



College Policy and Procedure on Harassment: Promoting a Positive Environment for Work and Study

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Introduction

- 1.1 The College aims to promote a culture of dignity, respect, and mutual support for all those for whom St Edmund Hall is the centre of their employment, study, research, or cultural and recreational activity. Harassment and bullying are completely at odds with this ethos, are prohibited by the College and will not be tolerated. Informal and formal procedures are in place to address possible cases of harassment and bullying, and if necessary, the College authorities will not hesitate to take disciplinary action.
- 1.2 The College expects all those covered by this policy to refrain from behaviour which might be perceived by others as harassment, and to act with courtesy, respect and understanding towards all those who are part of the College community, as well as towards guests of and visitors to the College. Please also refer to our Equality Policy (PSED001).
- 1.3 Harassing behaviour may take varied forms and it is possible to identify specific forms, such as sexual and racial harassment, for which separate policies or guidance can be drafted. For example, the University of Cambridge's Equality and Diversity unit has defined racial harassment as "an incident or a series of incidents intended or likely to intimidate, offend or harm an individual or group because of their ethnic origin, colour, race, religion or nationality, and a racist incident is any incident that is perceived to be racist by the victim or any other person." For the avoidance of doubt, it should be understood that the present policy is drafted with the aims of covering any and all forms of harassment and of being closely aligned with the University's policies on harassment (<https://edu.admin.ox.ac.uk/harassment-advice>).
- 1.4 The present document is necessarily lengthy and in places quite technical. It is therefore a stipulation of this policy that an adjunct document be provided and maintained, containing a short summary focused on who to turn to in seeking advice as distinct from making formal complaints.



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1.5 This document:

- Considers the definition of harassment and bullying.
- Explains who is covered by the College's harassment policy.
- Seeks to identify behaviour which might amount to harassment, and contrasts this with examples of good practice in the study and work environment.
- Explains why the College provides informal procedures to address possible cases of harassment.
- Summarises informal and formal procedures available to address concerns about harassment.
- Provides guidance as to what an individual should do if they have concerns about possible harassment.
- Suggests how peer supporters and others such as JCR and MRC Welfare Officers should react if a person confides in them any concerns about harassment.
- Indicates practical steps for all members of the College community to behave in a courteous and supportive way and avoid behaviour which might be perceived by others as harassment. These practical steps may include self-assessment checklists, and workshops and seminars on best practice for the management of performance (academic or workplace), and in the daily interaction which takes place between all who study and work in the College.

2. University and College Definition of Harassment and Bullying

- 2.1 The College applies in the context of the college the University's disciplinary rule on harassment, which prohibits intentional or reckless harassment of any member, visitor, employee, or agent of the University or of any college. The University rule defines harassment as unwanted and unwarranted conduct towards another person which has the purpose or effect of violating



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that other person's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. The University rule does not expressly refer to bullying. The reason for this is explained in the University's Harassment Policy: "Bullying is a form of harassment and may be characterised as offensive, intimidating, malicious or insulting behaviour, or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient."

- 2.2 Where harassment takes place in a university context, university policy and procedures apply. "University context" means on University or college premises and in the course of university activity within or outside Oxford whether academic, sporting, social, cultural, or other. Where necessary, complaints of harassment will be investigated in line with the appropriate University procedures, and in principle the University's policy and procedures cover harassment on College premises. Nevertheless, the University's Harassment Policy acknowledges the role of colleges in handling harassment issues, and states: "Reports of harassment which arise purely within the college environment may be dealt with under appropriate college procedures, whilst reflecting the principles of the University's Harassment Policy." The "college environment" refers to interactions within our community and for instance covers all College premises, and College organised (including by e.g. JCR, MCR or college clubs or societies) activities or events within or outside Oxford whether academic, sporting, social, cultural, or other. The College fully endorses the University's Harassment Policy, and College policy and procedure covers harassment issues arising with the College environment, using the College procedures which have been put in place for this purpose (see: Section 10, below, and the College's 'Grey Book' – *Information and Regulations for Junior Members*).

