

## **St Hugh's College Harassment Policy and Procedure**

1. Harassment is an unacceptable form of behaviour, demeaning to the victim and damaging to the environment of mutual respect and equality of opportunity that the College is committed to maintaining. Complaints of such conduct will be taken seriously and may lead to disciplinary action. All members of the College community have a personal responsibility to ensure that their behaviour is not contrary to this code, and to maintain a working environment in the College that is respectful, courteous and free from harassment.

2. The College adopts the definitions of harassment and descriptions of behaviours that may constitute harassment contained in the University Policy and Procedures on Harassment, appended to this Code and available at <http://www.admin.ox.ac.uk/eop/harassmentadvice/policyandprocedure/>

3. A Student Member of the College or a member of Academic Staff who wishes to complain of harassment may initially seek advice from any one of the following:

- one of the College Harassment Advisors (currently Prof Ruth Baker and Prof. Glen Loutzenhiser)
- a member of the College welfare team (for example, the Counsellor, Nurse, Chaplain, or Academic Registrar)
- their Personal Tutor (if an undergraduate student) or Graduate Advisor (if a graduate student)
- the Dean

A list of University and non-University sources of support and advice is available at <http://www.admin.ox.ac.uk/eop/harassmentadvice/sourcesofadvice/>

4. Those involved in a complaints procedure (including those initiating a complaint) must maintain the strictest confidentiality consistent with operating that procedure. The College adopts the University's position on the confidentiality of the process and its limits, as set out in paragraph 21 of the University Policy and Procedure.

5. Cases that occur within the college environment will normally be dealt with under the College's procedures. For more complex cases, particularly those involving members of different institutions of the University, the University Policy and Procedure allows for Student Members to contact the office of the University Director of Student Welfare and Support Services: [director.swss@admin.ox.ac.uk](mailto:director.swss@admin.ox.ac.uk). Academic Staff may contact their Personnel Officer, Head of Department, or Head of Division. See the University's harassment procedure flowcharts, available via <http://www.admin.ox.ac.uk/eop/harassmentadvice/>. The remainder of this Code relates to cases dealt with under the College's procedures.

6. Complaints about harassment will be responded to promptly. If the complaint has been initially made to a member of the welfare team or to a tutor, they will normally, with the complainant's permission, refer the matter to one of the Harassment Advisors. A Harassment Advisor who has been consulted will help the complainant to clarify the nature of the complaint, and use their good offices where appropriate to try to resolve the matter informally. Many allegations of harassment can be dealt with in this way, and resolved to the satisfaction of the parties.

Although it is sometimes appropriate to bring the parties together in a mediated discussion, a complainant would not be required to attend a meeting about the complaint at which the person they had accused was also present.

7. When a criminal offence may have been committed, the relevant harassment procedure might not be appropriate. These cases include, but are not limited to, serious assault or the threat of

serious assault, and sexual assault or sexual violence. Student Members or Academic Staff can in these circumstances seek advice from those people listed above in paragraph 3 above, and/or the University contacts listed in paragraph 5 above. Student Members and Academic Staff may approach the Police directly at any time. Further guidance for staff on dealing with cases of sexual assault or sexual violence is available at <http://www.admin.ox.ac.uk/eop/harassmentadvice/policyandprocedure/guidance/>. See also paragraph 17 of the University Policy and Procedure below.

**8. Help is available 24 hours a day for anyone who has been the subject of an assault.** This ranges from calling out the duty Porter and/or Junior Dean on 01865 274900 if you are in College; to contacting the Police on 101 or, in an emergency, 999; to (in the case of sexual assault) going to the Solace Centre in Slough, the most accessible Sexual Assault Referral Centre from Oxford: <http://www.solacesarc.org.uk>, 0845 519 7638 (contact them first to make an appointment). A confidential taxi service to this centre, paid for by College, is available by contacting the Porters' Lodge and asking for a taxi using the Solace Fund.

9. If a complaint has been brought to a Harassment Advisor, and in their opinion it is not appropriate or possible to resolve the matter informally (because of the stance of the parties, the seriousness of the allegation, or because the complaint is made against an employee or member of the College other than a Student Member) the Harassment Officer will refer the matter to the Dean or Principal as appropriate. The Harassment Advisor will also inform the complainant of the University procedures, bearing in mind paragraph 18 of the University Policy and Procedure below.

10. If the complaint is made against an employee or member of the College other than a Student Member, it will in every case be referred to the Principal. A complaint against a Student Member of the College may be referred to the Principal or the Dean. In either case the Principal or the Dean as appropriate may attempt to resolve the matter informally or may instigate the relevant disciplinary procedure. Notwithstanding advice to the contrary, it is always open to any Student Member or member of staff to take a complaint directly to the Principal or the Dean. See also Appendix N of the Bylaws for the complaints procedure for cases not involving harassment.

