

## 40. REGULATIONS AND PROCEDURES ON HARASSMENT

*Please note that this is a newly adopted policy and is subject to further amendments.*

Harassment, which is defined in paragraph (2) below, is an unacceptable form of behaviour. Christ Church is committed to protecting Members, Employees, and any other person for whom the College has a special responsibility from any form of harassment which might inhibit them from pursuing their work or studies or from making proper use of College facilities, or substantially reduce their quality of life. Complaints of harassment will be taken seriously and may lead to disciplinary proceedings.

The Harassment Officers of the College are the Junior Censor and Dr Bose, from whom advice on the operation of these regulations and procedures may be sought at any stage.

Two members of the Governing Body are appointed to deal with conciliation procedures (paragraph (3) of the Procedures on Harassment, below): in 2016/17 they are the Junior Censor and Professor Stephanie Cragg. In case of any possible conflict of interest or other difficulty at this stage of the procedures, the Governing Body has appointed Professor Ian Watson as alternate for the Junior Censor, and Professor Sarah Rowland-Jones as alternate for Professor Stephanie Cragg.

Christ Church's Harassment Policy is set out below.

### **Introduction**

1. Christ Church does not tolerate any form of harassment or victimisation and expects all members of the College community, its visitors and contractors to treat each other with respect, courtesy and consideration.
2. The College is committed to fostering an inclusive culture which promotes equality, values diversity and maintains a working, learning and social environment in which the rights and dignity of all members of the College community are respected.
3. The aims of the College as reflected in this Policy are to:
  - a) Promote a positive environment in which people are treated fairly and with respect;
  - b) Make it clear that harassment is unacceptable and that all members of the College have a role to play in creating an environment free from harassment;
  - c) Provide a framework of support for staff and junior and senior members who feel they have been subject to harassment; and
  - d) Provide a mechanism by which complaints can wherever possible be addressed in a timely way.
4. Members of Governing Body and those in positions of authority, such as College Officers, heads of administrative departments and all other managers, have formal responsibilities under this Policy and are expected to familiarise themselves with the Policy and Procedures on appointment. All College Officers, heads of department and equivalent have a duty to implement this Policy and to make every effort to ensure

that harassment and victimisation do not occur in the areas for which they are responsible and that, if they do occur, any concerns are investigated promptly and effectively.

5. All members of the College community have the right to expect professional behaviour from others, and a corresponding responsibility to behave professionally towards others. All members of the College community have a personal responsibility for complying with this Policy and Procedure and must comply with and demonstrate active commitment to this Policy by:
  - a) Treating others with dignity and respect;
  - b) Discouraging any form of harassment by making it clear that such behaviour is unacceptable; and
  - c) Supporting any member of the College who feels they have been subject to harassment, including supporting them to make a formal complaint if appropriate.

### **Definitions**

6. A person subjects another to **harassment** where they engage in unwanted and unwarranted conduct which has the purpose or effect of:
  - violating another person's dignity, or
  - creating an intimidating, hostile, degrading, humiliating or offensive environment for another person (Statute XI: University Discipline, [www.admin.ox.ac.uk/statutes/352-051a.shtml#\\_Toc28142342](http://www.admin.ox.ac.uk/statutes/352-051a.shtml#_Toc28142342)).The recipient does not need to have explicitly stated that the behaviour was unwanted.
7. Freedom of speech and academic freedom are protected by law though these rights must be exercised within the law. Vigorous academic debate will not amount to harassment when it is conducted respectfully and without violating the dignity of others or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.
8. **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.
9. The College seeks to protect any member of the College community from **victimisation**, which is a form of misconduct which may itself result in a disciplinary process. The College will regard as victimisation any instance where a person is subjected to detrimental treatment because they have, in good faith:
  - a) made an allegation of harassment, or
  - b) indicated an intention to make such an allegation, or
  - c) assisted or supported another person in bringing forward such an allegation, or
  - d) participated in an investigation of a complaint, or
  - e) participated in any disciplinary hearing arising from an investigation, or
  - f) taken any other steps in connection with this Policy and Procedure, or
  - g) is suspected of having done so.

