

## PART G – COLLEGE AND UNIVERSITY POLICIES AND CODES OF PRACTICE

### G.1 Residence

#### *G.1.1 Definition and Privileges*

Residence' has a formal meaning within the University – see the relevant sections of the University's Examination Regulations for further details:

[www.admin.ox.ac.uk/examregs/](http://www.admin.ox.ac.uk/examregs/).

To be in residence, a Junior Member (i.e. an Undergraduate or Graduate student) must be (a) paying fees and (b) living in Oxford or within the distance prescribed by the University for statutory residence (unless dispensation is granted by the Proctors). Only a person who is 'in residence' and has paid their fees (College fees, where applicable, and University tuition fees) is permitted to use the facilities of the College (unless prohibited from doing so by a competent College authority). The College normally allows Postgraduate students working for research degrees who have completed the statutory residence required by the University and have no further fee liability, but who are paying continuation charges, and who are living in Oxford to continue with work for their degree, to use some or all of the College's facilities. All students in these categories are members of the College.

#### *G.1.2 A Temporary Period Out of Residence*

A student, whether Undergraduate or Postgraduate, may go 'out of residence' for a limited period, either voluntarily for good reason with the permission of the College, or compulsorily because of either academic or disciplinary problems. A temporary period 'out of residence' is equivalent to temporary suspension of a course.

#### *G.1.3 A Voluntary, Temporary Period 'Out of Residence' or 'Year Out'*

Junior Members do not have the right to 'self-rusticate' (i.e. to go out of residence temporarily, suspending their studies on medical grounds or for other causes). Similarly, a student may not apply to repeat a year in order to improve performance or to gain an unfair advantage in preparing for University Examinations. Students may, however, under certain conditions apply to the College to go 'out of residence' for a limited period (i.e. to temporarily suspend their studies). Normally such requests will only be granted on health grounds or other compelling circumstances. Students may also be encouraged and in exceptional cases required to suspend study in accordance with the College's Fitness to Study Policy, the details of which may be consulted at the following link:

[www.bnc.ox.ac.uk/downloads/official\\_information/Fitness\\_to\\_Study\\_BNC\\_final\\_OL.pdf](http://www.bnc.ox.ac.uk/downloads/official_information/Fitness_to_Study_BNC_final_OL.pdf)

Suspensions are usually given for a period of a year, and have therefore become known as a 'year out'. Exceptionally, permission may be granted for a shorter period of suspension but usually students will not be allowed to repeat parts of a year. Executive Council is the sole authority in College capable of granting permission to suspend study voluntarily. Applications must be submitted via the Senior Tutor ([senior.tutor@bnc.ox.ac.uk](mailto:senior.tutor@bnc.ox.ac.uk)), supported by a statement from the student's Tutors, and accompanied by a medical certificate, if appropriate.

In reaching its decision whether to permit voluntary suspension of study, Executive Council

will give weight to the following considerations:

- whether there is clear and compelling evidence that the student is unfit to continue studying;
- whether suspension will improve the student's well-being, with the reasonable expectation that the student will be fit to continue study at the end of the period of voluntary suspension (if necessary, with appropriate support and reasonable adjustments);
- in cases where reason for suspension arises from a long-term health condition, whether the student has engaged with welfare support and services and it is clear that continuation with reasonable adjustment and appropriate support is no longer feasible;
- in cases where a student has completed course work and has reached the FHS examination stage or commenced final examinations, whether there are alternatives to suspension that would permit graduation (for example, an aegrotat).

To assist in reaching a decision, the Executive Council may appoint a sub-group to consider the details of an application and bring a recommendation to the next meeting. On the recommendation of the College Welfare Committee, Executive Council may also elect to seek advice from the University's Fitness to Study advisory panel and/or the Disability Advice Service.

Students wishing to suspend may approach the College Accountant for advice but are responsible for making financial arrangements with the Student Loan Company or other agencies to extend the duration of study. Where possible, decisions over suspension will be made prior to the deadline for fee liability each Term (currently Monday of Fourth week). If appropriate, conditions will be attached to a student's return to College: for example, provision of a medical certificate from a medical professional with experience of the demands of study at Oxford. The medical conditions may vary depending on whether Fitness to Study standard or special procedures are applicable. If a student suspends for a single year or less, it is not usual policy to set return Collections for the purpose of assessing fitness to study. Return may, however, be subject to completion of assessments outstanding when the student went out of residence. Where appropriate, on the recommendation of the College Welfare Committee, Executive Council will seek advice from the University's Fitness to Study Advisory Panel and/or Disability Advice Service to determine whether a student is fit to resume study (with reasonable adjustments, if applicable, determined by a current assessment of need prepared by a competent medical professional).

It is unlikely that Executive Council will approve requests for suspension of study on grounds other than for health or welfare reasons. For example, approval will not be granted for a student to take a 'gap year' to pursue non-academic activities. Requests to extend internships or other work experience also cannot be considered. Requests to spend a year studying at another University will also not usually be granted unless:

- i. these form part of a course of degree study, or
- ii. the student notified the College of his/her wish to break a programme of continuous study when applying for entry.

Any conditions attached by Executive Council shall be specified at the time in writing by the Senior Tutor or other designated College Officer. Graduate students who wish to request permission for a temporary period out of residence (i.e. a temporary suspension of their studies), must apply for permission to their Faculty or Department in the first instance. If such permission is granted, they must then apply to the College via the Senior Tutor ([senior.tutor@bnc.ox.ac.uk](mailto:senior.tutor@bnc.ox.ac.uk)).

Students may elect to go out of residence pending confirmation by the Executive Council should the Senior Tutor advise that the application is supported by the relevant Subject Tutors and Welfare Officers. Any student electing to remain in residence pending the Executive Council's decision must be able to follow a complete programme of studies. After the Executive Council has reached its decision, a suspending student is usually expected to go out of residence within seven days by arrangement with the Accommodation Office.

If a student is unable to return into residence at the end of the period of suspension, separate application must be made to Executive Council for a further extension. Fresh evidence in support of the application is required, and the College may again, on the recommendation of the College Welfare Committee, seek advice from the University's Fitness to Study Advisory Panel and/or Disability Advice Service. Permission will not normally be granted for an extension if the grounds are the same as the original application for suspension. Permission will also not normally be granted for suspension periods lasting longer than two years.

When considering whether to apply for a suspension, students must consider whether the new date of their Final Examinations will extend beyond the maximum time allowed for Honours under the University's Regulations (*Examination Regulations*, pp.66-8). If this is the case, it will be necessary to apply to the University's Education Committee in order to obtain dispensation from these Regulations. Suspensions may also require application to the University Proctors or Education Committee in order to vary the form of Final Honour School Examinations if changes take place to the course Syllabus during the year away. The College does not have the authority to grant dispensation from examination regulations or to vary the form of examinations and in these matters the decision of the University Education Committee is final.

#### *G.1.4 A Compulsory, Temporary Period 'Out of Residence'*

The situation in which a student is required by the College to go temporarily 'out of residence' for a limited period is sometimes referred to as 'rustication'. The reasons why this might be required and the safeguards that are in place to protect the interests of students who are in danger of being rusticated are described in B.6 (for Undergraduates) and C.3 above and also in the College's Fitness to Study Policy:

[www.bnc.ox.ac.uk/downloads/official information/Fitness to Study BNC final OL.pdf](http://www.bnc.ox.ac.uk/downloads/official%20information/Fitness%20to%20Study%20BNC%20final%20OL.pdf)

#### *G.1.5 The Consequences of Being 'Out of Residence'*

When students, whether Undergraduate or Postgraduate, are out of residence, the College normally stipulates that they may not, without prior permission:

- i) make use of any College facilities, including the Library (whether in person or by borrowing books/periodicals), the Sports facilities, the Hall, Gertie's or the Bar;

- ii) receive Tutorials, attend classes or otherwise receive academic instruction under the aegis of the College;
- iii) enter and remain on College premises without authorisation;
- iv) attend any function in College without authorisation;
- v) occupy College accommodation;
- vi) hold common room, sports or other offices.

These restrictions are not in themselves designed to constitute punitive measures. They are intended to clarify who is/is not 'in residence' at any given time. In consequence, the restrictions are applicable regardless of whether the student is 'out of residence' voluntarily or compulsorily. However, if the student is 'out of residence' voluntarily with the permission of the College, the restrictions may be modified appropriately, depending on whether Fitness to study standard or special procedures are being followed. The College recognizes the benefits of keeping in touch with Tutors, local providers of medical support, and with other students during a year of absence to assist undergraduates on suspension in making a successful return. Requests for keeping in touch visits during quieter parts of the year or at weekends can, therefore, be considered. In all cases, however, students on suspension must obtain permission to stay overnight and should write to the Senior Tutor (undergraduates) or Tutor for Graduates (graduates) in advance of a planned visit. All suspending students making keeping in touch visits are subject to the same Decanal discipline and regulations as other students. The College also reserves the right to withdraw or modify visiting permission in particular cases or if the number of students suspending requires a general change in policy.

The University email account of a student on voluntary or compulsory suspension will not be de-activated and University Card cards can also be used (including for UPay). Students out of residence should arrange for their mail to be delivered to their personal address, not to the College.

#### *G.1.6 Going Out of Residence Permanently (Sending Down or Expulsion)*

There are circumstances in which an Undergraduate's programme of study may be terminated and he/she sent out of residence permanently for unsatisfactory academic performance, and/or lack of diligence in the pursuit of their studies. Likewise any student may be sent out of residence for disciplinary or other reasons. The circumstances, and the safeguards that are in place to protect the interests of students who are in danger of being sent down, are described in B.6 (for Undergraduates) and C.3, above.

The name of a person required to go out of residence permanently for disciplinary reasons, or other reasons, will remain on the books of the College and University. Only if Executive Council determines that the circumstances warrant expulsion from the College, will the name of an individual be deleted from the records of the College and University. Expulsion, in consequence, has a meaning distinct from that of having a course of study terminated and being sent out of residence permanently.

As in the case of voluntary suspensions, students out of residence on disciplinary grounds may have to apply to the Proctors or the University Education Committee to obtain dispensation from regulations or to vary the form of Final Honour School examinations (see G.1.3).

