

MCR Procedure for Cases of Harassment or Sexual Misconduct

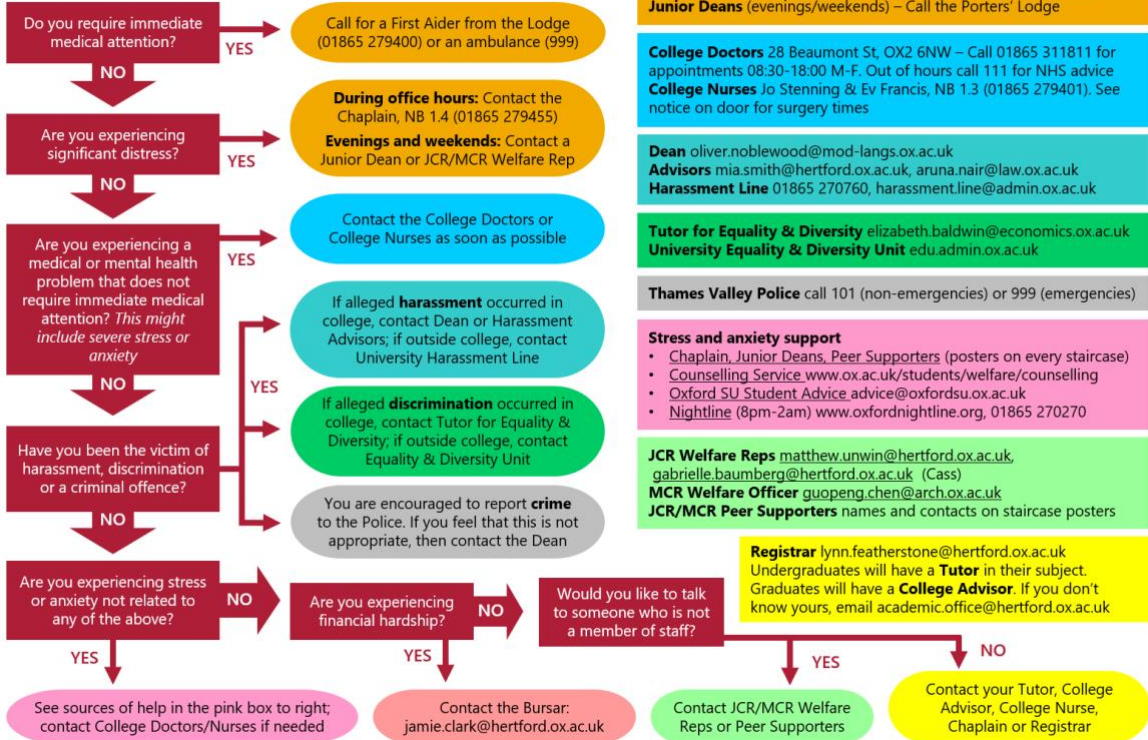
This summarises information outlined in (particularly Annex B: Complaints of harassment against students, as pertains to MCR events): <https://www.hertford.ox.ac.uk/wp-content/uploads/2018/05/Hertford-College-Policy-and-Procedure-on-Harassment-.pdf>

Summary for MCR committee members:

- 1. Speak to MCR equalities reps to record the incident and for up-to-date list of advisory panel as an initial contact (also contained in Appendix 1, page 7). Assure the student that the harassment advisers will be able to:**
 - Give advice on options for ways to proceed, and helping the student to make decisions on the action they want to take
 - Advise the student on to appropriate support services such as the Student Counselling, OUSU Student Advice Service
- 2. Advise the student that support from the Dean and Tutor for Women/Harassment Officer is also available**
- 3. They can also contact the Proctors for advice and information on any matter (contact casework@proctors.ox.ac.uk or telephone 01865 (2) 80185)**
- 4. Explain that the next steps are:**
 - Informal Resolution or Bringing a Formal Complaint (as outlined in full below)
 - Disciplinary Procedures may follow a formal complaint
 - Potentially criminal misconduct is not within the scope of this procedure but Advisory panel can still advise
- 5. The full 'MCR Procedure for Cases of Harassment or Sexual Misconduct' is detailed on page 3 onwards.**
- 6. Referring students to the welfare support guide (below) is also useful for other situations that may arise:**



