agreed in advance. The stewards shall wear prominent official identification, for example tee-shirts, and shall not consume alcohol during the party.
3. The organisers of the party are personally responsible for the behaviour within the College of every person who has attended the party, and should take sufficient steps during the party to ensure that it is an entirely pleasant occasion for all participants. In particular this implies that those who have obviously already had sufficient should no

be served further drinks. Every year there are instance, nationally of undergraduates dying as a result of excessive consumption of alcohol, and neither the College nor the students would wish to feel responsible for such an event.

4. At all places where drinks are served it is recommended that there shall be at least one member of College staff who will be responsible for ensuring that the strength and mix of that which is served would make it impossible for anyone to blame the organisers for serving alcohol of a kind that would lead to unacceptable behaviour, and who will refuse to serve anyone who in their opinion has already had too much to drink.
5. The following recommendations should help to keep the balance of the party.
  - (a) Make a cocktail mix fairly weak, especially in drinks where the alcohol content is not obvious from the taste. Beer strength would be a good guideline (4%). In many cases serving plain drinks (wine, beer) would be more sensible than cocktails.
  - (b) Snack food should be provided.
  - (c) Non-alcoholic refreshments should be provided to help quench people's thirst.
  - (d) There should be activities other than drinking.
6. Food and drink will either be provided at direct cost by the College at the expense of the organisers (this includes staff costs to set up and serve) or may be brought in by the organisers.
7. Particular care should be taken when leaving the environs of the party, and when escorting guests from College, to ensure that no offence is caused to other residents of the College.
8. Once the party is over, and all guests have left, the organisers shall check all areas occupied by the party, including adjacent public areas such as toilets and gardens, to ensure that there is no mess or damage, so that there should be no occasion for a complaint from the Assistant Staff.
9. The organisers are wholly responsible for all those who attend the party, whether or not they are members of the College, and for any mess, damage to College property, disturbance, or other breach of College Regulations that can reasonably be attributed to those attending the party, wherever in College such events occur.

Where the problems are caused by non-members of the College, the organisers will be held responsible unless they can provide the College with the details of those responsible.

10. The organisers shall remind all attendees that infraction of these rules will put at risk future such parties.

## **STRETTON ROOM**

### **1. Dinner Parties**

These may be booked for any night of the week with a maximum number of 12. Functions must end by 23:00. except on Fridays and Saturdays, when they must end not later than 00:00.

### **2. Parties**

Bookings for functions other than dinner parties will only be accepted for Friday and Saturday evenings. The maximum number allowed will be 20, and permission to hold such parties must be given by the Senior Tutor (in addition to actually booking the room through the JMA).

### **3. Noise**

As the Stretton Room is in a residential area it will be a condition of use that noise should not be audible outside the Stretton Room itself. After the time given for the end of the function there must be absolute silence, so that organisers will have to start the clearing up process before this time. Any complaints from residents about noise will be treated with the utmost seriousness. In addition to such breaches of College discipline being dealt with by the Dean, the person responsible for organising the function in the Stretton Room will be debarred from ever booking it again.

### **4. Cleaning**

All cleaning of the area must be completed by 10:00 next morning. You are reminded to read the conditions of use for the Stretton Room.

Those organising dinners with outside speakers should see Appendix 7.

## **CODE OF CONDUCT AND BOOKING PROCEDURES FOR FORMAL HALL**

1. Entry is by University Card only. Ten guests are permitted per Fitzwilliam Member (Super Halls are normally limited to one guest per member). The host must wait in the Screens until their guest has arrived. The host should then present their University Card to the Hall and Buttery Supervisor or their Deputy.
2. Hall Staff will refuse entry to anyone who appears to be intoxicated.
3. Diners must be in Hall by 19.25 and stand silently when the Master and Fellows enter and Grace is said. Those arriving after 19:30 may be refused entry. Diners must remain seated unless answering an urgent call of nature. They should remain seated, but are required to be silent for the concluding Grace.
4. One bottle of wine per diner may be brought into the Hall. Beer glasses, bottles and other containers may not be brought in. No person attending Formal Hall will be served alcohol from the Bar at any time during the dinner.
5. Smoking is not permitted.

6. Speeches may only be made by prior arrangement with the senior Fellow present or with the Hall Supervisor.
7. Throwing of food, eating without appropriate cutlery, coining or other incitement to excessive drinking, rudeness and any unmannerly behaviour to College Staff or other serious misconduct will result in immediate ejection from Formal Hall. In the case of a refusal to leave the Hall, Hall Staff may refer to a College Officer (Master, Dean, Bursar or Tutor) if one is present, or may summon a Porter to assist. In all cases the Hall Supervisor should report the incident to the Domestic Bursar.

#### **RULES APPLICABLE TO ALL CLUB AND SOCIETY DINNERS**

(In addition to the Code of Conduct for Formal Hall):

1. Pre-dinner drinks may be held only during the half-hour before the dinner.
2. No post-dinner drinks parties may be held in College.
3. The entrance to the dining hall will be supervised by the organisers and/or Club Officers/Stewards who must refuse entry to anyone who appears to have already had too much to drink.
4. Speeches are permitted, but consistent with the policy adopted by both the Governing Body and the JMA, there shall be no sexist, racist or other offensive jokes.
5. The Club/Society will be held responsible for any mess or damage to College property that can reasonably be attributed to those attending the dinner.
6. Those responsible for the dinner shall remind all attendees that infraction of these rules will put at risk future Club Dinners.
7. No College Club or Society dinner may be held unless a Fitzwilliam Fellow is present.

## **APPENDIX 5: OVERNIGHT GUESTS**

(Appendix to College Regulation 19)

Hosts have a responsibility for the safety of their guests, and to the College in that their guests do not cause significantly detrimental effects on the quality of life in the College.

The Regulation on Overnight Guests does not apply to current Junior Members who may be guests in other student's rooms' subject only to the provision of paragraphs 2, 6 and 7 below; 'overnight' means the period outside visiting hours, that is to say from 02:00 - 09:00. The Regulations apply to both on-site and off-site rooms.

Guests are allowed to stay in students' rooms overnight subject to the following Regulations:

1. Only one visitor is permitted to stay in any one student's room on a particular night.
2. Children under the age of 16 are not allowed to stay overnight as guests in students' rooms.
3. In any period of seven days:
  - (a) No host may accommodate a guest for more than three nights.
  - (b) No individual visitor may stay overnight for more than three nights.

In special circumstances the Tutor of a Junior Member may vary these limitations.

4. Each visit must be recorded in the Porters' Lodge at least by 21:00 on the evening of the night of the visit. The register records:
  - (a) Name and room number of the host.
  - (b) Name of the guest.
  - (c) Night or nights during which the guest will stay.
5. Hosts must keep their rooms so that the state of them is not inferior in any way to that in which they would have been if there had been no guests. The same provision applies to corridors, bathrooms and gyp rooms; any Junior Member who experiences discomfort which is caused by a guest should consult their Tutor immediately. If additional work is required from the cleaner as a consequence of a visit, the cost is charged to the host. The host is also charged the cost of any repair or replacement made necessary by the visit.
6. Hosts are not permitted to use their own additional beds or mattresses for the purpose of entertaining guests nor are they permitted to remove bedding, cushions, seats, etc., from other areas of the College. Occasional beds and linen can be hired from the Accommodation & Housekeeping Department at a small charge and such items should be booked in advance at the Linen Room during opening hours (listed outside door).

7. If a Junior Member accommodates a guest overnight without registration at the Porters' Lodge or in disregard of any other of these regulations, they are automatically fined. For a first offence the fine is equal to twice the rent of the guest room. Subsequent breaches of these regulations are referred to the Dean of College and are liable to a more serious penalty.
8. No Junior Member may have an overnight guest staying during Freshers week or the week before Michaelmas Term residence period, without approval from the Senior Tutor.