3. Who is Covered by this Policy?

- 3.1 The coverage of the College's harassment policy has two aspects. The first identifies the persons who are required to refrain from harassment, and who are also expected to refrain from behaviour which might be perceived as harassment, and the second identifies those whom the College aims to protect from all such behaviour.



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3.2 The College requires all the following to refrain from harassment, and expects them to refrain from behaviour which might be perceived as such, as well as expecting of them a high standard of dignity, respect, and support:

- All academic and non-academic staff, irrespective of seniority, including staff who are not full-time employees of the College but are engaged on an occasional basis, for example, academic staff from other colleges engaged to teach students on College premises, agency staff assisting regular College support staff, and sports coaches etc., whether paid by the College or a College club or Society for their services.
- All undergraduate and graduate members of the College, including those on Visiting Student programmes.
- All guests or and visitors to the College, including undergraduate and graduate members of other Colleges including guests of senior members.
- Volunteers who undertake activities which bring them into contact with staff or students at the College, or visitors to the College, such as unpaid sports coaches.

3.3 The College aims to protect from harassment or inappropriate behaviour which might be perceived as harassment the same people it requires and expects to refrain from such behaviour. All the foregoing are entitled to rely on the College's policy on harassment, and to be entitled to convey any concerns about harassment or possible harassment they might have to the College authorities. This policy document sets out below procedures designed to assist those who have such concerns.

4. Behaviours

4.1 Indications of the type of behaviour that might constitute harassment are likely to be helpful to those who believe they may be victims of it, and this section of the College's policy provides examples of such behaviour drawn from various sources. This section and the next derive from the University's Harassment Policy on this matter.



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Examples of behaviour which may amount to harassment under this policy include (but are not limited to) the following:

- Unwanted physical contact, ranging from an invasion of space to an assault, including all forms of sexual harassment, including:
 - i. Inappropriate body language
 - ii. Sexually explicit remarks or innuendos
 - iii. Unwanted sexual advances and touching
- Offensive comments or body language, including insults, jokes or gestures and malicious rumours, for example on the basis of race and religion or belief.
- Open hostility, verbal, or physical threats.
- Insulting, abusive, embarrassing, or patronising behaviour or comments, humiliating, intimidating, and/or demeaning criticism.
- Persistently shouting at, insulting, threatening, disparaging, or intimidating an individual.
- Constantly criticising an individual without providing constructive support to address any performance concerns.
- Persistently overloading an individual with work that the individual cannot reasonably be expected to complete.
- Posting offensive comments on electronic media, including using mobile communication devices.
- Threatening to disclose, or disclosing, a person's sexuality or disability to others without their permission.



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- Deliberately using the wrong name or pronoun in relation to a transgender or non-binary person, or persistently referring to their gender identity history.
- Isolation from normal work or study place, conversations, or social events.
- Publishing, circulating, or displaying pornographic, racist, homophobic, sexually suggestive, or otherwise offensive pictures or materials.

Many of these examples of behaviour may occur through the use of the internet, email, social networking sites or telephone.

4.2 Stalking may also be a form of harassment and may be characterised by any of the following repeated and unwanted behaviours:

- Following a person.
- Contacting or attempting to contact, a person by any means.
- Publishing any statement or other material –
 - Relating or purporting to relate to a person, or,
 - Purporting to originate from a person.
- Monitoring the use by a person of the internet, email, or any other form of electronic communication.
- Loitering in any place (whether public or private).
- Interfering with any property in the possession of a person.
- Watching or spying on a person including through the use of CCTV or electronic surveillance.

4.3 The official body ACAS (the Advisory Conciliation and Arbitration Service), in its guide for Handling a Bullying, Harassment or Discrimination Complaint at Work, offers examples of behaviour which might amount to harassment and bullying:

Harassment



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By law, harassment is when bullying or unwanted behaviour is related to any of the following (known as 'protected characteristics' under the Equality Act 2010):

- Age
- Disability
- Gender reassignment
- Race
- Religion or belief
- Sex
- Sexual orientation

Pregnancy and maternity are different from the other protected characteristics, in how the law on harassment treats them.

The person being harassed might feel:

- Disrespected
- Frightened
- Humiliated
- Insulted
- Intimidated
- Threatened
- Undermined

For it to count as harassment, the unwanted behaviour must have either:

- Violated the person's dignity, whether it was intended to do so or not
- Created an intimidating, hostile, degrading, humiliating, offensive environment of the person, whether it was intended or not.