### **Behaviours**

10. Harassment may involve repeated forms of unwanted and unwarranted behaviour, but a one-off incident can also amount to harassment.
11. The intentions of the alleged harasser are not always determinative of whether harassment has taken place. The perception of the complainant and the extent to which that perception is in all the circumstances reasonable will also be relevant.
12. Being under the influence of alcohol, drugs or otherwise intoxicated is not an excuse for harassment.
13. Harassment can take a variety of forms:
  - a) Through individual behaviour
    - face to face, either verbally or physically
    - through other forms of communication, including but not limited to, written communications and communications via any form of electronic media or mobile communications device: such behaviour may also amount to a breach of the University's (and therefore the college's) regulations relating to the use of Information Technology Facilities
    - directly to the person concerned, or to a third party
  - b) Through a prevailing workplace or study environment which creates a culture which tolerates harassment or bullying, for example the telling of homophobic or racist jokes.
14. Examples of behaviour which **may** amount to harassment under this Policy include (but are not limited to) the following:
  - a) unwanted physical contact, ranging from an invasion of space to an assault, including all forms of sexual harassment, including:
    - inappropriate body language
    - sexually explicit remarks or innuendoes
    - unwanted sexual advances and touching
  - b) offensive comments or body language, including insults, jokes or gestures and malicious rumours, open hostility, verbal or physical threats: these include all forms of harassment and abuse on the grounds of disability, race or sexual orientation
  - c) insulting, abusive, embarrassing or patronising behaviour or comments
  - d) humiliating, intimidating, and/or demeaning criticism
  - e) persistently shouting at, insulting, threatening, disparaging or intimidating an individual
  - f) constantly criticising an individual without providing constructive support to address any performance concerns
  - g) persistently overloading an individual with work that they cannot reasonably be expected to complete
  - h) posting offensive comments on electronic media, including using mobile communication devices
  - i) threatening to disclose, or disclosing, a person's sexuality or disability to others without their permission
  - j) deliberately using the wrong name or pronoun in relation to a transgender person, or persistently referring to their gender identity history
  - k) isolation from normal work or study place, conversations, or social events

- l) publishing, circulating or displaying pornographic, racist, homophobic, sexually suggestive or otherwise offensive pictures or other materials.

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

- a) following a person;
- b) contacting, or attempting to contact, a person by any means;
- c) publishing any statement or other material –
  - Relating or purporting to relate to a person, or
  - Purporting to originate from a person;
- d) monitoring the use by a person of the internet, email or any other form of electronic communication;
- e) loitering in any place (whether public or private);
- f) interfering with any property in the possession of a person;
- g) watching or spying on a person including through the use of CCTV or electronic surveillance.

### **Application of the Policy**

16. Harassment is a serious offence. Any member of the College community who feels they have been subject to harassment can make a complaint via the appropriate Procedure: see Annexe A for the Procedure in relation to complaints about staff/senior members; and Annexe B for the Procedure in relation to complaints about students.

17. When a criminal offence may have been committed, the relevant harassment Procedure may not be appropriate. These cases will include, but not be limited to, serious assault or threat of serious assault. Junior Members can seek advice from the Junior Censor, and/or the College Chaplain and Welfare Co-ordinator and/or approach the Police directly; and staff members can seek advice from the Steward, the College Chaplain and Welfare Coordinator and/or approach the Police directly. Further guidance on dealing with cases of sexual assault or sexual violence is available from the University at:  
[www.admin.ox.ac.uk/eop/harassmentadvice/policyandprocedure/guidance/](http://www.admin.ox.ac.uk/eop/harassmentadvice/policyandprocedure/guidance/).

1. Any member of the College community who feels they have been subject to harassment can also contact the University Harassment Advisory Service, or their local Harassment Advisor, for support. The Service is also available to those against whom an allegation of harassment has been made. Other sources of help and advice can be found at: [www.admin.ox.ac.uk/eop/harassmentadvice.shtml](http://www.admin.ox.ac.uk/eop/harassmentadvice.shtml)

2. If a complainant is deemed to have known or to have reasonably been expected to know that a complaint was unfounded, the allegation of harassment may be judged to be vexatious or malicious, and disciplinary action may be taken against them. No action will be taken if a complaint which proves to be unfounded is judged to have been made in good faith.