### *G.1.7 Action by the University*

When the University imposes any penalty of ‘expulsion, suspension, rustication or banning’ under the provisions of its Statutes, the College will apply the same penalty. A decision by the University to suspend access to its premises and facilities will be matched by congruent action from the College (i.e. access to its premises and facilities will be suspended).

### *G.1.8 Return into Residence after a Period of Suspension*

The Senior Tutor will write to students who are on either voluntary or compulsory suspension, prior to the date of their expected return, requiring them to confirm that they intend to return into residence. If appropriate, a student on voluntary suspension for health or welfare reasons may be invited to visit the College for the purpose of keeping in touch with Tutors, and to discuss their progress with members of the College’s welfare network. The Senior Tutor’s letter will remind students of any terms and conditions attached to their return. Once confirmation that a student intends to return has been received, the Accommodation Manager may be contacted to see if a room is available. The College is not able to guarantee accommodation for students returning from suspension and any offer of a room depends, therefore, on availability.

### *G.1.9 Elections*

In view of the potential impact on study, students wishing to run for election for either Oxford Student Union or Oxford Union posts carrying sabbaticals must apply for permission from the Dean and Senior Tutor. Permission will normally be granted if the individual is in good academic standing. If a student is under formal warning (see section B.6.1), the views of the Tutors will be sought to ensure that the commitment to campaigning is not detrimental to academic progress. Successful candidates in Oxford Student Union elections take up the relevant sabbatical posts after completion of their degree studies. The College will usually offer HCR membership to such post-holders should the individuals wish to retain a College association.

## **G.2. The College Code of Practice on Freedom of Speech**

The following provisions constitute the Code of Practice adopted by Brasenose College to operate with effect from 1 September 1987 to facilitate the discharge of the duty imposed by Section 43 (10) of the Education (No.2) Act 1986, in relation to the College, and as amended on 15<sup>th</sup> June 2016 to comply with the Section 26(1) of the Counter-Terrorism and Security Act 2015 (the “Prevent” duty).

### **PART 1 – General Duties**

#### **1. General duty to uphold freedom of speech**

Members, students, and employees of the College are bound at all times so to conduct themselves as to ensure that freedom of speech within the law is secured for members, students, and employees of the College and for visiting speakers.

2. The freedom protected by para.1 of this Code of Practice is confined to the exercise of freedom of speech within the law. Examples of statements which involve a breach of the

criminal law are incitement to commit a crime, sedition, encouragement of terrorism and stirring up racial hatred in contravention of statute. Statements may also be unlawful if they are defamatory or constitute a contempt of court.

3. The College believes that a culture of free, open and robust discussion can only be achieved if all concerned avoid needlessly offensive or provocative action and language. An event which is likely to give rise to an environment in which people will experience, or could reasonably fear, harassment, intimidation, verbal abuse or violence, particularly because of their ethnicity, race, nationality, religion or belief, sexual orientation, gender, disability or age, is also likely to be unlawful.
4. General duty not to impede access to, or egress from, places at which the right of freedom of speech is exercised on premises of the College.

Subject to such limitations on access as may lawfully be imposed by the competent college authorities, it shall be the duty of every member, student, and employee of the College not to impede any person entitled to be present from entering or leaving a place where the right of freedom of speech is being or is to be exercised on premises of the College.

5. **Right of peaceful protest**

Nothing in this Code of Practice shall be taken to prohibit the legitimate exercise of the right to protest by peaceful means; provided always that nothing is done which contravenes the foregoing general principles or the other requirements of this Code.

**PART 2 – Academic Activities**

6. All persons concerned with the organization or conduct of an activity which forms part of the College's teaching, study, or research (such as a tutorial, lecture, seminar, class, conference, research work, or examination) shall immediately give notice to the Dean of any facts coming to their notice which indicate that such activity is likely to be delayed or disrupted by improper means.
7. The Dean shall be empowered to give such directions and to adopt such measures as seem appropriate to the Dean to prevent or minimize the delay or disruption of an academic activity, and all persons concerned with the organization or conduct of the academic activity under threat shall co-operate in carrying out the Dean's directions and in facilitating the measures adopted.
8. In the event that any academic activity is delayed or disrupted by improper means a report shall forthwith be made to the Dean by the person or persons responsible for the conduct of such activity.

**PART 3 – Visiting Speakers, meetings and assemblies on premises of the College of clubs, societies, and other organizations**

9. Any member, student, or employee of the College who, whether alone or in collaboration with other persons, makes arrangements for the holding on premises of the College of any meeting or assembly of persons (including any visiting speaker, or meeting of any club, society or other organization and whether with or without a restriction to college membership), and who becomes aware of facts indicating that such meeting or assembly is likely to be delayed or disrupted by improper means, or is likely to risk breaking the law shall immediately report such facts to the Dean.
10. In relation to any such meeting or assembly which he believes to be threatened, the Dean shall be empowered, if necessary after consultation with other Officers of the College and other authorities (eg Proctors or police), to give such directions and to require the adoption of such measures as seem appropriate to the Dean to prevent or minimize the improper delay or disruption, or to reduce the risk of illegal activity and all persons concerned shall be bound to co-operate in carrying out the Dean's directions and in facilitating the measures required to be adopted. Where such persons are employees of the College, the Dean shall, where possible, consult the Bursar before issuing directions.
11. The Dean will not seek to curtail or cancel a meeting unless in his/her considered opinion the meeting or event infringes on the legitimate rights and freedoms of others or he/she considers that the views likely to be expressed at such a meeting constitute illegal views. An appeal may be made to the Principal.

**PART 4 – Powers of the Dean in relation to threatened meetings**

12. (1) **Directions and measures to be adopted**

In relation to any academic activity or any meeting or assembly of persons which the Dean believes to be threatened by disruption, the Dean may give directions and require measures to be adopted pursuant to paras. 6 and 10 of this Code on the following (amongst other) matters:

- (a) the number of persons to be admitted to the premises where the meeting is to be held;
- (b) the issue of tickets of admission;
- (c) the designation of one or more persons as the official organizers of the meeting with direct responsibility to the Dean for all the arrangements thereof;
- (d) the designation of a persons as the chairman of the meeting with responsibility for the proper conduct of such meeting;

- (e) the admission (or non-admission, as the case may be) of members of the University who are not members of the College, or members of the public generally;
- (f) the appointment of stewards to assist with the control of the meeting;
- (g) the employment of security staff to ensure the orderly conduct of the meeting and safe access to and egress from the meeting;
- (h) the carrying of banners, placards and similar objects into the meeting;
- (i) the place where the meeting is to be held.

(2) **Meetings where serious disruption is anticipated**

The Dean may as necessary consult with the Proctors and the local police about forthcoming meetings and activities covered by this Code of Practice. In any case where serious disruption may be anticipated the Dean shall have power, having taken into consideration such advice from the police as may be available, to order the cancellation, postponement, or relocation of the meeting.

(3) **Expenses incurred in safeguarding academic activities and other meetings**

Where expenses are incurred (e.g. in the engagement of stewards or the employment of security staff) to safeguard an academic activity under Part 2 of this Code of Practice the cost thereof shall be borne by the College. In all other cases the cost shall be borne by the person or persons organizing the meeting, save that the Dean may (if so advised) make representations to the Principal, Bursar or Senior Tutor of the College suggesting that the cost shall be borne in whole or in part by the College and any two of the Principal, Bursar or Senior Tutor may decide the matter.

**PART 5 – College premises made available for use by outside organisations**

13. In any case where the College is proposing to grant permission to an outside organization or group to hold meetings on its premises, the attention of such outside organization or group will be drawn to the contents of this Code of Practice and permission to use the premises may be refused unless the outside organization or group both undertakes to secure that the principles embodied in this Code will be upheld and satisfies the college authorities of its ability to discharge its obligations in regard to upholding freedom of speech.
14. The Dean may decide on action relating to a meeting or group of meetings including
- a) Ensuring a balance of speakers
  - b) Cancelling the event;
  - c) Informing the police

- d) Taking further advice from the University, police or other responsible persons.

### **PART 6 – Miscellaneous**

15. The Governing Body of the College is under a duty pursuant to Section 43 (3) of the Education (No. 2) Act 1986 to keep this Code of Practice up to date. No revision of the Code will, however, take effect until after due notice has been given.
16. Failure to comply with the provisions of this Code of Practice may render the offender liable to disciplinary proceedings. Nothing in this Code of Practice affects the normal operation of the criminal law.
17. In the preceding provisions the term “the Dean” is to be understood as referring to the Dean in person or, in his absence, any other person with decanal authority.
18. The College is mindful of its pro-active duties under equality legislation. The right to freedom of speech is constrained by laws protecting others from discrimination, victimisation and harassment, protecting national security and public safety, preventing of disorder or crime, protecting the reputation and rights of others, and preventing the disclosure of information received in confidence. Reference to such legislation and guidance can be found in the Annexe to this bylaw.

### **Applications of the Code**

19. Any person who is in any doubt about the application of this Code of Practice to any meeting, event or public gathering on College premises is under an obligation to consult the Dean, who will determine whether the provisions of the Code apply.

### **ANNEXE**

Relevant legislation and sources of information

Legislation in this area is characterised by three key themes (the current text of the legislation can be found by searching the Office of Public Sector Information website):

Protection of the special status of Higher Education Institutions:

Education Act 1986

Education (No. 2) Act 1986

Education Reform Act 1988

Anti-discrimination legislation and proactive equalities legislation:

Human Rights Act 1998 (incorporating the European Convention on Human Rights)

Employment Equality (Sexual Orientation) Regulations 2003

Employment Equality (Religion or Belief) Regulations 2003

Race Relations Act 1976

Race Relations (Amendment) Act 2000

Sex Discrimination Act 1976

Disability Discrimination Act 1995, as amended

Equality Act 2006

Racial and Religious Hatred Act 2006

Provisions that qualify rights:

Public Order Act 1986

Crime and Disorder Act 1998

Protection from Harassment Act 1997

Criminal Justice Act 2003 and Criminal Justice (Scotland) Act 2003

Helpful guidance is available in the following places:

University of Oxford Integrated Equal Opportunities Policy

University of Oxford Race Equality Policy

University of Oxford Harassment Code of Practice

Universities UK: (links to PDF) Promoting good campus relations: dealing with hate crimes and intolerance

Counter-Terrorism and Security Act 2015

### **G.3 Equality of Opportunity in College**

#### *G.3.1 General*

The College welcomes diversity amongst its students, staff and visitors, recognising the particular contributions to the achievement of the College's mission that can be made by individuals from all backgrounds and experiences. The College strives to avoid unlawful discrimination in all aspects of its activities on the grounds of sex, sexual orientation, marriage and civil partnership, race, religion or belief, disability, age, pregnancy or maternity or gender reassignment which are protected characteristics recognised by the Equality Act 2010. The College encourages those with any concerns to raise them either officially or unofficially with College Officers or the HR Manager so appropriate support and guidance can be provided, and where necessary, action taken.

