



Code for preventing and responding to Harassment

I. Purpose

- 1.1. Univ 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. The College is committed to fostering an inclusive culture which promotes equality, values diversity and supports the rights and dignity of all members of the College and its community. Any harassment of or by members of the College community or visitors to the College is unacceptable.
- 1.2. This Code applies to students and employees of the College alike and the definition of harassment is the same in both cases (part 2 below). However, because the Code must integrate with the contractual and statutory rights of the College's employees, the Code has different procedures for students who are concerned that they may be being harassed (part 3 below) and for employees who are concerned that they may be being harassed (part 4 below). Most people using the Code will need to refer only to sections relevant to their circumstances, and may wish to begin with the flowchart that sets out their options in summary form, and/or by speaking to one of the people listed below at 3.1 (for students) or 4.1 (for staff). The College wishes to emphasize that it is one community and that it aims to extend support and assistance of the same high quality to all who live, work, and/or study here.
- 1.3. Our priority is to support those who may be experiencing issues relating to harassment. Anyone who approaches a College Officer to discuss issues relating to harassment will be offered appropriate information and support. If someone decides to submit a complaint under the Code they will be offered ongoing support throughout the process from a designated College Officer. Complainants may be in touch with their designated supporter to ask questions about the process, to raise any concerns they may have, or to access support for their welfare. A member of the College who is complained against will also be offered support from a designated College Officer throughout the process. College officers will at all times act as quickly as they reasonably can, and complainants or people complained against will be kept informed of how long any stage of the process is likely to take, and of the progress and outcome of each stage of the process.
- 1.4. Nothing in this Code should deter or delay someone who is assaulted, threatened, or stalked from reporting such matters to the police, or from seeking professional advice, or from resorting to any other mechanisms that would be available apart from this Code, either inside or outside the College. Student misconduct may be reported to the Dean at any point for the Dean to consider taking action under the College's Non-academic Disciplinary Procedure, or under the Dean's inherent powers referred to in clause 1.1 of that Procedure. Allegations of staff misconduct may be reported to the employee's line manager or HR for investigation outside of this Code. The special procedures in this Code exist to allow those who are or regard themselves as being harassed to deal with their situation in a methodical way and with greater scope to remain in control of the process.
- 1.5. The College maintains anonymised records of all report of harassment, and whether or how situations were resolved. It uses this information to understand better where and how harassment takes place and how better to try to prevent or respond to it.

2. Definition of Harassment

- 2.1. Harassment is any unwanted physical, verbal or non-verbal conduct that has the purpose or effect of
 - 2.1.1. Violating a person's dignity; or
 - 2.1.2. Creating an intimidating hostile, degrading, humiliating or offensive environment for them, or for other people.
- 2.2. It also includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past.
- 2.3. Unlawful harassment may involve conduct of a sexual nature (sexual harassment), or it may be related to age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation. Harassment is unacceptable even if it does not fall within any of these categories.
- 2.4. Harassment may include, for example:
 - 2.4.1. Unwanted physical conduct or contact, including touching, pinching, pushing and grabbing;
 - 2.4.2. Continued suggestions for social activity, or any unwanted contact (in person, electronic or otherwise) outside normal College or University business, after it has been made clear that such suggestions or contact are unwelcome;
 - 2.4.3. Sending or displaying material that is pornographic or that some people may reasonably find offensive (including e-mails, text messages, video clips and images sent by mobile phone or posted on the internet);
 - 2.4.4. Unwelcome sexual advances or suggestive behaviour (which the harasser may perceive as harmless);
 - 2.4.5. Racist, sexist, homophobic or ageist jokes or derogatory or stereotypical remarks about a particular ethnic or religious group or gender, or about someone's bodily shape or appearance, or their socio-economic background.
 - 2.4.6. Revealing or threatening to reveal sensitive personal information;
 - 2.4.7. Offensive e-mails, text messages or social media content; or
 - 2.4.8. Mocking, mimicking or belittling a person's disability.
- 2.5. A person may be harassed even if they were not the intended "target". For example, a person may be harassed by racist jokes about a different ethnic group if the jokes create an offensive environment.
- 2.6. Harassment may also include bullying which is offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined or threatened. Power does not always mean being in a position of authority, but can include both personal strength and the power to coerce through fear or intimidation.