## **APPENDIX 6: GYP ROOMS**

1. All students using Gyp Rooms have a responsibility to:
  - (a) keep them clean and tidy,
  - (b) wash up all crockery and utensils,
  - (c) observe College instructions on the type of cooking equipment allowed to be used,
  - (d) empty the recycling boxes provided into the courtyard recycling bins on a regular basis,
  - (e) put all litter and rubbish in the bin liners provided,
  - (f) ensure broken glass, sharp objects etc., are disposed of carefully. Notify the Accommodation & Housekeeping staff of any broken glass.
2. If the condition of the Gyp Room, including build up of recycling items, is considered unsatisfactory by the Cleaner, the Accommodation & Housekeeping Manager will be informed of the situation and will inspect the Gyp Room. If she considers the condition is unsatisfactory then all residents of the landing will be informed by notes left in the Gyp Room and in each of the rooms on that landing, that:
  - (a) the Gyp Room will not be cleaned by cleaners due to its unsatisfactory condition,
  - (b) it is required that the situation be corrected within 24 hours.
3. If after 24 hours the situation has not been rectified, the Accommodation & Housekeeping Manager will inspect the room and inform the Domestic Bursar. If he is not satisfied with the condition, the latter will, under the authority of the Dean, impose a fine of £5 per person per landing. He will also notify the Dean of the situation.
4. The fine must be paid in cash to the Bursary.
5. If after a further 24 hours, the Gyp Room is considered still to be in an unfit state then the matter will be reported directly to the Dean who will take such appropriate action as he thinks fit.
6. At the discretion of the Accommodation & Housekeeping Manager a cleaning charge may be applied to residents whose Gyp Room / Kitchen is left in an unacceptable state at the end of a residency period. In the case of graduating students this charge may be deducted from the College Deposit.
7. An electric kettle, toaster, refrigerator, microwave oven and electric rings are provided in each gyp room (Gatehouse Court, New Court and Wilson Court also have ovens). These at all times must be left in the gyp room and must not be used in the study/bedroom. Kettles and cooking equipment must not be used in any study/bedroom.

8. Only mains electrically powered cooking equipment supplied by the College and student owned electrically powered cooking equipment (with the exception of deep fat fryers) displaying a current PAT sticker may be used in Gyp rooms. Any mains electrically powered cooking equipment that is discovered in Gyp rooms and that is not displaying a current PAT sticker will be confiscated by the Accommodation & Housekeeping Manager, and may be collected from the Accommodation & Housekeeping Manager at the end of term
9. Irresponsible cooking that causes fire alarms to sound will incur an automatic fine of £25 and the residents concerned will be referred to the Dean.
10. Candles and incense sticks may not be used in any part of the residential accommodation including public areas such as Gyp rooms
11. **Microwave ovens:**
  - (a) not more than one microwave oven per gyp room,
  - (b) microwave ovens will not be allowed in students' rooms and will be confiscated if found there,
  - (c) notification of the presence of a microwave oven will be affixed to relevant gyp room doors in order to alert visitors and guests with pace-makers.

## **APPENDIX 7: PUBLIC MEETINGS - FREEDOM OF SPEECH**

(Appendix to College Regulations 81 – 83)

### **Statement on Freedom of Speech**

1. Colleges are required by law to outline for their members in relation to their right to freedom of speech in the context of other legal responsibilities of the College. This Statement takes into account the specific legal responsibilities, as set out in Section 43 of the Education (No 2) Act 1986, the Equality Act 2010 and the Counter-Terrorism and Security Act 2015.
2. This Statement outlines the principles of free speech, which apply to all members of the College, staff or students connection to the University or another College, and visiting speakers (i.e. speakers who are not members of the University of Cambridge or one of the Colleges).

### **Principles**

3. The College is strongly committed to the principle of freedom of speech and expression. It fosters an environment where all of its members can participate fully in the life of the College, and where each member feels confident and able to research, to question received wisdom, and to express new ideas and controversial or unpopular opinions, without fear of isolation, marginalisation or discrimination. Equally, the College expects its members to receive and respond to intellectual and ideological challenges in a constructive and peaceable way. The College also acknowledges its statutory duties in protecting its members and other people from “radicalisation”, which in this context means being drawn in by others to support terrorism, or to commit acts of terrorism.
4. Subject to paragraph 3 above, no premises of the College will be denied to any member or body of members by reason of the beliefs or views of that individual or of that body or the policy or objectives of that body.
5. In holding to these key principles, the College will take into account its obligations regarding freedom of speech, the management of the health and safety of its members and the general public, the promotion of equal opportunities and prevention of discrimination on the grounds of belief, race, gender or sexual orientation or other legally-protected characteristic, and its duties associated with preventing people from being drawn into terrorism or the promotion of terrorist activities.

### **Policies and procedures**

6. In managing the risk of harm to members of the College and/or general public, or of members of the College being drawn into terrorism, or of the promotion of any violent or illegal action, the College publishes policies and/or procedures to set out:
  - a) the behaviour expected of students and student unions;
  - b) the management of College events;
  - c) the management and conduct of visiting speakers at meetings held within the College.

## Scope of Regulations

7. These regulations apply to all meetings held on College premises, indoors or outdoors, including meetings organised by conferences and other outside bodies; and members of the College are reminded that actions that disrupt meetings or impede freedom of speech or lawful assembly will also constitute offences under the University's regulations for discipline: see paragraph 11 below.

### **Organisation of Meetings on College Premises**

8. Permission is required for all meetings (including dinners) to which speakers who are not resident members of the College are invited and for all other meetings at which more than 12 persons are expected to be present, whether or not the meeting is open to the public. Permission must be obtained from the Senior Tutor, and if a room is to be reserved a booking must be made through the Steward's Secretary, in accordance with the deadlines set up in Regulation 48 and the procedure specified in Appendix 4. The application for permission should state the name of the member of the College taking responsibility for the meeting, the date and time of the meeting, the place, the name, addresses and colleges (if any) of the organisers, the name of the organisation making the arrangements, and the name of any expected speaker, whether or not a member of the University. This requirement extends to meetings and gatherings in junior members' own rooms, if more than 8 persons are expected to be present.
9. The organisers of a meeting to which paragraph 8 applies must comply with any conditions set by the College authorities in respect of the organisation of the meeting or other activity and the arrangements to be made. Such conditions may include the requirement that tickets must be issued for public meetings, that an adequate number of stewards should be available, that the services of porters should be hired, that the police should be consulted about the arrangements, that the time and place of the meeting shall be changed, and that the meeting may be ordered to be cancelled on account of a threatened breach of the peace. The cost of meeting the requirements, and the responsibility for fulfilling them, rests with the organisers.

### **Conduct of Meetings on College Premises**

10. The organisers of any meeting on College premises, and persons attending the meeting, must comply with instructions given by a College officer or by any other person authorised to act on behalf of the College (including the Proctors) in the proper discharge of their duties.

Any person attending a meeting who is not a member of the College may be required at any time to leave the College's premises, notwithstanding any payment they may have made to attend the meeting.

### **The University**

11. The provisions of Section 43 of the Education (No.2) Act 1986 apply also to the University in respect of all its members, students and employees and visiting speakers. The College may invite the Proctors to enter its premises and authorise them to act in the discharge of their

University duties. Members of the College are reminded that University disciplinary regulations apply on College premises as elsewhere in the precincts of the University, and their attention is particularly drawn to the following University regulations for discipline.

- i) No member of the University shall intentionally or recklessly disrupt or impede or attempt to disrupt or impede the activities and functions of the University or any part thereof, or of any College.
- ii) No member of the University shall intentionally or recklessly impede freedom of speech or lawful assembly within the Precincts of the University. No member of the University shall intentionally or recklessly fail to give any notice which is required to be given to a University officer or a University authority under the terms of a code of practice issued under the provisions of Section 43 of the Education (No. 2) Act 1986.
- iii) No member of the University shall intentionally occupy or use any property of the University or of any College except as may be expressly or by implication authorized by the University or College authorities concerned.
- iv) All members of the University shall comply with any instruction given by a University Officer, or by any other person authorized to act on behalf of the University, in the proper discharge of their duties.
- v) All members of the University shall state their names and the Colleges to which they belong when asked by a Proctor or Pro-Proctor, or by any other person in authority in the University or in any of the Colleges in the University.

#### **Other legal requirements**

12. The attention of organisers of public meetings and assemblies is drawn to Sections 11 and 14 of the Public Order Act 1986, concerning processions and assemblies. Other legal requirements, including the Equality Act 2010, the Counter-Terrorism and Security Act 2015 and the *Prevent* duty guidance issued by the Government, may affect the conduct of meetings. A speaker, for example, who incites an audience to violence or to breach of the peace or to racial hatred commits a criminal offence. Equally, assemblies of persons, even if directed to lawful purposes, cease to be lawful if they threaten serious public disorder or breaches of the peace.

