



Key personnel: **The Principal**
 The Dean
 Director of Operations
 Head of Welfare

The following policies should also be consulted:

General Principles Concerning the Use of College Policies
Student Disciplinary Code (students)
Complaints Policy (students)
Grievance Policy (Staff)
Policy on Staff/Student Relationships

Abbreviations:

CH: Complaint Handler
HO: Harassment Officer
WO: Welfare Officers (Head of Welfare, Harassment Officers, Safeguarding Officer, Women's Officer)
DC: designated contact

This policy is to be read in conjunction with the Regent's Park College Safeguarding Policy. Safeguarding referrals will be made within 24 hours where the nature of an allegation of harassment gives rise to concerns about the safeguarding or protection of an affected party, or where concerns about the 'suitability' of an individual to work in a position of trust arise. Matters that suggest potential criminality will be referred to the Police. Where affected parties require external support services, beyond the skill or resources of the University, external referrals will be made promptly.

A. Introduction

1. Regent's Park College 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 students 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. Those in positions of authority within the College, such as the Principal, the Dean, the Director of Operations, and the Head of Welfare, have formal responsibilities under this Policy and are expected to familiarise themselves with the Policy and Procedures on appointment. All senior



members of the College 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. Under this policy, a designated Case Handler (CH), and Welfare Officer (WO) have particular responsibilities in supporting disclosers/complainants, providing guidance, and ensuring clear communications.
6. Communications will be established as laid out in General Principles Concerning the Use of College Policies, paragraphs 2-14 inclusive.
7. 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 Procedures 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.
8. This Policy and Procedures are designed to deal with harassment which occurs primarily within the environment of one or more colleges. Incidents of harassment that occur outside the college environment and/or solely within the University environment will normally be dealt with under the appropriate University procedure. If there is doubt as to whether the college or University procedure applies, you are advised to seek advice from the relevant college officers described in this Procedure, the Director of Student Welfare and Support Services or the University's Harassment Line.
9. Any matters related to sexual harassment and/or other allegations of a sexual nature will normally be referred to the Oxford University Sexual Harassment and Violence Support Service.
10. 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
11. At any point in the procedures outlined below advice and support may be sought from WO (Head of Welfare, and/or Harassment Officers, and Safeguarding Officer) who will remain neutral. To ensure this, the Head of Welfare should not normally be a member of any disciplinary panel convened as a result of formal action taken under this code.



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12. Action taken under this policy (minor, serious or final) should normally take place in person. However, under exceptional circumstances, it may need to take place remotely, via an online platform such as Microsoft Teams or its equivalent

B. Definitions

1. A person subjects another to harassment where they engage in unwanted and unwarranted conduct which has the purpose or effect of:
 - a. violating another person's dignity, or
 - b. creating an intimidating, hostile, degrading, humiliating or offensive environment for another person.
 - c. The recipient of such conduct does not need to have explicitly stated that the behaviour was unwanted.
2. 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.
3. Bullying is a form of harassment and may be characterised as:
 - a. offensive, intimidating, malicious or insulting behaviour, or
 - b. misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.
4. 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.

C. Behaviours

1. Harassment may involve repeated forms of unwanted and unwarranted behaviour, but a one-off incident can also amount to harassment.
2. The intentions of the alleged harasser are not always determinative of whether harassment has taken place. The perception of the discloser/complainant, and the extent to which that perception is in all the circumstances reasonable, will also be relevant.
3. Being under the influence of alcohol, drugs or otherwise intoxicated is not an excuse for harassment.



4. Harassment can take place through individual behaviour:
 - a. face-to-face, either verbally or physically;
 - b. 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 college's regulations relating to the use of Information Technology Facilities;
 - c. directly to the person concerned, or to a third party.
5. Harassment can take place 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.
6. 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:
 - b. inappropriate body language;
 - c. sexually explicit remarks or innuendoes;
 - d. unwanted sexual advances and touching;
 - e. 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 age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership, and pregnancy and maternity;
 - f. insulting, abusive, embarrassing or patronising behaviour or comments;
 - g. humiliating, intimidating, and/or demeaning criticism;
 - h. persistently shouting at, insulting, threatening, disparaging or intimidating an individual;
 - i. constantly criticising an individual without providing constructive support to address any performance concerns;
 - j. persistently overloading an individual with work that they cannot reasonably be expected to complete;
 - k. posting offensive comments on electronic media, including using mobile communication devices;
 - l. threatening to disclose, or disclosing, a person's sexuality, or disability to others without their permission;
 - m. deliberately using the wrong name or pronoun in relation to a transgender person, or persistently referring to their gender identity history;
 - n. isolation from normal work or study place, conversations, or social events;
 - o. publishing, circulating or displaying pornographic, racist, homophobic, sexually suggestive or otherwise offensive pictures or other materials.
7. 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.