- 2.7. Bullying can take the form of physical, verbal and non-verbal conduct. Bullying may include, by way of example:
- 2.7.1. Physical or psychological threats;
 - 2.7.2. 'Ganging up' with others to denigrate or mock a colleague or creating an exclusionary working environment;
 - 2.7.3. Overbearing and intimidating levels of supervision;
 - 2.7.4. Inappropriate or derogatory remarks about someone's performance.
- 2.8. Harassment may consist of a single serious incident or of a series of repeated incidents that might individually appear mild or trivial. It may be inside or outside the College, and during term or vacation. It is particularly grave where there is inequality of personal status or power. No less serious is the explicit or implied threat of reprisal if complaint is made. No person who in good faith makes a complaint of harassment should be subject to retaliation. Not all claims of harassment may be upheld, since there may be a certain amount of subjectivity involved. Even if a complaint results in no action being taken, there will be no penalty for anyone who makes a complaint, unless there is clear evidence that the complaint is deliberately false and made with malicious intent. Making a false complaint of harassment maliciously, or otherwise in bad faith, may itself amount to harassment. If an employee makes a deliberately false or malicious complaint against another, that employee may be subject to disciplinary action.

3. For Students: What to do if you may wish to report harassment

Getting information or support

- 3.1. A student of the College who believes that they are being or have been harassed, or who wishes to discuss any situation in which harassment may be or may become a factor (the Complainant), has a number of sources of support available to them. These include the College's Harassment Advisors; their in-college tutor or graduate advisor; a College officer such as the Chaplain, the Senior Tutor, or a Junior Dean. Alternatively, they may wish to contact one of the University's harassment advisers¹, or other agencies listed as sources of advice and support by the University².
- 3.2. Those identified in clauses 3.9 and 3.11 below as the officers responsible for overseeing a Stage Two process should not normally be approached for information or support at this point as this may interfere with their discharge of responsibilities later in the process. If approached for support they should make all reasonable efforts to refer the matter to a suitable alternative person.
- 3.3. Anyone who approaches an officer for information or support should expect that person to listen carefully and non-judgmentally, to explain to them their options, and to signpost them to appropriate sources of support.
- 3.4. Those approached for support may take steps to achieve a resolution of the situation (for example by speaking to the person said to be a harasser) if requested to do so by the student seeking information and/or support. Such a conversation might result in an apology, an undertaking not to repeat behaviour complained of, or other remedies. However, the person who initiates the conversation cannot require any remedy and any resolution process at this stage will require the co-operation of all parties in bringing it to a successful conclusion. Such an

¹ <https://www.admin.ox.ac.uk/eop/harassmentadvice/advisornetwork/>

² <https://www.admin.ox.ac.uk/eop/harassmentadvice/sourcesofadvice/>

intervention does not fall under this Code and does not substitute for the process set out in the following paragraphs. Anyone who requests an intervention at this stage and is not satisfied with the outcome may still follow the process below.

Stage One: Seeking a resolution

- 3.5. A student of the College who wishes assistance under this Code in seeking Stage One resolution of a situation in which harassment may be or may become an ingredient should request such assistance from one of the College's Harassment Advisors. The Advisor will discuss possible approaches to such resolution, and will participate in the process to the extent that such participation is, in the opinion of the Advisor, likely to be productive in achieving a resolution at Stage One of this Code.
- 3.6. A Stage One resolution for the purposes of this Code might involve apology, an undertaking not to repeat behaviour complained of, or other remedies. However, the Advisor cannot require any remedy and any Stage One resolution process will require the co-operation of all parties in bringing it to a successful conclusion. At any stage, the Advisor may also form the opinion that there is no harassment and may then decline to be further involved.
- 3.7. If, in the opinion of the Advisor
- i. the situation is not suitable for resolution at Stage One, or
 - ii. the Advisor's participation is not likely to be productive in achieving such resolution, or
 - iii. reasonable attempts to achieve such resolution have failed, or
 - iv. no behaviour amounting to harassment has taken place, or
 - v. the student who has sought assistance was not the victim of such harassment as may have taken place

the Advisor will advise the student who has sought assistance to that effect. The Advisor will also advise the student of further steps or measures that may in the Advisor's opinion be taken to resolve the situation, whether under this Code or otherwise, including the steps available under clauses 3.8 to 3.13 following.