#### **Application of the code**

13. Any person who is in any doubt about the application of this code of practice to any meeting or public gathering in the College is under an obligation to consult the Senior Tutor who will determine whether the provisions of the code apply.
14. Breach by any member of the College of any of the requirements of this code may be treated as a serious disciplinary offence.

## **APPENDIX 8: JMA CODE OF PRACTICE**

1. In this code of practice the expression "GB" shall mean the Governing Body of the College and the expression "affiliation" to an external organisation shall include any form of membership of, or formal association with, an organisation whose purposes are not confined to purposes connected with the College.
2. (i) No alteration to any part of the constitution shall be made without the approval of the Governing Body.  
  
(ii) No alteration to any part of the constitution shall be made except in accordance with the provisions of the Education Act 1994.  
  
(iii) In the event of any conflict between any provision of the Constitution and any provision of this code, the provision of this code shall prevail.
3. The Constitution shall be submitted to the GB for review, in accordance with the provisions of the Education Act 1994, by the division of the Michaelmas Term 1995 and at intervals of not more than five years thereafter.
4. The JMA shall operate in a fair and democratic manner in accordance with the provisions of the Education Act 1994.
5. (i) Notwithstanding any provisions in the constitution as to automatic membership of the JMA, any person who would by virtue of those provisions be a member of the JMA may in any academical year by written notice declare that he or she does not wish to be a member, and in that case such a person shall not be a member of the JMA for that academical year. Such written notice shall be served on the Senior Treasurer within one week of the commencement of the Michaelmas Full Term.  
  
(ii) A Junior member of the College who exercises the right not to be a member of the JMA may not participate in the democratic procedures of the JMA but will otherwise be entitled to make use of the sporting and social facilities of the JMA to the same extent as its members.
6. Appointment to the major offices of the JMA shall be by election in a secret ballot in which all members of the Association are entitled to vote, and at which a Senior Member of the College shall act as returning officer.
7. There shall be no sabbatical or paid office in the Association elected by the Junior Members.

### **Finance**

8. By the division of every Michaelmas Term the JMC [ie. Junior Members' Committee] shall agree a budget for the coming academical year and submit it to the Trustees for approval.

9. The Senior Treasurer shall present to the JMC before the division of the Michaelmas Term the audited accounts for the previous year.
10. The JMA shall publish annually to all Junior Members of the College a report which shall also be presented to the Trustees. This report shall include details of any donations made by the JMA to external organisations in the period to which it relates.
11. The JMA shall set down in writing and make freely accessible to all Junior Members of the College and to the Trustees, a statement of the procedure for allocating resources to groups and clubs, ensuring that the procedure is fair.

#### **Affiliations to Organisations**

12. If the JMA decides to become affiliated to any external organisation, it shall publish to all Junior Members of the College and to the GB, a notice of this decision stating the name of the organisation and the details of any subscription or similar fee paid or proposed to be paid, and of any donation made or proposed to be made to the organisation.
13. The JMA shall publish annually to all Junior Members of the College and to the GB a report stating the names of all the external organisations to which it is affiliated and the details of any subscription or similar fee paid or proposed to be paid, and of any donation made or proposed to be made to the organisation within the year covered by the report.
14. Upon the request of at least 3% of its members the JMA shall submit for the approval of its members a list of the organisations to which the JMA is affiliated. If at least 5% of the members so require the question of continued affiliation to any particular organisation shall be decided upon by a secret ballot at which all members are entitled to vote.

#### **Grievances**

15. All Junior Members of the College or groups of such members who are dissatisfied in their dealings with the JMA or who claim to be unfairly disadvantaged by reason of having exercised the right not to be a member of the JMA may prefer a complaint to the Junior President. An appeal shall lie from the Junior President to a Senior Member of the College appointed for the purpose by the GB who is not an officer of the JMA. The GB shall have the power to provide such effective remedy if any as they consider appropriate when a complaint is upheld.

## **APPENDIX 9: STUDENT COMPLAINTS PROCEDURES**

### **Introduction**

1. Fitzwilliam College welcomes comments and suggestions about the residential, social and academic environment it provides. In the first instance these should be made to the senior member or member of staff concerned.
2. The College has a separate procedure that students may use to raise complaints about Harassment and Sexual Misconduct (see Appendix 10).
3. Complaints may be made to the senior member or member of staff concerned, or to a Tutor, a Director of Studies, or the Senior Tutor, who will attempt to resolve the complaint informally.
4. Where a complaint arises against a junior member of College, students are encouraged to raise the matter directly with the junior member concerned in the first instance, with a view to resolving the matter informally. If that is impractical or unsuccessful, then the matter should be raised with a senior member of the College as in 2 above.
5. If a student considers that a complaint has not been satisfactorily resolved, the student may then make a formal complaint to the Complaints Officer. The procedure is described below.
6. The College aims to handle complaints in a way that is sympathetic, fair and efficient, encourages informal reconciliation, facilitates early resolution, maintains individual privacy and confidentiality, and permits useful feedback.
7. Students have a responsibility not to waste resources on frivolous or vexatious complaints.
8. A student may seek advice from any member of the College, for example Tutor, Director of Studies, or JMA or MCR Officer, or CUSU.
9. Some activities are served by existing procedures, including (i) discipline, and (ii) University examination appeals.
10. The University has a number of relevant policies, notable Student Complaints (<https://www.studentcomplaints.admin.cam.ac.uk/>) and *Breaking the Silence— Preventing Harassment and Sexual Misconduct* (<https://www.breakingthesilence.cam.ac.uk/>). Members of the College will find the guidance in those policies on approaches to reporting and resolving difficulties helpful, and in some cases may wish to pursue grievances according to those procedures. However most complaints, which arise with the college teaching, learning and working environment, with the exception of those that related to harassment and sexual misconduct, will normally be dealt with under this College procedure.

### **Formal Complaints**

11. The complaints procedure shall be confidential, save where the complainant's identity must be disclosed in order properly to investigate the complaint. Where the complaint is made against an individual, that individual will be informed of the complaint.
12. The Complaints Officer will be the Senior Tutor, unless the Senior Tutor is the subject of the complaint, in which case the complainant should inform the Master in writing, and the Master will then appoint a senior Fellow of the College as Complaints Officer.
13. A formal complaint should be made in writing to the Complaints Officer, specifying the remedy that is being sought, normally within 14 days of the incident leading to the complaint. The Complaints Officer will acknowledge receipt of the complaint, and will arrange to meet the complainant to discuss the complaint.
14. If after the discussion with the Complaints Officer the complainant wishes to proceed with the formal complaint, the Complaints Officer will investigate the complaint, and within 14 days of the discussion, will report in writing the decision and any action to the complainant.
15. Where the presence of a complainant is required, the complainant is entitled to be accompanied by their Tutor or by any other person of the complainant's own choosing except for a qualified lawyer; the same person should accompany the complainant on each occasion that the complainant wishes to be accompanied. This person may make representations on behalf of the complainant but may not answer questions on that person's behalf. The name of the person accompanying the complainant should be provided in advance to the Complaints Officer.
16. Where a complaint is upheld, possible actions include: (i) disciplinary action, (ii) financial compensation, (iii) an apology, and (iv) a change in practice or policy.
17. If the complainant or, where he or she is a member of the College, the person subject to the complaint is dissatisfied with the outcome of the complaint, he or she may appeal within 14 days of receipt of the decision to the Complaints Appeals Committee.

### **Appeals**

18. The Complaints Appeals Committee will consist, according to the wishes of the appellant, of either (i) 2 Fellows from a Panel of 5 plus 1 Junior Member appointed by the JMA and MCR Committees, or (ii) 3 Fellows from a Panel of 5. The Panel of 5, distinct from the Disciplinary Committee, will be appointed each year by the Governing Body. The Panel will jointly decide on each occasion which of its members serve on the Complaints Appeals Committee; no member of the Committee shall have any interest in or previous involvement with the matter of complaint.
19. The Complaints Appeals Committee will determine its own procedure, provided that both the complainant and the subject of the complaint shall be allowed an opportunity to make representations and comment on any relevant evidence. The Committee shall form its own judgement after review of all available evidence and in the light of

representations made by the parties.