Finding Welfare Support – A Guide for Students



Porters' Lodge (24/7) – 01865 279400, porters@hertford.ox.ac.uk
Chaplain (weekdays) – 01865 279455, mia.smith@hertford.ox.ac.uk
Junior Deans (evenings/weekends) – Call the Porters' Lodge

College Doctors 28 Beaumont St, OX2 6NW – Call 01865 311811 for appointments 08:30-18:00 M-F. Out of hours call 111 for NHS advice
College Nurses Jo Stenning & Ev Francis, NB 1.3 (01865 279401). See notice on door for surgery times

Dean oliver.noblewood@mod-langs.ox.ac.uk
Advisors mia.smith@hertford.ox.ac.uk, aruna.nair@law.ox.ac.uk
Harassment Line 01865 270760, harassment.line@admin.ox.ac.uk

Tutor for Equality & Diversity elizabeth.baldwin@economics.ox.ac.uk
University Equality & Diversity Unit edu.admin.ox.ac.uk

Thames Valley Police call 101 (non-emergencies) or 999 (emergencies)

Stress and anxiety support

- Chaplain, Junior Deans, Peer Supporters (posters on every staircase)
- Counselling Service www.ox.ac.uk/students/welfare/counselling
- Oxford SU Student Advice advice@oxfordsu.ox.ac.uk
- Nightline (8pm-2am) www.oxfordnightline.org, 01865 270270

JCR Welfare Reps matthew.unwin@hertford.ox.ac.uk, gabrielle.baumberg@hertford.ox.ac.uk (Cass)
MCR Welfare Officer guopeng.chen@arch.ox.ac.uk
JCR/MCR Peer Supporters names and contacts on staircase posters

Registrar lynn.featherstone@hertford.ox.ac.uk
 Undergraduates will have a **Tutor** in their subject.
 Graduates will have a **College Advisor**. If you don't know yours, email academic.office@hertford.ox.ac.uk

MCR Full Procedure for Cases of Harassment or Sexual Misconduct

1. Speak to College Harassment Advisers

The **MCR equalities reps** will be able to provide you with a list of the names of current members of the Advisory Panel (Appendix 1). The role of the adviser is strictly a counselling and advisory one; they have no disciplinary function.

Actions taken by adviser may include:

- a) Giving advice on options for ways to proceed, and helping the student to make decisions on the action they want to take

- b) Referring the student to appropriate support services (such as the Student Counselling Service, Harassment Advisers and OUSU Student Advice Service).
 - **If the student does not feel comfortable contacting a College Harassment Advisor, they can contact the Harassment Line for details of another advisor (Tel. 01865 270760 or e-mail harassment.line@admin.ox.ac.uk).**

 - **Any member of the collegiate University can also contact the Proctors for advice and information on any matter (contact casework@proctors.ox.ac.uk or telephone 01865 (2) 80185).**

The Dean will have oversight of all cases referred to them and will take the lead as appropriate in liaising with other parts of the collegiate University. The Dean will act as a source of information and advice for the College on student cases of harassment and will make referrals as appropriate. *They will also be responsible for recording and reporting of cases referred to their office under this Procedure.*

Brief records will be kept of all meetings held and actions taken in relation to the case at this stage. These records will be managed in accordance with the principles of the Data Protection Act 1998. These include ensuring that personal data is kept accurate and up-to-date, held securely, and not kept for longer than necessary.

Support from the Dean and Tutor for Women/Harassment Officer is also available to students against whom complaints of harassment have been made. The Dean will ensure that, where a complainant and a student complained against are both seeking support, they will be dealt with by different members of staff, who will maintain appropriate confidentiality.

In serious cases, it is likely to be appropriate to proceed directly to stages 3 and 4 of this Procedure.

2. Informal Resolution

Before taking informal action, the student could discuss the situation with a College Harassment Advisor.

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

At no time should a student feel obliged to approach an alleged harasser, and the College does not wish to suggest that a student who feels that they have been harassed is responsible for rectifying the situation.