D. Application of the Policy

1. 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; and Annexe B for the Procedure in relation to complaints about students.
2. 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.
3. Student members can seek advice from Harassment Advisors, the Head of Welfare, and the Dean, and/or approach the Police directly.
4. Staff members can seek advice from Harassment Advisors, the Director of Operations, the Human Resources Officer, and/or approach the Police directly.
5. Students and staff members can seek guidance and advice on any matters related to sexual harassment and/or other allegations of a sexual nature from Oxford University Sexual Harassment and Violence Support Service.
6. Incidents of harassment that occur outside of the college environment and within the University environment will normally be dealt with under the appropriate University procedure. These procedures can be found at:
www.admin.ox.ac.uk/eop/harassmentadvice/policyandprocedure/
7. If a discloser/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.
8. All parties involved in a complaint (including any relevant persons 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 disclosers/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.

9. 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.
10. For details of the procedures in complaints of harassment made against members of staff by other members of staff see Annex A, and the Grievance Policy. For details of the procedures in complaints of harassment made against students see Annex B, The Student Disciplinary Code, and the Complaints Policy. See also the Policy on Staff/Student Relationships.
11. This Policy and Procedure may be found at www.rpc.ox.ac.uk/governance-and-compliance or is available in hard copy from the PA to the Principal. Copies in alternative formats are available on request.
12. This Policy and Procedure will be subject to regular review by the Governing Body every 2 years.



Annex A: Complaints by College Staff of Harassment

1. Roles and communications

- 1.1 The Procedure below applies in all cases where the discloser/complainant is a member of College staff, and the person who is the subject of the disclosure/complaint is also member of College staff, or who has an association with a particular college short of an employment contract. The Principal will normally have oversight of all cases, and (if appropriate) will appoint a CH, and will take the lead as appropriate in liaising with other parts of the collegiate University.
- 1.2 The Grievance Policy should also be consulted for details of the procedures.
- 1.3 If a member of staff discloses and/or brings a complaint of harassment against a student member it will be dealt with under the Disciplinary Code (see Annex B 1.1).
- 1.4 Normally, either the Principal, the Dean, or the Director of Operations, will be the CH, as appropriate.
- 1.5 On receipt of a disclosure or an allegation against a member of staff the CH should inform the Head of Welfare so that an assessment can be made of the discloser's/complainant's welfare needs, support can be offered to them, and they can be signposted to specialist help as necessary. See General Principles Concerning the Use of College Policies, paragraphs 2-14 inclusive for more details about communications
- 1.6 Members of Staff can seek support from College Harassment Advisors, their designated contacts (DC), and Head of Welfare throughout the complaint process. If the staff member does not feel comfortable contacting any of these people, they can contact the Harassment Line for details of another advisor (Tel. 01865 270760 or e-mail harassment.line@admin.ox.ac.uk).
- 1.7 This complaints 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, cases of serious assault or threat of serious assault. In the first instance such allegations will normally be a matter for police investigation and action. This complaints 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.

2. Processes

- 2.1 If a member of staff wishes to seek informal resolution, they should normally approach the Principal, or the Director of Operations, or the CH (as appropriate) for support and advice in achieving that resolution.
- 2.2 At no time should a staff member feel obliged to approach an alleged harasser.