20. The Complaints Appeals Committee shall have the power to confirm, amend or rescind the original decision of the Complaints Officer. The Chairman of the Complaints Appeals Committee will notify the decision in writing within 5 working days of the hearing. There will be no further right of appeal.

### **Monitoring and Review**

21. The Complaints Officer will keep a record of all complaints, and will report to the Governing Body once a year.
22. The General Purposes Committee will, once a year, review (i) the information, advice and support for students on making complaints, and (ii) action which might be taken to prevent the recurrence of a situation which led to a successful complaint.

### **External Review**

23. If the complainant or, where he or she is a member of the College, the person subject to the complaint is dissatisfied with the decision of the Complaints Appeals Committee, he or she may be able to take the complaint to the Office of the Independent Adjudicator for Higher Education (OIA), which has been designated by the Secretary of State to be the operator of the student complaints scheme for England. The OIA can deal with complaints about e.g.

- a programme of study or research
- a service provided to you as a student of a higher education institution
- a final decision by a higher education institution

The OIA cannot deal with a complaint if e.g.

- it relates to a matter of academic judgment
- the matter is or has been the subject of court proceedings
- it is about a student employment matter
- it is an admissions matter

The complainant must first exhaust the College's internal complaints procedure, and receive a "Completion of Procedures Letter" from Fitzwilliam's Complaints Officer before approaching OIA.

A number of OIA publications giving advice and rules, and application forms, are available at [www.oiahe.org.uk](http://www.oiahe.org.uk), and from the Senior Tutor, Tutors and CUSU.

The University's complaints procedure can be found at [www.cam.ac.uk/current-students/complaints-and-appeals](http://www.cam.ac.uk/current-students/complaints-and-appeals)

## **APPENDIX 10: HARASSMENT AND SEXUAL MISCONDUCT**

### **Introduction**

The following guidance and procedures have been designed to work alongside the University procedure for handling allegations of harassment and sexual misconduct raised by a student (or students) about another student (or students):

[www.studentcomplaints.admin.cam.ac.uk/harassment-and-sexual-misconduct](http://www.studentcomplaints.admin.cam.ac.uk/harassment-and-sexual-misconduct)

The College has a separate complaints procedure under which students can raise complaints about College academic and non-academic provision.

1. Fitzwilliam College has adopted the University's Code of Conduct in respect of Harassment and Sexual Misconduct (see Appendix B1) and affirms its commitment to providing an environment that is free from harassment and discrimination, and the right of all members to be treated with dignity and respect.
2. The College will treat any allegation of harassment or sexual misconduct of a student by another student seriously, and the Code of Conduct and procedures described here apply to all students.
3. Students are expected to take responsibility for their own conduct: the fact that a student against whom an allegation has been made was under the influence of alcohol or drugs at the time will not be viewed as mitigating the case.
4. If students believe that they have been subject to harassment or sexual misconduct by another student, they can do any or all of the following:
  - seek advice, guidance and support;
  - seek alternative resolution;
  - raise a complaint with the College or with the University (but not both).
5. Both the Complainant and the Respondent will be advised to think carefully about what information they disclose to others at all stages of seeking resolution of the matter, and will be given a copy of the College's policy on the use of personal information (Appendix B2). Students should ensure that they are aware of the limits that may be applied to the principle of confidentiality, including how any information they provide might be used at later stages of the procedure if the case is escalated to more formal, including disciplinary, procedures, or if it is reported to the Police.

### **Advice, guidance and support**

6. Students who believe they have been harassed or been the subject of sexual misconduct are advised to seek support from the College or from the University. Students can seek advice from their College Tutor or another point of contact within the College.
7. Students may also seek independent support and information from the Cambridge University Students' Unions' Advice Service (SUAS).

8. Sexual assault and rape are criminal offences, and a Complainant will be supported to come to an informed decision as to whether to report such an incident to the Police. However, if the Complainant decides not to report the incident to the Police, neither the College nor the University will require them to do so. No inferences will be drawn from the Complainant's decision not to report the incident to the Police.
9. In exceptional circumstances, where the facts as they emerge give rise to concerns that there is a significant ongoing risk to members of the College or University community, or the wider community, the Senior Tutor may make an executive decision to refer the matter to the Police. The Senior Tutor will, in all but exceptional circumstances, inform the Complainant of their intention to report the matter to the Police, and their reasons, before doing so.
10. If, at any stage, Complainants feel that they are being disadvantaged or suffering reprisal from any member of the College, including the person they have made a complaint about, as a result of complaining about harassment or sexual misconduct, they should seek advice and guidance from the Senior Tutor or another senior member of the College.

### **Alternative resolution**

11. In some cases relating to harassment, students who are unhappy with the behaviour of another student may want to try to resolve the matter themselves directly with the other student.
12. If seeking alternative resolution in this way, a student is advised to seek support on a confidential basis from a College Tutor, the Senior Tutor or another staff member, either to help them to work out what to say, or to accompany them when they meet the person they are complaining about. Because of the possibility of counter-accusation or recrimination, Complainants are advised to alert a supporting person, such as their Tutor, to the problem before approaching the person concerned, even if they feel able to take this action on their own.
13. Students should be encouraged to try to describe the behaviour very precisely, including where and when it happened. Students should also make it clear how they feel about what has happened, and describe the effect it is having on them. Finally, they should be encouraged to say precisely what they want to happen going forward.
14. If a direct approach has been tried and has not worked, or if a student does not wish to make such an approach, the College Tutor or other College advisor may be able to seek to resolve the problem on their behalf. The College might also propose that both parties agree to co-operate with an independent mediator seeking to mediate – the University offers a mediation service that could be used (see Appendix B) in cases where the College is not able to provide a mediator.
15. If an attempt at alternative resolution has not resolved the issue to the satisfaction of the Complainant, the Complainant can raise a formal complaint to the College or to the University. However, there is no requirement that an attempt at alternative resolution has been made before a formal complaint is raised.

### **Raising a formal complaint**

16. Complaints can be raised under either the College or the University procedures, but not both. All complaints about harassment or sexual misconduct, whether they are raised with the College or with the University, will be considered on a case-by-case basis as to which is the most appropriate procedure for consideration.
17. If the complaint is about harassment, students are normally expected to use a College procedure, and students at any College may use this procedure to raise a complaint about the behaviour of a student or students at Fitzwilliam College. If the complaint is about the behaviour of a student at another College, it may be possible to raise it under that student's College's procedure; if this is not possible, the University's procedure can be used to raise such a complaint.
18. The College and the University expect that complaints against students from more than one College, or involving members of a University club or society, would normally be raised under the University's procedure because of the likely complexity of such cases.
19. Subject to the views and wishes of the Complainant, the College and the University anticipate that complaints about sexual misconduct will usually be directed to the University's procedure.
20. The College will provide pastoral support, as desired, to any Fitzwilliam College student involved in the University procedure, whether as a Complainant or as a Respondent.

### **How to make a complaint to the University**

21. The University procedure and guidance documents describe how the Complainant's complaint will be considered, and the possible outcomes. The Head of the University's Office for Student Conduct, Complaints and Appeals (OSCCA) will be able to answer any specific questions students or staff might have about the procedure and will endeavour to ensure that the students understand the procedure at each stage. OSCCA can be contacted on [OSCCA@admin.cam.ac.uk](mailto:OSCCA@admin.cam.ac.uk).

### **How to make a complaint to Fitzwilliam College**

22. A detailed procedure is appended (Appendix B). What follows is a summary of the procedure and further explanatory information about how it will be followed.
23. At all stages of the formal procedure, decisions on what action will be taken will be made by people who are trained to make those decisions. In deciding what, if any, action to take, the College will need to consider a variety of relevant factors including, for example: the evidence which is available to support an allegation of misconduct; any admission of responsibility by the investigation will be conducted fairly and objectively. The Head of OSCCA is able to help with identification of a suitable external Investigator, if required.
24. Bringing a complaint under the College's procedure does not prevent the Complainant from reporting the matter to the Police at any time. If the matter is being dealt with under the criminal process, the College will normally suspend any action under its procedure, but may take precautionary action to ensure that a full and proper investigation can be carried out

and/or to protect the Complainant, Respondent or others while the matter is being dealt with. Precautionary action may also be taken, for similar reasons, in a case being investigated solely under the College's procedure. Any precautionary measures are not intended to be punitive and do not make any assumptions about the merits of the complaint.

