



# Mansfield College

UNIVERSITY OF OXFORD

## HARASSMENT POLICY

Adopted by Governing Body on 7 June 2023, to include JCR suggestions on consultation draft, and subsequently updated with current sources of advice on 22 November 2023. This policy was re-amended on 12 February 2025 to change the definition of Harassment to be in line with the OfS definition.

### **Core Values underpinning this Policy**

(contained in the College Strategy adopted 10 June 2020):

- We strive to foster an inclusive community based on equality and respect.
- We nurture the well-being of all members of our community, and aim to provide a stable, secure, respectful and fair workplace to all our academic and non-academic workers.

### **Who this policy is for**

All members of the College community – staff, students and alumni – and its visitors and contractors are entitled to be treated with respect, courtesy and consideration.

We expect all members of the College community and its visitors and contractors to treat each other with such respect, courtesy and consideration, and without harassment or victimisation.

### **Definitions of Behaviour Covered By This Policy**

This section of the policy defines behaviour which amounts to harassment covered by the policy. The prohibition of harassment in a College context applies for the protection of all members of our community (students, academic and non-academic staff, visitors, contractors, alumni visiting College) and prohibits harassment by all members of our community as so defined.

For the purposes of this policy, we define harassment as behaviour which is contrary to section 26 of the Equality Act 2010 or section 1 of the Protection from Harassment Act 1997.

- [section 26 of the Equality Act 2010](#)

- <https://www.legislation.gov.uk/ukpga/1997/40/section/1>

We have summarised section 26 of the Equality Act 2010 as follows:

'harassment, including sexual harassment, includes unwanted behaviour or conduct which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment because of, or connected to, one or more of the following protected characteristics: age; disability; gender reassignment; race; religion or belief; sex; and sexual orientation.'

We have summarised section 1 of the Protection from Harassment Act 1997 as follows:

'a course of conduct conducted on at least two occasions that harasses one other person, or a course of conduct that harasses two or more persons at least once each. References to harassing a person include alarming the person or causing the person distress.'

These definitions include tests that are designed to establish, objectively and reasonably, whether conduct could be considered as 'harassment'.

Factors which are relevant to considering whether behaviour amounts to harassment include:

- the perception of the person who is at the receiving end of the conduct
- the other circumstances of the case
- whether it is reasonable for the conduct to have the effect under scrutiny.

Under section 1 of the Protection from Harassment Act 1997, an offence is committed only if:

- the person knows the conduct amounts to harassment of the other, or
- a reasonable person in possession of the same information would think the course of conduct amounted to harassment of the other person. This policy also prohibits sexual misconduct which is defined as any unwanted or attempted unwanted conduct of a sexual nature and includes but is not limited to sexual harassment, sexual assault, and rape.

For the avoidance of doubt:

1. For the purposes of this policy, the burden of proof is the civil standard of proof (ie an act proved on the balance of probabilities) and not the criminal standard (ie an act proved beyond reasonable doubt).
2. 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 reasonably, and without violating the dignity of others or creating an intimidating, hostile, degrading, humiliating or offensive environment because of, or connected to, a protected characteristic.'

### **Sources of advice and welfare support**

A person who feels harassed, or an alleged perpetrator of, may want advice or support about the options open to them, or may want to seek welfare support.

### **Sources of Advice & Welfare Support for Students**

If you feel you have recently experienced harassment, there are a number of people who are available to help and assist you by clarifying the options open to you assisting you throughout the resolution of your concerns, whether formally or informally.

#### *College Tutors, Welfare Advisors and Dean*

Students who feel harassed can seek advice about the options available to them from the harassment tutors (Derek McCormick (he/him – also Fellow for Wellbeing and Welfare) and Katherine Morris (she/her)), or, as appropriate, from the tutor for women (Elizabeth Drummond (she/her)), the tutor for LGBTQ+ students (Ros Ballaster, (she/her)), the tutor for racial inclusion (Helen Mountfield (she/her) or the tutor for disabilities (Andrew Higgins (he/him)). Any of these people can listen to their concerns, and signpost formal or informal routes to resolution, or welfare support.

Welfare support is available from the Head of Wellbeing and Welfare, Sarah Beattie (she/her), or the Chaplain who can also refer you to University, or external sources of welfare advice and support.

The Dean can also advise you on how to make a formal complaint under the College's Disciplinary Procedures or, if the person complained about is from another College, the Dean of that College or the Proctors' Office.

#### *Peer Support*

You could also discuss this informally with [Peer Supporters](#), [Peers of Colour](#) or [Rainbow Peers](#) or the [Oxford SU Student Advice Service](#).

#### *The University's Sexual Harassment Advice and Support Service*

The University's [harassment advisor network](#) has advisors available to talk through your situation. The advisor can help you decide on the best way to deal with the behaviour and will clarify the options available to you. A number of named advisors are available to who identify as black minority ethnic, or LGBTQI+.