Stage Two: Invoking a Stage Two process

- 3.8. A Complainant who is a student of the College may request to have a Stage Two process instigated against an alleged harasser under clauses 3.9 or 3.11 following, but only if either
- (a) One of the Harassment Advisors certifies that the options for Stage One-resolution under clause 3.6 above have been attempted without success or have not been attempted for one or more of the reasons specified in clause 3.7 above or for any other reasons; or
 - (b) The officer responsible for overseeing a Stage Two process under the following provisions is satisfied, on reasonable grounds and having consulted the Harassment Advisor involved if one has been involved under clauses 3.5 to 3.7 above, that the matter is too serious or too urgent for resolution outside the Code, or for resolution at Stage One, to have been regarded as an option.

For the avoidance of doubt, it is the duty of any Harassment Advisor to make a certification under (a) above in any case in which, having been consulted by a student under clause 3.5 above, they decline to be further involved. The exception is a case in which they refer the student to a different Harassment Advisor, who then acquires the same duty as if they had been the Harassment Advisor further consulted under clause 3.5 above.

- 3.9. A student of the College may request to have a Stage Two process instigated **against another student** of the College under either or both of the following:
- (a) Under the College's Non-Academic Disciplinary Procedure and/or under the inherent powers referred to in clause 1.1 of the same Procedure, overseen by the Dean;
 - (b) Under the special complaints procedure detailed in Annex I of this code, overseen by the Vice-Master or Fellow for Anti-Racism or Fellow for Women or another Fellow ('the Co-ordinator') as the circumstances may require.

In cases in which a student requests to have Stage Two processes instigated under both (a) and (b) and makes allegations of harassment in one request that are substantially the same as allegations of harassment in the other, the student making the request is required to notify the Co-ordinator and, if also proceeding under clause 1.1, the Dean. In respect of the handling of such allegations, the Co-ordinator and the Dean will be entitled to consult with each other and to share information to whatever extent may reasonably appear to them to be necessary to avoid duplication or interference of processes or of remedies. The Co-ordinator overseeing processes under (a) and (b), or the Dean in consultation with the Co-ordinator under (a), will have the power under (a) to delay consideration of the relevant allegations or to consider the relevant allegations under (a) only if the request under (b) is withdrawn, subject always to any contrary rules in the applicable procedures.

- 3.10. Where a student reports a matter to the Dean under clause 3.9(a) above, they shall have the right to be kept informed of the Dean's deliberations and decisions in the matter and to be consulted in respect of any disciplinary steps that the Dean is minded to take and in respect of any decision to delay or discontinue the process. This right does not exist in respect of matters reported to the Dean other than under clause 3.9(a) above.
- 3.11. A student of the College may request to have a process instigated **against an employee** of the College (including for these purposes any fellow or any other person providing services to the College akin to those of an employee) by making a complaint under the College's Student Complaints Procedure, overseen by the officer there identified. In the event that the investigation of the complaint reveals harassment, the College shall take such steps as are warranted under its Disciplinary Procedure for College Employees (or under such other terms as may govern its relationship with the person found to have been an harasser) and in any event shall take such steps as are reasonably necessary, consistent with its legal obligations, to protect the complainant from repetition or perpetuation of the harassment. In urgent cases the Co-ordinator may take such interim steps as are reasonably necessary, consistent with its legal obligations, to protect the complainant pending the resolution of the complaint.
- 3.12. A student or employee of the College whose behaviour has been the subject of a request under clause 3.9 or 3.11 above shall be informed by the Co-ordinator with all reasonable expedition that the request has been received, unless in the opinion of the Co-ordinator such early disclosure would tend to expose the person making the request, or other persons, to the risk of further harassment or other victimization. In the event that disclosure is postponed, the Co-ordinator shall nevertheless inform the student or employee concerned as soon as, in the Co-ordinator's opinion, it becomes safe to do so.

- 3.13. A student or employee of the College who is informed or otherwise becomes aware that their behaviour has been made the subject of a request under clause 3.9 or 3.11 above is entitled to support from the College and may consult any of the persons listed in clause 3.1 above as appropriate. In the event that the person consulted is already too closely involved in the case, however, they may refer the employee or student concerned to a different person for support.