25. In reaching a decision on what action, if any, to take, the College may seek legal advice at any point in the process.
26. Complainants should make their complaint in writing to the Senior Tutor setting out details of the events that form the basis of the complaint, together with any evidence and, if appropriate, information on any attempts that have been made to resolve the matter informally.
27. The Senior Tutor will give initial consideration to the complaint before a decision is made on whether it will be referred for investigation. Some cases may not be referred for investigation, but instead the Complainant will be asked to seek alternative resolution of the matter, with support from their Tutor or another member of the College, or recommended to raise the complaint under the University's procedures. The complaint may be dismissed or rejected because it does not fall under the scope of the College's procedure (see Appendix B).
28. The Complainant will normally be told the outcome of this initial consideration within 10 working days of submitting their complaint.

### **Investigation**

29. If the case is referred for investigation, a trained Investigator will be appointed by the Senior Tutor to try to establish as many undisputed facts about what happened as possible. The investigation will be conducted fairly and objectively. The Head of OSCCA is able to help with identification of a suitable external Investigator, if required.
30. If the parties are willing, the Investigator will meet separately with both parties and may also meet any witness to the events that are the subject of the complaint. The Investigator will then write a report and recommend a course of action.
31. Both the Complainant and the Respondent may wish to be accompanied during the investigation by a supporter, such as a Tutor, a member of CUSU, the Students' Unions' Advice Service or the JCR/MCR, or a friend. Given the nature of the types of complaints that will be considered under the College, rather than the University, procedure, it is unlikely that it will be necessary for either party to bring a legal advisor to any meetings held under the procedure. Students would not, however, be prohibited from doing so, and the respondent will be reminded before meeting with the investigator that they are entitled to seek independent legal advice. If a student wishes to take legal advice, this will be at their own expense.
32. In some cases, after discussions with the Investigator, both parties may agree that alternative resolutions should be explored through mediation. The University Mediation

Service is available for students and may be useful in these cases (see Appendix A).

### **Consideration of the complaint and possible outcomes.**

33. Following the investigation, the report and any recommendation will be considered by the Senior Tutor who may decide that:
- with the agreement of both the Complainant and the Respondent, the parties should seek to resolve the matter through mediation or otherwise; or
  - resolutions should be proposed; or
  - the case should be referred for consideration under the College's disciplinary procedure; or
  - the complaint should be dismissed.
  -
34. Acceptance of a resolution will not require the Respondent to admit liability, nor imply that the College has made a finding of wrong-doing.
35. Resolutions might include asking the Respondent to abide by a conduct agreement. This might stipulate that the Respondent will refrain from contact with the Complainant, either indefinitely or for a specified period in the first instance. It might be necessary for the Respondent to move rooms. The Respondent may also agree to intermit, or to attend behaviour awareness training.
36. A record of a conduct agreement will be retained by the College and may be taken into account if a further complaint is made against the Respondent under this procedure, whether that subsequent complaint is made by the original Complainant or a different Complainant.
37. If the complaint is dismissed, the Complainant and the Respondent involved will be offered help and guidance to restore reasonable relations between them. This process might include mediation.
38. The Senior Tutor will keep both the Complainant and Respondent informed of the general progress of the complaint. Where a complaint under the College's formal procedure leads to disciplinary proceedings, the Complainant will be kept informed of the progress of the proceedings and will be formally notified of the outcome of any disciplinary hearing and any sanctions applied to the Respondent that impact upon the Complainant.
39. If the Complainant is dissatisfied with the decision made using this procedure, they have the right to ask for a review of the decision. This review will be conducted in accordance with paragraph 6.4 of the procedure. If following the review the original decision is upheld, a Completion of Procedures letter should be issued to the Complainant to enable them to raise the complaint with the Office of the Independent Adjudicator.

### **Discipline**

40. The College's disciplinary procedures are set out in detail in the Ordinance on Discipline for Members of the College in statu pupillari, under Statute XLVIII.2, included as Appendix 1 to the College Regulations (<http://www.fitz.cam.ac.uk/about/official-information>).

## **Appendix A – Mediation**

Mediation offers a chance for both parties to identify and discuss their concerns. Mediation will only be an option if both parties agree to engage with the process.

To complement the work already undertaken by College Tutors in resolution of disputes between students, the University offers a mediation service for students. The student mediation service uses dual mediation by two neutral, independent mediators to assist the students to resolve their differences and reach a mutually acceptable agreement on the way forward.

The mediators are members of staff who have volunteered for the role and who have received formal mediation training. The mediators are impartial; they have no vested interest in the outcome and will not impose an agreement. The mediators are only interested in helping the students to reach a mutually acceptable solution. The mediators will manage the whole mediation process, creating a safe and supportive environment so that both students can talk honestly and openly about what has happened and how it has affected them.

## **Appendix B - Formal procedure for consideration of allegations of student on student harassment or sexual misconduct**

### **1. Glossary**

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

- Code of Conduct  
The Code of Conduct for Students in respect of Harassment and Sexual Misconduct, as set out in Appendix B1
- Complainant  
A student who has made a complaint under this procedure
- Working Day  
Any day except weekends, public holidays and any other day when the University Offices are closed
- Respondent  
A student about whom a complaint has been made under this procedure
- Student  
A matriculated student following a course leading to the award of a degree, diploma, or certificate of the University

## **2. Scope of procedure**

- 2.1. This procedure applies where a student wishes to complain that the behaviour of another student of Fitzwilliam College contravenes the College's Code of Conduct in respect of Harassment and Sexual Misconduct.
- 2.2. The College has a general Complaints Procedure under which a student may raise other types of complaint, including a complaint about a member of College staff.
- 2.3. Because this procedure places an emphasis on reaching consensual resolution, complaints made by a third party and anonymous complaints will not normally be accepted. College Tutors and others may wish to discuss alternatives to the use of this procedure with the Senior Tutor.
- 2.4. It is possible for a complaint under this procedure to be brought by or against two or more Fitzwilliam College students where the complaint is about harassment arising from the same event(s). In such cases, references in this procedure to the 'Complainant' or the 'Respondent' shall be construed as appropriate as referring to more than one person.
- 2.5. A Complainant may choose whether to raise a complaint under this procedure or under the University procedure. However, it is the expectation of the College and the University that the University procedure will be used where:
  - (a) the complaint relates to sexual misconduct; or
  - (b) the complaint relates to conduct occurring in the context of University societies or sports clubs; or
  - (c) the Respondents include students from more than one College.
- 2.6. A complaint of harassment may be brought under this procedure whether or not it has been reported to the Police – but see paragraph 3.6 below.
- 2.7. A complaint cannot be brought under this procedure if the Complainant has previously made a complaint about the same event(s) which has been dealt with under the University's procedure.
- 2.8. No inferences shall be drawn from the Complainant's choice of avenue to pursue the complaint, be it via the College's procedure, the University's procedure or the Police.

## **3. General principles**

- 3.1. Any reference in this procedure to a College officer or other named role includes a deputy appointed by that officer or role-holder to exercise the functions assigned to that officer under this procedure.
- 3.2. The College will act reasonably in considering complaints under this procedure, having regard to the individual circumstances of the case. Every effort will be made to ensure that all parties are treated with fairness and dignity.

- 3.3. The time limits set out in this procedure may be varied by the Senior Tutor for good reason, after consultation with the Complainant and the Respondent as appropriate.
- 3.4. A written decision issued in accordance with this procedure shall also include the reasons for that decision.
- 3.5. The Senior Tutor may suspend the consideration of a complaint at any stage of this procedure and/or refer the matter for consideration under another procedure, after consultation with the Complainant and the Respondent as appropriate.
- 3.6. Where the events which are the subject of a complaint under this procedure have been reported to the Police, the Senior Tutor will normally suspend the procedure pending the outcome of any police investigation and/or criminal proceedings.
- 3.7. Under this procedure the Master, on the advice of the Senior Tutor, shall have power to impose any precautionary measures set out below for a period of up to 21 days, in the first instance, where the Master considers that any such measures are necessary:
- (a) to ensure that a full and proper investigation can be carried out in relation to this matter (whether under a procedure in the College, or by the University or the Police); and/or
  - (b) to protect any person while this matter is being dealt with under a procedure in the College or as part of a criminal process.
- The Master shall have the power to extend any precautionary measures imposed for additional periods of no more than 21 days in duration.
- 3.8. The precautionary measures which the Master may impose are any one or more of the following:
- (a) excluding the person from some or all of the College's facilities and/or premises;
  - (b) imposing conditions on the person
    - (i) in connection with that person's use of the College's facilities and/or premises or that person's contact with other persons, or
    - (ii) in such other ways as may be considered necessary; and
  - (c) suspending the person in question either in full or in part from their studies.
- 3.9. The Senior Tutor will inform the University, through the Head of the Office of Student Conduct, Complaints and Appeals, of precautionary action taken in respect of individual students.
- 3.10. Individual students who are subject to precautionary measures imposed by the Master under this procedure have the right to provide representations when the decision

regarding precautionary action is made, or where a decision is required to be made immediately as a result of the level of risk, as soon as possible following the decision. Students who are subject to precautionary measures also have the right to appeal the decision, or to ask for a review of the decision if there is a material change in the circumstances of the case. The appeal will be conducted in accordance with paragraph 6.4 of the procedure.

