

**Green Templeton College
University of Oxford**

Student Anti-Bullying and Harassment Policy

1. Policy Statement

Green Templeton College is committed to maintaining a working and social environment which is characterized by fairness, humanity, and respect for others, and which is conducive to good social and working relationships and in which no student feels under threat or intimidated.

Allegations of harassment will be taken seriously, will be seen by those involved to be taken seriously, and will be dealt with in accordance with set procedures. The College has an Anti-Bullying and Harassment Policy and the University of Oxford has a Policy and Procedure on Harassment and Bullying, which are compatible with each other.

Anyone contemplating making a complaint is strongly advised to read both documents. However, anyone wishing to initiate action must decide which policy to follow and then continue to follow it. It is not possible to swap between one and the other. Some cases may be more appropriately dealt with through the College procedure and others through the University procedure. The University's Policy and Procedure may be found on <http://www.admin.ox.ac.uk/eop/har/> A copy of the College's policy is obtainable from the Lodge, Library or Academic Administrator.

2. Definition of Harassment/Bullying

The following definitions are taken from the University of Oxford Policy and Procedure on Harassment and Bullying.

Bullying can be defined as "behaviour which is offensive, intimidating, malicious or insulting, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient".

A person subjects another to harassment where s/he engages in unwanted and unwarranted conduct which has the purpose or effect of:

- violating that other's dignity, or
- creating an intimidating, hostile, degrading, humiliating or offensive environment for that other.

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

Harassment on grounds of sex (including gender re-assignment), race, religion or belief, disability, sexual orientation or age may amount to unlawful discrimination. Harassment

may also breach other legislation and may in some circumstances be a criminal offence, e.g. under the provisions of the Protection from Harassment Act 1997.

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

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

Behaviour

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

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

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

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

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

Intention or motives

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

Victimisation

Victimisation occurs where a person is subjected to detrimental treatment because s/he has, in good faith, made an allegation of harassment, or has indicated an intention to

make such an allegation, or has assisted or supported another person in bringing forward such an allegation, or participated in an investigation of a complaint, or participated in any disciplinary hearing arising from an investigation.

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

Malicious or vexatious complaints

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

Confidentiality

All information concerning allegations of harassment must be treated in the strictest confidence and breaches of confidentiality may give rise to disciplinary action. All parties involved in a complaint (including any witnesses who may be interviewed as part of any investigation) should maintain the confidentiality of the process.

Sources of Advice and Help

The sources of advice set out below are available to anyone who believes that s/he may be being harassed, and who wishes to discuss any concerns in confidence. These sources of advice are also available to anyone who has been told that his/her conduct is perceived as harassing.

- The University's Harassment Advisory Service - details may be found at www.admin.ox.ac.uk/eop/har/advisornet.shtml
- Other sources of more general help are listed on the harassment advice website which can be found at <http://www.admin.ox.ac.uk/eop/har/>
- Outside the College, this might entail seeking advice from officers of the Oxford University Students Union (OUSU), the Oxford University Graduate Union (OUGU), Night-Line, the Oxford Women's Counselling Service, Samaritans, or the Rape Crisis Line.
- The University Counselling Service is also available to all students within the University.
- Within College, the Junior Dean or any member of the Harassment Advisory Panel can also be freely approached.

3. Making a Complaint – Informal Procedure

It is appropriate to use the Informal Procedure where the student simply wants the behaviour to stop, where the alleged harassment is not too serious, or where it has not been repeated. A student is not obliged to attempt to resolve the matter informally.

A student should seek to resolve the matter in the first instance by discussing it with the Junior Dean or with a member of the Harassment Advisory Panel. The role of these individuals is to listen to the concerns and provide them with support and guidance on how they can proceed with a complaint by:

- Assisting the student in deciding on an appropriate course of action.
- Giving information about the procedure and the options for taking a complaint forward
- Providing information about sources of student support, including counselling or other professional support

Brief details of the complaint and any subsequent meetings will be recorded but will only be used if formal proceedings ensue.

Whatever action is taken, it is recommended that the Junior Dean or member of the Harassment Advisory Panel arranges to meet the student after a suitable period of time to monitor the situation and review possible courses of action if the matter remains unresolved.

If the above steps fail to produce a resolution, or if these options are unacceptable to the student, the issue may be raised under the Formal Stage of the Procedure.

Harassment Advisory Panel

The Harassment Advisory Panel has delegated authority to respond in the first instance to allegations of harassment. The Panel is made up as follows:-

- The Welfare Committee nominates the members of the Harassment Advisory Panel (known as Harassment Advisers), taking into account the views of the GCR and College staff.
- The members should be of both genders chosen from amongst the College Fellows and the GCR. At least one of the members of the Harassment Advisory Panel should be an officer of the GCR Committee. A Chair is nominated by the Welfare Committee.
- May not include the Dean or any College Officers
- A list of members of the Harassment Advisory Panel is available from the Academic Administrator, the Lodge and the Library. It can also be obtained from any of the College Officers, or the GCR Officers. If a student is unsure about who to contact, the Chair will advise.