The law on harassment also applies to:



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- A person being harassed because they are thought to have a certain protected characteristic when they do not
- A person being harassed because they are linked to someone with a certain protected characteristic
- A person who witnesses harassment, if what they have seen has violated their dignity or created an intimidating, hostile, degrading, humiliating or offensive working environment for them.

The law on harassment does not cover marriage and civil partnership.

Bullying

Although there is no legal definition of bullying, it can be described as unwanted behaviour from a person or group that is either:

- Offensive, intimidating, malicious or insulting
- An abuse or misuse of power that undermines, humiliates, or causes physical or emotional harm to someone

Bullying might:

- Be a regular pattern of behaviour or a one-off incident
- Happen face-to-face, on social media, in emails or calls
- Happen at work or in other work-related situations
- Not always be obvious or noticed by others

Examples of bullying could include:

- Spreading malicious rumours about someone
- Consistently putting someone down in meetings
- Deliberately giving someone a heavier workload than everyone else
- Excluding someone from team social events
- Someone consistently undermining their manager's authority



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- Putting humiliating, offensive, or threatening comments or photographs on social media and on College noticeboards.

Sometimes bullying might be classed as harassment if it is related to certain 'protected characteristics' under discrimination law (Equality Act 2010).

Bullying that is not classed as harassment could still lead to other issues, for example if it contributes towards constructive dismissal.

Most of the above examples are as relevant (directly or by analogy) to students who are concerned about possible harassment, as to academic and non-academic staff, while all are relevant to academic and non-academic staff.

- 4.4 Examples of unacceptable behaviour (and by way of contrast of good practice) that are specific to particular contexts such as the teaching relationship at the undergraduate or graduate level, or the management relationship between staff members, are set out below. Teaching examples take account of guidance in other Oxford colleges. It should be noted that many of these examples could be applied equally well by analogy to other contexts. The format is a Q&A format.

Question: *Although I have made it very clear that I am uncomfortable with this behaviour, my tutor persistently asks me personal questions unrelated to my work and sits very closed to me at tutorials. Is this harassment?*

Answer: This is unwanted and unwarranted behaviour which is affecting your quality of life because you find it offensive or humiliating, and it therefore constitutes harassment.

Question: *I feel as though my tutor is always critical of me in tutorials and/or of my written work. Does this amount to harassment?*

Answer: (1) Your tutor will clearly have high expectations as regards academic standards. Sometimes, what you may perceive as criticism of you will be the direction of these high expectations towards your academic work. So, provided that



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the way in which your tutor expresses views about your work is proper, fair, and reasonable, the comments you may perceive as criticism are unlikely to amount to harassment.

(2) However, it is particularly important for tutors to bear in mind that not all students will have high levels of confidence in their academic work, and that criticism of a student's work may, in some cases, greatly affect a student's feeling of self-worth.

(3) If you are feeling troubled, unhappy, or humiliated about your tutor's behaviour or manner towards you, you may wish to talk the matter through. It may be possible to speak with the tutor in questions about your feelings. If this would not be appropriate, you may wish to speak with one of the College's Harassment Advisors.

It is good practice for a tutor to ensure that criticism of academic work is offered in a friendly and supportive way which does not give the impression that a student is considered at fault simply because they have not achieved a particular standard in oral contribution to a tutorial or in written work. This does not mean however that a tutor should not express in a direct way any genuinely held doubts the tutor may have as to whether a student has undertaken sufficient preparation for a tutorial or for a piece of written work. For the relationship between a tutor and students in a tutorial group to work, there has to be effort on both sides.

Question: *I am a graduate student, and my supervisor regularly sends emails to others about me in which jokes are made about my personal appearance. Is this harassment?*

Answer: This will be regarded as harassment if the jokes are perceived as humiliating or insulting.

Question: *My supervisor constantly sets targets for me to complete work and when I fail to complete on time, they use it as an opportunity to criticise me in front of colleagues/other students. Is this harassment/bullying?*



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Answer: Whilst the setting of reasonable targets which you are not able to meet does not constitute harassment, using this failure as an opportunity to criticise and to denigrate your work in front of others may be a form of harassment/bullying.

