

ST HUGH'S COLLEGE OXFORD

POLICY ON PREVENTION OF SEXUAL HARASSMENT

With particular application to staff who have teaching, professional or pastoral responsibility for a student(s)

COMMITMENT

1. St Hugh's College ('the College') is committed to fostering an environment which ensures that everyone is treated with dignity and respect and afforded equal treatment. The College takes any complaint of sexual harassment extremely seriously. Sexual harassment undermines the core values of St Hugh's College and can have a serious and negative effect on the health, confidence, morale and performance of those affected by it.
2. The College is committed to taking all necessary steps to ensure that students are not subjected to sexual harassment and will enforce this policy to the fullest extent necessary.

SCOPE

3. This policy applies to all teaching, research, administrative and domestic staff of the College, as well as to graduate students employed by the College to tutor undergraduates, whether at Senior Tutor's Rates or as Stipendiary or Non-Stipendiary Lecturers. Henceforward, all references to 'staff' in this policy refer to staff as defined in this paragraph.
4. The policy prohibits such staff from engaging in romantic or sexual relationships with students with whom they hold any such teaching, professional, or pastoral responsibility.
5. Notwithstanding the above, the College does not wish to infringe Article 8 of the European Convention on Human Rights in respect of consenting relationships between members of the student body. Therefore, this policy does not apply to graduate student members of the Decanal team. Nevertheless, such members of the Decanal Team are advised to consider potential conflicts of interest when dealing with students with whom they may have personal relationships.

6. All staff (as defined in paragraph 3) are bound by this policy, irrespective of whether the conduct complained of takes place on College premises or elsewhere. It covers face-to-face actions, as well as those which take place through other media such as emails, letters, telephone conversations, social networking sites, text messages etc.
7. This policy operates alongside and is not intended in any way to limit or override, the College's general Harrassment Policy and Procedure.

DEFINITION

Sexual Harassment

8. Sexual harassment may consist of one incident or a series of incidents involving unsolicited or unwelcome conduct of a sexual nature, including sexual advances, requests for sexual favours or any other verbal or physical conduct of a sexual nature. It is not restricted to conduct which would amount to a criminal offence.
9. The following are non-exhaustive examples of sexual harassment:
 - a. unwelcome sexual advances (written, verbal or physical)
 - b. demands or requests for sexual favours, whether in return for academic advancement or otherwise
 - c. unnecessary physical contact, including contact to which an individual has not consented or which they have not been given an opportunity to reject (this can include simple touching as well as serious assault)
 - d. compromising suggestions or invitations
 - e. suggestive remarks or looks
 - f. following, stalking or spying
 - g. display of sexual materials, including on a computer screen, for reasons other than genuine academic endeavour
 - h. any sexually-orientated conduct, including "joking", "banter" or innuendo

- i. Any conduct which has the purpose or the effect of interfering with the student's work performance, violating their dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.
10. The effect of the unwanted behaviour on the victim will be an important factor to be taken into account, whether or not the behaviour was intended to be harmful, together with whether it was reasonable for the conduct to have had that effect.

ST HUGH'S APPROACH TO ROMANTIC AND SEXUAL RELATIONSHIPS BETWEEN STAFF¹ AND STUDENTS.

11. A close academic relationship between staff who have teaching, professional or pastoral responsibility and student may cause the boundaries between the personal and the professional to become blurred. Some such staff may not consciously appreciate that there is an imbalance of power and authority in the relationship; students will be keen to impress, and will not wish to appear rude or to give offence. It must be clearly understood by staff in a position of teaching, professional or pastoral responsibility that students are in a position of vulnerability which must not be taken advantage of (whether deliberately or inadvertently). Sometimes a student's desire to impress might give rise to misunderstandings about the nature of the relationship and might result in the staff member making romantic or sexual overtures to the student. Experience has taught that when this has resulted in a complaint of sexual harassment, the response of some staff has been to say that they "misread the signals". Although this might seem relatively innocuous to the staff member, unwanted sexual or romantic approaches can have a devastating effect on students, causing them to lose trust in the College and confidence in themselves.
12. Therefore it is St Hugh's College policy that it is always inappropriate for a member of staff to have a romantic or sexual relationship with any student for whom they have teaching, professional or pastoral responsibility, irrespective of whether the student did not appear to object, appeared to give consent, gave consent or even instigated the behaviour.

¹ As defined in para 3.