20. All parties involved in a complaint (including any witnesses who may be interviewed as part of any investigation, or trade union representatives supporting any of the parties) should maintain the confidentiality of the process. Those involved in advising complainants should, where possible, seek the consent of the individual for the

onward disclosure of relevant information to those with a clear need to know. Where such consent is not forthcoming, the person entrusted with the information should make it clear that, in exceptional circumstances, it may be necessary to disclose the information, taking account of the duty of care which may be owed to the individual and/or others.

## **Procedures**

### **A. COMPLAINTS OF HARASSMENT AGAINST COLLEGE PERSONNEL**

1. Senior Members, Academic and Non-Academic Staff will be referred to as College staff or simply staff.
2. The Procedure below applies in all cases where the person who is the subject of the complaint is a member of College staff.
3. Where the complainant is a Junior Member, support during this process will be provided by the Welfare Team - <http://www.chch.ox.ac.uk/current-students/welfare-support-christ-church>

#### *Initial action*

4. The Procedure below assumes that the individual has not been able first to resolve the issue through an informal approach. If a member of staff wishes to seek informal resolution, they should approach their immediate supervisor, a senior departmental colleague or equivalent to ask for help in achieving a resolution to the problem. Junior Members should seek support from the Welfare Team. All College Personnel can contact the College Harassment Advisors for support. At no time should a member of the College feel obliged to approach an alleged harasser.
5. In some situations, it may be appropriate to ask the parties to consider entering into a mediation or conciliation process. Although mediation or conciliation may be attempted at any time before or after a formal investigation, it may be particularly helpful if it is considered at an early stage before the formal procedure is invoked.
6. In the case of a complaint involving two members of staff, an experienced mediator or conciliator acceptable to both parties can be appointed – the University’s Equality and Diversity Unit (EDU) has access to a pool of trained mediators. In the case of a complaint involving a member of staff and a junior member, a College Officer may seek advice from the EDU - 01865 270760 or email [harassment.line@admin.ox.ac.uk](mailto:harassment.line@admin.ox.ac.uk), and/or the Director of Student Welfare and Support Services as appropriate. The mediator or conciliator will meet with the parties separately and as soon as practicable to begin to seek a resolution. The normal expectation is that resolution would be achieved within 20 working days of the initial meetings with the parties (although this time limit may be extended by agreement). Any agreed outcome will normally be recorded in writing.
7. All those involved in the mediation or conciliation process must maintain appropriate confidentiality.

### *Complaints procedure*

8. If informal action does not succeed in resolving the situation, or would not be appropriate given the nature of the complaint, the complainant should make a written complaint to the Junior Censor, their Head of Department, the Steward or, if the complainant feels it is not appropriate to approach that person, another Senior College Officer. In cases where it is not immediately clear to whom a complaint should be addressed, or if the complainant feels it is not appropriate to approach a Senior College Officer, or wishes to make a complaint against a head of department or a senior College officer, advice may be sought from the Senior Censor or the Dean, or in the case of a Junior Members complainant from the Welfare Team, the EDU and/or the Director of Student Welfare and Support Services' office.

All Senior and Junior Members, and College staff can seek support from College Harassment Advisors throughout the complaints process. If the Junior Member or staff member does not feel comfortable contacting a College Harassment Advisor, they can contact the Harassment Line for details of another advisor (Tel. 01865 270760 or e-mail [harassment.line@admin.ox.ac.uk](mailto:harassment.line@admin.ox.ac.uk)).

### *Submission of the complaint*

9. When submitting the complaint the complainant should set out as clearly and succinctly as possible
  - a) the nature of the behaviour that they are concerned about;
  - b) the effect of this behaviour on them; and
  - c) the resolution they are seeking.

The complaint should include dates and details of any witnesses to any incidents referred to in the complaint, together with any documentary evidence. The complainant should also explain what attempts, if any, have been made to resolve the difficulties and the outcome they are seeking.

