

Appendix 9

HARASSMENT AND SEXUAL MISCONDUCT POLICY

Robinson College is committed to providing an environment that is free from harassment, discrimination, and abuse. This includes sexual misconduct and all types of harassment, whether of a sexual nature or not. No member should be subject to harassment or sexual misconduct, and no member should subject anyone else to harassment or sexual misconduct. All members should be afforded dignity and respect. The College will not tolerate harassment or sexual misconduct and will always take allegations of this nature seriously.

Robinson College has adopted the [University's Code of Conduct in respect of Harassment and Sexual Misconduct](#).

The College recognises that incidents of harassment and sexual misconduct are chronically underreported, and that the majority of sexual violence is perpetrated by people who are known to a survivor, such as a friend, partner or acquaintance. In line with the [University of Cambridge's Student Mental Health & Wellbeing Plan 2022-2025](#), the College aims to:

- provide advice and guidance for students who have experienced harassment
- create a healthy culture of consent and respect through preventative initiatives and clear reporting procedures.

If students believe that they have been subject to harassment or sexual misconduct by any member of the College community they may:

- seek advice, guidance and support at any time
- seek alternative or informal resolution through the College
- raise a formal complaint within the College
- raise a formal complaint with the University
- report the matter to the police.

This policy explains each of these steps in turn.

Advice, guidance and support

A student who believes they have been subject to harassment or sexual misconduct may seek advice from a RCSA or MCR welfare officer. Or they may approach their Tutor, the Senior Tutor, the Women's Tutor, the College's Discrimination and Harassment contact, or a member of the [wellbeing team](#).

There is "no wrong door" – any of these College officers will be happy to listen, and if they are not the best person to offer advice and support, they will help the student find the right assistance. At all stages, confidentiality will be respected: the identity of any

student making a complaint or named in a complaint will not be shared internally or externally without their consent unless that is absolutely necessary, for example to protect others.

The College will continue to provide support, advice and guidance to students pursuing a complaint or named in a complaint, either internally or externally.

Students may also seek independent support and information from the Cambridge University [Students' Unions' Advice Service \(SUAS\)](#) and the [University Counselling Service](#). In cases of sexual assault and harassment, they may also seek support from the [University's Sexual Harassment and Violence Support Service \(SHVSS\)](#). The University of Cambridge's [Breaking the Silence campaign](#) against sexual misconduct offers anonymous reporting and a range of resources and support services.

If, at any time, a student feels that they are being disadvantaged or suffering reprisal from any member of the College community, including the person they have made a complaint about, as a result of complaining about harassment or sexual misconduct, they should seek advice from the Senior Tutor or any of the people listed above.

Complaints about Fellows and staff

Where a student is concerned about the behaviour of a Fellow or a member of staff, they may raise the matter informally or formally with their College tutor, or with a member of the wellbeing team, the Domestic Bursar, the Dean or Alternate Dean, or with the Warden. Whichever route is adopted, the College officer in question will be able to advise the student, take steps to ensure their safety, and make sure that the correct procedure is followed (the procedure may differ depending on whether the person against whom the complaint is made is employed by the College). If the conduct is criminal in nature, the College will support the student in reporting the matter to the police. In all cases, the student can access through the College all the advice and support described above.

The remainder of this policy is principally about cases where it is another student whose behaviour is the subject of complaint.

Alternative or informal resolution

In some cases involving a complaint by one student about the behaviour of another, it may be appropriate for the student making the complaint to try to resolve the matter themselves directly with the other student.

If seeking alternative or informal resolution in this way, however, a student is advised to seek support on a confidential basis from their Tutor or the Senior Tutor, either to help them to work out what to say or, in some cases, to accompany them when they meet the person they are complaining about. Because of the possibility of counter-accusation or recrimination, students are advised to alert a supporting person, such as their Tutor or another student, to the problem before approaching the person concerned, even if they feel able to take this action on their own. It is important to ensure that the facts are recorded promptly and accurately. Alternatively, the student may wish to ask for [SUAS's](#) help in resolving the matter informally.