4. For Employees: What to do if you may wish to report harassment

Getting support

- 4.1. A Complainant who is an employee of the College who believes they are being or have been harassed, or who wishes to discuss any situation in which harassment may be or may become a factor (the Complainant), has a number of sources available to them, including the College's Harassment Advisors; the HR Manager; their immediate supervisor, their departmental head, the Chaplain, or a Trade Union representative.
- 4.2. Employees responsible for overseeing a Stage Two process (e.g., The Master, Vice Master and Senior College Officers) should not be approached for support at this point as this may interfere with their discharge of responsibilities later in the process. If approached for support they should make all reasonable efforts to refer the matter to a suitable alternative person.
- 4.3. Anyone who approaches an officer named above at 4.1 for information or support should expect that person to listen carefully and non-judgmentally, to explain to them their options, and to signpost them to appropriate sources of support.
- 4.4. Those seeking support may themselves take steps to resolve the situation by informal means. Some information about what they might choose to do is found in Annex 2. Those approached for support may also take steps to resolve the situation by informal means, if requested to do so by the employee seeking support. However such attempts at informal resolution do not fall under this Code and do not substitute for the process set out in the following paragraphs.

Stage One: Seeking resolution

- 4.5. An employee of the College who wishes assistance under this Code in seeking Stage One resolution of a situation in which harassment may be or may become an ingredient should request such assistance from one of the College's Harassment Advisors or from the Chaplain. The Advisor or Chaplain will discuss possible approaches to such resolution (see Annex 3) and will participate in the process to the extent that such participation is, in the opinion of the Advisor or the Chaplain, likely to be productive in achieving resolution at Stage One of this Code.
- 4.6. A Stage One resolution for the purposes of this Code might involve apology, an undertaking not to repeat behaviour complained of, or other remedies. However the Advisor or the Chaplain cannot require any remedy and any Stage One resolution process will require the co-operation of all parties in bringing it to a successful conclusion. At any stage, the Advisor or Chaplain may also refer the matter to HR for further investigation.
- 4.7. If, in the opinion of the Advisor or the Chaplain
- i. the situation is not suitable for resolution at Stage One, or
 - ii. the Advisor's or Chaplain's participation is not likely to be productive in achieving such resolution, or

- iii. reasonable attempts to achieve such resolution have failed, or
- iv. further investigation is required to establish whether the alleged harassment has taken place

the Advisor or Chaplain will advise the employee who has sought assistance to that effect. The employee may then decide whether they wish to invoke a Stage Two process including the steps available under clauses 4.8 to 4.11 following.

Stage Two: Invoking a Stage Two process

- 4.8. Irrespective of whether Stage One resolution has been sought under clauses 4.5 to 4.7 above, an employee of the College may make a Stage Two complaint about harassment by a student of the College, by an employee of the College, or by any other person providing services to the College akin to those of an employee of the College.
- (a) If the alleged harasser is an employee of the College, the formal complaint should be raised under the Grievance Procedure for College Employees.
 - (b) If the alleged harasser is a student of the College, the matter should be dealt with in accordance with clause 4.9 below.
 - (c) If the alleged harasser is neither an employee nor a student of the College, the formal complaint should be raised under such other terms as may govern the College's relationship with that person.

HR (or a designated Senior College Officer) will appoint an investigator, usually another senior member of the College (or an independent person from outside the College) with no previous involvement in the matter complained about, who will investigate the complaint in an independent and impartial manner, and with all due sensitivity. Investigation and formal processes under this clause shall be overseen by the persons designated in the respective Procedures or terms, and any duplication of processes shall be dealt with in accordance with the principles laid down in those Procedures or terms.

The person designated to oversee such investigation or Stage Two processes must inform HR of the investigation or Stage Two process as soon as reasonably practicable once the matter comes to their attention. Advice should be sought from HR throughout the process.