The above examples taken from the teaching/research supervision context reveal a pervasive issue for any organisation in which it falls to some individuals to manage and supervise the performance of others – how to avoid the effective management of performance being perceived as, or amounting to, harassment or bullying? These examples may also be applicable by analogy to the management of non-academic staff in the College. The following example is expressly concerned with the management of staff but its message is essentially the same as that conveyed from the examples set in the teaching/research supervision context. Equally, any clarification of what behaviour is acceptable or unacceptable in the employment context is applicable by analogy in the teaching/research supervision context.

Question: *I feel as though my manager is unnecessarily critical when reviewing my work and/or I sometimes feel bullied by their instructions to me. Does this amount to harassment?*

Answer: (1) Reviewing your performance is an important part of your manager's role, and an important function of any performance review is to identify areas that require improvement and discuss possible ways of attaining such improvement. Provided a performance review is carried out in a proper, fair and reasonable way, comments which amount to criticism or which you may perceive as criticism will not amount to harassment.

(2) It is also the job of your manager to provide you with instructions and training. Clearly there will be times where your manager will be able to sit down with you and explain their instructions fully. At other times, they may be under pressure and may not be able to devote time to explaining matters to you as clearly as might be desired. Provided that instructions are given in a proper, fair, and reasonable way, and in appropriate circumstances, they will not amount to harassment, since a reasonable person would not consider the behaviour of the manager to be humiliating or intimidating. However, if your manager's behaviour does not meet these standards, and you are feeling troubled, unhappy or humiliated about your line manager's behaviour or manner towards you, you should seek to address and



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resolve these matters. It may be possible to talk things through with your manager but, if you feel unable to do so, or consider that this would not be appropriate, or would like to do so with the support of a third party, you may wish to speak to the HR Manager or one of the College's Harassment Advisors.



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5. Application of the Policy – Informal Process

- 5.1 There is a general consensus in the employment and university sectors that it is good practice to make available informal procedures for raising and resolving concerns and potential formal complaints concerning harassment as well as formal procedures for investigating cases of harassment and, if appropriate, imposing disciplinary sanctions. It is accepted that such informal procedures will not be appropriate in all cases.
- 5.2 One of the advantages attributed to informal resolution of cases of possible harassment is that informal resolution focuses on the fact that the behaviour of one person has had an adverse effect on the work and/or quality of life of another person and seeks to rectify the situation, rather than focusing on whether the “charge” of harassment can be made out, and an appropriate penalty applied. The object of the informal resolution is to ensure that there is no recurrence of the behaviour which has caused the offence, and where the complainant has been disadvantaged as a consequence of the behaviour in question, that the situation be redressed as far as possible to their satisfaction, whether by formal apology or otherwise.

Informal resolution focuses on advice, discussion, and mediation/conciliation. An indication of concern or an informal complaint may be brought to a conclusion that is satisfactory to all concerned without a definitive ruling that harassment or bullying or indeed any disciplinary offence at all has been committed. It is also believed that a person with concerns about the behaviour of another might be deterred if the only option is making a formal complaint to a person with disciplinary authority. For the avoidance of doubt, as noted above, informal procedures are not appropriate in all cases and will not provide an appropriate solution in clear cut cases of serious harassment, which instead are likely to proceed by way of a formal complaint and to involve disciplinary proceedings of an appropriate kind. The informal procedures provided at College level are (1) confidential counselling and support from appropriately trained Harassment Advisors, and (2) mediation undertaken by Harassment Advisors. It may not initially be clear whether informal or formal procedures will provide the solution to concerns about possible harassment, and anybody who has such concerns should not hesitate to talk to one of the College’s Harassment Advisors.



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5.3 Confidential Counselling from Harassment Advisors with Appropriate Training

Informal procedures for addressing and resolving harassment concerns include the ready availability of confidential advice by Harassment Advisors with the experience and/or training to be capable of providing appropriate advice to an aggrieved person and to assist an aggrieved person in following informal or formal procedures to address their concerns in the most appropriate and effective way.