10. Every effort will be made to achieve a prompt resolution to the complaint – the aim being to conclude the investigation within a period of no more than six weeks. Both the complainant and the person who is the subject of the complaint will be expected to cooperate with the College in achieving that result. In exceptional cases, an investigation may take longer than six weeks, and both parties will be kept updated about the progress of the investigation.
11. Both parties to the complaint have the right to be accompanied and supported by a trade union representative or by a colleague of their choice from within the College at any meeting held under this procedure. If the complaint involves a Junior Member they may be accompanied by another Junior Member of the College or a member of the College's welfare team, a senior member of the College, or a member of staff from OUSU's Student Advice Service. These people must maintain appropriate confidentiality.
12. There may be circumstances in which an aggrieved party is not willing, or able, to make a formal complaint but senior members of the College consider that the implications for the aggrieved person or others actually or potentially affected are serious. This may include cases where other parties, but not the aggrieved party, have

made a complaint. In this case, the Dean or Senior Censor or other senior member may initiate an investigation and make a decision on further action on the basis of such evidence as is available.

*Action by the Head of Department, Senior Censor, the Steward, or other Senior Member (henceforth referred to as Head of Department etc) on receipt of a complaint*

13. On receipt of a complaint, the Senior Member or Head of Department will, in consultation with the Steward and/or the Censors take such steps as they think necessary or appropriate to understand the nature of the complaint and the outcome sought which may include:
  - a) informing the person against whom a complaint has been made of the allegations against him or her;
  - b) meeting separately with the complainant and the alleged harasser (at which meetings they should be provided with the right to be accompanied);
  - c) speaking to other relevant people on a confidential basis; and/or
  - d) obtaining further relevant information.
14. The Head of Department etc will then decide how to proceed and will inform the parties in writing. They may make such enquiries as are necessary to determine the complaint, or may commission an investigation, where circumstances preclude them from concluding the matter in a timely fashion.
15. The Head of Department etc may also determine that immediate interim action is necessary pending the outcome of a formal process.

*Investigation*

16. The purpose of an investigation is to establish the relevant factual evidence in connection with the allegation(s) made by the complainant.
17. As a general rule, the Investigator should not have had previous involvement with the issues in the case. The investigation should be concluded as soon as is reasonably practicable. The Investigator will prepare a report and may, if specifically requested to do so by the head of department, make recommendations on possible courses of action.
18. The head of department will inform the complainant and the person who is the subject of the complaint in writing (i) of the conclusions they have reached having reviewed the evidence, including any investigation report; (ii) of the action the Head of Department intends to take; and (iii) of the reasons for any such action.
19. The head of department will also inform any other parties who have been asked to participate in an investigation that the investigation has been concluded.

*Investigation procedure*

20. The procedure for an investigation will normally be as follows, but may be adapted by the Investigator to meet the needs of the case:
  - a) The Investigator will meet the complainant to confirm the details of the complaint.
  - b) The complaint as clarified will be forwarded to the person complained against together with any other relevant material that the Investigator has.

- c) The Investigator will interview, where reasonably practicable, individuals identified by the complainant as having relevant evidence.
- d) The Investigator will meet the person complained against to hear their response to the complaint and any further evidence that has come to light.
- e) The Investigator will interview, where reasonably practicable, individuals identified by the person complained against as having relevant evidence.
- f) Having considered all the evidence, including any relevant documents, the Investigator will prepare a written report of their findings, in relation to which they may check relevant sections in draft with the parties before finalising.
- g) The report will be forwarded to the head of department, usually with a copy to the Dean / Senior Censor and other relevant college officers, and, if the complainant is a junior member, normally to the Junior Censor. In cases involving junior members, consent should be sought from the complainant to inform their department if appropriate. The Junior Censor will ensure that appropriate support is available to junior members following an investigation.

*Possible outcomes of a complaint*

21. Depending on the nature of the complaint and the evidence found, including the findings of any investigation report, the head of department etc in consultation with College Officers and, in the event of a Junior Member complainant, the Welfare Team and/or the Director of Student Welfare and Support Services will either:
- a) Take no further action, other than, where appropriate, implementing or suggesting steps that would help to restore reasonable professional relationships between the parties.
- or
- b) Initiate resolution of the issues (e.g. by requiring that certain individuals undergo specific training, or implementing practical arrangements to improve professional relationships). If a successful resolution is achieved the case will be closed, but the situation will be monitored for an appropriate period.
- or
- c) Institute disciplinary proceedings where the head of department etc. is reasonably satisfied that there is evidence to support allegations of harassment of a sufficiently serious nature that should be further examined through the disciplinary process. In this event, the head of department etc. will determine what intermediate measures are necessary, including any re-allocation of duties, in consultation as appropriate with the relevant department.
- or
- d) In rare cases disciplinary action may be instituted against the complainant if the head of department etc. is satisfied that the complaint of harassment is unfounded and not made in good faith.