- 4.9. Irrespective of whether Stage One resolution has been sought under clauses 4.5 to 4.7 above, an employee of the College may request to have a formal process instigated against a student of the College by making a formal complaint in writing to the Dean, who shall consider the matter under the College's Non-Academic Disciplinary Procedure and/or under the inherent powers referred to in clause 1.1 of the same procedure.
- 4.10. An employee or student of the College whose behaviour has been the subject of a formal complaint under clause 4.8 or 4.9 above shall be informed by the Co-ordinator or Dean with all reasonable expedition that the request has been received, unless in the opinion of the Co-ordinator or Dean such early disclosure would tend to expose the person making the request, or other persons, to the risk of further harassment or other victimization or impede the necessary investigation. In the event that disclosure is postponed, the Co-ordinator or Dean shall nevertheless inform the employee or student concerned as soon as, in the Officer's opinion, it becomes safe and appropriate to do so.
- 4.11. An employee or student of the College who is informed or otherwise becomes aware that their behaviour has been made the subject of a formal complaint under clause 4.7 or 4.8 above is

entitled to support from the College and may consult any of the persons listed in clause 4.1 above as appropriate. In the event that the person consulted is already too closely involved in the case, however, they may refer the employee or student concerned to a different person for support.

5. Harassment beyond the College community (not covered by this code)

- 5.1. The College is prepared to consider complaints of harassment made by persons outside the College (or persons associated with the College but not otherwise covered by the provisions of this Code) against a student or employee of the College (or a person associated with the College but not otherwise covered by the provisions of this Code), where the place in the College community of the person against whom the complaint is made has allegedly facilitated, enabled, occasioned or otherwise contributed to the alleged harassment. Such complaints shall be addressed to the Master or the Vice-Master who will determine the appropriate process for considering them.
- 5.2. The University has its own Policy and Procedure on Harassment³, applicable to University Departments and Libraries, and other colleges have their own codes. Any student or employee of the College who wishes to complain of harassment by a student or employee of the University who is not a student or employee of the College should first proceed as explained above in clauses 3.4 to 3.6 (students) and clauses 4.6 and 4.7 (employees). In such a case the Advisor will as appropriate (and subject to the consent of the complainant) consult the Master or the Dean, who will as appropriate (and subject to the consent of the complainant) take the matter up with the Head or the Dean of the other College concerned, or, in the wider University, with the Head of Department or other appropriate person. Where appropriate (and subject to the consent of the complainant) the matter may then be handed over for resolution under the University's or the other College's arrangements.

6. Confidentiality

- 6.1. Confidentiality will be respected at all times, so far as is consistent with the College's 'Guidance on Confidentiality in Student Health and Welfare' and subject to specific exceptions provided for in this Code or in the other College rules to which it refers.

7. Reporting and Review

- 7.1. At the end of each academic term the Harassment Advisors will report to the HR/Equality Officer (a) how many (if any) requests for intervention were received under clauses 3.5 to 3.7, 4.5 to 4.7 and 5.2 above, (b) what kind of situation was reported in each, (c) leading to what types of intervention (if any) by the harassment Advisors, and (d) how many of these requests (if any) led to the instigation of processes under clauses 3.7 to 3.12 or under clauses 4.8 to 4.11 above, and (e) how the cases were resolved. The HR/Equality Officer will compile the reported information into a report for General Purposes Committee, which will be presented annually in the Michaelmas term.

³ <http://www.admin.ox.ac.uk/eop/harassmentadvice/policyandprocedure/>

ANNEX 1 – Complaints Procedure (Students)

ANNEX 2 – Guidelines for Staff

ANNEX 3 – Guidelines for Harassment Advisors

ANNEX 4 – Guidelines for Managers

ANNEX I: Complaints Procedure under Clauses 3.7 and 3.8 of this Code

In the event of a request for a Stage Two process under clauses 3.8 and 3.9(b) of this Code the following procedure shall apply:

1. If the student alleging harassment wishes to pursue a complaint under clause 3.9(a) of this Code against another student alleged to be their harasser, they should follow the process set out in the Non-Academic Disciplinary Procedure (NDP).
2. If the student alleging harassment wishes to pursue a complaint under clause 3.9(b) of this code against another student alleged to be their harasser, they may begin at Annex I, without having made use of earlier stages of the Code. Alternatively, they may continue to Annex I, having begun at an earlier stage of the Code.
3. The complaint should be addressed to the Vice-Master, Fellow for Women, or Fellow for Anti-Racism, who will then act as Co-ordinator. It may include the request (whether giving reasons for the request or not) that the Co-ordinator appoint a senior Fellow of the College, or someone of suitable seniority or expertise from outside the College, to oversee the complaint in place of the Co-ordinator. All reasonable steps should be taken to accede to such a request. Once such a senior Fellow or other suitable person has been appointed, the complaint should be forwarded to them and should then be treated as having been addressed to them.
4. The person to whom the complaint is addressed under paragraph 3 above is the Co-ordinator for the purposes of clauses 3.9 and 3.11 of this Code and for the purpose of the following paragraphs, subject to the provision for the complainant to be referred to a different Co-ordinator under paragraph 6(i) below.
5. The complaint must be made in writing and identified by the heading 'Complaint of Harassment' and should include at least the following:
 - i. A description of what has happened to give rise to the complaint, including dates, times and all other relevant details;
 - ii. The name of the student about whom the complaint is made;
 - iii. If applicable, details of the steps which have been taken so far to resolve the complaint;
 - iv. If applicable, an explanation of why the complainant is dissatisfied with the outcome of the Stage One procedure under clauses 3.4 to 3.6 of this Code.
6. Within five working days of the complaint's delivery, the Co-ordinator will
 - i. Consider the matters set out in the complaint and determine whether they are matters covered by this code, and whether they have any conflict of interest requiring the complaint to be dealt with by a different Co-ordinator; and
 - ii. Acknowledge receipt of the complaint and either confirm that more detailed investigation will follow under this Code, or notify the complainant that the complaint falls outside this Code (with an explanation of the reasons); and
 - iii. If the complaint is to proceed, notify the student who is the subject of the complaint that the complaint has been made under this Code and that more detailed investigation will follow under this Code.

7. If the complaint is to proceed, the Co-ordinator will appoint an investigator, usually another senior member of the College with no previous involvement in the matter complained about, or someone of suitable seniority or expertise from outside the College, who will investigate the complaint in an independent and impartial manner, and with all due sensitivity, and who will also be available to join a non-academic disciplinary panel should the Co-ordinator later decide that such a panel is required. Both the complainant and the student complained against will be informed of the identity of any proposed investigator before that investigator is appointed, and each will be given a reasonable opportunity to object to the appointment, stating the grounds for doing so. The Co-ordinator will appoint an alternative investigator, if, in the Co-ordinator's opinion, either party's grounds for objecting are reasonable ones.
8. The investigator may make such inquiries as they think fit, and the accepting of the appointment of an investigator under this code implies consent by the complainant to all such inquiries. In particular the investigator may request additional information and documents from the complainant or any other person, and may hold interviews with or seek written statements from the complainant, the student complained against, any witnesses named by the complainant or the person complained against, and any other person. Notes will be taken of all interviews. Although there is no time limit for the completion of the investigation, it will be conducted as expeditiously as the subject-matter allows.
9. Without prejudice to the generality of the previous clause, both the complainant and the student complained against shall be given a reasonable opportunity to speak in person to the investigator. The investigator shall put the substance of the complaint to the student complained against with a degree of detail sufficient to allow the student to make an adequate response. Should either party decline to speak to the investigator, the investigator may draw such inferences as may seem reasonable to them about the weight to be attached to any other evidence from that party.
10. Within ten working days of the completion of the investigation, the investigator will produce a report setting out details of the investigation together with copies or notes of any evidence relied upon, and will provide copies of the report (complete with the supporting documentation) to the complainant and to the student complained against, inviting both parties to submit written comments or objections within a further five working days.
11. Upon receipt of the response or (if no response is provided within the time allowed) after the expiry of five working days, the investigator will provide to the Co-ordinator copies of the report and any accompanying documents and any written response received from the complainant or the student complained about.
12. The Co-ordinator will consider the complaint and the investigator's report, and decide whether further action is to be taken against the student complained against. In making this decision the Co-ordinator will not (without the agreement of both parties) take account of information or documents which are not available to both parties.
13. If further action is to be taken it will be taken under the College's Non-Academic Disciplinary Procedure (NDP) or under the inherent powers of the Dean preserved by that Procedure, and/or by the Domestic Bursar under the College's accommodation agreement. The Co-ordinator will decide whether to refer the complaint and the investigator's report to the Dean and/or the Domestic Bursar, or to a Non-Academic Disciplinary Panel. If the Co-ordinator refers the matter directly to a NDP Panel they will do so on the basis that the inherent powers of the Dean and/or Domestic Bursar are insufficient to address the complaint and the investigator's report. The investigator's report will be supplied to the Dean and/or to the Domestic Bursar, or to the NDP Panel as the case may be.

