



Codes of Practice regarding Sexual Harassment and Staff-Student Relationships

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

The Queen's College ('the College') is committed to fostering an environment which ensures that everyone is treated with dignity and respect and afforded equal treatment. The College takes any complaint of sexual harassment extremely seriously. Sexual harassment undermines the core values of the College and can have a serious and negative effect on the health, confidence, morale and performance of those affected by it.

The College 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.

This policy applies to all teaching, research, administrative and domestic staff of the College, as well as to graduate students employed by the College to tutor undergraduates, whether at Senior Tutor's Rates or as Stipendiary or Non-Stipendiary Lecturers. Henceforward, all references to 'staff' in this policy refer to staff as defined in this paragraph.

The code of practice prohibits such staff from engaging in romantic or sexual relationships with students with whom they hold any such teaching, professional, or pastoral responsibility.

All staff are bound by this policy, irrespective of whether the conduct complained of takes place on College 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 net-working sites, text messages, video conferencing etc.

This code of practice operates alongside and is not intended in any way to limit or override, the College's Harassment Code of Practice.

Sexual Harassment

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.

- unwelcome sexual advances (written, verbal or physical)

The following are non-exhaustive examples which may constitute sexual harassment:

- demands or requests for sexual favours, whether in return for academic advancement or otherwise
- unnecessary 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)
- compromising suggestions or invitations
- suggestive remarks or looks
- following, stalking or spying
- display of sexual materials, including on a computer screen, for reasons other than genuine academic endeavour
- any sexually-orientated conduct, including “joking”, “banter” or innuendo
- 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.

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.

The College’s approach to romantic and sexual relationships between staff and students

A close academic relationship between staff who have teaching, professional or pastoral responsibility and a student may cause the boundaries between the personal and the professional to become blurred. Some such staff may not consciously appreciate that there is an imbalance of power and authority in the relationship; students will be keen to impress, and will not wish to appear rude or to give offence. It must be clearly understood by staff in a position of teaching, professional or pastoral responsibility that students are in a position of vulnerability which must not be taken advantage of (whether deliberately or inadvertently). Sometimes a student’s desire to impress might give rise to misunderstandings about the nature of the relationship and might result in the staff member making romantic or sexual overtures to the student. Experience has taught that when this has resulted in a complaint of sexual harassment, the response of some staff has been to say that they “misread the signals”. Although this might seem relatively innocuous to the staff member, unwanted sexual or romantic approaches can have a devastating effect on students, causing them to lose trust in the College and confidence in themselves.

Therefore it is the College’s 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.

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 Dean. 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.

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

All staff have a personal responsibility to ensure that their behaviour is not contrary to this code of practice. All Queen's College members are encouraged to reinforce the maintenance of a College environment free from sexual harassment.

Reporting sexual harassment

If a student believes that they have been subjected to sexual harassment, then they should follow the process set out in the College's Harassment Code of Practice and the Harassment Procedure Flowchart.

Please visit: <https://www.queens.ox.ac.uk/equality-information>

Other sources of help and advice can be found at the University's Harassment Advice website: <http://www.admin.ox.ac.uk/eop/harassmentadvice/>

Confidentiality

The College 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 College 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.

Anti-retaliation policy

No person who makes a complaint of sexual harassment should be subject to retaliation. Not all claims of sexual harassment may actually be sexual harassment as there is necessarily a certain amount of subjectivity involved. 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.

Any retaliation will be subject to disciplinary action.

All College policies are considered with reference to the Government's Equality Act 2010: <https://www.gov.uk/guidance/equality-act-2010-guidance>

Appeals information: <https://www.ox.ac.uk/students/academic/conduct?wssl=1>

Reviewed and approved by the Governing Body May 2020