*Appeal from the head of department's decision*

22. If either party does not accept the outcome of the complaint (including any judgement that the complaint was vexatious), they may invoke the relevant grievance or complaint procedure within the time scales specified. If a junior member complainant is not satisfied with the outcome following the investigation of the formal written complaint, they may be able to apply to the Office of the Independent Adjudicator for Higher Education (OIA) for a review of the case. They must do so within three months of the date of the Completion of Procedures letter.

### *Confidentiality*

23. Information concerning allegations of harassment must so far as reasonably possible be held in confidence by those to whom it is divulged. Unnecessary disclosure of such allegations may attract disciplinary sanction. Information will be shared on a need-to-know basis, including as appropriate with the individual against whom a complaint is brought. Once a formal complaint is pursued, it is likely to be appropriate and/or necessary for certain information to be provided to others within the College, the University, or to external bodies.
24. Those to whom disclosure may be made outside the University include the police, the Office of the Independent Adjudicator (“OIA”) and the civil and criminal courts. The College will not normally report a matter to the police without the complainant’s agreement, except in those rare circumstances where there is sufficient evidence to suggest that an individual poses an extreme risk.

### *Records*

25. The College and all those involved in this process must comply with the principles of the Data Protection Act 1998. These include ensuring that personal data is kept accurate and up-to-date, held securely, and not kept for longer than necessary.
26. Those interviewed in the course of any investigation will be asked to review the notes of their individual discussions with the Investigator as soon as is reasonably possible in order to comment on any inaccuracies or omissions.
27. The Senior Censor and/or the Steward should be consulted about filing and retaining any notes and documents, all of which must be held in confidence.

## ***B COMPLAINTS OF HARASSMENT AGAINST JUNIOR MEMBERS***

1. This Procedure is designed to deal with Junior Members’ complaints of harassment by other Junior Members that arise in a College context. Complaints of harassment brought by Junior Members against college staff will be dealt with under the staff Procedure, with the Junior Members supported by the College’s Welfare Team.
2. If a member of College staff wishes to make a complaint of harassment against a Junior Member this will normally be considered as a disciplinary issue. In the first instance, a member of staff should seek support and guidance from the head of department who should consult the Student Welfare Lead and/or DSWSS as relevant.
3. This Procedure may not be applicable where the allegations are of behaviours that may attract criminal sanction. These cases may include, but are not limited to, serious assault or threat of serious assault. This Procedure therefore focuses on complaints of harassment which can be dealt with within the College environment. However, it also

includes the procedure for informing and receiving support from the College in cases where there is police involvement.

4. In serious cases, it is likely to be appropriate to proceed directly to stages 2 and 3 of this Procedure.

#### *Stage 1 - Informal action*

5. In some cases, a Junior Member who feels that they are being harassed by another Junior Member may feel able to approach the person in question to explain what conduct they find upsetting, offensive or unacceptable, and to ask that person to refrain from that behaviour. At no time should anyone feel obliged to approach an alleged harasser, and the College does not wish to suggest that a Junior Member who feels that they have been harassed is responsible for rectifying the situation. It may often be appropriate to proceed directly to stages 2 and 3 of the procedure.
6. Before taking informal action, the Junior Member could discuss the situation with a College Harassment Advisor. If they do not feel comfortable contacting a College Harassment Advisor, they can contact the Harassment Line for details of another advisor (Tel. 01865 270760 or e-mail [harassment.line@admin.ox.ac.uk](mailto:harassment.line@admin.ox.ac.uk)). Harassment Advisors will not approach the alleged harasser on behalf of an individual. Details of the role of the harassment advisor can be found at [www.admin.ox.ac.uk/media/global/wwwadminoxacuk/localsites/equalityanddiversity/documents/harassment/role.pdf](http://www.admin.ox.ac.uk/media/global/wwwadminoxacuk/localsites/equalityanddiversity/documents/harassment/role.pdf).
7. Other sources of advice when considering informal resolution include the Chaplain, the Nurse, members of the College Welfare Team, JCR and GCR Welfare officers, Peer Supporters, and OUSU's Student Advice Service (Tel. 01865 288466 or e-mail [advice@ousu.org](mailto:advice@ousu.org)).
8. These sources of support and advice are also available to students who have been accused of harassment.