14. Within five working days of receiving the investigator's Report the Co-ordinator will write to the complainant and to the student complained against to notify them of the outcome of the complaint and the steps that it is now proposed to take, if any.
15. If either party is aggrieved by the handling of the complaint under this Code, including by a finding of fact made in the course of such handling, their remedy is a complaint against the College under the Student Complaints Procedure.

ANNEX 2: Guidelines for Staff on resolving harassment issues

1. You have a number of options to enable you to deal with harassment, ranging from simply indicating that the behaviour is unacceptable to you to making a formal complaint through the Grievance Procedure.
2. If you believe you may be being harassed, or that certain behaviour may become harassment, you may wish to keep a written log of all relevant incidents and of the behaviour which troubles you. This may include a note of the place, the dates and times, the names of any witnesses and what was said and done. This information will be useful if you decide to make a complaint.
3. Don't feel that you need to delay until your working conditions become intolerable or your personal well-being is seriously affected. Act quickly. The person against whom you have a complaint may not be aware that their behaviour is inappropriate or offensive, or that their words or actions may have been misinterpreted. In these situations, a misunderstanding can often be cleared up promptly.
4. If you feel able, speak up at the time and tell the person to stop. Wherever possible, say explicitly that you feel that you are being harassed and that their behaviour is upsetting you. Even if the other person intended to act in an unacceptable way, a swift and clear statement of your objections may be enough to put a stop to the behaviour.
5. Alternatively, you could write a letter to the harasser, clearly identifying the behaviour you found to be offensive and, if the behaviour is continuing, requesting that it should stop immediately. If you do write, keep a dated copy of the letter for possible future reference. This will be useful in the event of a formal complaint.
6. If you don't want to confront the person face to face but still want the matter to be dealt with informally, you have the following options:
 - ask a colleague/friend to go with you to speak to the person on your behalf or to go in your place;
 - take the issue up informally with your immediate supervisor/manager or with a more senior member of staff if you wish. The latter action may be more appropriate if you feel that your supervisor/manager is the source of the harassment;
 - consult a Harassment Advisor, the Chaplain, a Trade Union representative, or the HR Manager.
7. If the harassment continues and you haven't already done so, you may contact the HR manager. HR will deal with you in confidence and advise you on how you might proceed, including how you can make a formal complaint if you decide you want to.
8. If informal methods haven't succeeded in stopping the harassment, you may decide to make a formal complaint by raising a grievance. This should follow the Grievance Procedure and should include full details of your complaint of harassment, including descriptions of the incident(s), dates, times and the names of any witnesses.
9. You are under no obligations to pursue the matter informally first and you may raise a grievance at any stage.
10. At any point in the grievance process you can seek advice and support from the HR Manager, or a trade union representative. Either of these, or the Chaplain, a Harassment Advisor, or another member of staff, may accompany you to relevant meetings, if appropriate.

11. All reasonable steps will be taken to ensure that all enquiries and complaints are dealt with in confidence. Accusations of harassment are potentially defamatory and could provide grounds for possible legal action; it is therefore essential that complainants as well as recipients of complaints observe strict confidentiality.

Notes:

1. If you are physically attacked you should seek help immediately. There is always someone on duty in the Lodge, and you can contact a porter or any other member of staff for assistance, or you can ring the police on 999.
2. If you have been subjected to sexual violence you are strongly encouraged to see advice and medical assistance immediately. This allows someone to help with your immediate needs and to obtain evidence that may be of use at a later stage. College staff who have been trained to respond in cases of sexual violence include the Chaplain, the Head of Accommodation, the Domestic Bursar and the HR Manager. Any one of the suggested contacts named in the University of Oxford guide found at <http://www.admin.ox.ac.uk/eop/harassmentadvice/policyandprocedure/guidance/> will willingly offer you support and will help you decide what you want to do. If you do consult any of these contacts, no-one else will be involved without your permission: you will be advised what to do but the choice will remain your own.
3. If you are concerned that your behaviour, manner or attitudes might be regarded as harassing to others, you may consult a Harassment Advisor, the Chaplain, your line manager, or the HR Manager.