4. Formal Procedure

The Formal Procedure will normally be adopted where the alleged harassment is serious, or if it continues after the Informal Procedure has been invoked.

1. In order to carry out a formal investigation the student must provide written details of the incidents that have led to the complaint to the Harassment Complaints Panel.

A formal complaint may be addressed to any officer of the College who will normally pass it to the Dean for action.

The complainant should set out as clearly and succinctly as possible:-

- the nature of the behaviour that s/he is concerned about;
 - the effect of this behaviour on him/her; and
 - the resolution s/he is seeking.
 - the complaint should include dates and details of any witnesses to any incidents referred to in the complaint, together with any documentary evidence.
 - the complainant should also explain what attempts, if any, have been made to resolve the difficulties and the outcome s/he is seeking.
2. Members of the Register of the Harassment Complaints Panel will be appointed by the Welfare Committee. The Panel for a specific complaint will be made up as follows:-
- Will normally include the Dean
 - Members will be of both genders, the Dean or another member appointed by the Dean will take the role of Chair. The Chair will select the other panel members from the register of Harassment Complaints Panel members
 - In the event that the Dean is implicated or has a conflict of interest, the Chair will be appointed by the Principal
 - May not include anyone with prior involvement in the case
 - May not include other students
3. The Chair of the Harassment Complaints Panel will:-
- Notify in writing the complainant and the person complained about that a complaint has been received
 - Request that the complainant and the person complained provide a written statement of case.
 - Make arrangements for both parties and any witnesses to be interviewed by the panel if necessary
 - Advise both parties that they may be accompanied at any interviews by a friend, staff or student representative if required.
4. The complainant must also understand that once the matter has reached this stage, his or her withdrawal of the complaint will not necessarily lead to the conclusion of the case.
5. The matter may be resolved at this stage through conciliation and with the agreement of both parties. If so this should be recorded in writing and countersigned by the Chair of the Harassment Complaints Panel and both parties, as confirmation that the matter is formally closed.

6. If the Harassment Complaints Panel so recommends, or if the complainant remains dissatisfied, further action may be taken in accordance with the appropriate College disciplinary procedures for staff or students.
 - i. In the case of a member of College **staff** the formal disciplinary procedure will be followed as described in the College's Staff Disciplinary Procedure.
 - ii. In the case of a **student** member, if the Harassment Complaints Panel finds the complaint to be well grounded on the balance of the evidence, it shall report its findings immediately to the Disciplinary Panel, and make recommendations for appropriate remedies and/or suggest that appropriate disciplinary action should be taken against the offender. The Student Disciplinary Policy is available on request.

5.Counter-Complaints

If an individual who has complained of alleged harassment is then accused of harassment in turn by the person about whom the complaint was made, before the above procedures have commenced, the complaints shall be considered simultaneously.

If the counter-complaint is made after the procedures have been set in train, the Harassment Advisory Panel or body considering the case at the time would need to determine, in the light of the particular circumstances, whether to recommend that the complaints be dealt with together; whether to allow the initial complaint to continue until the procedures have been exhausted before turning to the counter-complaint; or whether the counter-complaint should be considered immediately, under the procedures, but separately from the original complaint.

6.Suggested Deadlines

Every attempt will be made to complete the investigation as quickly as possible, which will normally be within six weeks. Clearly, certain circumstances may make this difficult, e.g. if a complaint is received just before the summer vacation.

7.Records

Written records, including details of the complaint and the responses to the complaint, together with any actions of the Harassment Advisory Panel members involved, should be kept at all stages of the procedure. The records should remain confidential to the College. While the procedure is ongoing, the records should be kept securely in a locked file in the Principal's Office.

Once the complaints procedure has been completed the Harassment Complaints Panel will prepare a report and will make a decision on whether, based on the matters disclosed in the investigation, there is a case to be answered by the alleged harasser. Documentation will be placed in a locked file by the Principal and will only be consulted if one of the parties involved again complains or is accused of harassment. This documentation will be

reviewed after three years from the date of conclusion of the original case and will normally be destroyed unless there is a specific reason for retaining it.

The Harassment Adviser will report each new case to the Chair, **not naming either the respondent or the complainant**, so that the Chair of the Harassment Advisory Panel can keep a record of the frequency and nature of complaints received by the Harassment Advisory Panel. The number of cases, excluding any details, will be reported each term to the Governing Body.

At all stages, the rights of the person(s) complained against will be maintained by the College, to ensure justice to all concerned. Strict confidentiality will be required by the Governing Body at all stages, and any victimisation of the accused or accuser will be dealt with severely.

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