- 3.11. Where, at any point during this procedure, the Complainant and Respondent have agreed to seek alternative resolution of the complaint under paragraph 5 but have been unable to reach an agreed outcome, the Senior Tutor will consider whether further action should be taken under this procedure and, if so, at what stage of the procedure.
- 3.12. The Complainant may withdraw a complaint at any time during this procedure, by notifying the Senior Tutor in writing. Where a complaint is withdrawn no further action will be taken under this procedure, but the Senior Tutor may refer the matter for consideration under another College procedure.
- 3.13. To ensure that there are no conflicts of interest, no person serving under this procedure as a member of a decision-making body or as an Investigator will have any previous knowledge of the case nor any material connection to the Complainant or the Respondent. The Complainant or the Respondent (or their representatives) will be entitled to object to the involvement of an individual for good cause. The holders of the offices to which this procedure refers shall appoint standing deputies to act on their behalf in the event of any conflict of interest.

#### **4. Support and guidance**

- 4.1. The College publishes guidance to help both Complainants and Respondents to understand this procedure. The Senior Tutor will provide further advice on request.
- 4.2. Complainants, Respondents and witnesses are entitled to be accompanied by a supporter at any meeting held under this procedure. A supporter may be a Tutor, a student representative or a friend. Complainants and Respondents will be permitted to be accompanied by a legal representative at such meetings.
- 4.3. Appendix B2 of this procedure sets out the College's policy on the use of personal information under this procedure. A copy of the policy will normally be provided to Complainants, Respondents and witnesses to events relating to the complaint so that they understand how their personal information will be used and the limits on confidentiality. The policy indicates the College and University officers with whom the information is likely to be shared.
- 4.4. First contact with possible student witnesses at another College will normally be made via their Senior Tutor.

## **5. Alternative resolution**

- 5.1. Alternative resolution may be suitable for dealing with some cases that are brought under this procedure, and, wherever appropriate, Complainants are encouraged to consider seeking alternative resolution to their concerns before bringing a formal complaint under this procedure.
- 5.2. Alternative resolution may not be appropriate for some complaints of harassment because the relationship between the parties has broken down. In such cases, the complaint will be considered in accordance with the formal procedure (paragraph 6).

## **6. Formal procedure**

### **6.1. *Raising a complaint***

- 6.1.1. A Student who wishes to make a complaint under this procedure must do so in writing. The Complainant should set out details of the complaint together with details of any attempts at alternative resolution, if appropriate.
- 6.1.2. The complaint should be addressed to the Senior Tutor.
- 6.1.3. On receipt of the complaint the Senior Tutor will give the case initial consideration and determine whether to:
  - (a) refer the complaint for investigation under paragraph 6.2 of this procedure;
  - (b) recommend to the Complainant that they should seek alternative resolution of the complaint;
  - (c) decline to refer the complaint for investigation under this procedure and recommend to the Complainant that they should raise it under the University procedure;
  - (d) dismiss the complaint because it is considered to be without merit, or, in exceptional cases, as vexatious, frivolous or malicious;
  - (e) reject the complaint because it does not fall within the scope of this procedure;
  - (f) decline to refer the complaint for investigation under this procedure for other reasons.
- 6.1.4. The Senior Tutor will notify the Complainant in writing of the outcome of this initial consideration within ten Working Days of receipt of the written complaint.
- 6.1.5. In the event that the outcome of this initial consideration falls within paragraph 6.1.3 (b)–(f) and the Complainant is unhappy with that decision, the Complainant shall have the right to request a review of that decision. The review will be considered by a Panel appointed in accordance with paragraph 6.4.

## 6.2. Investigation

- 6.2.1. Where a complaint is referred for investigation, the Senior Tutor will appoint a trained Investigator to carry out an investigation of the case. The role of the Investigator is to prepare a report that sets out the undisputed facts of the case and any points of difference, and makes recommendations based on the evidence and policies in place.
- 6.2.2. The Investigator shall conduct the investigation as they think fit, within the context of the general principles set out in paragraph 3. The Investigator may interview (with their consent) the Complainant and the Respondent and any other person involved in, or who witnessed, the events which are the subject of the complaint, and consider or request any other evidence which appears to the Investigator to be relevant. The Respondent will be reminded before they meet with the Investigator that they are entitled to seek independent legal advice. The Respondent will also be notified that they do not have to say anything and that no adverse inferences shall be drawn from the Respondent's failure to attend for interview or otherwise participate in the investigation.
- 6.2.3. The Complainant and Respondent will be made aware that the College may be required to provide as evidence in any subsequent criminal investigation or proceedings in a court of law information regarding the complaint, including any admission made in the course of this procedure (and/or any made during mediation or any subsequent disciplinary proceedings) and that any admission made in the course of this procedure may also be used as evidence in College disciplinary proceedings, save that the College will abide by the confidentiality of any mediation, and anything which is said in the course of mediation will not be used in evidence in any College disciplinary proceedings.
- 6.2.4. The Investigator will offer to have individual meetings with the Complainant and with the Respondent, and may also seek to have a meeting with any witnesses (all of whom may be accompanied, as noted in paragraph 4.2). Each meeting will be minuted and the minutes agreed with those present as a correct record (or any disagreement noted). The Respondent will not be provided with a copy of the Complainant's written complaint in advance of the meeting with the Investigator but will be provided with information on the substance of the allegation(s). The notes of any individual meetings will not form part of the Investigator's report unless the consent of the respective party for their inclusion has been given.
- 6.2.5. Where the Respondent declines to cooperate with an investigation, the Investigator may still continue with the investigation in the absence of the Respondent's cooperation.
- 6.2.6. The Investigator will aim to complete the investigation within twenty Working Days of the complaint being referred for investigation, but some cases may require longer, in which case the Investigator will keep the Complainant and the Respondent informed about progress.

- 6.2.7. The Investigator's report will normally be released to the Complainant and the Respondent, save that parts may be redacted where the Complainant or the Respondent or any witness reasonably objects.
- 6.2.8. On receipt of the Investigator's report, the Senior Tutor may:
- (a) recommend to the Complainant and the Respondent that they should seek alternative resolution of the complaint;
  - (b) propose one or more of the resolutions set out in paragraph 6.3.1;
  - (c) refer the complaint for consideration under the College's disciplinary procedures;
  - (d) dismiss the complaint because it is considered to be without merit or, in exceptional cases, as vexatious, frivolous or malicious;
  - (e) decide that no further action should be taken under this procedure.
- 6.2.9. The Complainant and the Respondent will normally be notified in writing of the decision of the Senior Tutor within twenty Working Days of the receipt of the Investigator's report.
- 6.2.10. In the event that a decision falls within paragraph 6.2.8 (a), (b), (d) or (e) and the Complainant is unhappy with that decision, the Complainant shall have the right to request a review of that decision in accordance with paragraph 6.4.

### 6.3. *Resolutions*

- 6.3.1. The Senior Tutor may propose a resolution to the complaint, which may include:
- (a) that the Respondent will agree to abide by a conduct agreement issued by the Senior Tutor, a record of which will be retained by the College and which may be taken into account if a further complaint is made against the Respondent under this procedure;
  - (b) that the Respondent change accommodation;
  - (c) with the prior approval of the relevant University body, that the Respondent will take a period of intermission from study;
  - (d) that the Respondent will attend behaviour awareness training or workshops.
- 6.3.2. Both the Complainant and the Respondent must agree to the proposed resolution of the complaint. The Senior Tutor will facilitate the process of reaching agreement between the Complainant and the Respondent and will issue written confirmation of any agreed resolution(s) to the Complainant and the Respondent.