The College's Equality and Diversity Policy is available online at

[https://www.bnc.ox.ac.uk/downloads/official\\_information/Equality-and-Diversity-Policy\\_FINAL-May2019.pdf](https://www.bnc.ox.ac.uk/downloads/official_information/Equality-and-Diversity-Policy_FINAL-May2019.pdf)

#### *G.3.2 Staff*

The policy and practice of the College requires that all staff are afforded equal opportunities within employment and that entry into employment with the College and progression will be determined only by personal merit and the use of criteria reflecting the duties of the post and the relevant salary structure. In all cases, the ability to perform the job is the primary consideration. Subject to statutory provisions, no applicant or member of staff will be treated less favourably than another because of their sex, sexual orientation, marriage or civil partnership, race, religion or belief, disability, age, pregnancy or maternity or gender reassignment. Staff are required to undertake an online training course in Diversity on joining the College.

#### *G.3.3 Students – General*

In relation to students, the College aims to provide education of excellent quality at undergraduate and postgraduate level for able students, whatever their background. In pursuit of this aim, the College is committed to using its best endeavours to ensure that all of its activities are governed by the principles of equality of opportunity, and that all students are helped to achieve their full academic potential. This statement applies to recruitment and

admissions, to the curriculum, teaching and assessment, to welfare and support services, and to staff development and training.

#### *G.3.4 Students – Admissions*

Decisions on admissions are based solely on the individual merits of each candidate, their suitability for the course they have applied to study (bearing in mind any requirements laid down by any professional body), and assessed by the application of selection criteria appropriate to the course of study. We seek to admit students of the highest academic potential without regard to sex, sexual orientation, marriage or civil partnership, race, religion or belief, disability, age, pregnancy or maternity or gender reassignment. Admissions procedures are kept under regular review to ensure compliance with this policy and statutory requirements. All new academic staff are also asked to undergo admissions training ([www.learning.ox.ac.uk/support/teaching/programmes/ads/](http://www.learning.ox.ac.uk/support/teaching/programmes/ads/)) to ensure compliance with this policy.

Applications from students with disabilities are considered on exactly the same academic grounds as those from other candidates. We are committed to making arrangements whenever practicable to enable such students to participate as fully as possible in student life. Details of these arrangements can be provided by the Admissions Office on request.

None of the above shall be taken to invalidate the need for financial guarantees where appropriate.

#### *G.3.5 Students – Educational Provision*

Unlawful discrimination on grounds of sex, sexual orientation, marriage or civil partnership, race, religion or belief, disability, age, pregnancy or maternity or gender reassignment in the curriculum, teaching practice or assessment methods or any other aspect of educational provision will not be tolerated. Teaching and support staff are expected to have regard to the diverse needs, interests and backgrounds of their students in all their dealings with them.

### **G.4 College Public Sector Equality Duty**

#### *G.4.1 Background to the Public Sector Equality Duty*

The College opposes all forms of unlawful and unfair discrimination and its commitment to this principle extends to staff, students and visiting students, guests and contractors. The College is subject to the Equality Act 2010 as an education provider, employer and provider of goods, facilities and services.

The College's responsibilities under the Public Sector Equality Duty Scheme cover the various elements of the Equality Act 2010 which include due consideration of the protected characteristics defined in the Act: sex and sexual orientation, marriage and civil partnership, age, disability, race, religion and belief, pregnancy and maternity or gender re-assignment.

The aims of the general duty of the Equality Act 2010 underpin the Public Sector Equality Duty and Brasenose College aims to meet these, namely to:

- Eliminate unlawful discrimination, harassment, victimisation and other conduct

- prohibited by the Act
- Advance equality of opportunity between people from different protected groups, including:
  - \*removing or minimising disadvantages suffered by people due to their protected characteristics;
  - \*meeting the needs of people with protected characteristics
  - \*encouraging people with protected characteristics to participate in areas where their representation is low
- Foster good relations between people from different protected groups, including tackling prejudice and promoting understanding

#### *G.4.2 Responsibilities*

The responsibility for considering Equal Opportunity matters resides with the HR Committee which meets once a term, supported by the Equality and Diversity Committee. HR Committee reports to Governing Body which has ultimate responsibility for ensuring that the general equality duty is met.

Representation at the HR Committee is from members of the College Community as follows:

- \*The Principal
- \*The Bursar, Domestic Bursar,
- \*The Senior Tutor
- \*The Diversity and Equality Officer, also a member of Governing Body
- \*Two Official Fellows who are Tutors and also members of Governing Body

The Committee is attended by the Human Resources Manager.

The HR Committee is responsible for the promotion, development, implementation, monitoring and review of the Public Sector Equality Scheme in relation to employees, students, visitors and others closely associated with the College. All staff with managerial responsibility have a duty to ensure that they are aware of the requirements and to take forward specific actions under this Scheme.

College aims to support staff and students who may have concerns about the issues covered by the Public Sector Equality Duty. Any concerns would be treated with sensitivity and can be raised in confidence in the first instance, officially or unofficially for discussion, with any of the College Officers or the HR Manager.

#### *G.4.3 Progress on Integrating Equality and Diversity into College Procedures*

There has been progress over the last few years to ensure that equality and diversity issues have been addressed with action taken to ensure improved awareness and compliance with the principles of fairness. Developments include:

- The application of best practice recruitment with competency- based interviews for all posts, supported by coaching for managers in interviewing skills.
- The collection of data regarding the diversity of staff and its analysis

- The introduction of an online Equality and Diversity Awareness course for all staff on joining College, at whatever level, and optional Implicit bias training available online.
- Additional training seminars for operational staff on the Equality Act 2010 and its practical implementation within the workplace.
- The introduction of family- friendly policies such as the Flexible Working Policy which have been widely used, and eligibility extended in line with legislative changes.

#### *G.4.4 Equal Opportunities Monitoring*

Improved monitoring of equal opportunities data and its analysis is essential to ensure the College fulfils its remit to treat all academic members and non-academic staff equally within employment. It will help to inform the development of action plans and policies.

Monitoring of student equal opportunities data is undertaken by the University of Oxford on behalf of the College and is the subject of analysis and review by the Senior Tutor and Academic Committee for consideration, and to identify any further action to be taken. This data is available from the University Equal Opportunities Department. It reflects that Brasenose College is broadly in line with the University statistics.

### **G.5 Brasenose College Policy and Procedure on Harassment**

This policy is also available online at [www.bnc.ox.ac.uk/about-brasenose/official-information](http://www.bnc.ox.ac.uk/about-brasenose/official-information), where you can also find a flowchart illustrating how the process works.

#### *Introduction*

1. Brasenose 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; and
  - d. Provide a mechanism by which complaints can wherever possible be addressed in a timely way.
4. Those in positions of authority within the College, such as Senior Tutor, Dean, Chaplain, Diversity and Equality Officer and Bursar, have formal responsibilities under this Policy and are expected to familiarise themselves with the Policy and Procedures on appointment. All senior members of the College have a duty to implement this Policy and to make every effort

to ensure that harassment and victimisation do not occur in the areas 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; and
- 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.

6. This Policy and Procedures are designed to deal with harassment which occurs primarily within the environment of one or more colleges. Incidents of harassment that occur outside the college environment and/or solely within the University environment will normally be dealt with under the appropriate University procedure.<sup>1</sup> If there is doubt as to whether the college or University procedure applies, you are advised to seek advice from the relevant college officers described in this Procedure, the Director of Student Welfare and Support Services or the University's Harassment Line.

7. This Policy and Procedures should be read alongside other college policies and procedures, including the College disciplinary procedures for employees and for students, the student handbook, and policies on Freedom of Speech and IT usage. These can be found at: [www.bnc.ox.ac.uk/about-brasenose/official-information](http://www.bnc.ox.ac.uk/about-brasenose/official-information)

8. Any member of the College community who feels they have been subject to harassment can also contact the University Harassment Advisory Service, or their local Harassment Advisor, for support. The Service is also available to those against whom an allegation of harassment has been made. Other sources of help and advice can be found at: [www.admin.ox.ac.uk/eop/harassmentadvice](http://www.admin.ox.ac.uk/eop/harassmentadvice)

### *Definitions*

9. A person subjects another to **harassment** where they engage 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.<sup>2</sup>

The recipient does not need to have explicitly stated that the behaviour was unwanted.

<sup>1</sup> [www.admin.ox.ac.uk/eop/harassmentadvice/policyandprocedure/](http://www.admin.ox.ac.uk/eop/harassmentadvice/policyandprocedure/)

<sup>2</sup> Statute XI: University Discipline ([www.admin.ox.ac.uk/statutes/352-051a.shtml#\\_Toc28142342](http://www.admin.ox.ac.uk/statutes/352-051a.shtml#_Toc28142342))

10. 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.

11. **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.

12. 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 they have, in good faith:

- a) made an allegation of harassment, or
- b) indicated an intention to make such an allegation, or
- c) assisted or supported another person in bringing forward such an allegation, or
- d) participated in an investigation of a complaint, or
- e) participated in any disciplinary hearing arising from an investigation, or
- f) taken any other steps in connection with this Policy and Procedure, or
- g) is suspected of having done so.

#### *Behaviours*

13. Harassment may involve repeated forms of unwanted and unwarranted behaviour, but a one-off incident can also amount to harassment.

14. 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.

15. Being under the influence of alcohol, drugs or otherwise intoxicated is not an excuse for harassment.

16. Harassment can take a variety of forms:

- a) 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 concerned, or to a third party
- b) 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.

