



# CAMPION HALL UNIVERSITY OF OXFORD

## POLICY ON PREVENTION OF SEXUAL HARASSMENT

### With particular application to staff who have teaching, professional or pastoral responsibility for a student(s)

*Approved by Harassment and Safeguarding Committee 11/01/2023*

#### COMMITMENT

1. Campion Hall ('the Hall') is committed to fostering an environment which ensures that everyone is treated with dignity and respect and afforded equal treatment. The Hall will take any complaint of sexual harassment extremely seriously. Sexual harassment would undermine the core values of Campion Hall, including justice, community, and *cura personalis*, and can have a serious and negative effect on the health, confidence, morale and performance of those affected by it.
2. The Hall is committed to taking all necessary steps to ensure that students are not subjected to sexual harassment and will enforce this policy to the fullest extent necessary.

#### SCOPE

3. This policy applies to all fellows and all teaching, research, administrative and domestic staff of the Hall, and all who are not students of the Hall but may reside there (such as visiting scholars or priests). Henceforward, all references to 'staff' in this policy refer to staff as defined in this paragraph.
4. The policy prohibits such staff from engaging in romantic or sexual relationships with students with whom they hold any such teaching, professional, or pastoral responsibility.

5. All staff (as defined in paragraph 3) are bound by this policy, irrespective of whether their conduct in relation to a student takes place on Hall premises or elsewhere. It covers face-to-face actions, as well as those which take place through other media such as emails, letters, telephone conversations, social networking sites, text messages etc.
  
6. This policy operates alongside and is not intended in any way to limit or override, the Hall's general Harassment Policy and Procedure.

## **DEFINITION**

### Sexual Harassment

7. Sexual harassment may consist of one incident or a series of incidents involving unsolicited or unwelcome conduct of a sexual nature, including sexual advances, requests for sexual favours, or any other verbal or physical conduct of a sexual nature. It is not restricted to conduct which would amount to a criminal offence.
  
8. The following are non-exhaustive examples of what may constitute sexual harassment:
  - a. unwelcome sexual advances (written, verbal or physical)
  - b. demands or requests for sexual favours, whether in return for academic advancement or otherwise
  - c. intrusive physical contact, including contact to which an individual has not consented or which they have not been given an opportunity to reject (this can include simple touching as well as serious assault)
  - d. compromising suggestions or invitations
  - e. suggestive remarks or looks
  - f. following, stalking or spying
  - g. display of sexual materials, including on a computer screen, for reasons other than genuine academic endeavour
  - h. any sexually-orientated conduct, including "joking", "banter" or innuendo

- i. any conduct which has the purpose or the effect of interfering with the student's work performance, violating their dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

9. In assessing whether sexual harassment has taken place, the effect of the unwanted behaviour on the victim will be an important factor to be taken into account, whether or not the behaviour was intended to be harmful, together with whether it was reasonable for the conduct to have had that effect.

### **CAMPION HALL'S APPROACH TO ROMANTIC AND SEXUAL RELATIONSHIPS BETWEEN STAFF AND STUDENTS**

10. Those with teaching, professional or pastoral authority must recognise the inherent vulnerability of the student's position, which must never be exploited, deliberately or inadvertently. A close academic relationship between staff with teaching, professional or pastoral responsibility and a student may cause the boundaries between the personal and the professional to become blurred. Some staff may not consciously appreciate the imbalance of power and authority in the relationship; students will be keen to impress, and will not wish to give offence. A student's seeming openness must never lead to a staff member making romantic or sexual overtures.

Experience in the collegiate University has taught that when such cases result in complaints of sexual harassment, staff can respond that they "misread the signals". However innocuous an event may seem to the staff member, unwanted sexual or romantic approaches can devastate students, causing them to lose trust in the Hall and confidence in themselves.

11. Therefore it is Champion Hall policy that it is always inappropriate for a member of staff to have a romantic or sexual relationship with any student for whom they have teaching, professional or pastoral responsibility, irrespective of whether the student did not appear to object, appeared to give consent, gave consent or even instigated the behaviour.

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<sup>1</sup> As defined in para 3.

