

HARASSMENT POLICY

1. The 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;
 - d) Provide a mechanism by which complaints can wherever possible be addressed in a timely way.
4. Those in positions of authority, such as the Home Bursar, Dean and Academic Director, have formal responsibilities under this Policy and are expected to familiarise themselves with the Policy and Procedures on appointment. All heads of department and equivalent, all tutorial fellows and all other managers, have a duty to implement this Policy and to make every effort to ensure that harassment and victimisation do not occur in the areas of work for which they are responsible and, that if they do occur, any concerns are investigated promptly and effectively.
5. 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 Procedure 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.
 - 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.

Definitions

6. A person subjects another to harassment by engaging in unwanted and unwarranted conduct which has the purpose or effect of:
 - violating another person's dignity, or
 - creating an intimidating, hostile, degrading, humiliating or offensive environment for another person. The recipient does not need to have explicitly stated that the behaviour was unwanted.
7. 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
8. Bullying is a form of harassment and may be characterised as offensive, intimidating, malicious or insulting behaviour, or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.
9. 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 that person, in good faith:
 - made an allegation of harassment, or
 - indicated an intention to make such an allegation, or
 - 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, or
 - taken any other steps in connection with this Policy and Procedure, or
 - is suspected of having done so.

Behaviours

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

13. Harassment can take a variety of forms:

- Through individual behaviour
 - face to face, either verbally or physically
 - 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
 - directly to the person connected, or to a third party
- 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.

14. Examples of behaviour which may amount to harassment under this Policy include (but are not limited to) the following:

- unwanted physical contact, ranging from an invasion of space to an assault, including all forms of sexual harassment, including:
 - inappropriate body language
 - sexually explicit remarks or innuendoes
 - unwanted sexual advances and touching
- offensive comments or body language, including insults, jokes or gestures and malicious rumours, for example on the basis of race and religion or belief
- open hostility, verbal or physical threats
- insulting, abusive, embarrassing or patronising behaviour or comments, humiliating, intimidating, and/or demeaning criticism
- persistently shouting at, insulting, threatening, disparaging or intimidating an individual
- constantly criticising an individual without providing constructive support to address any performance concerns
- persistently overloading an individual with work that that individual cannot reasonably be expected to complete
- posting offensive comments on electronic media, including using mobile communication devices

- threatening to disclose, or disclosing, a person's sexuality or disability to others without their permission
- deliberately using the wrong name or pronoun in relation to a transgender person, or persistently referring to their gender identity history
- isolation from normal work or study place, conversations, or social events
- publishing, circulating or displaying pornographic, racist, homophobic, sexually suggestive or otherwise offensive pictures or other materials.

15. **Stalking** may also be a form of harassment and may be characterised by any of the following repeated and unwanted behaviours:

- Following a person;
- Contacting, or attempting to contact, a person by any means;
- Publishing any statement or other material –
 - Relating to or purporting to relate to a person, or
 - Purporting to originate from a person;
- Monitoring the use by a person of the internet, email or any other form of electronic communication;
- Loitering in any place (whether public or private);
- Interfering with any property in the possession of a person;
- Watching or spying on a person including through the use of CCTV or electronic surveillance.