ANNEX 3: Guidelines for Harassment Advisors

As a Harassment Advisor, you are expected to:

1. Deal with all cases confidentiality, except where there is an unacceptable risk to a member of staff, student or to the College. In those circumstances, you should only break this confidence in consultation with the HR Manager or a Senior College Officer. You should explain the parameters of confidentiality with the individual who has approached you (in the case of students, the Harassment Advisor should follow the *Guidance of Confidentiality in Student Health and Welfare*).
2. Listen non-judgementally to a student or member of staff who may believe they are being harassed.
3. Guide individuals through the Code on Harassment.
4. Clarify the options open to the individual and support them in resolving the matter informally where possible, with particular reference to Annex 2 of this Code.
5. Refer the individual on to other agencies or University or College support systems (e.g. The Employee Assistance Programme, the Chaplain, a Union rep) where appropriate.
6. Provide similar support if you have been approached by a student or by a member of staff who has been accused of harassment.
7. To avoid a conflict of interest you should only provide support to one party in a harassment case: if you are approached by a second party, you should refer the other party to another Harassment Advisor.
8. Contact another Harassment Advisor or the HR Manager or the Chaplain if you need support or advice on a case.
9. Keep accurate records, which must always be dated, of each case including notes of each meeting, diary entries and emails.
10. Return accurate reports to the College HR Manager on a termly basis.

As a Harassment Advisor, you should **not**:

11. Seek to provide legal advice.
12. Initiate an approach to the alleged harasser on your own (and without the consent of the complainant) in an attempt to mediate or resolve the matter.
13. Be involved in any formal stage of a grievance process, except by way of giving the complainant the support they need during this time or attending an interview to provide information to an investigating officer.
14. Advise those to whom you are providing support that particular behaviour definitely DOES constitute harassment that will lead to disciplinary action.
15. Advise those to whom you are providing support that particular behaviour definitely DOES NOT constitute harassment (bearing in mind that it is how the person feels that is important, rather than your perception).

ANNEX 4: Guidelines for Managers

These guidelines are for managers who are approached by a colleague in their own team or department who believes that he or she is being or has been harassed, or who wishes to discuss any situation in which harassment may be or has become an ingredient (see above 4.1)

1. A manager who is approached informally by a colleague whom they manage should:
 - Respond sensitively to the person who has approached them; this will include listening carefully to their concerns, and drawing their attention to relevant parts of this code, including Annex 2 above.
2. If the person who has approached the manager wishes to have the matter dealt with on a wholly anonymous basis, the manager should
 - Respect and accept a complainant's wish (though they should explain that an anonymous complaint can only be pursued in general terms, and discuss what this may mean).
3. If the person who has approached the manager agrees for their identity to be known, and their concerns or complaint to be shared on that basis, the manager may:
 - Arrange, if appropriate, and agreed by the person who has approached them, to raise their concerns with the other party. This will allow the other person to be made aware of the situation and given an opportunity to respond, and may allow the manager and this person to agree on how the situation might be resolved in a way that is satisfactory to both parties and to the manager.
 - Arrange, if appropriate and agreed by the complainant, a meeting between the parties involved. This will allow the other person to be made aware of the situation and given an opportunity to respond, and may allow the manager and both parties to agree on how the situation might be resolved in a way that is satisfactory to them all:
 - Advise the complainant (if appropriate) that the complaint should be referred to HR for review. This may happen instead of either or both of the options outlined above, or if either or both of those options have been tried but did not reach a resolution that was satisfactory to the person who raised the concern. HR will consider if the matter should be dealt with formally, by way of the Grievance Procedure. If the complainant is not able to or willing to accept this advice, the matter will continue to be dealt with informally as far as is reasonably practical; HR will provide advice and information on how to make a formal complaint if necessary. If HR is a party to the matter, the complaint may be referred to the Vice-Master, Fellow for Women or Fellow for Anti-Racism, and they will act in place of HR.
4. In all cases, managers should:
 - Ensure that a person who brings a reasonable complaint suffers no detriment by doing so;
 - Maintain appropriate written records;
 - Seek advice from the HR Manager where required.

5. Managers should not become involved in harassment claims made by staff who are not in their immediate line. Employees are normally expected to resolve issues or disputes informally in their team and with the support of their manager or supervisor first. In addition, managers who are senior College Officers may need to become involved in a formal process if that stage is reached. Therefore they should not normally be approached for support at an informal stage as this may interfere with their discharge of formal responsibilities later. If approached for support they should make all reasonable efforts to refer the matter to a suitable alternative person.

NOTES