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

- a) 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
- b) offensive comments or body language, including insults, jokes or gestures and malicious rumours, open hostility, verbal or physical threats: these include all forms of harassment and abuse on the grounds of disability, race or sexual orientation
- c) insulting, abusive, embarrassing or patronising behaviour or comments
- d) humiliating, intimidating, and/or demeaning criticism
- e) persistently shouting at, insulting, threatening, disparaging or intimidating an individual
- f) constantly criticising an individual without providing constructive support to address any performance concerns
- g) persistently overloading an individual with work that they cannot reasonably be expected to complete
- h) posting offensive comments on electronic media, including using mobile communication devices
- i) threatening to disclose, or disclosing, a person's sexuality or disability to others without their permission
- j) deliberately using the wrong name or pronoun in relation to a transgender person, or persistently referring to their gender identity history
- k) isolation from normal work or study place, conversations, or social events
- l) publishing, circulating or displaying pornographic, racist, homophobic, sexually suggestive or otherwise offensive pictures or other materials.

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

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

#### *Application of the Policy*

19. Harassment is a serious offence. Any member of the College community who feels they have been subject to harassment can make a complaint via the appropriate Procedure: see

Annexe A for the Procedure in relation to complaints about staff; and Annexe B for the Procedure in relation to complaints about students.

20. When a criminal offence may have been committed, the relevant harassment Procedure may not be appropriate. These cases will include, but not be limited to, serious assault or threat of serious assault. Student members can seek advice from Dean or Senior Tutor, and/or approach the Police directly; and staff members can seek advice from HR, Domestic Bursar or Bursar and/or approach the Police directly. Further guidance on dealing with cases of sexual assault or sexual violence is available from the University at: [www.admin.ox.ac.uk/eop/harassmentadvice/policyandprocedure/guidance/](http://www.admin.ox.ac.uk/eop/harassmentadvice/policyandprocedure/guidance/).

21. Incidents of harassment that occur outside of the college environment and within the University environment will normally be dealt with under the appropriate University procedure. These procedures can be found at: [www.admin.ox.ac.uk/eop/harassmentadvice/policyandprocedure/](http://www.admin.ox.ac.uk/eop/harassmentadvice/policyandprocedure/)

22. If a complainant is deemed to have known or to have reasonably been expected to know that a complaint was unfounded, the allegation of harassment may be judged to be vexatious or malicious, and disciplinary action may be taken against them. No action will be taken if a complaint which proves to be unfounded is judged to have been made in good faith.

23. All parties involved in a complaint (including any witnesses who may be interviewed as part of any investigation, or trade union representatives supporting any of the parties) should maintain the confidentiality of the process. Those involved in advising complainants should, where possible, seek the consent of the individual for the onward disclosure of relevant information to those with a clear need to know. Where such consent is not forthcoming, the person entrusted with the information should make it clear that, in exceptional circumstances, it may be necessary to disclose the information, taking account of the duty of care which may be owed to the individual and/or others.

24. This Policy and Procedure may be found at [www.bnc.ox.ac.uk/about-brasenose/official-information](http://www.bnc.ox.ac.uk/about-brasenose/official-information) or are available in hard copy from the Bursar's Secretary. Copies in alternative formats are available on request.

### **Annexe A Complaints of harassment against College Academic and Non-Academic staff**

1. The Procedure below applies in all cases where the person who is the subject of the complaint is a member of College academic or non-academic staff, or who has a primary association with the College, short of an employment contract. The Bursar will usually act as the lead for complaints against staff. He/she will have oversight of all cases, and will take the lead as appropriate in liaising with other parts of the collegiate University according to the specific circumstances. He/she may choose to delegate management of a complaint to a Case Lead who may be the HR Manager or, for academic cases, the Senior Tutor, or another suitable person as appropriate.

2. Where the complainant is a student, support during this process will be provided by the Senior Tutor, Chaplain, or Equality and Diversity Officer. The College will also facilitate access

to independent support and advice from within the University, such as the Oxford Student Union Advice Centre and University Counselling Service.

3. This Procedure may not be applicable where the allegations are of behaviours that may attract criminal sanction. These cases may include, but are not limited to, serious assault or threat of serious assault. This Procedure therefore focuses on complaints of harassment which can be dealt with within the College environment. However, it also includes the procedure for informing and receiving support from the College in cases where there is police involvement.

#### *Initial action*

4. The Procedure below assumes that the individual has not been able first to resolve the issue through an informal approach. If a member of staff wishes to seek informal resolution, they should approach their manager, the HR Manager, Bursar or other suitable person to raise the problem and to ask for help in achieving a resolution. Students should seek support from the Dean, Senior Tutor or Chaplain or other suitable person such as the Bursar, Tutor for Graduates or the HR Manager. At no time should a student or staff member feel obliged to approach the person who is the subject of the complaint.

#### *Mediation*

5. In some situations, it may be appropriate to ask the parties to consider entering into a mediation process. Although mediation may be attempted at any time before or after a formal investigation, it may be particularly helpful if it is considered at an early stage before the formal procedure is invoked.

6. In the case of a complaint involving two members of staff, an experienced mediator acceptable to both parties will normally be nominated by the Bursar or Case Lead, who may seek advice from the University's Director of Human Resources if appropriate, for example, in the case of a joint appointment. The Bursar or Case Lead and the mediator will meet with the parties separately and as soon as practicable to begin to seek a resolution. The normal expectation is that resolution would be achieved within 20 working days of the initial meetings with the parties (although this time limit may be extended by agreement). Any agreed outcome will normally be recorded in writing.

7. All those involved in the mediation process must maintain appropriate confidentiality.

#### *Complaints procedure*

8. If informal action does not succeed in resolving the situation, or would not be appropriate given the nature of the complaint, the complainant should make a written submission setting out the complaint and the remedies sought. If the complainant is a member of staff, the complaint should be submitted to the Bursar. If the complainant is a student, the complaint should be submitted to the Dean who will then communicate it to the Bursar who may appoint a Case Lead. A student complainant may also seek independent support and advice from within the University, such as the Oxford Student Union Advice Centre.

In cases where it is not immediately clear to whom a complaint should be addressed, or if the complainant feels it is not appropriate to approach the Bursar, or wishes to make a complaint

against the Bursar, advice may be sought from the HR manager, Dean or Senior Tutor. Students and staff may also contact the Tutor for Graduates, Equality and Diversity Officer or Chaplain.

*Submission of the complaint*

9. In the submission to the Bursar or Dean the complainant should set out as clearly and succinctly as possible

- a) the nature of the behaviour that they are concerned about;
- b) the effect of this behaviour on them; and
- c) the resolution they are seeking.

The complaint should include dates and details of any witnesses to any incidents referred to in the complaint, together with any documentary evidence. The complainant should also explain what attempts, if any, have been made to resolve the difficulties and the outcome they are seeking.

10. Every effort will be made to achieve a prompt resolution to the complaint as speedily as possible, consistent with due process. Both the complainant and the person who is the subject of the complaint will be expected to co-operate with the College in achieving that result.

11. Both parties to the complaint have the right to be accompanied and supported by a trade union representative or by a colleague of their choice from within the College at any meeting held under this procedure. If the complaint involves a student they may be accompanied by another student member of the College or a member of the College's welfare team, a senior member of the College. These people must maintain appropriate confidentiality.

12. There may be circumstances in which an aggrieved party is not willing, or able, to make a formal complaint but the Bursar or Dean considers that the implications for the aggrieved person or others actually or potentially affected are serious. This may include cases where other parties, but not the aggrieved party, have made a complaint. In this case, the Bursar or Dean or other senior member may initiate an investigation which may be managed by the Case Lead and would make a decision on further action on the basis of such evidence as is available.

*Action by the Bursar on receipt of a complaint*

13. On receipt of a complaint, the Bursar will, in consultation with the Dean in the event of a student complainant, take such steps as they think appropriate to understand the nature of the complaint and the outcome sought, which may include appointing a Case Lead to act on their behalf to take the following action:

- a) inform the person against whom a complaint has been made of the allegations against him or her;
- b) meet separately with the complainant and the alleged harasser (at which meetings they should be provided with the right to be accompanied);
- c) speak to other relevant people on a confidential basis; and/or
- d) obtain further relevant information.

14. The Bursar or Case Lead will then decide how to proceed and will inform the parties concerned. They may make such enquiries as are necessary to determine the complaint, or may commission an investigation, where circumstances preclude them from concluding the matter in a timely fashion.

15. The Bursar, Dean or Case Lead may also determine that immediate interim action is necessary pending the outcome of a formal process.

#### *Investigation*

16. The purpose of an investigation is to establish the relevant factual evidence in connection with the allegation(s) made by the complainant.

17. As a general rule, the Investigator should not have had previous involvement with the issues in the case. The investigation should be concluded as soon as is reasonably practicable. The Investigator will prepare a report and may, make recommendations on possible courses of action.

18. The Bursar or Case Lead will inform the complainant and the person who is the subject of the complaint in writing (i) of the conclusions they have reached having reviewed the evidence, including any investigation report; (ii) of the action the College intends to take; and (iii) of the reasons for any such action.

19. The Bursar or Case Lead will also inform any other parties who have been asked to participate in an investigation that the investigation has been concluded.

#### *Investigation procedure*

20. The procedure for an investigation will normally be as follows, but may be adapted by the Investigator to meet the needs of the case:-

- a. The Investigator will meet the complainant to confirm the details of the complaint.
- b. The complaint as clarified will be forwarded to the person complained against together with any other relevant material.
- c. The Investigator will interview, where reasonably practicable, individuals identified by the complainant as having relevant evidence.
- d. The Investigator will meet the person complained against to hear their response to the complaint and any further evidence that has come to light.
- e. The Investigator will interview, where reasonably practicable, individuals identified by the person complained against as having relevant evidence.
- f. Having considered all the evidence, including any relevant documents, the Investigator will prepare a written report of their findings, in relation to which they may check relevant sections in draft with the parties before finalising.
- g. The report will be forwarded to the Bursar or Case Lead usually with a copy to other relevant college officer(s), and, if the complainant is a student, normally to the Dean. In cases involving students, consent should be sought from the complainant to inform their department if appropriate. The Dean will ensure that appropriate support is available to students following an investigation.