5.4 It is important that those entrusted with a counselling or advisory role in respect of harassment issues receive appropriate training, and it is College policy (provided for in by-law 6, section 25) that the College's Harassment Advisors receive such training.

5.6 Mediation or Conciliation

Informal procedures for addressing and resolving harassment concerns may include mediation or conciliation. The following section borrows from ACAS documentation and therefore refers explicitly to the workplace, but the principles apply to broader college contexts, including the college as a place where people live and socialize. ACAS defines and comments upon mediation as follows:

Mediation is a way to mend relationships when there is a disagreement at work. Mediation is held by a neutral person (a 'mediator'). The mediator is impartial. This means they do not take sides. They are there to help everyone involved find a solution they can all agree to.

Mediation is a quick way to resolve disagreement at work and is:

- *Less formal*
- *Flexible*
- *Voluntary*



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- *Confidential*
- *Usually not legally binding*

Mediation helps to mend workplace relationships by:

- *Finding solutions that everyone agrees to*
- *Improving communication*
- *Allowing everyone involved to have control of what is finally agreed*

There are many benefits of mediation. For example, mediation can help to:

- *Reduce stress*
- *Keep valuable employees*
- *Avoid more formal processes, such as going to employment tribunal*
- *Stop more grievances being raised*
- *Avoid paying high costs, for example employment tribunals*

Mediation outcomes are decided by everyone involved and can be flexible. Outcomes might include:

- *An acknowledgement of each party's views*
- *A commitment to change behaviour*
- *A commitment to regularly review the agreement reached*
- *An agreement to review policies and procedures*
- *An agreement to share work more fairly and provide more responsibility*

If you do not want to take part in mediation, you do not have to.

Mediation is voluntary and confidential. The mediator will agree with everyone involved what information can be shared outside the mediation and how. If you do not reach an agreement, anything that has been said during the mediation must be kept confidential and cannot be used in future procedures.



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You can use mediation to resolve:

- *Bullying and harassment*
- *Communication problems*
- *Personality clashes*
- *Relationship breakdowns*

The above definition describes what is commonly understood to be mediation in the context of (a) good practice in the workplace as endorsed by official bodies, (b) the University's Harassment Policy (where mediation is available in cases of possible harassment by academic or non-academic staff) and (c) the documents on harassment policy adopted by Oxford colleges which make provision for mediation.

6. Initial Informal Action – Application of the Policy

- 6.1 If you have been the subject of behaviour which you think might amount to harassment, you may if you wish speak to one of the Senior Welfare Officers, both of whom also act as Harassment Advisors, or two one of the two Senior Member Harassment Advisors. They may be able to ensure that your concerns are resolved informally. They may also give advice on formal disciplinary procedures and assist you in initiating such procedures. Please see Point 7.2 below for further details.

7. University's Harassment Advisor Network

- 7.1 The University has a harassment advisor network which operates both at University and College level. There are approximately 447 harassment advisors across departments and faculties within the University. Details of the harassment advisors are posted on departmental and faculty office notice boards and websites. There are also confidential advisors appointed within the colleges.
- 7.2 At St Edmund Hall, we have four confidential harassment advisors, two of whom are members of non-academic staff, who also hold the role of Senior



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Welfare Officer and two of whom are Fellows (they are designated Senior Member Harassment Advisors). In general, junior members should approach one of the Senior Welfare Officers for harassment advice in the first instance. Other members of our community may approach whichever Harassment Advisor they feel most appropriate in the circumstances. Given that the individuals holding the role of harassment advisors may change from time to time, they are not named in this policy, but will be clearly identified on the College web site and by other means.

7.3 The University website describes what these advisors can do, and what they cannot do. The **harassment advisor** can:

- Deal with your case with the utmost confidentiality unless, exceptionally, an individual is considered to be at risk of serious harm. They would normally discuss this with you first.
- Listen.
- Be non-judgemental
- Guide you through the University or the relevant college Policy and Procedure on Harassment and Bullying.
- Clarify the options open to you and support you in resolving the matter informally where possible.
- Signpost you on to other agencies or support systems where appropriate.

Harassment Advisors provide similar support to those who have been accused of harassment, however, the same Advisor will not support both parties in a case.