3. Bringing a Formal Complaint

If action taken at stages 1 or 2 does not succeed in resolving the situation, or would not be appropriate given the nature of the complaint, the student should make a **formal written complaint to the Student Conduct Officer (SCO)** (Professor Petros Ligoxygakis, petros.ligoxygakis@bioch.ox.ac.uk)

The complaint should normally be made as soon as possible after the event(s) to which it refers, or normally *within one month* of the completion of any resolution attempts made at stages 1 and 2.

The complainant should set out as clearly and succinctly as possible

- a) the nature of the behaviour that they are concerned about;
- b) the effect of this behaviour on them; and
- c) where possible, the resolution they are 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 where appropriate any attempts that have been made to resolve the difficulties and, where possible, the outcome they are seeking.
- Any statement about the behaviour under stage 2, may be sent as their formal written complaint (SCO may ask for further details)

The SCO or another person appointed by them, the Investigator, will investigate the case to establish the relevant factual evidence and decide on any actions which should be taken.

Every effort will be made to achieve a prompt outcome to the complaint – the aim being to **conclude the complaint within a period of one month.**

- Both the complainant and the student complained against will be kept informed of proceedings
- Both will be referred as appropriate to sources of support and advice
- Both parties will be informed in writing of the outcome of the investigation of the complaint

If the complainant is not satisfied with the outcome following the investigation of the formal written complaint, they may be able to appeal this decision or apply to the Office of the Independent Adjudicator for Higher Education (OIA) for a review of the case. **The complainant should seek advice from the Dean or Tutor for Women if they are considering taking this action.** If applying to the OIA they must do so within three months of the date of the Completion of Procedures letter.

A student may not wish to make a complaint under stages 2 or 3 of this Procedure, the Dean may consider that the implications for the individual and/or for others actually or potentially affected are serious. In such circumstances the Dean may initiate an investigation (by referral to the SCO) and decide on further action based on such evidence as is available. The individual's consent will normally be sought if disclosure is to be made, and a decision on disclosure would be made at a senior level.

4. Disciplinary Procedures

In all cases you will be expected to give a statement of the nature of the complaint (normally in person, but possibly in writing) to the disciplinary body concerned. There will then be a possibility of a **disciplinary hearing**:

- Both victims and the accused will be allowed to be accompanied by a friend from within the University
- Both will be invited to give an account of the incident(s) in question
- There will be an opportunity for the disciplinary body to cross-question both parties to establish the facts.
- Strict confidentiality will be observed

It is recognised that harassment is frequently a particularly sensitive and distressing experience for victims. **All reasonable steps will be taken to minimize the distress of those who have suffered harassment.**

5. Potentially criminal misconduct

- This Procedure may not be applicable where the allegations are of behaviours that may attract criminal sanction. This would include, but not be limited to, cases of serious assault or threat of assault.
- Further guidance on cases of sexual assault and sexual violence, including support available, is available from the University at: www.admin.ox.ac.uk/eop/harassmentadvice/policyandprocedure/guidance/.

6. Complaints against Members of the MCR

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

7. Complaints against employees of the University who are not employees of the College, or who are not members of the University.

- Formal complaints against **members of the University who are not members of the College** should be made under the University Disciplinary procedures.
- **Persons who are not members or employees of the University or the College** are not subject to College or University disciplinary jurisdiction - you may nevertheless consult a College adviser, who may be able to suggest possible courses of action.

Last amended 29th November 2021 (Amber Truepenney, MCR Equalities rep)

Appendix 1: List of Advisory panel

Harassment Advisors:

Dr Aruna Nair (aruna.nair@hertford.ox.ac.uk)

Mia Smith (mia.smith@hertford.ox.ac.uk)

Other Useful Contacts:

Tutor for Women/Harassment Officer: Emma Smith (emma.smith@hertford.ox.ac.uk)

Dean: Dr Oliver Noble Wood (oliver.noblewood@hertford.ox.ac.uk)

Tutor for Equality & Diversity: Prof. Fernanda Duarte (fernanda.duartegonzalez@chem.ox.ac.uk)

MCR Welfare Rep: Guopeng Chen (guopeng.chen@arch.ox.ac.uk)

Hertford Intranet Link:

<https://sharepoint.nexus.ox.ac.uk/sites/hertford/healthandwelfare/SitePages/Home.aspx>