*Possible outcomes of a complaint*

21. Depending on the nature of the complaint and the evidence found, including the findings of any investigation report, the Bursar or Case Lead in consultation with relevant College Officer(s) and, in the event of a student complainant, the Dean will either:-

a) Take no further action, other than, where appropriate, implementing or suggesting steps that would help to restore reasonable professional relationships between the parties.

or

b) Initiate resolution of the issues (e.g. by requiring that certain individuals undergo specific training, or implementing practical arrangements to improve professional relationships). If a successful resolution is achieved the case will be closed, but the situation will be monitored for an appropriate period. This approach will usually be appropriate where the evidence does not support a claim of harassment but it is clear that either party has demonstrated behaviours that are likely to lead to further issues between them if unresolved or, alternatively, that there are structural issues within the College that require management attention.

or

c) Institute disciplinary proceedings where the Bursar or Case Lead is comfortably satisfied that there is evidence to support allegations of harassment of a sufficiently serious nature that should be further examined through the disciplinary process. In this event, the Bursar or Case Lead will determine what intermediate measures are necessary, in consultation as appropriate with the relevant department.

or

d) If justified by the specific circumstances of the case, disciplinary action may be instituted against the complainant if the Bursar or Case Lead is satisfied that the complaint of harassment is unfounded and not made in good faith.

*Appeal*

22. If either party does not accept the outcome of the complaint (including any judgement that the complaint was vexatious or malicious), they may invoke the relevant grievance or complaint procedure within the time scales specified. If the complainant is a student, a Completion of Procedures letter should be issued.

23. If a student complainant is not satisfied with the outcome following the investigation of the formal written complaint, they may refer to the Principal who will make the final College decision and advise the complainant on the right to seek an external review.

*Confidentiality*

24. Information concerning allegations of harassment must so far as reasonably possible be held in confidence by those to whom it is divulged. Unnecessary disclosure of such allegations may attract disciplinary sanction. Information will be shared on a need-to-know basis, including as appropriate with the individual against whom a complaint is brought. Once a formal complaint is pursued, it is likely to be appropriate and/or necessary for certain information to be provided to others within the College, the University, or to external bodies.

### *Records*

25. The College and all those involved in this process must comply with the principles of the Data Protection Act 1998. These include ensuring that personal data is kept accurate and up-to-date, held securely, and not kept for longer than necessary.

### **Annexe B: Complaints of harassment against students**

1. This Procedure is designed to deal with student complaints of harassment by other students that arise in a College context. The Dean will usually lead on complaints made against students, except where this may not be appropriate, for example if there is a potential conflict of interest. He/she will have oversight of all cases, and will take the lead as appropriate in liaising with other parts of the collegiate University according to the specific circumstances. He/she may choose to delegate management of a complaint to a Case Lead as appropriate.

Complaints of harassment brought by students against college-only staff will be dealt with under the Annexe A procedure above, and complaints by students against University staff will be dealt with jointly under the University and the College's procedures (Annex B of the procedure). Complaints against persons who are students at another higher education institution will be referred by the College to the office of the Director of University Student Welfare. In all cases a student complainant will be supported by the Dean and, the College will also facilitate access to independent support and advice from within the University, such as the Oxford Student Union Advice Centre and University Counselling Service.

If a student is unsure whether a particular instance of harassment falls under the University's procedures or College procedures, or should be considered as a Decanal matter, they should seek advice from the Dean in the first instance, or the Senior Tutor, Tutor for Graduates, Equality and Diversity Officer, Chaplain, or the office of the Director of University Student Welfare.

2. If a member of College staff wishes to make a complaint of harassment against a student, this will normally be considered as a disciplinary issue. In the first instance, a member of staff should seek support and guidance from the Bursar or HR manager who should consult the Dean.

3. The Dean or nominated Case Lead, Senior Tutor, Tutor for Graduates, Equality and Diversity Officer and Chaplain can all provide support to students, and to staff requiring advice on student cases. The Dean will have oversight of all cases referred to them under this Procedure, and will take the lead as appropriate in liaising with other parts of the collegiate University as appropriate according to the circumstances of the case. The Dean will act as a source of information and advice for the College on student cases of harassment, and will make referrals as appropriate. They will also be responsible for recording and reporting of cases referred to their office under this Procedure.

4. In serious cases, it is likely to be appropriate to proceed directly to stages 2 and 3 of this Procedure.

5. This Procedure may not be applicable where the allegations are of behaviours that may attract criminal sanction. These cases may include, but are not limited to, serious assault or threat of serious assault. This Procedure therefore focuses on complaints of harassment which can be dealt with within the College environment. However, it also includes the procedure for informing and receiving support from the College in cases where there is police involvement

#### *Stage 1 - Informal action*

6. In some cases, a student who feels that they are being harassed by another student may feel able to approach the person in question to explain what conduct they find upsetting, offensive or unacceptable, and to ask that person to refrain from that behaviour. At no time should a student feel obliged to approach the person who is the subject of the complaint, and the College does not wish to suggest that a student who feels that they have been harassed is responsible for rectifying the situation. It may often be appropriate to proceed directly to stages 2 and 3 of the procedure.

7. Before taking informal or formal action, the student could discuss the situation with the Dean, Senior Tutor, Tutor for Graduates, Equality and Diversity Officer or the Chaplain. If the student would feel more comfortable contacting someone outside College, they can contact the Harassment Line for details of a Harassment Advisor (Tel. 01865 270760 or e-mail [harassment.line@admin.ox.ac.uk](mailto:harassment.line@admin.ox.ac.uk)). Harassment Advisors will not approach the alleged harasser on behalf of an individual. Details of the role of the harassment advisor can be found at [www.admin.ox.ac.uk/media/global/wwwadminoxacuk/localsites/equalityanddiversity/documents/harassment/role.pdf](http://www.admin.ox.ac.uk/media/global/wwwadminoxacuk/localsites/equalityanddiversity/documents/harassment/role.pdf).

8. Other sources of advice when considering informal resolution include the JCR and HCR presidents or welfare representatives, Student Peer Supporters, and Oxford Student Union's Student Advice Service ([www.oxfordsu.org/wellbeing/student-advice/](http://www.oxfordsu.org/wellbeing/student-advice/)).

9. These sources of support and advice are also available to students who have been accused of harassment.

#### *Stage 2 - Student Welfare and Support Services*

10. If informal action does not succeed in resolving the situation, or would not be appropriate given the nature of the behaviour, the Dean, Senior Tutor, Tutor for Graduates and Chaplain are available for support and advice to any student who feels that they are being harassed. Students can contact the Dean by e-mail.

11. The Dean will refer the student to a staff member trained in dealing with harassment cases. This staff member will be available to support the student throughout the process, including if they decide to move to stage 3 and make a formal complaint, and will also provide support following the outcome of any formal complaint. The Dean will oversee all cases, and will advise and take action as appropriate. Actions taken will vary depending on the case.

Actions taken by the trained staff member may include:

- a) Giving advice on options for ways to proceed, and helping the student to make decisions on the action they want to take
- b) Referring the student to appropriate support services (such as the Student Counselling Service, Harassment Advisors and Oxford Student Union Student Advice Service).

Actions taken by the Dean may include:

- c) Facilitating a mediation process between the student and the alleged harasser, if both parties agree. An experienced mediator or conciliator acceptable to both parties will normally be nominated by the Dean, who may seek advice from the relevant College officers. The mediator or conciliator will meet with the parties separately and as soon as practicable to begin to seek a resolution. The normal expectation is that resolution would be achieved within 20 working days of the initial meetings with the parties (although this time limit may be extended by agreement). Any agreed outcome will normally be recorded in writing. All those involved in the mediation or conciliation process must maintain appropriate confidentiality.
- d) Referring a case to the Director of University Student Welfare, if it transpires that the alleged harassment did in fact take place outside of the college environment and within the University environment
- e) Ensuring that relevant members of staff within the collegiate University are informed of the case if appropriate, with the student's consent, and having due regard for obligations of confidentiality owed to others.

12. Support from the Dean, or from those designated by him is also available to students against whom complaints of harassment have been made. Actions taken will vary depending on the case, but the support will be equivalent to that available to a student who feels that they are being harassed by another student, including referral to appropriate support services, and facilitation of a mediation if both parties agree. The Dean will ensure that, where a complainant and a student complained against are both seeking support, they will be dealt with by different members of staff, who will maintain appropriate confidentiality.

13. Support from the Dean, Senior Tutor, Tutor for Graduates, Equality Diversity Officer and Chaplain is also available to students who wish to make or have made a complaint of harassment against a member of staff, under the staff Procedure in Annexe A.

14. Brief records will be kept of all meetings held and actions taken in relation to the case at this stage. These records will be managed in accordance with the principles of the Data Protection Act 1998. These include ensuring that personal data is kept accurate and up-to-date, held securely, and not kept for longer than necessary.

### *Stage 3 - Formal written complaint*

15. If action taken at stages 1 or 2 does not succeed in resolving the situation, or would not be appropriate given the nature of the complaint, the student should make a formal written complaint to the Dean who will appoint a Case Lead (who may be the Dean). The Dean or Case Lead will then decide how to proceed and will inform the parties concerned. They may make such enquiries as are necessary to determine the complaint, or may commission an investigation, where circumstances preclude them from concluding the matter in a timely fashion.

The Case Lead may initiate an investigation or appoint an appropriate person to investigate. In some cases, it will be appropriate to proceed directly to this stage. In these cases, if the complainant has not already been offered appropriate support from a trained member of staff, this will happen.

16. The complaint should normally be made as soon as possible after the event(s) to which it refers, or normally within one month of the completion of any resolution attempts made at stages 1 and 2.

17. The complainant should set out as clearly and succinctly as possible

- a) the nature of the behaviour that they are concerned about;
- b) the effect of this behaviour on them; and
- c) where possible, the resolution they are seeking.

The complaint should include dates and details of any witnesses to any incidents referred to in the complaint, together with any documentary evidence. The complainant should also explain where appropriate any attempts that have been made to resolve the difficulties and, where possible, the outcome they are seeking. If the complainant has already made a statement about the behaviour under stage 2, this may be sent as their formal written complaint, with the proviso that the Investigator may request further information.