6.3.3. If attempts at reaching an agreed resolution are unsuccessful, the Senior Tutor shall refer the complaint for consideration under the College's disciplinary procedures.

6.3.4. If there are grounds to believe that the Respondent has failed to comply with the terms of an agreed resolution, the Senior Tutor shall determine whether the complaint should be referred for consideration under the College's disciplinary procedures.

#### 6.4. *Review*

6.4.1. The Complainant may seek a review of a decision made under this procedure.

6.4.2. The review will be carried out by a panel of three persons appointed by the Master. A request for a review shall be made in writing and sent to the Master within 15 Working Days of written notification of the relevant decision (unless, for good reason, the Master permits a longer period). The request for review shall specify the grounds for review which may be only one or more of the following:

(a) that there was material procedural irregularity in the consideration of the complaint;

(b) that there was bias or prejudice on the part of the decision-maker;

(c) that the decision reached was perverse in that it was one which no reasonable decision-maker could have reached on the available evidence;

(d) that new material evidence is available, which was not available and/or not presented for good reason at the time of the original decision.

6.4.3. The request for a review should be accompanied by supporting documentation.

6.4.4. The review panel will consider the request for review and the documentation available to the original decision-maker. The review panel may, at its discretion, hold a hearing and regulate arrangements for the conduct of the hearing.

6.4.5. The review panel will issue an adjudication in writing as soon as possible, which shall normally be within twenty Working Days of the receipt of the request for a review or (if a hearing is held) within ten Working Days of the hearing. The review panel shall have power to confirm, quash, or amend the original decision or refer it back to the decision-maker for further consideration.

6.4.6. If the review panel confirms the original decision, the Complainant will be issued with a Completion of Procedures letter when provided with the adjudication. If the review panel issues an amended decision then the Complainant will be offered a Completion of Procedures letter when provided with the adjudication. Where the Complainant remains dissatisfied with the outcome of the procedure, the Completion of Procedures letter will enable the student to submit a complaint to the external ombudsman, the Office of the Independent Adjudicator.

## **7. Reporting**

- 7.1. An annual report of complaints considered under this procedure will be made to the Governing Body, in which references to individual cases will be made anonymously.
- 7.2. The Senior Tutor will be responsible for the regular review of this procedure.

## **Appendix B1 - Code of Conduct in respect of Harassment and Sexual Misconduct**

Fitzwilliam College is committed to providing an environment that is free from discrimination and affirms the right of all members to be treated with dignity and respect. The College will not tolerate harassment of one member of its community by another nor sexual misconduct. The College will take allegations of harassment and sexual misconduct very seriously and may take action, including disciplinary action, in response to a complaint from a student.

In line with the University, the College defines harassment as single or repeated incidents involving unwanted or unwarranted conduct towards another person which it is reasonable to think would have the effect of (i) violating that other's dignity or (ii) creating an intimidating, hostile, degrading, humiliating, or offensive environment for that other.

Harassment may be verbal, psychological or physical, in person or via a virtual platform or through other methods of contact. Harassment may occur in the course of an academic, sporting, social, cultural or other activity either within the Precincts of the University or elsewhere in the context of a person's membership of the University, or in circumstances where the victim of the harassment is a member, officer, or employee of the University or a College.

Under this Code of Conduct unacceptable behaviour, whether intentional or not, can take a variety of different forms. The following descriptions are not exhaustive, but give an indication of the types of behaviour, which the University and the College consider to be unacceptable:

- making sexually offensive comments about dress or appearance, the display or distribution of sexually explicit material, or demands for sexual favours;
- engaging in harassment on the grounds of a person's sexuality (or assumptions about a person's sexuality) including making derogatory homophobic, transphobic or biphobic remarks or jokes aimed at a particular person, offensive comments relating to a person's sexuality, refusal to acknowledge a person's gender or identity, or threats to disclose a person's sexuality to others;
- making offensive references to a person's race, ethnicity, skin colour, religion or nationality, dress, culture, background or customs;
- ignoring, disparaging or ridiculing a person because of assumptions about their capabilities, or making offensive reference to an individual's appearance, in the context of their disability;

- controlling or coercive behaviour, such as pressure to subscribe to a particular political or religious belief.

Online harassment may take the form of intimidating, offensive or graphic posts on social media sites or chat rooms, or communications by email, text or instant messaging.

Sexual misconduct includes the following, whether or not within a sexual or romantic relationship, including where consent to some form of sexual activity has been given and then withdrawn, or if consent has been given on previous occasions:

- sexual intercourse or engaging in a sexual act without consent;
- attempting to engage in sexual intercourse or engaging in a sexual act without consent;
- sharing private sexual materials of another person without consent;
- kissing without consent;
- touching inappropriately through clothes without consent;
- inappropriately showing sexual organs to another person;
- repeatedly following another person without good reason.

## **Appendix B2 - Policy on the use of personal information under the Procedure for Handling Allegations of Student Harassment and Sexual Misconduct**

*A copy is to be provided to the Complainant, the Respondent and any witnesses at the earliest contact.*

1. Fitzwilliam College has published a general statement which explains how it uses students' personal information (<http://www.fitz.cam.ac.uk/about/official-information>). This Policy provides information about how the College will use your personal information if you are a Complainant or a Respondent or a witness in a case considered under the procedure for handling cases of student harassment and sexual misconduct. Most of the information is already covered by the general statement, but there are some additional uses of personal data that need to be brought to your attention.
2. A summary of the information you provide as part of your complaint or response to a complaint or as witness testimony and procedural notes (e.g. a record of any actions and decisions and the dates they were taken; the dates of meetings) will be stored in a computer database which can be accessed by staff in the Tutorial Office. These data will be used to compile anonymous statistics about the use of the procedure. Those involved

in the case may also make notes at meetings with you; you will be given an opportunity to comment on a written-up copy of those notes so that they can become an agreed part of the record. The information held by the Senior Tutor may be shared with others in the course of dealing with the complaint, and will be treated confidentially in line with the College's general statement on use of personal information.

3. In the interest of fairness to all parties, the College will not normally accept an anonymous complaint under this procedure. It should be assumed that any information provided in support of the complaint, including the identity of the Complainant, will be provided to the Respondent. If you have concerns about the sharing of information between the Complainant and Respondent, you should seek advice from the Senior Tutor who has discretion to withhold information in exceptional circumstances.
4. The Senior Tutor and Tutor of either the student making the complaint or the student against whom the complaint has been made will normally be provided with a summary of the complaint, including the names of both parties, so that they are aware of the complaint and able to assist in providing support:

In some cases, it may also be deemed appropriate to inform the following:

Your Head of Department or Faculty

Your Supervisor (if you are a research student)

The College will aim to seek consent for sharing information with those listed above, but in exceptional cases may decide that such sharing of information is necessary, for example, because it is in the public interest or to protect the interests of the Complainant or the Respondent. These decisions will be taken on a case-by-case basis, bearing in mind all the circumstances of the particular case. You will be informed of any intention to share the information and the reasons for that decision, before it is enacted.

If a complaint is referred for investigation under the procedure, the College will seek your permission for the release of your personal information as included in the Investigator's report before providing a copy of the report to the Complainant and the Respondent.

5. The College will normally respect the wishes of a person who is the victim of a crime and does not wish to report the matter to the Police. However, in exceptional circumstances, where the facts as they emerge give rise to concerns that there is a significant risk to members of the community, the Senior Tutor may make an executive decision to refer the matter to the Police. Unless there are exceptional reasons related to the case, the Complainant will be informed of the intention to report the matter to the Police and the reasons before doing so.

6. Any admission made in the course of this procedure (including any made in an agreement reached during mediation or during subsequent disciplinary proceedings) may be used as evidence in any subsequent proceedings in a court of law.
7. Any admission made in the course of this procedure may also be used as evidence in College disciplinary proceedings, but the College will abide by the confidentiality of a mediation agreement and will not seek to use it in evidence.
8. If you have any questions or concerns about this statement, please contact the Senior Tutor in the first instance.