The harassment advisor cannot:

- Make statements to the effect that particular behaviour definitely constitutes harassment that will lead to disciplinary action or to the effect that a particular behaviour is NOT harassment.
- Approach the alleged harasser in an attempt to mediate or resolve the matter for you.
- Act as your representative or advocate, or



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- Be involved in any formal stage of the process, be it in writing the formal complaint, the investigation, disciplinary or grievance procedures, except by way of giving you the support you need during this time.

7.4 You may wish to inform a person whose behaviour you believe might amount to harassment how you feel about their behaviour and to discuss the matter with that person. One of the harassment advisors will go with you if that seems the right thing to do after discussing the matter with you. You are not expected to approach a person whose behaviour you think might amount to harassment without support unless you feel comfortable in doing so and you are not expected to approach the person at all unless you are sure that that is what you want to do.

8. Senior Member Harassment Advisors

8.1 The Senior Member Harassment Advisors are Fellows of the College. They can do all the things that the College's Senior Welfare Officers can do, and which are set out above, with the addition of the option of mediation (which is described above) if this seems a possible way forward, after discussion with those concerned. The current SMHAs are named on the college website.

9. The Advisory Panel on Harassment

9.1 The College's Harassment Advisors (the Senior Welfare Officers and the Senior Member Harassment Advisors) and HR Manager together form the Advisory Panel on Harassment. The Panel will upon request provide advice and support to its individual members, with due regard for confidentiality and in accordance with the wishes of any individual who has consulted one of the Harassment Advisors.

9.2 The Panel may also at any time offer such advice or make such suggestions to College Officers, or to the Governing Body, as it considers appropriate. The Panel elects one of its number as chair, and that person takes responsibility for ensuring that College policy and its relationship with



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University policy in particular be kept under constant review, and that references in College policy to University policy be kept up to date.

- 9.3 The chair of the Advisory Panel on Harassment reports annually to the GB (making such recommendations as it might think appropriate) on inter alia (1) the following of appropriate procedures as regards possible cases of harassment; (2) the training of relevant personnel; (3) the need for any changes in policy and procedure; and (4) the number of persons who have sought advice from the harassment advisors in the year in question. It follows from this that appropriate records should be kept by the panel members, consistent with College policy on data protection and storage.

10. Application of the Policy – Formal Action

- 10.1 Harassment Advisors will provide advice and support to any person considering using one of the formal procedures referred to below. In situations where a person feels strongly that a formal procedure is the right procedure to follow, it is open to that person to seek the support of one of the Harassment Advisors in approaching the Dean, or the Domestic Bursar, or the Principal or the Vice-Principal, in accordance with the procedures described below. While the principles are the same, the framework for investigation and for any disciplinary action varies for different categories of member of the college community, in accord with terms of their membership, employment status, etc. In all cases, those conducting investigations will endeavour to do so expeditiously and will aim to keep complainants informed as to the state of the investigation.
- 10.2 The presence of aggravating features may cause the harassing conduct to be more harshly judged: (a) being under the influence of alcohol or otherwise intoxicated will not be admitted as an excuse for harassment, and may be regarded as an aggravating feature; (b) harassing conduct will be judged as worse if motivated by hostility on account of a protected characteristic; (c) conduct will be judged as worse if characterised by an abuse of the trust reposed in the accused by the complainant, or abuse of a position of authority, as for example that of a tutor or supervisor or line manager.



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10.3 Possible Harassment by an Undergraduate or Graduate

Any person with concerns that the behaviour of an undergraduate or graduate might amount to harassment, may bring the matter to the attention of the Dean, whether via an informal or formal complaint. The Dean may, after making such enquiries as they consider appropriate in the circumstances, take steps to bring about informal resolution of the situation which has arisen, without taking disciplinary action. The aim of any informal steps taken by the Dean will be to ensure that there is no recurrence of the behaviour which has caused offence, and where the complainant has been disadvantaged as a consequence of the behaviour in question, that the situation be redressed as far as possible to their satisfaction, whether by formal apology or otherwise. The Dean may however initiate disciplinary action if they consider that the conduct of the person concerned justifies it. If the Dean considers that the conduct in question could if proved lead to serious disciplinary action, they may refer the matter to the Principal for the purpose of convening a Disciplinary Panel. The remit of the Dean and the composition, powers and procedures of the Disciplinary Panel are set out in the College By-Laws and are referred to in the Grey Book (the document entitled *Information and Regulations for Junior Members*). As a further reminder, it is open to students to pursue a harassment complaint that occurs within a University context (which can overlap with the College context: see section 2.2 of this Harassment Policy) via the University. See also the university's policy at:

<https://academic.admin.ox.ac.uk/files/harassmentpolicyandproceduremt14finalpdf#:~:text=1.-.The%20University%20does%20not%20tolerate%20any%20form%20of%20harassment%20or,with%20respect%2C%20courtesy%20and%20consideration.>

10.4 Possible Harassment by a Senior Member of the College

Any person with concerns that the behaviour of a **Fellow** (which includes both non-Governing Body Fellows and members of the Governing Body of the College and includes officers such as the Vice Principal, the Senior Tutor,



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and the Bursars) might amount to harassment, may bring the matter to the attention of the Principal in writing. The Principal has specific responsibility in respect of Fellows in relation to disciplinary matters (this includes the giving of an oral and written warnings, non-compliance with which might lead to reference to the Academic Disciplinary Committee, and immediate reference to the Academic Disciplinary Committee in the event of conduct which might justify dismissal). These disciplinary powers might be exercised in a case of possible harassment committed by a Fellow.

- 10.5 The Principal may (either as an alternative to disciplinary action or as a step which does not rule out disciplinary action), arrange to meet with the Fellow whose conduct has given cause for concern on an informal basis to explore the situation and to consider what action can be taken to improve their behaviour. The Principal may appoint a colleague to conduct the informal discussions with the person concerned, either with the Principal or alone. The informal discussion shall not be viewed as a disciplinary act but as an opportunity to explore together any problems that appear to have arisen and consider solutions that may be available. The Principal may propose to the complainant and to the Fellow whose behaviour has given cause for concern what steps must be taken by that Fellow if further consideration of disciplinary action (including an oral or written warning) is to be avoided.
- 10.6 In the case of possible harassment of **the Principal by a Fellow** it would be appropriate for the Principal to declare themselves unable to act in a disciplinary capacity, and to call upon the Vice Principal to act instead in taking forward any necessary disciplinary proceedings. If the Vice Principal were for any reason considered unable to act, any appropriate senior Fellow (including any such Emeritus or Honorary Fellow) might be called upon to act instead.
- 10.7 In the case of possible harassment by **the Principal**, the complainant should approach the Vice Principal or one of the Senior Member Harassment Advisors. If a complainant approaches the Vice Principal and the Vice Principal considers it more appropriate that the matter be considered by one of the Senior Member Harassment Advisors, or an Emeritus Fellow or Honorary Fellow identified in advance to undertake such a role by the Governing Body, they shall refer the matter to one of those Advisors. In such



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a case the Principal may request that the Vice Principal or the Senior Member Harassment Advisor concerned should consult any Emeritus or Honorary Fellow who has been identified in advance to undertake such a role by the Governing Body.

10.8 Possible Harassment by a Non-Academic Member of Staff

Any person with concerns that behaviour of a member of non-academic staff might amount to harassment, may bring the matter to the attention of the Domestic Bursar. Harassment is a disciplinary offence under the terms of the Employee Handbook, which lays down the procedures which are to be followed, and the disciplinary action which might be taken, including formal warnings and dismissal. The Domestic Bursar will explain to the person concerned how to make a formal complaint (which is made in writing) and will also explain what the procedure laid down in the Employee Handbook will entail. The procedure provides for investigation of the complaint with safeguards for both the complainant and the person complained against. The Domestic Bursar will not assist in making the written complaint because they may be involved in any later disciplinary proceedings against the person whose conduct has given cause for concern, but the Domestic Bursar will explain that the complainant is entitled to the support of the College Harassment Advisors and may recommend that the complainant seek advice from them at once. The Domestic Bursar will record this recommendation, communicate it to the College Harassment Advisors, in confidence, but with the knowledge of the complainant. If the Domestic Bursar considers that for any reason the complaint raises questions which must be addressed urgently, they with the consent of the complainant, contact the chair of the Harassment Advisory Panel, who will ensure that the complainant is given necessary advice and support at once.