12. Should a staff member in a position of teaching, professional or pastoral responsibility for a student become aware that the student's behaviour suggests the possibility of romantic or

sexual interest in the staff member, then it is the responsibility of such staff to draw this to the attention of the Senior Tutor or Master so that a replacement staff member can be found for the student. This prevents the original staff member from becoming vulnerable. If the member of staff is unsure whether or not a student's behaviour should be disclosed, they should disclose it.

13. Any member of staff found to be engaging in a romantic or sexual relationship with a student for whom they have teaching, professional or pastoral responsibility, even with consent, will be subject to disciplinary action, which may result in dismissal.

### **RESPONSIBILITIES REGARDING SEXUAL HARASSMENT**

14. All staff have a personal responsibility to ensure that their behaviour is not contrary to this policy. All Champion Hall residents and members are encouraged to reinforce the maintenance of a Hall environment free from sexual harassment.

### **REPORTING SEXUAL HARASSMENT**

15. If a student believes that they have been subjected to sexual harassment, then they should follow the process set out in the Hall's Harassment policy and procedures.
16. In addition to the Hall's harassment officer, the Hall has Office Holders including Dean of Welfare, Senior Tutor, Chaplain, and the Fellows, to whom a student may speak if they are concerned about the behaviour of another person or are unclear about whether, or how, to complain. Such an office holder can act as a Harassment Adviser, offer signposting and support, discuss the options open to the student and help them to determine how they would like to progress matters. The adviser will not make decisions for the person or take up the role of investigator; will be non-judgemental; will hold what is said in confidence to the extent practicable and appropriate. The adviser may approach a member of the Welfare Committee for support and counsel.

## PROCEDURES FOR RESOLUTION OR PROSECUTION OF ACTS OF SEXUAL HARASSMENT

17. Campion Hall is committed to providing a supportive environment in which to resolve concerns about sexual harassment

### A Informal resolution options

18. When an incident of harassment or bullying occurs, a victim of, or witness to, such conduct may communicate their disapproval and objections directly to the harasser and request the harasser to cease the behaviour.
19. If the behaviour does not stop, or if the victim is not comfortable with addressing the harasser directly, or at all, the victim can bring their concerns to the attention of the Hall's Harassment Officer, or one of the Harassment Advisors (the Dean of Welfare, Chaplain, College Advisors or the Senior Tutor).

### B Complaints

20. A person with a harassment concern who is not comfortable with informal resolution or has exhausted these options may make a formal complaint, following the procedure set out in the Harassment Policy, to the Harassment Officer or the Master.

### C Overlap with criminal offences

- i. Alleged criminal conduct should be reported to the police but the behaviour may also fall within this policy, or may engage the Hall's Harassment Policy, in the case of students or staff.

- ii. Where there is an active police investigation the Hall will proceed in stages and may defer action to avoid compromise to the criminal law process.
- iii. Where a criminal offence is proved, or the accused is acquitted, to the criminal standard, the result of the criminal justice process may be treated as presumptive evidence of the underlying facts.
- iv. Where the criminal justice process does not proceed to acquittal or conviction, the Hall process will resume.

21. In the event that the complaint of harassment or bullying is upheld, corrective action will be taken. Corrective action may include any or all of the following:

- a. Formal apology;
- b. Suspension of the member of staff;
- c. Dismissal of the member of staff.

### **CONFIDENTIALITY**

22. The Hall recognises the sensitivities involved in a complaint of sexual harassment and will take all reasonable steps to keep the matter confidential to the extent practicable and appropriate. Information about the allegations will only be given to those who strictly need to know about the issues raised. However, the Hall has a duty to deal with all complaints justly; thus no complaint can be made anonymously and the person complained about will always be entitled to know the name of their accuser and the details of the allegation. Complainants who do not wish to give their name should speak to a confidential sexual harassment adviser.

### **ANTI-RETALIATION POLICY**

23. No person who makes a complaint of sexual harassment should be subject to retaliation. Not all claims of sexual harassment may finally be substantiated, as facts in this matter can be ambiguous and judgments may sometimes unavoidably be subjective. Even if the complaint results in no action being taken, the complainant will not be penalised for making the

complaint, unless there is clear evidence that the complaint is deliberately false and made with malicious intent.

24. Any retaliation will be subject to disciplinary action.