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- 2.3 In the case of the disclosure/complaint involving two members of staff, and when mediation or conciliation is chosen by the discloser (see Grievance Policy Section C.8), an experienced mediator or conciliator acceptable to both parties will normally be nominated by the Principal, who may seek advice from the University's Director of Human Resources if appropriate, for example, in the case of a joint appointment.
- 2.4 If the discloser decides to make a formal complaint, that complaint should normally be submitted to the Principal, Director of Operations, or CH, as appropriate. If it is not submitted directly to the Principal, the complaint will be communicated to the Principal by the Director of Operations, or CH, as appropriate.
- 2.5 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 the Principal, or any of the designated College officers identified in Grievance Policy Section B.5, or wishes to make a complaint against the Principal, advice may be sought from Harassment Advisors, CH, or the Head of Welfare, as appropriate.
- 2.6 Every effort will be made to achieve a prompt resolution to any submitted written complaint. The aim will normally be to conclude any investigations 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 co-operate 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 by their DC about the progress of the investigation.
- 2.7 On receipt of a written complaint, the CH will take such steps as they think necessary or appropriate to understand the nature of the complaint and the outcome sought which may include:
- informing the person against whom a complaint has been made of the allegations against them;
 - meeting separately with the complainant and the alleged harasser;
 - speaking to other relevant people on a confidential basis; and/or
 - obtaining further relevant information.
- 2.8 Both parties to the complaint have the right to be accompanied and supported by a colleague of their choice from within the College at any meeting held under this procedure. If the complaint involves a student they may be accompanied by another student member of the College, their DC, or another member of the College's welfare team, a senior member of the College, or a member of staff from OUSU's Student Advice Service. Anyone who accompanies and supports the parties involved must maintain appropriate confidentiality.
- 2.9 The CH will normally 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.



2.10 The Principal may also determine that immediate interim action is necessary pending the outcome of a formal process.

2.11 There may be circumstances in which a discloser/complainant is not willing, or able, to make a formal written complaint but the Principal, the Dean, or the Director of Operations (as appropriate) considers 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 Principal, the Dean, or the Director of Operations may initiate an investigation and make a decision on further action on the basis of such information as is available.

3. Possible outcomes of a complaint

3.1 Depending on the nature of the complaint and the information and/or material found, including the findings of any investigation report, the Principal, in consultation with relevant College Officer(s) and, in the event of a student complainant, the Head of Welfare, 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. 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; 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); or
- c. If a successful resolution is achieved the matter will be closed, but the situation will be monitored for an appropriate period. This approach will usually be appropriate where the information and/or material, and the findings of any investigation report does not support a claim of harassment but it is clear that either party has demonstrated behaviours that are likely to lead to further issues between them if unresolved or, alternatively, that there are structural issues within the College that require management attention, or
- d. Institute disciplinary proceedings where the Principal, or the Chair of Governing Body is reasonably satisfied that information and/or material gathered, and the findings of any investigation report are sufficient to support allegations of harassment of a sufficiently serious nature that it should be further examined through the disciplinary process. In this event, the Principal will determine what intermediate measures are necessary, including any re-allocation of duties, in consultation as appropriate with the relevant department. See the Grievance Policy, as appropriate; or
- e. In rare cases disciplinary action may be instituted against the complainant if the Principal is satisfied that the complaint of harassment is unfounded and not made in good faith.

4. Appeal from the Principal's decision



4.1 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 procedure within the time scales specified. For staff see the Grievance Policy.

5. Records

5.1 The College and all those involved in this process must comply with the principles of the Data Protection Act 2018. These include ensuring that personal data is kept accurate and up-to-date, held securely, and not kept for longer than necessary.

5.2 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.

5.3 The Principal, and if the student is the subject of the complaint, the Head of Welfare, should be consulted about filing and retaining any notes and documents, all of which must be held in confidence.



Annex B: Complaints by students of harassment

1. Roles and communications

- 1.1 The Procedure below applies in all cases where the aggrieved person, discloser/complainant is a student of the College, and the person who is the subject of the disclosure/complaint is also student of College. This procedure also applies if a disclosure /complaint is made by a member of staff against a student of the College (See Annex A 1.1).
- 1.2 The Student Disciplinary Code should also be consulted if the disclosure/complaint is against another student.
- 1.3 The Dean will normally be CH, and have oversight of all cases, and will take the lead as appropriate in liaising with other parts of the collegiate University. If appropriate, the Dean may appoint a CH.
- 1.4 If a member of staff is the subject of the disclosure/complaint by a student then the Policy on Staff Student Relationships, and the Complaints Policy should be consulted for details of the procedures. In such cases, the Principal, or Chair of Governing Body (as appropriate) would normally be the CH.
- 1.5 On receipt of a disclosure or an allegation against a student member, the CH should inform the Head of Welfare so that an assessment can be made of the discloser's/complainant's welfare needs, support can be offered to them, and they can be signposted to specialist help as necessary. See General Principles Concerning the Use of College Policies, paragraphs 2-14 inclusive for more details about communications.
- 1.6 Students can seek support from College Harassment Advisors, designated contacts and Head of Welfare throughout the complaint process. If the student or staff member does not feel comfortable contacting any of these people, they can contact the Harassment Line for details of another advisor (Tel. 01865 270760 or e-mail harassment.line@admin.ox.ac.uk).
- 1.7 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, cases of serious assault or threat of serious assault. In the first instance such allegations will normally be a matter for police investigation and action. This complaints 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.