## **NOTICES**

### **SECURITY**

Students who live in College are advised always to shut the windows and lock the door of their rooms when they go out however briefly, and not to leave money, cheque books or other valuables lying about in their rooms. A similar pattern of security should be adopted by those who live in College houses and rented accommodation. If you see a suspicious-looking person ask if you can help and why they are there. If dissatisfied with the response, report at once to the Porters. The College takes all reasonable precautions, including CCTV coverage, but is unable to accept responsibility for losses.

### **PHOTOCOPYING**

The three photocopiers for Junior Members are situated in the basement, first and second floor of the Library.

### **BURSARY (ACCOUNTS) DEPARTMENT**

Room 6 (V Staircase) will be open for the payment of College bills and collecting grant cheques from Monday to Friday during times displayed outside the office.

### **TUTORS**

Your Tutor is a Fellow of the College whose subject is a different subject to your own. You can speak to your Tutor on any matter, however trivial or traumatic: academic, social, financial, medical or to do with your home life. If your Tutor is unavailable the Senior Tutor is available to talk to any student. All Undergraduates must see their Tutor at the beginning and end of every term, use the online meeting booking system <https://services.fitz.cam.ac.uk/signup>.

Tutors do not hold fixed weekly office hours - if you would like to see your Tutor during the term please contact them via email and they will endeavour to make themselves available for a meeting, where appropriate, within three working days.

### **DIRECTORS OF STUDIES**

Director of Studies have responsibility for the academic progress of undergraduates. Most Directors of Studies do not hold fixed weekly office hours - if you would like to see your DoS during the term please contact them via email and they will endeavour to make themselves available for a meeting.

### **GUEST ROOMS**

A limited number of guest rooms are available in College and can be booked in advance through the Accommodation & Housekeeping Manager.

### **COMPUTER ROOMS**

The Computing Officer may from time to time make rules for the efficient running of the computer rooms. These will be displayed in the room in question. The College will take a serious view of the misuse of its computing facilities. It is forbidden to bring food or drink into any of the computer rooms or to unplug any existing equipment. Students must not allow anyone who is not a College member to have access to the computer rooms.

### **MUSIC ROOMS**

Keys to these may be booked out at the Porters' Lodge subject to limitations applied from time to time. It is forbidden to bring food or drink into the Auditorium Music Rooms. Articles may not be placed on musical instruments. Musical instruments may not be used as seats. Any damage caused will be charged to the last user.

### **LAUNDERETTE**

The launderette will normally be open between 07:30 and 22:30: times when machines may be used are posted in the launderette. It is an offence to fix open the door of the launderette.

### **COLLEGE NURSE AND COUNSELLOR**

A Nursing Service for Fitzwilliam College and Murray Edwards is provided by the College Nurse. The Surgery is in Murray Edwards and times for consultation are posted in the Porters' Lodge and on the College Screens. Students are welcome to contact her directly at [nurse@fitz.cam.ac.uk](mailto:nurse@fitz.cam.ac.uk).

The College also has a Counsellor based in the Kaetsu Centre, located between Fitzwilliam and Murray Edwards Colleges, and is accessible via the (unlocked) pedestrian gate on Huntingdon Road. Students are welcome to contact her directly at [counsellor@fitz.cam.ac.uk](mailto:counsellor@fitz.cam.ac.uk).

### **CHAPEL**

Chapel Services are held during Full Term. Details may be ascertained from the Chapel card and from the Chapel notice-boards. All services are open to any members of the College and every effort is made to integrate all Christian traditions in the life of the Chapel. Full communicant members of all Churches are welcome at celebrations of the Holy Communion.

There is a chapel choir which leads worship every Sunday evening in term and all newcomers are welcome to join.

### **CHAPLAIN**

The Chaplain is pleased to see students at any time. The hours when the Chaplain is most readily available may be ascertained from the Chaplain's door and from the Chapel Notice-Boards.

### **UNIVERSITY CARD**

Porters will issue all Junior Members with a University Card, giving access to College buildings including the Olisa Library and credit in the Buttery. The Card is also used to access some University Departments and Libraries. A charge of £15.00 will be made for replacement of lost or damaged cards and higher charges may be imposed in cases involving multiple replacements.

## COLLEGE OFFICES

### Porters Lodge

Open 24 hours

The Porters are responsible for the general welfare and safety of College Members, and are on call 24 hours a day. Please feel free to contact the Porters at any time if you are concerned about yourself or another student or if you are being disturbed by unacceptable noise.

Telephone: 01223 332000 (or mobile number 07919 058372)

Email: [porters@fitz.cam.ac.uk](mailto:porters@fitz.cam.ac.uk)

### Tutorial Office – L11

8:00am – 12noon and 12:30pm – 4:00pm

The Tutorial Office helps both undergraduates and graduates from application to graduation, including academic and welfare issues.

Telephone: 01223 332004

Email: [tutorial.office@fitz.cam.ac.uk](mailto:tutorial.office@fitz.cam.ac.uk)

### Accounts Department – V6

Mon - Wed: 9:30am – 12:30pm and 2:00pm – 4:30pm.

Thurs - Fri: 9:30am – 12:30pm and 2:00pm – 3:00pm.

The Accounts Department is open for the payment of College bills, collection of grant cheques and for financial enquiries.

Telephone: 01223 332008

Email: [college.bills@fitz.cam.ac.uk](mailto:college.bills@fitz.cam.ac.uk)

### IT Office – U1

9.00am - 12:30pm and 1:30pm – 5:00pm

The IT Office maintains the IT infrastructure including administrative computing, network connectivity, computer rooms and printing. It will also attempt to assist Students, Fellows and Staff with their IT related issues.

Telephone 01223 332025

Email: [computing@fitz.cam.ac.uk](mailto:computing@fitz.cam.ac.uk). Complete on-line IT Request form at [sshhttps://help.fitz.cam.ac.uk/](https://help.fitz.cam.ac.uk/)

### Accommodation & Housekeeping Office - L

7:30am-3:30pm

Telephone 01223 332049

Email: [Housekeeping@fitz.cam.ac.uk](mailto:Housekeeping@fitz.cam.ac.uk)

Accommodation Officer - [accom.officer@fitz.cam.ac.uk](mailto:accom.officer@fitz.cam.ac.uk)

Complete on-line Accommodation & Housekeeping Request form at <https://help.fitz.cam.ac.uk/>

**Maintenance Office - K**

Mon-Thurs: 8:00am - 1:00pm and 1:30pm – 4:00pm

Fri: 8:00am - 1:00pm and 1:30pm – 3:30pm

Telephone 01223 332031

Complete on-line Maintenance Request form at <http://help.fitz.cam.ac.uk/>

**Domestic Bursar's Office - I**

The Domestic Bursar oversees the Catering, Conference, Accommodation & Housekeeping, Gardening and Maintenance departments.

Telephone: 01223 332076

Email: [Domestic.Bursar@fitz.cam.ac.uk](mailto:Domestic.Bursar@fitz.cam.ac.uk)

**Conference and Events**

Mon-Thur: 8:00am - 12:30pm and 1:00pm – 4:00pm

Fri: 8:00am - 12:30pm and 1:00pm – 3:00pm

The Conference and Events Office co-ordinates all events in term time for the Fellows, JCR, MCR and internal departments and assists the Steward. Telephone 01223 332021

Email: [college.events@fitz.cam.ac.uk](mailto:college.events@fitz.cam.ac.uk)

**The Olisa Library**

Open 24 Hours for College Members via card access

The Library contains 40,000 books, reference works, journals and resources. We provide 200 study spaces, borrowing facilities and a quiet environment

Telephone 01223 332042

Email: [Library@fitz.cam.ac.uk](mailto:Library@fitz.cam.ac.uk)

**Catering Department**

Mon - Sun 08:00 - 20:00

The Catering department operate the Bar, Coffee Shop, Buttery, Dinners and all other catering requirements

Phone: 01223 332052

Email: [buttery@fitz.cam.ac.uk](mailto:buttery@fitz.cam.ac.uk)

**Head of Tutorial Support – The Grove**

Mon-Fri: 8:00am – 12noon and 12:30pm – 4:00pm

Telephone 01223 332027

Email: [ST.Assistant@fitz.cam.ac.uk](mailto:ST.Assistant@fitz.cam.ac.uk)