13. Should a staff member in a position of teaching, professional or pastoral responsibility for a student become aware that the student's behaviour suggests the possibility of romantic or sexual interest in the staff member, then it is the responsibility of such staff to draw this to the attention of the Senior Tutor or Principal so that a replacement staff member can be found for the student. This prevents the original staff member from becoming vulnerable. If the member of staff is unsure whether or not a student's behaviour should be disclosed, they should disclose it.
14. Any member of staff found to be engaging in a romantic or sexual relationship with a student for whom they have teaching, professional or pastoral responsibility, even with consent, will be subject to disciplinary action, which may result in dismissal.

RESPONSIBILITIES REGARDING SEXUAL HARASSMENT

15. All staff have a personal responsibility to ensure that their behaviour is not contrary to this policy. All St Hugh's College members are encouraged to reinforce the maintenance of a College environment free from sexual harassment.

REPORTING SEXUAL HARASSMENT

16. If a student believes that they have been subjected to sexual harassment, then they should follow the process set out in the College's Harassment policy and procedures.
17. In addition to the College's harassment advisers, the College has sexual harassment advisers to whom a student may speak in strict confidence if they are concerned about the behaviour of another person or are unclear about whether, or how, to complain. The adviser can offer signposting and support, discuss the options open to the student and to help them to determine how they would like to progress matters. The adviser will not make decisions for the person or take up the role of investigator. The adviser will be non-judgemental. The advisers are the Bursar (bursar@st-hughs.ox.ac.uk /tel. 01865 274913) or the Academic Registrar (thea.crapper@st-hughs.ox.ac.uk / tel. 01865 274918). Additionally, students may approach any of the College's wider Harassment Officers, members of the welfare team, their personal tutor/advisor or the Dean.

PROCEDURES FOR RESOLUTION OR PROSECUTION OF ACTS OF SEXUAL HARASSMENT

18. St Hugh's is committed to providing a supportive environment in which to resolve concerns about sexual harassment

A Informal resolution options

19. When an incident of harassment or bullying occurs, a victim of, or witness to, such conduct may communicate their disapproval and objections directly to the harasser and request the harasser to cease the behaviour.

20. If the behaviour does not stop, or if the victim is not comfortable with addressing the harasser directly, or at all, the victim can bring their concerns to the attention of either of the Colleges Harassment Officers (detailed in the Harassment Policy) or the Bursar or Academic Registrar (details in para 15 above), or any member of the welfare team, Personal Tutors or advisors or the Dean.

B Complaints

21. A person with a harassment concern who is not comfortable with informal resolution or has exhausted these options may make a formal complaint, following the procedure set out in the Harassment Policy, to the Principal or Senior Tutor.

C Overlap with criminal offences

- i. Alleged criminal conduct should be reported to the police but the behaviour may also fall within this policy, or may engage the College's Harassment Policy, in the case of students or academics, or Prevention of Bullying and Harassment at Work policy in the case of non-academic staff.

- ii. Where there is an active police investigation the College will proceed in stages and may defer action to avoid compromise to the criminal law process.
- iii. Where a criminal offence is proved, or the accused is acquitted, to the criminal standard, it may be treated as presumptive evidence of the underlying facts.
- iv. Where the criminal justice process does not proceed to acquittal or conviction, the College process will resume.

22. In the event that the complaint of harassment or bullying is upheld, corrective action will be taken. Corrective action may include any or all of the following:

- a. Formal apology;
- b. Suspension of the member of staff;
- c. Dismissal of the member of staff.

CONFIDENTIALITY

23. The College recognises the sensitivities involved in a complaint of sexual harassment and will take all reasonable steps to keep the matter confidential to the extent practicable and appropriate. Information about the allegations will only be given to those who strictly need to know about the issues raised. However, the College has a duty to deal with all complaints justly; thus no complaint can be made anonymously and the person complained about will always be entitled to know the name of their accuser and the details of the allegation. Complainants who do not wish to give their name should speak to the confidential sexual harassment adviser.

ANTI-RETALIATION POLICY

24. No person who makes a complaint of sexual harassment should be subject to retaliation. Not all claims of sexual harassment may actually be sexual harassment as there is necessarily a certain amount of subjectivity involved. Even if the complaint results in no action being

taken, the complainant will not be penalised for making the complaint, unless there is clear evidence that the complaint is deliberately false and made with malicious intent.

25. Any retaliation will be subject to disciplinary action.