18. The Case Lead, Investigator or another person appointed by them, will investigate the case to establish the relevant factual evidence and decide on any actions which should be taken. This may include:

- a) informing the person against whom a complaint has been made of the allegations against him or her;
- b) meeting separately with the complainant and the alleged harasser;
- c) speaking to other relevant people on a confidential basis; and/or
- d) obtaining further relevant information.

At all times both parties will have the right to be accompanied at meetings by another student member of the College, a member of the College welfare team, a senior member of the College, or a member of staff from Oxford Student Union's Student Advice Service.

19. Every effort will be made to achieve a prompt outcome to the complaint – the aim being to conclude the complaint within a period of one month. Both the complainant and the student who is the subject of the complaint will be expected to co-operate with the College in achieving that result. If it is not possible to resolve the issue within this timeframe, for example for reasons of complexity or the absence of relevant parties from Oxford, both parties will be kept informed.

20. At all times both the complainant and the student complained against will be kept informed of proceedings, and will be referred as appropriate to sources of support and advice. Both parties will be informed in writing of the outcome of the investigation of the complaint.

21. In some circumstances, in the interests of the complainant and/or the student complained about, it may be necessary for interim action to be taken, pending the outcome of the investigation. This may include making arrangements to limit contact between the parties concerned.

22. Investigation of a formal written complaint of harassment may result in:

- Deciding that the alleged harasser should face disciplinary procedures
- Taking actions in College, or recommending to a department/faculty actions to take, including making arrangements to limit contact between the parties concerned. The Dean or Bursar will have responsibility for implementing and monitoring any actions.
- Referring either or both parties to appropriate support services
- Referring a case to the Director of University Student Welfare, if it transpires that the alleged harassment did in fact take place outside of the college environment and within the University environment.
- Taking no further action other than, where appropriate, implementing or suggesting steps that would help to restore reasonable relationships between the parties. This approach will usually be appropriate where the claim(s) of harassment are considered to be unfounded and where there is a continuing relationship between the parties
- In rare cases disciplinary action may be instituted against the complainant if there is evidence that the complaint of harassment is unfounded and not made in good faith.

23. If the complainant is not satisfied with the outcome following the investigation of the formal written complaint, they may refer the matter to the Principal who will make a final College decision and advise the complainant on the right to seek an external review.

24. Following the outcome of the complaint, the Dean will take such action, including informing others, and arranging for support for all parties following the outcome, as may be appropriate in the circumstances.

25. There may be circumstances in which an aggrieved party is not willing, or able, to make a formal complaint but the Dean considers that the implications for the aggrieved person or others actually or potentially affected are serious. This may include cases where other parties, but not the aggrieved party, have made a complaint. In this case, the Dean, Senior Tutor or other senior member may initiate an investigation with reference to the Bursar as appropriate and make a decision on further action on the basis of such evidence as is available.

### *Referrals*

26. On occasion, complaints of harassment which should be considered under this Procedure may be made to staff other than the Dean. In this situation, staff should explain the Procedure, and ask the complainant if they would like the case referred to the Dean so that they can receive support from a trained staff member, or submit a formal written complaint.

27. If a student does not wish to seek support and advice, or to make a complaint, under stages 2 or 3 of this Procedure, or if there are queries about the procedure to be followed, staff can contact the Dean or a College Harassment Advisor for advice on a confidential matter.

28. There may be occasions where a student does not wish to seek support and advice or to make a complaint under stages 2 or 3 of this Procedure, but where the Dean considers that the implications for the individual and/or for others actually or potentially affected are serious. This may include cases where other parties, but not the aggrieved party, have made a complaint. In such circumstances the Dean may initiate an investigation and make a decision on further action on the basis of such evidence as is available. The individual's consent will normally be sought if disclosure is to be made, and a decision on disclosure would be made at a senior level.

#### *Potentially criminal misconduct*

29. This Procedure may not be applicable where the allegations are of behaviours that may attract criminal sanction. This would include, but would not be limited to, cases of serious assault or threat of serious assault. In the first instance such allegations will normally be a matter for police investigation and action. Further guidance on cases of sexual assault and sexual violence, including support available, is available from the University at Guidance for staff on handling cases of sexual assault or sexual violence. Issues including but not limited to those around teaching, examinations and accommodation/social activity may need to be considered.

30. In addition the Dean will consider whether it is appropriate to make recommendations to appropriate bodies regarding arrangements that would have the purpose of limiting contact between students for so long as may be considered reasonably necessary.

#### *Confidentiality*

31. Information concerning allegations of harassment must so far as reasonably possible be held in confidence by those to whom it is divulged. Unnecessary disclosure of such allegations may attract disciplinary sanction. Information will be shared on a need-to-know basis. Once a formal complaint is pursued, it is likely to be appropriate and/or necessary for certain information to be provided to others within the College, the University, or to external bodies.

#### *Records*

32. The College and all those involved in this Procedure must comply with the principles of the Data Protection Act 1998. These include ensuring that personal data is kept accurate and up-to-date, held securely, and not kept for longer than necessary.

### **G.6 The Governing Body's Formal Position on Unacceptable Behaviour**

The College wishes to remind all Junior Members that they have a duty to conduct themselves in such a way as to show respect to all members of the College and the collegiate University, including its employees, and to support the fundamental purpose of the College, which is the pursuit of learning. The College already has a Harassment Code (see above), but there are many forms of behaviour which, although falling short of being acts of harassment, are nevertheless unacceptable in a collegiate community. The College will not tolerate behaviour which causes or is liable to cause offence or distress to any member of the College, its employees or visitors in any part of the College, including the College bar and sports facilities provided by the College. Neither the influence of alcohol nor high spirits following any College event will under any circumstances be accepted as an excuse for offensive behaviour.

## G.7 The College Policy on Drug Misuse

Drug misuse is illegal in the UK.

The primary objectives of the College are the pursuit of academic study and research. Drug misuse is almost always inimical to these objectives.

Drug misuse is detrimental to the welfare of the individual, and the College has a pastoral duty of care towards its members. College is concerned with the welfare of the body as a whole as well as the welfare of the individual, and considers drug misuse to be inimical to both of these aspects of welfare.

Taking illegal substances has a rapid and serious effect on academic study and is likely to lead to long-term health problems. Although addiction to drugs is sometimes curable, often it is not, and therapy may involve prolonged, expensive, and specialised treatment, which is certainly disruptive. There are secondary, but very real associated health risks, such as exposure to infection with hepatitis and HIV. The College also recognises its duty to take firm action, to protect people who may be affected or put at risk by drug misuse by other people, such as through dealing and supplying, or from the anti-social behaviour consequent upon misuse. The College and the University are forbidden by law knowingly to allow drug misuse to take place on their premises, and required to investigate or report reasonable suspicion of such activity.

The Governing Body and both Junior Common Rooms will not accept the misuse of drugs within the College. We will not tolerate drug dealing in any form. We condemn outright the use of Class A drugs and will not hesitate to take action to curb any such activity in the College.

**Any College member who is suffering from substance addiction, or suspects that their involvement with an addictive substance of any kind (including alcohol) is becoming one of dependency or affecting their lives and studies adversely, should approach the College as soon as possible, in order to discuss appropriate forms of help and treatment. Students should contact the Dean, Chaplain, Junior Dean, Senior Tutor, or one of the designated Peer Supporters.**

### A. DRUG MISUSE AND WELFARE

Anyone who has become involved with drugs first needs to acknowledge that a problem exists. The College and the University also recognise the importance of providing appropriate support to students needing help. A variety of sources of help are available. All consultations will, with discretion, be treated in strict confidence subject to the provisions of the law.

1. Counselling. Anyone currently involved with drugs who wishes to obtain information about counselling or treatment may contact the following people: the Chaplain, Advisor to Women Students, College Nurse, a College Doctor, Junior Dean. The University Counselling Service provides a source of confidential advice outside the College context. Oxford Student Union or Student Welfare Officers will assist students in finding appropriate support.

2. Medical Help. A practical step to begin the process of recovery is to recognise the medical issues and to seek help, from a College Doctor, who will provide advice and is bound by the conventions of medical confidentiality. Advice can be obtained from the National Drugs Helpline – “Frank” -0300 1236600: [www.talktofrank.com](http://www.talktofrank.com)

## B. DRUG MISUSE AND DISCIPLINE

1. Any member of College taking Class A drugs who comes forward and seeks help will be treated as far as possible as a medical and welfare case. Permanent sending out of residence is not an automatic consequence. The College may, at its discretion, consider allowing students who come forward and seek help to remain in, or return into, residence at the appropriate time. They will be required to undergo an appropriate course of medical treatment, in consultation with the College and the College Doctors, and to observe such other conditions as may be required, if they wish to return into residence and complete their studies. This will include desisting from any further use of illegal drugs.

Any member of College who has not come forward and is found to be taking or possessing Class A drugs will almost certainly be sent out of residence permanently.

**Any College member who knows of another College member misusing drugs should persuade him or her to come forward with their problem and not wait to be found. Those who come forward and seek help for their addiction may, subject to their willingness to undergo appropriate treatment and comply with the conditions of residence, be able to return into residence and complete their course. Students coming forward with a drugs problem should contact the Dean or Junior Dean.**

2. Students found using illegal drugs in another College or on University premises will be referred to the Proctors. In the case of use of Class C drugs the University and its constituent Colleges, on the advice of the local police, will normally on the occasion of the first offence, issue formal warnings, together with such conditions (such as drugs counselling) as they think appropriate to enable the student to address the problem. A record will be made of such formal warnings. Disciplinary action (e.g. a fine) may be appropriate at this stage, depending on the circumstances. Further offences, or failure to address the problem, will lead to more serious disciplinary action.

3. **Supplying and dealing in drugs** will be treated severely. Any student found to be dealing in drugs may be expelled from the University. Those suspected of dealing in any drugs (including cannabis and psychoactive substances) can expect to be referred to the local police. Students should be aware that ‘dealing’ includes supplying drugs to others, irrespective of whether payment is made. Suspension while police and court proceedings take place will be considered, and criminal convictions may be treated as indicated above. The University Statutes provide that, if a student has been convicted of a criminal offence of such seriousness that a term of imprisonment might have been imposed (whether or not such a sentence was in fact imposed), the Proctors may refer the case to the Disciplinary Court. The Disciplinary Court has the power to expel student members.