2. Processes

- 2.1 If a student wishes to seek an informal resolution, they should approach the Dean, and/or Head of Welfare, and/or the CH (as appropriate) for support and advice in achieving that resolution.



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- 2.2 At no time should a student feel obliged to approach an alleged harasser.
- 2.3 When mediation or conciliation is chosen by the discloser (see Complaints Policy Section xxx), an experienced mediator or conciliator acceptable to both parties will normally be nominated by the Dean, or CH (as appropriate), who may seek advice from the Head of Welfare, and University's Director of Welfare.
- 2.4 If the discloser decides to make a formal complaint against another student, that complaint should normally be submitted to the Dean, or CH, as appropriate. If the subject of the complaint is a member of staff, the formal complaint should be submitted to the Principal, or Chair of Governing Body, as appropriate.
- 2.5 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 the Dean, the Principal, or Chair of Governing Body, advice may be sought from Harassment Advisors, or the Head of Welfare, as appropriate.
- 2.6 Every effort will be made to achieve a prompt resolution to any submitted written complaint. The aim will normally be to conclude any investigations 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 co-operate 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 by their designated contacts about the progress of the investigation.
- 2.7 On receipt of a written complaint, the Dean, the CH, or the Principal (as appropriate) will, in consultation with the Head of Welfare in the event of a student complainant, take such steps as they think necessary or appropriate to understand the nature of the complaint and the outcome sought which may include:
- informing the person against whom a complaint has been made of the allegations against them;
 - meeting separately with the complainant and the alleged harasser (see Section vi, below)
 - speaking to other relevant people on a confidential basis; and/or
 - obtaining further relevant information.
- 2.8 Both parties to the complaint have the right to be accompanied and supported by a colleague of their choice from within the College at any meeting held under this procedure. If the complaint involves a student they may be accompanied by another student member of the College, their DC, or another member of the College's welfare team, a senior member of the College, or a member of staff from OUSU's Student Advice Service. Anyone who accompanies and supports the parties involved must maintain appropriate confidentiality.
- 2.9 The CH will normally 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.



2.10 The Principal may also determine that immediate interim action is necessary pending the outcome of a formal process.

2.11 There may be circumstances in which a discloser/complainant is not willing, or able, to make a formal written complaint but the Principal or the Dean (as appropriate) considers that the implications for the discloser/complainant or others actually or potentially affected are serious. This may include cases where other parties, but not the discloser/complainant, have made a complaint. In this case, the Principal, the Dean, or the Chair of Governing Body may initiate an investigation and make a decision on further action on the basis of such information as is available.

3. Possible outcomes of a complaint

3.1 Depending on the nature of the complaint and the information and/or material found, including the findings of any investigation report, the Principal, in consultation with relevant College Officer(s) and, in the event of a student complainant, the Head of Welfare, 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. 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; 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); or
- c. If a successful resolution is achieved the matter will be closed, but the situation will be monitored for an appropriate period. This approach will usually be appropriate where the information and/or material, and the findings of any investigation report does not support a claim of harassment but it is clear that either party has demonstrated behaviours that are likely to lead to further issues between them if unresolved or, alternatively, that there are structural issues within the College that require management attention, or
- d. Institute disciplinary proceedings where the Principal, the Dean, or the Chair of Governing Body is reasonably satisfied that information and/or material gathered, and the findings of any investigation report are sufficient to support allegations of harassment of a sufficiently serious nature that it should be further examined through the disciplinary process. In this event, the Principal will determine what intermediate measures are necessary, including any re-allocation of duties, in consultation as appropriate with the relevant department. See the Grievance Policy, as appropriate; or
- e. In rare cases disciplinary action may be instituted against the complainant if the Principal is satisfied that the complaint of harassment is unfounded and not made in good faith.

4. Appeal from the Principal's decision



4.1 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 procedure within the time scales specified. For staff see the Grievance Policy.

5. Records

5.1 The College and all those involved in this process must comply with the principles of the Data Protection Act 2018. These include ensuring that personal data is kept accurate and up-to-date, held securely, and not kept for longer than necessary.

5.2 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.

5.3 The Principal, and if the student is the subject of the complaint, the Head of Welfare, should be consulted about filing and retaining any notes and documents, all of which must be held in confidence.

*November 2018
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