

Bursars' Committee: Legal Affairs and Employment Sub-Committee

Terms of reference

1. Purpose

The purposes of the Legal Affairs and Employment Sub-Committee are:

- a. to advise the Bursars' Committee on legal matters of common interest to its members, and to obtain external legal advice as the Sub-Committee may consider appropriate within expenditure limits determined by the Bursars' Committee;
- b. to monitor and review the implications of, take appropriate action on, and make recommendations as required relating to, legislation and statutory requirements concerning employment matters affecting the Colleges;
- c. to advise otherwise the Bursars' Committee on employment matters; and
- d. to consider any other matters referred to it by the Bursars' Committee or the Bursars' Business Committee.

2. Standing

The Legal Affairs and Employment Sub-Committee is a sub-committee of the Bursars' Committee. Business is conducted on a confidential basis.

The Sub-Committee has no power to make decisions binding on, or to represent the views of, any College: equally, the Sub-Committee is not subject to the direction or control of the Colleges, either jointly or severally.

In addition, the Sub-Committee does not have the authority to make decisions on behalf of the Bursars' Committee.

All recommendations shall be provided to the Bursars' Committee in the form of written minutes and/or a written report for discussion and approval at the next convenient meeting of the Bursars' Committee, providing that the Chair has discretion to allow for a formal decision to be made by circulation to the Bursars' Committee.

Any advice provided to Colleges and other institutions, either through members of the Sub-Committee, or through staff of the Office of Intercollegiate Services or subsequently through the Bursars' Committee, is provided on the basis that the advice is offered without any warranty as to its accuracy and that no liability shall fall on the Committee or any of its officers or members for such advice.

3. Membership

The Legal Affairs and Employment Sub-Committee includes in its membership:

- (a) no less than four and no more than seven Bursars, chosen by the Bursars' Committee, normally on the recommendation of the Sub-Committee or the Bursars' Business Committee, provided that at least one member of the Sub-Committee is a Domestic Bursar (or a person with an equivalent role);
- (b) *either* the Chair or the Secretary of the Bursars' Committee *ex officio*;
- (c) two Heads of House nominated by the Colleges' Committee;
- ~~(e)~~(d) _____ the Head of the Office of Intercollegiate Services *ex officio*;
- ~~(d)~~(e) _____ a Senior Tutor nominated by the Senior Tutors' Committee;
- ~~(e)~~(f) _____ a member of University staff nominated by the Head of the Legal Services Office.
- (g) a member of University staff nominated by the Direct of Human Resources.

The Bursars' Committee may elect from time to time for membership of the Sub-Committee to include other members from other bodies, either on a fixed term or permanent basis.

Officers

The Chair of the Legal Affairs and Employment Sub-Committee is appointed by the Bursars' Committee, from among those members in category (a) above, and on the nomination of either the Sub-Committee or the Bursars' Business Committee. The Sub-Committee appoint from among its members a Secretary to record the meetings.

Attendees

The Chair and/or Secretary of the Sub-Committee, at his or her or their discretion, may permit other persons to attend all or part of one or more meetings, providing that permission has been sought in advance of any meeting. Attendees do not have voting rights.

4. Meetings of the Sub-Committee

Meetings are convened by the Chair and/or Secretary: the Sub-Committee meets at least once each Term. Notice of the date, time and place of meetings, and agenda and papers, is provided by the Chair or Secretary, in a manner to be determined by him or her.

There is no quorum for the approval of business.

Attendance at the Committee may include remote attendance through teleconferencing or other mechanisms, providing it is clear that the members can contribute effectively to any discussion and vote.

In the absence of the Chair, he or she will nominate another member of the Committee to chair that particular meeting. Otherwise, the Committee determines amongst those members present who chairs the meeting as its first item of business: this may be agreed by circulation in advance.

Decisions of the Committee are made wherever possible by consensus. In the event of a vote being required, a decision is carried on a simple majority of the members of the Committee present. In the event of a tie, the Chair carries an additional and deciding vote.

5. Conduct of business outside of meetings

In exceptional circumstances, the Sub-Committee may agree to conduct business by circulation.

The Sub-Committee may also agree which matters it may wish to delegate to a single member of the Committee, to decide on its behalf. Any item of delegated business is reported on at its next meeting.

The Committee may, at its discretion, set up (and otherwise suspend or disband) Working Groups, providing that these relate directly to the purposes of the Sub-Committee outlined above. The Sub-Committee may establish the membership, terms of reference, and duration of the Working Group, and shall report on these at least annually to the Bursars' Committee.

6. Reserved business

The Sub-Committee's business shall include consideration of reserved business. Matters which are deemed to be reserved business include:

- information for note or discussion relating to the individual salaries of persons employed by the University or one or more of the Colleges;
- information for note or discussion relating to the performance on individual persons employed by the University or one or more of the Colleges;
- any other matter at the discretion of the Chair and/or Secretary (but normally limited to matters of commercial sensitivity or legal privilege).

Where matters have been identified as reserved business, members in category (e) shall be asked to leave the meeting. Attendees may remain present at the discretion of the Chair. Members in category (e) shall be notified in advance of the meeting of any reserved business, and shall be notified at that time of the nature

of the matters being discussed. Papers and minutes of reserved business shall be circulated only to members of the Committee in the remaining categories, and shall not be published.

7. Terms of reference

The terms of reference of the Sub-Committee are approved by the Bursars' Committee: the Sub-Committee shall receive the terms of reference at least annually and may make recommendations to the Bursars' Committee on proposed changes at any time.

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