4. First time offences involving class C drugs or illegal psychoactive substances, and those who allow their rooms to be used for these offences, even if they themselves do not take drugs, will be subject to an automatic fine. The fine is at the Dean's discretion.
5. Those fined for a first offence involving class C drugs will be placed on a 'suspended sentence' of exclusion from College accommodation. This will normally be realised in the case of either (a) a second class C offence or (b) other infraction of discipline.
6. Any serious misuse of drugs will lead to a record being placed in a student's file. This information may be passed on to any person requesting a reference for this student.
7. Students who are concerned by the abuse or possession of drugs by others may discuss their misgivings with the Dean, Chaplain, Dr Anne Edwards or one of the Junior Deans either in person or in writing.

This policy has been formulated in consultation with Thames Valley Police and the University Marshall's Office.

Further information on drug misuse and related issues can be found on the UK Government website: [www.gov.uk/government/policies/drug-misuse-and-dependency](http://www.gov.uk/government/policies/drug-misuse-and-dependency).

Information on the health effects of drug and alcohol abuse is available from college Doctors and their surgeries and in the Oxford Survival Guide, produced by Oxford University Student Union. Other sources of help and advice include

- Frank (national drugs helpline) tel. 0300 123 6600  
[www.talktofrank.com](http://www.talktofrank.com)
- Cranstoun Drug Services (Oxford) tel.(01865) 723500  
[www.cranstoun.org](http://www.cranstoun.org)
- Oxfordshire Drug and Alcohol Action Team tel 01865 403261  
[www.oxfordshiredaat.org](http://www.oxfordshiredaat.org)

## **G.8 The College Policy on Data Protection**

In order to fulfil their educational, pastoral and administrative responsibilities during your studies at Oxford, the College and the University/department will need to collect and process personal data about you. Data collected by the College may be passed to the University/department and vice versa, so that necessary processing can be undertaken. The General Data Protection Regulations (GDPR 2016) require that any such information is processed fairly and lawfully, is held securely, and is kept up-to-date.

In order to satisfy the College's obligations to inform you how your data is processed as well as your rights, the College has published specific privacy notices. These and other relevant GDPR related documents can be found here: [www.bnc.ox.ac.uk/privacypolicies](http://www.bnc.ox.ac.uk/privacypolicies)

The College's Data Protection Officer is contactable on [data.protection@bnc.ox.ac.uk](mailto:data.protection@bnc.ox.ac.uk) if you have any concerns.

## **G.9 University Regulations Relating to the Use of Information Technology Facilities**

<https://governance.admin.ox.ac.uk/legislation/it-regulations-1-of-2002>

*Made by the ICTC on 6 June 2002*

*Approved by Council on 24 July 2002*

*Amended on 2 October 2003, 23 October 2003, 16 February 2006, 1 June 2006, 3 June 2010, 19 July 2012, 7 August 2015 (Gazette, Vol. 145, p. 694-696, 23 July 2015), 5 August 2016 (Gazette, Vol. 146, p. 706-708, 21 July 2016) ), 1 October 2016 (Gazette, Vol. 146, p. 619, 9 June 2016) 29 November 2016 (Gazette, Vol. 147, p. 127, 10 November 2016) and 9 August 2019 (Gazette, Vol.149, p.632, 25 July 2019).*

1. In these regulations, unless the context requires otherwise, 'college' means any college, society, or Permanent Private Hall or any other institution designated by Council by regulation as being permitted to present candidates for matriculation.

2. University IT and network facilities are provided for use in accordance with the following policy set by Council:

(1) The University provides computer facilities and access to its computer networks only for purposes directly connected with the work of the University and the colleges and with the normal academic activities of their members.

(2) Individuals have no right to use university facilities for any other purpose.

(3) The University reserves the right to exercise control over all activities employing its computer facilities, including examining the content of users' data, such as e-mail, where that is necessary:

(a) for the proper regulation of the University's facilities;

(b) in connection with properly authorised investigations in relation to breaches or alleged breaches of provisions in the University's statutes and regulations, including these regulations; or

(c) to meet legal requirements or otherwise in the context of legal proceedings or the taking of legal advice, in accordance with such procedures as may be approved by Council for this purpose.

(4) Such action will be undertaken only in accordance with these regulations.

3. These regulations govern all use of university IT and network facilities, whether accessed by university property or otherwise.

4. Use is subject at all times to such monitoring as may be necessary for the proper management of the network, or as may be specifically authorised in accordance with these regulations.

5. (1) Individuals may make use of university facilities only with proper authorisation.

(2) 'Proper authorisation' in this context means prior authorisation by the appropriate officer, who shall be the Chief Information Officer or his or her nominated deputy in the case of services under the supervision of IT Services, or the nominated college or departmental officer in the case of services provided by a college or department.

(3) Any authorisation is subject to compliance with the University's statutes and regulations, including these regulations, and will be considered to be terminated by any breach or attempted breach of these regulations.

6. (1) Authorisation will be specific to an individual.

(2) Any password, authorisation code, etc. given to a user will be for his or her use only, and must be kept secure and not disclosed to or used by any other individual. Exceptions may be made for accounts set up specifically to carry out business functions of the University or a unit within it, but authorisation must be given by the head of the unit.

7. Users are not permitted to use university IT or network facilities for any of the following:

(1) any unlawful activity;

(2) the creation, transmission, storage, downloading, or display of any offensive, obscene, indecent, or menacing images, data, or other material, or any data capable of being resolved into such images or material, except in the case of the use of the facilities for properly supervised research purposes when that use is lawful and when the user has obtained prior written authority for the particular activity from the head of his or her department or the chair of his or her faculty board (or, if the user is the head of a department or the chair of a faculty board, from the head of his or her division);

(3) with the intention of drawing people into terrorism (contrary to the University's statutory duty under Prevent);

(4) the creation, transmission, or display of material which is designed or likely to harass another individual in breach of the University's Policy and Procedure on Harassment;

(5) the creation or transmission of defamatory material about any individual or organisation;

(6) the sending of any e-mail that does not correctly identify the sender of that e-mail or any message appearing to originate from another individual, or otherwise attempting to impersonate another individual;

(7) the sending of any message that attempts to disguise the identity of the computer from which it was sent;

(8) the transmission, without proper authorisation, of e-mail to a large number of recipients, unless those recipients have indicated an interest in receiving such e-mail, or the sending or forwarding of e-mail which is intended to encourage the propagation of copies of itself;

(9) the creation or transmission of or access to material in such a way as to infringe a copyright, moral right, trade mark, or other intellectual property right;

(10) private profit, except to the extent authorised under the user's conditions of employment or other agreement with the University or a college; or commercial purposes (including advertising commercial services) without specific authorisation;

(11) gaining or attempting to gain unauthorised access to any facility or service within or outside the University, or making any attempt to disrupt or impair such a service;

(12) the deliberate or reckless undertaking of activities such as may result in any of the following:

(a) the waste of staff effort or network resources, including time on any system accessible via the university network;

(b) the corruption or disruption of other users' data;

(c) the unauthorised access, transmission or negligent loss of data;

(d) the violation of the privacy of other users;

(e) the disruption of the work of other users;

(f) the introduction or transmission of a virus or other malicious software into the network;

(13) activities not directly connected with employment, study, or research in the University or the colleges (excluding reasonable and limited use for social and recreational purposes where not in breach of these regulations or otherwise forbidden) without proper authorisation.

8. Software and computer-readable datasets made available on the university network may be used only subject to the relevant licensing conditions.

9. Users shall treat as confidential any information which may become available to them through the use of such facilities and which is not clearly intended for unrestricted dissemination; such information shall not be copied, modified, disseminated, or used either in whole or in part without the permission of the individual or body entitled to give it.

10. (1) No user may use IT facilities to hold or process data relating to a living individual save in accordance with the provisions of current data protection legislation (which in most cases will require the prior consent of the individual or individuals whose data are to be processed).

(2) Any individual wishing to use IT facilities for such processing is required to inform the University Data Protection Officer in advance and to comply with any guidance given concerning the manner in which the processing may be carried out.

11. Any individual responsible for the administration of any university or college computer or network system, or otherwise having access to data on such a system, shall comply with the provisions of the Information Security Policy and Data Protection Policy.

12. Users shall at all times endeavour to comply with policies and guidance issued from time to time by IT Services to assist with the management and efficient use of the University's IT facilities.

13. Connection of any computer, whether college, departmental, or privately owned, to the university network is subject to the following additional conditions:

(1) (a) Computers connected to the university network may use only network identifiers which follow the University's naming convention, and are registered with IT Services.

(b) The University's Trade Mark and Domain Name Policy specifies, inter alia, that all university activities (other than those within OUP's remit) should be presented within the ox.ac.uk domain. Any exception to this requires authorisation as defined in that Policy.

(2) (a) Owners and administrators of computers connected to the university network are responsible for ensuring their security in adherence with the University's Information Security Policy.

(b) The University may temporarily bar access to any computer or sub-network that appears to pose a danger to the security or integrity of any system or network, either within or outside Oxford, or which, through a security breach, may bring disrepute to the University.

(c) The University may conduct automated security scans targeting any device connected to the University network without notification.

(3) (a) Providers of any service must take all reasonable steps to ensure that that service does not cause an excessive amount of traffic on the University's internal network or its external network links.

(b) The University may bar access at any time to computers which appear to cause unreasonable consumption of network resources.

(4) (a) Hosting Web pages or other network-accessible media on computers connected to the university network is permitted subject to the knowledge and consent of the

department or college responsible for the local resources, but providers of any such Web pages or other media must endeavour to comply with guidelines published by IT Services or other relevant authorities.

(b) It is not permitted to offer commercial services through systems connected to the university network, or to provide other IT facilities for any commercial organisation, except with the permission of the Chief Information Officer (IT Services); this permission may require the payment of a licence fee.