#### *Stage 2 – The Welfare Team and University Support*

9. If informal action does not succeed in resolving the situation, or would not be appropriate given the nature of the behaviour, the Harassment Advisor and the Welfare Co-ordinator & Chaplain are available for support and advice to any Junior Member who feels that they are being harassed.  
Harassment Advisor – Mishtooni Bose - [mishtooni.bose@chch.ox.ac.uk](mailto:mishtooni.bose@chch.ox.ac.uk)  
Junior Censor – Brian Young - [brian.young@chch.ox.ac.uk](mailto:brian.young@chch.ox.ac.uk)  
Chaplain and Welfare Co-ordinator – Clare Hayns - [clare.hayns@chch.ox.ac.uk](mailto:clare.hayns@chch.ox.ac.uk)  
If they wish, students can also contact the EDU (01865 270760, email [harassment.line@admin.ox.ac.uk](mailto:harassment.line@admin.ox.ac.uk) and/or Director of Student Welfare and Support Services' office by email: [director.swss@admin.ox.ac.uk](mailto:director.swss@admin.ox.ac.uk)
10. The student making the complaint will be referred to a senior member trained in dealing with harassment cases. This Senior Member will be available to support the student throughout the process, including if they decide to move to [stage 3](#) and make a formal complaint, and will also provide support following the outcome of any formal complaint.. Actions taken will vary depending on the case. Actions taken may include:

- a) giving advice on options for ways to proceed, and helping the student to make decisions on the action they want to take
- b) referring the student to appropriate support services (such as the Student Counselling Service, Harassment Advisors and OUSU Student Advice Service).

Actions taken by the Welfare Team may include:

- c) facilitating a mediation or conciliation process between the student and the alleged harasser, if both parties agree. An experienced mediator or conciliator acceptable to both parties will normally be found by the Welfare Coordinator who may seek advice from the University's Director of Student Welfare and Support Services. The mediator or conciliator will meet with the parties separately and as soon as practicable to begin to seek a resolution. The normal expectation is that resolution would be achieved within 20 working days of the initial meetings with the parties (although this time limit may be extended by agreement). Any agreed outcome will normally be recorded in writing. All those involved in the mediation or conciliation process must maintain appropriate confidentiality
  - d) ensuring that relevant members of staff within the College are informed of the case if appropriate, with the Junior Member's consent, and having due regard for obligations of confidentiality owed to others.
11. Support from the Welfare Team is also available to Junior Members against whom complaints of harassment have been made. Actions taken will vary depending on the case, but the support will be equivalent to that available to a Junior Member who feels that they are being harassed by another Junior Member, including referral to appropriate support services, and facilitation of a mediation or conciliation process if both parties agree. The Welfare Team will ensure that, where a complainant and a student complained against are both seeking support, they will be dealt with by different members of the College, who will maintain appropriate confidentiality.
12. Brief records will be kept of all meetings held and actions taken in relation to the case at this stage. These records will be managed in accordance with the principles of the Data Protection Act 1998. These include ensuring that personal data is kept accurate and up-to-date, held securely, and not kept for longer than necessary.

### *Stage 3 - Formal written complaint*

13. If action taken at stages 1 or 2 does not succeed in resolving the situation, or would not be appropriate given the nature of the complaint, the student should make a formal written complaint to the Senior Censor. In some cases, it will be appropriate to proceed directly to this stage. In these cases, if the complainant has not already been offered appropriate support from a trained member of staff, this will happen.
14. The complaint should normally be made as soon as possible after the event(s) to which it refers, or normally within one month of the completion of any resolution attempts made at stages 1 and 2.
15. The complainant should set out as clearly and succinctly as possible (a) the nature of the behaviour that they are concerned about; (b) the effect of this behaviour on them;

and (c) where possible, the resolution they are seeking. The complaint should include dates and details of any witnesses to any incidents referred to in the complaint, together with any documentary evidence. The complainant should also explain where appropriate any attempts that have been made to resolve the difficulties and, where possible, the outcome they are seeking. If the complainant has already made a statement about the behaviour under stage 2, this may be sent as their formal written complaint, with the proviso that the Senior Censor may request further information.