10.9 The Domestic Bursar may, without prejudice to the right of the complainant to make a written complaint under the disciplinary procedures in the Employee Handbook, recommend both to the complainant and to the member of staff whose conduct has given cause for concern, that they individually approach one of the Senior Member Harassment Advisors, or the HR Manager, with a view to possible mediation as regards the conduct which has given cause for concern. If both parties accept this recommendation,



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the Domestic Bursar will, with the knowledge of those parties, record this recommendation, and communicate it to the relevant College Harassment Advisors.

11. Conflicts of Interest

- 11.1 In some circumstances, an individual with responsibility for dealing with complaints of harassment may find themselves with a possible conflict of interest because they are actually the complainant or are otherwise too closely involved in the situation to ensure that the College's policy and rules are followed. In the event of a clear conflict of interest, that individual should pass the complaint to an appropriate senior colleague. Advice might be sought by that individual or by any person concerned from the Chair of the panel of the Harassment Advisors.

12. Harassment by Any Other Person

- 12.1 The College expects and takes steps to ensure that its Policy on Harassment will be complied with and taken into account by all those who are subject to the College by-laws and/or to the rules in the Employee Handbook. It is also the College's policy that any person engaged to provide teaching for the College on College premises (for example a College lecturer), or to provide other services for the College, or permitted to volunteer for the College, in any role (such as a sports coach) which brings contact with members of the College, or of non-academic staff, or guests of the College, or members of the public, or old Members must be informed that compliance with the College's Policy on Harassment is a feature of such engagement or volunteering. While the ability of the College to control the behaviour of guests of and visitors to the College, including members of the public, may in practice be limited, it will nevertheless take whatever action it can to address any possible harassment in College by such persons.
- 12.2 Any person who has concerns that the behaviour of another person, on College premises, or at an event or in the course of an activity organised by the College, might amount to harassment, is not expected to undertake



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enquiries as to the status of that person, before seeking assistance from the College authorities. Any person may approach the Dean, or any one of the Harassment Advisors, or their Line Manager (as appropriate) with their concerns, and the Dean, or the Harassment Advisor in question will provide advice as to what happens next, and support in taking any steps necessary to resolve the situation which has arisen. In the event of behaviour of a person who appears to be a member of the public on College premises giving cause for concern for whatever reason, the Porters Lodge should be informed.

13. What should peer supporters and other students such as the JCR and MCR Welfare Officers do if they are asked for advice about harassment issues?

13.1 The College is aware that harassment issues might come to the attention of student peer supporters, or to the attention of JCR or MCR Welfare Officers. The College does not expect such persons to take on the role of informal harassment advisors and advises that they do not do so. Nevertheless, individuals with harassment concerns may choose to confide in peer supporters or others such as JCR or MCR Welfare Officers. The College accordingly advises such persons to familiarise themselves with the college's policy on Harassment, and to urge any person with harassment concerns to consult one or other of the College's Harassment Advisors.

14. Additional considerations

14.1 The College aims to do more than reduce the risk of harassment for those who study and work within it. Its aim is to promote behaviour that is not only acceptable but amounts to *good or best practice* in all contexts relevant to the College community. That is why the College's policy on Harassment is not simply a list of prohibitions and procedures, but includes a commitment to a culture of dignity, respect, and mutual support (section 1.1). All members of the college community are encouraged to ask themselves whether their daily interaction with other members of the college contributes to such a culture or undermines it.



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- 14.2 The college should keep under review other policies and documents concerning various aspects of college life focussed on promoting good practice as outlined in the previous clause.
- 14.3 The College considers that workshops and seminars should be organised from time to time, not only on best practice for the management of performance (academic or workplace), but also on best practice in the daily interaction which takes place between all who study and work in the College. These workshops and seminars would cover harassment issues, but with the emphasis on achieving the conduct, behaviour and culture in which harassment cannot thrive, rather than on definitions of harassment, and on procedures for addressing it.

Version Control:

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