If a student is concerned about sexual harassment or assault, they can seek advice from the University's Sexual Harassment Advice and Support Service: [Sexual Harassment and Violence Support Service | University of Oxford](#). In case of physical assaults where a person may wish to preserve evidence, a Sexual Assault Referral Centre can offer integrated support and advice at an early stage. See: <https://www.solacesarc.org.uk/>

Through the Sexual Harassment and Violence Support Service, students can access support from a Specialist Caseworker or our University ISVA (Independent Sexual Violence Advocate). Both offer confidential face-to-face or online appointments to

students who have experienced any form of sexual violence or sexual harassment (at any time, whether it happened at Oxford or not), and Specialist Caseworkers can also support students who have experienced domestic/relationship abuse and stalking. These services offer tailored support to the individual needs of the student, practical guidance on policies and processes following an incident, and are able to signpost to ongoing and specialist support. Our ISVA also offers 'informed choice' sessions to support students who are considering reporting what happened to the police.

### **Sources of Advice & Welfare Support for Staff**

Non-academic staff who feel harassed and want advice can raise this with their line manager, or seek advice from the Head of Human Resources, Daphne Gasana. If their concern is about their line manager or Daphne Gasana, they can raise it with their line manager's line manager or the Principal, Helen Mountfield.

Academic staff who feel harassed and want advice can raise this with the Senior Tutor or the Head of Human Resources.

Please see below (Routes for Making a Formal Complaint) for the situation if a person's concerns are about the Head of Human Resources, a person senior to her, or the Principal.

### **External helplines**

Students or staff can also receive support via national helplines / text or web chats:

Rape Crisis England and Wales (24/7 support line)

Helpline: 0808 500 2222

Online chat: <https://247sexualabusesupport.org.uk/>

The Survivor's Trust

Helpline: 08088 010818

Text: 07860022956

### **Accused of harassment?**

The sources of support and advice set out above are also available for people who are accused of harassment. Students can contact a local Harassment advisor or (for reports of a sexual nature): [caseadvice@admin.ox.ac.uk](mailto:caseadvice@admin.ox.ac.uk).

If both a person complaining of harassment and person complained about need welfare support, the welfare team or the Human Resources team (as the case may be) will make sure that an advisor is available for both people and that confidentiality is preserved.

## **Mediation and Informal Resolution**

The University has a Student Resolution Service which can help students in conflict seek an informal or mediated resolution, by speaking to them in a safe and supported way.

Details of the SRS are here:

<https://www.ox.ac.uk/students/welfare/harassment/student-resolution-service>.

Any student or staff member can make a confidential enquiry via e-mail to [mediation@admin.ox.ac.uk](mailto:mediation@admin.ox.ac.uk). This service is not appropriate for cases of serious harassing behaviour or criminal conduct.

## **Routes for Making a Formal Complaint**

The route for making a formal complaint of harassment depends upon whom the complaint is about. A person complaining about harassment can expect the fact of this complaint to be treated in confidence at the point of seeking advice and considering whether to pursue a formal remedy. They will receive advice about when, and at what stage, and to whom a complaint would need to be communicated if it is to be pursued, and the choice of how to proceed in the light of that advice is a matter for them to decide for themselves.

### ***If a complaint is about a member of Mansfield staff***

Any person wishing to complain about harassment by a person in the course of their work for Mansfield College, whether as an employee or an independent contractor, or as a guest of a member of staff or contract of College, should normally initially raise the complaint with the Head of Human Resources, Daphne Gasana, who will explain how to initiate the disciplinary procedure for staff and who will consider a complaint about a member of staff.

If the complaint is about a member of staff senior to the Head of Human Resources (Bursar, Senior Tutor or Development Director), or the Head of Human Resources, or if there is any particular reason why a person wishing to complain does not wish to start with the Head of Human Resources, they can seek advice from the Principal or the Senior Fellow or the Second Senior Fellow (Professors Ros Ballaster (she/her) and Stephen Blundell (he/him)).

If the complaint is about the Principal, the person wishing to complain can raise this initially in confidence with the Head of Human Resources or one of the two Senior Fellows.

### ***If a complaint is about a student or guest of a student***

Any person wishing to complain about harassment by a student of Mansfield College or a guest of a student of Mansfield College should initially raise the complaint with the Dean, who will explain how to initiate the non-academic discipline procedure for students.

A person wishing to complain about a student of the University who is not a member of Mansfield may wish to complain through the Proctors or through the Dean of the College to which the student is affiliated. The Dean (of Mansfield) will be able to advise on how to bring such a complaint.

***If a complaint is about an alumnus***

Mansfield has a Code of Conduct for alumni in the context of their interactions with College. If anyone, whether a member of staff, student, guest or fellow alumnus, has a complaint about the behaviour of a Mansfield alumnus while on College premises or in connection with the College, they should raise the complaint through the Principal.

***If a complaint about a University employee who is not linked to Mansfield***

If anyone has a complaint about harassment by a member of University staff who is not linked to Mansfield, they should consult the Oxford University harassment policy which is here <https://edu.admin.ox.ac.uk/university-policy-on-harassment>.