11. In implementing this Policy and Procedure, Harassment Officers and other officers of the College shall have regard to the College's Statement of Policy on Equal Opportunities.



## UNIVERSITY POLICY ON HARASSMENT AND BULLYING

### General principles

1. The University is committed to maintaining a working, learning and social environment in which the rights and dignity of all members of the university community are respected. This includes staff, students, and visitors to the University.
2. The University expects all members of the university community to treat each other with respect, courtesy and consideration. All members of the university community have the right to expect professional behaviour from others, and a corresponding responsibility to behave professionally towards others.
3. Harassment is a serious offence which is subject to the University's disciplinary procedures. Where necessary, complaints of harassment, bullying or other inappropriate behaviour will be investigated in line with the appropriate procedures. Allegations of harassment or bullying which arise within the college environment will normally be dealt with under the appropriate college procedure.
4. All members of the university community have a personal responsibility for complying with this code and people in positions of authority, such as heads of division, heads of department, chairs of faculty boards and their equivalents, have particular responsibilities under this policy, including to set a good personal example, to have regard to the principles of the policy, and to familiarise themselves with the procedures.
5. This policy and the accompanying procedure may be found on the website at <http://www.admin.ox.ac.uk/eop/harassmentadvice>
6. This policy will be subject to regular review by the General Purposes Committee of Council in consultation with other appropriate committees, including the Personnel Committee.

### Definition of harassment (including bullying)

#### *Harassment*

7. A person subjects another to harassment where s/he engages in unwanted and unwarranted conduct which has the purpose or effect of:
- (a) violating that other's dignity, or
  - (b) creating an intimidating, hostile, degrading, humiliating or offensive environment for that other.

8. Harassment may involve repeated forms of unwanted and unwarranted behaviour, but a one-off incident can also amount to harassment.

9. Harassment on grounds of sex (including gender re-assignment), race, religion or belief, disability, sexual orientation or age may amount to unlawful discrimination<sup>1</sup>. Harassment may also breach other legislation and may in some circumstances be a criminal offence, e.g. under the provisions of the Protection from Harassment Act 1997.

10. Reasonable and proper management instructions administered reasonably, or reasonable and proper review of a member of staff's or a student's work and/or performance will not constitute harassment or bullying.

11. Behaviour will not amount to harassment if the conduct complained of could not reasonably be perceived as offensive.

### *Bullying*

12. Bullying is a form of harassment. It may be characterised by offensive, intimidating, malicious or insulting behaviour, or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.

### *Behaviour*

13. Examples of behaviour which may amount to harassment and bullying include (but are not limited to) the following:

- offensive comments or body language verbal or physical threats
- insulting, abusive, embarrassing or patronising behaviour or comments humiliating, intimidating, and/or demeaning criticism
- open hostility
- deliberately undermining a competent person by overloading with work and constant criticism
- isolation from normal work or study place, conversations, or social events
- publishing, circulating or displaying pornographic, racist, sexually suggestive or otherwise offensive pictures or other materials
- unwanted physical contact, ranging from an invasion of space to a serious assault.

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

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<sup>1</sup> Harassment and bullying may occur not only on grounds of characteristics or perceived characteristics of the recipient of the behaviour but also on grounds of the characteristics or perceived characteristics of a person associated with him or her.

14. All of the examples above may amount to bullying, particularly when the conduct is coupled with the inappropriate exercise of power or authority over another person.

15. Being under the influence of alcohol, illegal drugs or otherwise intoxicated is not an excuse for harassment, and may be regarded as an aggravating feature.

*Intention or motives*

16. The intention or motives of the person whose behaviour is the subject of a complaint are not conclusive in deciding if behaviour amounts to harassment or bullying.

**Victimisation**

17. Victimisation occurs where a person is subjected to detrimental treatment because s/he has, in good faith, made an allegation of harassment, or has indicated an intention to make such an allegation, or has assisted or supported another person in bringing forward such an allegation, or participated in an investigation of a complaint, or participated in any disciplinary hearing arising from an investigation.

18. The University seeks to protect any member of the university community from victimisation arising as a result of bringing a complaint or assisting in an investigation where they act in good faith. Victimisation is a form of misconduct which may itself result in a disciplinary process.

**Malicious or vexatious complaints**

19. If a complaint is judged to be vexatious or malicious<sup>2</sup>, disciplinary action may be taken against the complainant; however, such action will not be taken if a complaint which proves to be unfounded is judged to have been made in good faith.

**Confidentiality**

20. All information concerning allegations of harassment must be treated in the strictest confidence and breaches of confidentiality may give rise to disciplinary action. 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.

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<sup>2</sup> This phrase means the complainant knew or could reasonably have been expected to know that the complaint was unfounded.