

Guidelines on Harassment for Members of the JCR and MCR

1. College Advisers

The College has five harassment advisers. For details and a list of names see www.sthildas.ox.ac.uk/content/personal-support-and-welfare. The JCR/MCR Welfare Officer will also be able to provide you with a list of the names of current members of the Advisory Panel. The role of the adviser is strictly a counselling and advisory one; they have no disciplinary function.

2. Informal Resolution

After consulting an adviser, you may decide to attempt to resolve the problem informally. Depending on the circumstances of the case, this may involve your taking steps to reject the unwelcome and harassing behaviour. Alternatively, the adviser might intervene directly to negotiate an acceptable solution with the parties concerned.

It may be necessary for your adviser to consult another adviser, the person against whom the complaint has been made, or some other relevant party in order to resolve the problem. *These people will not be approached without your consent.* If an adviser thinks it important that other authorities should be informed, s/he will put the case to you for doing that, and will discuss ways in which your interests may be safeguarded.

3. Bringing a Formal Complaint

Wherever appropriate, after an attempt to resolve a problem informally has failed, and sometimes in the first instance, a complaint may be referred for formal consideration to the relevant disciplinary body within the College or University. You may bring a complaint on your own initiative without first consulting an adviser, but if you do ask for help or advice, your adviser will explain the procedures and discuss with you the pros and cons of making a formal complaint.

4. Disciplinary Procedures

In all cases you will be expected to give a statement of the nature of the complaint (normally in person, but possibly in writing) to the disciplinary body concerned. At a disciplinary hearing you will be able to choose to be accompanied by a friend from within the University. The person against whom the complaint has been made will also be invited to give an account of the incident(s) in question. She or he will also have the right to be accompanied at the hearing and there will be an opportunity for the disciplinary body to cross-question both parties to establish the facts. It is recognised that harassment is frequently a particularly sensitive and distressing experience for victims. Strict confidentiality will be observed and all reasonable steps will be taken to minimize the distress of those who have suffered harassment (although, in very serious cases, some adversarial questioning may be unavoidable).

5. Complaints against Members of the JCR/MCR

You will have to choose whether you wish your complaint to be considered under College or university procedures. College harassment advisers will be able to help you consider the pros and cons of the disciplinary routes.

a) University Procedures

If you wish your complaint to be heard by the Proctors, contact casework@proctors.ox.ac.uk or telephone 01865 (2) 80185.

b) College Procedures

If the complaint is to be considered by the College, the Principal will appoint a Committee of six members including representation from the JCR /MCR and Fellows. No Fellow who has acted as an adviser to you will sit on the Committee, although they may be invited to give evidence. The Committee will be chaired by the Principal.

If the Committee decides that there is a *prima facie* case, it will proceed as outlined above under point 4, Disciplinary Procedures. If the complaint is upheld, the Committee will make a recommendation to Governing Body that disciplinary action be taken, ranging from a warning to expulsion. The student(s) complained against will have the same right of appeal as exists under the College's normal disciplinary procedures.

6. Complaints against Fellows, tutors or other academic employees of the College

In the event of a complaint of harassment by a Fellow, tutor or other academic employee of the College, the Principal will appoint a Committee of six members with representation from the constituencies involved. The Committee will be chaired by the Principal. If the complaint is upheld, the Committee will make a recommendation to Governing Body to take whatever action it considers appropriate, in accordance with the statutes, and/or employment law. If the complaint is against someone who is a member or employee of the University, the Committee may decide at any point in the proceedings that the case should be referred to the Proctors and subject to university disciplinary procedures. This will not be done without prior consultation with the complainant.

7. Complaints against non-academic employees of the College

In the event of a complaint of harassment by a non-academic employee of the College, the procedure set out above in point 6 will be followed. If the complaint is upheld, the Committee will make a recommendation to Governing Body to take whatever action it considers appropriate, in accordance with employment law.

8. Complaints against employees of the University who are not employees of the College

Formal complaints against members of the University who are not members of the College should be made under the University Disciplinary procedures.

9. Complaints against persons who are not members or employees of the University

Persons who are not members or employees of the University or the College are not subject to College or University disciplinary jurisdiction. If in the context of the University, you are harassed by such a person you may nevertheless consult a College adviser, who may be able to suggest possible courses of action.

Last amended 17 September 2019