If a direct approach has been tried and has not worked, or if a student does not feel able to make such an approach, the Senior Tutor, another Tutor or another College Officer may be able to seek an alternative or informal resolution to the problem on their behalf. Alternative or informal resolution brokered by the College will not involve an investigation or any assessment by the College in relation to the culpability or otherwise of individuals. Students seeking such an investigation are strongly encouraged to raise a formal complaint under the University procedure.

If attempts at alternative or informal resolution are unsuccessful, the student may raise a formal complaint through the University or College procedure, but there is no obligation on the student to seek alternative or informal resolution first.

Formal complaint: University or College?

Complaints can be raised under either the College procedure or the University procedure, but not both. Here are factors that may be relevant in choosing which procedure to follow:

1. If the complaint is about harassment (but not of a sexual nature) students are encouraged to use the College procedure.
2. Students at any College may use the Robinson College procedure to raise a complaint about the behaviour of a student or students at Robinson College (but see factor 5 below).
3. If the complaint is about the behaviour of a student at another College, it may be possible to raise it under that student's College's procedure; if this is not possible, the University procedure can be used.
4. The College and the University expect that complaints against students from more than one College, or involving members of a University club or society, would normally be raised under the University procedure because of the likely complexity of such cases.
5. The College and the University strongly encourage complaints about sexual misconduct to be directed to the University procedure, rather than the College procedure. This is because the University is more likely to have the forensic and investigatory capacity properly to investigate a serious accusation of this nature while protecting confidentiality. If a matter is raised within the College that in the view of the Dean or the Alternate Dean cannot for those reasons be satisfactorily investigated internally, the Dean or Alternate Dean may ask for the complaint to be re-directed to the University procedure.

Making a complaint through the University

The University's guidance in support of students who have been subject to any form of abusive behaviour, physical misconduct, sexual misconduct, or other form of inappropriate behaviour by other students or staff is [here](#). It explains how to report an incident, either anonymously or with contact details.

The Head of the University's Office for Student Conduct, Complaints and Appeals (OSCCA) or a deputy will be able to answer any specific questions students or staff

might have about the procedure and will endeavour to ensure that the students understand the procedure at each stage. OSCCA can be contacted by email: OSCCA@admin.cam.ac.uk.

Making a formal complaint within the College

Harassment and sexual misconduct are breaches of the Code of Discipline (appendix 7a of the [Junior Members Handbook](#)). A student who believes that they have been subject to any such behaviour may make a complaint to the Dean. The Dean (or the Alternate Dean) may carry out an investigation, and if they conclude that there has been a breach of discipline, they may impose a penalty or arrange for the matter to be considered by the Disciplinary Committee. But the Dean or Alternate Dean may ask for complaints of sexual misconduct to be re-directed to the University procedure.

The Disciplinary Regulations (appendix 7b of the [Junior Members Handbook](#)) set out the functions of the Dean and the Disciplinary Committee, and the procedure adopted by them.

Reporting to the Police

Sexual assault and rape are criminal offences, and students will be supported to come to an informed decision as to whether to report such an incident to the police. They may do this at any time, regardless of any earlier decision not to do so. But if a student decides not to report the incident to the police, neither the College nor the University will require them to do so.

In exceptional circumstances, where the facts as they emerge give rise to concerns that there is a significant ongoing risk to members of the College or University community, or the wider community, the Senior Tutor may make an executive decision to refer the matter to the Police. The Senior Tutor will, in all but exceptional circumstances, inform the Complainant of their intention to report the matter to the Police, and their reasons, before doing so. If the matter is being dealt with by the Police or through the courts, then the College will normally suspend any action under a formal complaint or towards alternative or informal resolution.

Precautionary action

The College may take precautionary action, independently or in collaboration with OSCCA, to protect an individual or the community while a matter is being investigated or tried in any forum or process. Any precautionary action is not intended to be punitive and does not make any assumptions about the merits of the complaint, or the guilt or otherwise of the person who is the subject of the complaint.

Precautionary action might include requiring an individual to:

- move out of College accommodation;
- move rooms or be restricted from accessing specified College or University facilities, services, clubs or societies;
- refrain from entering the College site, or specific College or University buildings or areas.

Council has adopted a Regulation [Appendix 15 of the [*Junior Members Handbook*](#)] governing the use of precautionary action.

Policy Owner: Senior Tutor

Approved by Council: 27 February 2023

Next Review date: March 2025