16. The Senior Censor or another person appointed by them will investigate the case to establish the relevant factual evidence and decide on any actions which should be taken. This may include: informing the person against whom a complaint has been made of the allegations against him or her; holding meetings with both the complainant and the alleged harasser; speaking to other relevant people on a confidential basis. At all times both parties will have the right to be accompanied at meetings by another Junior Member of the College, a member of the College Welfare Team, a senior member of the College, or a member of staff from OUSU's Student Advice Service.
17. Every effort will be made to achieve a prompt outcome to the complaint – the aim being to conclude the complaint within a period of one month. Both the complainant and the Junior Member who is the subject of the complaint will be expected to co-operate with the College in achieving that result. If it is not possible to resolve the issue within this timeframe, for example for reasons of complexity or the absence of relevant parties from Oxford, both parties will be kept informed.
18. At all times both the complainant and the Junior Member complained against will be kept informed of proceedings, and will be referred as appropriate to sources of support and advice. Both parties will be informed in writing of the outcome of the investigation of the complaint.
19. In some circumstances, in the interests of the complainant and/or the Junior Member complained about, it may be necessary for interim action to be taken, pending the outcome of the investigation. This may include making arrangements to limit contact between the parties concerned.
20. Investigation of a formal written complaint of harassment may result in:
  - Deciding that the alleged harasser should face disciplinary procedures under the College's disciplinary procedures.
  - Recommending to a department/faculty actions to take, including making arrangements to limit contact between the parties concerned. The Senior Censor or head of department will have responsibility for implementing and monitoring any actions.
  - Referring either or both parties to appropriate support services.
  - Taking no further action other than, where appropriate, implementing or suggesting steps that would help to restore reasonable relationships between the parties. This approach will usually be appropriate where the claim(s) of harassment are considered to be unfounded and where there is a continuing relationship between the parties.
  - In rare cases disciplinary action may be instituted against the complainant if there is evidence that the complaint of harassment is unfounded and not made in good faith.

21. If the complainant is not satisfied with the outcome following the investigation of the formal written complaint, they may be able to apply to the Dean and/or to the Proctors Office for a review of the case.

#### *Referrals*

22. On occasion, complaints of harassment which should be considered under this Procedure may be made to senior members other than the Senior Censor or the Welfare Team. In this situation the complainant should be asked if they would like the case referred to the Senior Censor or the Welfare Team so that they can receive support from a trained member of the College.
23. If a Junior Member does not wish to seek support and advice, or to make a complaint, under stages 2 or 3 of this Procedure, or if there are queries about the procedure to be followed, the Director of Student Welfare and Support Services can be contacted for advice on a confidential basis.
24. There may be occasions where a Junior Member does not wish to seek support and advice or to make a complaint under stages 2 or 3 of this Procedure, but where the Censors or College Officers considers that the implications for the individual and/or for others actually or potentially affected are serious. This may include cases where other parties, but not the aggrieved party, have made a complaint. In such circumstances the Senior Censor may initiate an investigation and make a decision on further action on the basis of such evidence as is available. The individual's consent will normally be sought if disclosure is to be made, and a decision on disclosure would be made at a senior level with the College.

#### *Potentially criminal misconduct*

25. This Procedure may not be applicable where the allegations are of behaviours that may attract criminal sanction. This would include, but not be limited to, cases of serious assault or threat of assault. In the first instance such matters would normally be a matter for police investigation and action.
26. Support for any student affected by such an incident may be sought from the Welfare Team and the College Harassment Advisors who may take advice from the DSWSS.
27. In addition the Senior Censor, the Junior Censor and other senior members of the Welfare Team will consider whether it is appropriate to make recommendations to appropriate bodies regarding arrangements that would have the purpose of limiting contact between students for so long as may be considered reasonably necessary.

#### *Confidentiality*

28. Information concerning allegations of harassment must so far as reasonably possible be held in confidence by those to whom it is divulged. Unnecessary disclosure of such allegations may attract disciplinary sanction. Information will be shared on a need-to-know basis. Once a formal complaint is pursued, it is likely to be appropriate and/or necessary for certain information to be provided to others within the College, the University, or to external bodies.

29. Those to whom disclosure may be made outside the University include the police, the Office of the Independent Adjudicator (“OIA”) and the civil and criminal courts. The College will not normally report a matter to the police without the complainant’s agreement, except in those rare circumstances where there is sufficient evidence to suggest that an individual poses an extreme risk.

### *Records*

30. The College and all those involved in this Procedure must comply with the principles of the Data Protection Act 1998. These include ensuring that personal data is kept accurate and up-to-date, held securely, and not kept for longer than necessary.
31. Those interviewed in the course of any investigation will be asked to review the notes of their individual discussions as soon as is reasonably possible in order to comment on any inaccuracies or omissions. All notes will be preserved during the process and until such time as the College’s internal processes and any external processes are concluded.

### *C: SOURCES OF ADVICE*

1. The sources of advice set out below are available to anyone who believes that they may be being harassed, and who wishes to discuss any concerns in confidence and anyone who has been told that their conduct is perceived as harassing.
2. Christ Church has a number of trained Harassment Advisors and for 2016/2017 they are: Clare Hayns (College Chaplain and Welfare Coordinator), Mishtooni Bose (Tutor), Pauline Linieres-Hartley (Steward) and Alison Tesh (Academic Registrar).
3. The University’s Harassment Advisory Service is also available to staff and students. It comprises a network of around 300 voluntary advisors, supported by the University’s Equality and Diversity Unit (EDU) - Contact: (2)70760, or [harassment.line@admin.ox.ac.uk](mailto:harassment.line@admin.ox.ac.uk).
4. The role of the Harassment Advisors is to listen non-judgementally to individuals’ concerns and provide them with support by:
  - guiding them through this Policy and relevant procedures, clarifying the options open to them and assisting them to resolve the matter informally where possible;
  - where requested, supporting them through the resolution process, whether formal or informal;
  - dealing with all cases with the utmost confidentiality except where there is an unacceptable risk to a student, a member of staff or to the College; and
  - referring them to another advisor where necessary or to other agencies or support systems as appropriate.
5. Harassment advisors do not:
  - approach the alleged harasser in an attempt to mediate or resolve the matter;
  - act as a representative or advocate; or
  - act as a party to any formal stage of the complaint process, except in the role of providing support.

Full details may be found at [www.admin.ox.ac.uk/eop/harassmentadvice](http://www.admin.ox.ac.uk/eop/harassmentadvice)

6. Members of staff may also contact their local trade union representatives for support.
7. Junior Members may also contact:
  - A member of the College Welfare Team (the College Nurse, the Chaplain, the Welfare Tutors), The JCR or GCR Welfare Reps, The Peer Supporters
  - Details can be found on: <http://www.chch.ox.ac.uk/current-students/welfare-support-christ-church>
  - The Director of Student Welfare and Support Services Office, [director.swss@admin.ox.ac.uk](mailto:director.swss@admin.ox.ac.uk)
  - OUSU's Student Advice Service is independent from the University and provides impartial advice and guidance: [ousu.org/advice/student-advice-service](http://ousu.org/advice/student-advice-service), email: [advice@ousu.org](mailto:advice@ousu.org), telephone: 01865 288466
  - The Proctors' Office: [www.admin.ox.ac.uk/proctors/contact](http://www.admin.ox.ac.uk/proctors/contact), email: [proctors.office@proctors.ox.ac.uk](mailto:proctors.office@proctors.ox.ac.uk), telephone: 01865 (2)70090
  - The Student Counselling Service: [www.ox.ac.uk/students/welfare/counselling](http://www.ox.ac.uk/students/welfare/counselling) email: [counselling@admin.ox.ac.uk](mailto:counselling@admin.ox.ac.uk), telephone: 01865 270300
  - Nightline: [users.ox.ac.uk/~nightln](http://users.ox.ac.uk/~nightln), telephone: 01865 270 270, Skype: 'oxford nightline'.