(5) Use of file-sharing technology and participation in distributed file-sharing networks may be subject to additional regulation and restriction in order to prevent excessive use of university network resources, or the use of those resources for purposes unconnected with the University. If a user has any reason to suppose that an application employs peer-to-peer (p2p) or other file-sharing technology, they should seek the advice of the IT officer responsible for the college or departmental network on which they propose to use the software.

(6) (a) No computer connected to the university network may be used to give any individual who is not a member or employee of the University or its colleges access to any network services outside the department or college where that computer is situated.

(b) Certain exceptions may be made, for example, for members of other UK universities, official visitors to a department or college, or those paying a licence fee.

(c) Areas of doubt should be discussed with the Chief Information Officer.

(7) Providing external access to University network resources for use as part of any shared activity or project is permitted only if authorised by the IT Committee (ITC), and will be subject to any conditions that it may specify.

(8) If any computer connected to the network or a sub-network does not comply with the requirements of this section, it may be disconnected immediately by the Network Administrator or any other member of staff duly authorised by the head of college, section or department concerned.

14. (1) If a user is thought to be in breach of any of the University's statutes or regulations, including these regulations, he or she shall be reported to the appropriate officer who may recommend to the appropriate university or college authority that proceedings be instituted under either or both of university and college disciplinary procedures.

(2) Access to facilities may be withdrawn under section 48 or 49 of Statute XI pending a determination, or may be made subject to such conditions as the Proctors or the Registrar or other decision-maker (as the case may be) shall think proper in the circumstances.

#### *Examining Users' Data*

15. All staff of an IT facility who are given privileged access to information available through that facility must respect the privacy and security of any information, not clearly intended

for unrestricted dissemination, that becomes known to them by any means, deliberate or accidental.

16. (1) System Administrators (i.e. those responsible for the management, operation, or maintenance of computer systems) have the right to access users' files and examine network traffic, but only if necessary in pursuit of their role as System Administrators.

(2) They must endeavour to avoid specifically examining the contents of users' files without proper authorisation.

17. (1) If it is necessary for a System Administrator to inspect the contents of a user's files, the procedure set out in paragraphs (2)-(5) below must be followed.

(2) Normally, the user's permission should be sought.

(3) Should such access be necessary without seeking the user's permission, it should, wherever possible, be approved by an appropriate authority prior to inspection.

(4) If it has not been possible to obtain prior permission, any access should be reported to the user or to an appropriate authority as soon as possible.

(5) For the purposes of these regulations 'appropriate authority' is defined as follows:

(a) in the case of any university-owned system, whether central or departmental: if the files belong to a student member, the Proctors; if the files belong to any member of the University other than a student member, the Registrar or his or her nominee; or, if the files belong to an employee who is not a member of the University, or to a visitor to the University, the head of the department, college, or other unit to which the employee or visitor is responsible, or the head's delegated representative;

(b) in the case of a departmental system, either those named in (a) above, or, in all circumstances, the head of department or his or her delegated representative;

(c) in the case of a college system, the head of the college or his or her delegated representative.

#### **G.10 Rules of the Conference of Colleges Appeal Tribunal (CCAT)**

CONF 05/36 (Written July 2005 and amended February 2012 and November 2015)

1.1 The functions of the Tribunal shall be to consider appeals on disciplinary decisions imposing a substantial penalty, made by the body with final jurisdiction within any participating College (for these purposes the Visitor shall be deemed not to be such a body). Disciplinary decisions means the imposition of penalties for breach of College statutes, by-laws, regulations or rules relating to academic or any non-academic matters. Substantial penalty includes the penalties of expulsion, rustication or suspension, substantial fines, and other penalties of similar severity. Substantial penalty does not include measures such as the

imposition of probation or specially assessed collections.

1.2 The Tribunal shall not have appellate jurisdiction in relation to decisions which are exclusively within the province of the University disciplinary organs.

2. Each member of Conference of Colleges which is a College should nominate no more than three persons to serve, if appointed to do so as provided herein, upon the Tribunal. Each member of Conference of Colleges which is a Hall shall nominate one person to serve, if appointed to do so as provided herein, upon the Tribunal. A person nominated to serve should be a member of the Governing Body of the College or Hall, or a member with sufficient expertise in student welfare and academic issues as recommended by the Head of House. A list of those persons so nominated ("the list") shall be maintained at the Secretariat of the Conference of Colleges.

3. Conference of Colleges shall elect a chair ("the Chair") and a deputy chair ("the Deputy Chair") for such Tribunal, who will serve for three years from date of appointment. Such appointments can be renewed for a further term of three years only. The Deputy Chair will exercise the functions of the Chair if for any reason the Chair is unable to do so.

4. Any student member of a participating College ("an appellant") who wishes to bring before the Tribunal an appeal shall file a written application with the Secretariat of the Conference of Colleges normally within 5 days of the date of the decision appealed against. The Chair shall have power to extend such time if he considers that there is good and sufficient reason for so doing.

5. The application shall include

- a. a copy of the decision being challenged
- b. a brief statement of the facts
- c. a statement of the arguments on which the application is based
- d. the appellant's request for a remedy
- e. where applicable an application for a stay of the effects of the decision being challenged or for any other preliminary relief of an urgent nature
- f. the appellant's address, telephone number and, where applicable, the electronic mail address at which he/she can be reached for the purpose of the proceedings.

6. Upon the receipt of the application the Chair shall constitute a Panel composed of three members appearing on the list ("the Panel"), and appoint a President of the Panel ("the President"), who thenceforth shall have responsibility for the proceedings of the Panel.

7. The President shall be the holder of a degree in law or a professional legal qualification. If no such person is available from among those on the list, the Chair shall, at his discretion, appoint (with his or her consent) such a person with such qualifications from among other senior members of Colleges.

8. No person sitting on a Panel shall be a member of, or have any direct connection with, the College against whose decision the appeal is brought.

9. Any defence of lack of jurisdiction of the Panel must be raised as soon as possible or at the

latest at the start of the hearing. The question whether an appeal falls within the Panel's jurisdiction can be considered by the Panel at a hearing, or by the President under regulation 12, even if it is not raised by either party.

10. Both the appellant and the College can challenge a Panel member (including the President) if circumstances give rise to legitimate doubts as to his or her independence or impartiality. The Chair is empowered to resolve any such challenge as soon as possible after giving the parties and the Panel member concerned, so far as circumstances permit, the opportunity to be heard. The challenge must be brought as soon as the reasons for the challenge become known.

11. In any case of extreme urgency the President may rule on any application for a stay of the effects of the challenged decision or for any other preliminary relief without hearing the College first. When deciding whether to award any preliminary relief the President shall consider whether the relief is necessary to protect the appellant from irreparable damage, the likelihood of success on the merits of the claim, and whether the interests of the appellant outweigh those of the College or other interested persons.

12. The President may summarily dispose of an appeal that does not fall within the Tribunal's jurisdiction without consulting the other members of the Panel and without summoning the parties to a hearing. The President should invite the parties to make written observations on the matter before deciding whether it is appropriate to exercise this power. Where the President decides to dispose of an appeal under this provision the decision shall be written, dated and signed and immediately communicated to the parties, via the Secretariat. Brief reasons will be stated with or as soon as possible after communication of the decision. The decision and the brief reasons will be public documents unless, in the President's judgment, the interests of justice or other compelling public or private interest otherwise require.

13. Except where it considers another form of procedure more appropriate, the Panel shall as soon as possible summon the parties to a hearing which normally should be held no later than 14 days from the Secretariat's receipt of the application. The President shall arrange via the Secretariat for details of the date, time, and venue of the hearing, and any additional information required, to be conveyed to the parties. The parties should notify the Panel as soon as possible of their proposed witnesses. It shall be the duty of the parties, to work together and produce no later than 48 hours before the hearing, an agreed bundle of relevant documents, (paginated) and an outline of each's respective submissions (which should be no longer than 10 pages in length).

14. The Panel may, either before or at the hearing, require of its own motion the production of documents, information or other evidence. At the hearing the Panel shall hear the parties who shall produce their witnesses and introduce their other evidence. The Panel shall have complete discretion as to the evidence which it admits and will be the sole judge of the weight to be given to any such evidence.

15. Both the appellant and the College may be represented by a third party, including at the Panel's discretion, by Counsel and/or a solicitor. The hearing itself (not including the Panel's internal deliberations) shall be in public unless, in the Panel's judgment, the interests of

justice or other compelling public or private interest otherwise require.

16. The Conference Secretariat shall arrange for the hearing to be recorded, and arrange for transcription, if required, at a later stage. With the exception of cases where the hearing was not held in public the recording shall be made available to anyone upon request. Any costs of transcription shall be borne by those making such a request.

17. If one party or both parties fail to appear at the date fixed for the hearing, without reasonable excuse, the Panel may nevertheless proceed to determine the appeal.

18. The Panel shall have full power to establish the facts on which the application is based; but, it will normally assume that the facts as found by the body against whose decision the appeal is brought were correct.

19. The Panel shall rule on the dispute pursuant to the statutes, by-laws and other regulations or rules of the College, and any general principles of law applicable to the application which it deems appropriate.

20. The decision shall be taken by a majority of the Panel. It shall be written, dated and signed and immediately communicated to the parties, via the Secretariat. Brief reasons will be stated with or as soon as possible after communication of the decision. The President shall be responsible for ensuring that these tasks are performed. The decision and the brief reasons will be public documents unless, in the Panel's judgment, the interests of justice or other compelling public or private interest otherwise require.

21. The Panel shall use its best endeavours to give a decision normally within 7 days of the hearing of the appeal.

22. The participating Colleges shall agree to give to the Tribunal and/or the Panel such assistance as either may require and to abide by the outcome of the decision of the Panel.

23. Except that where express provision is made herein, the Chair, the President and the Panel shall have discretion as to appropriate procedure. In all or any of their activities each shall be guided by the principles of natural justice.

### **G.11 Licence to Occupy Agreement**

**This Licence to Occupy** in conjunction with the regulations set out in the College's Student Handbook, create legally binding obligations between the College and the Student so please read them and make sure you understand and agree to them before you sign. This licence to occupy is governed by English law which international students may find quite different to the law which applies in their own country. You may wish to take advice before signing.

|               |   |
|---------------|---|
| Student       | The recipient of this agreement                               |
| College       | Brasenose College, Radcliffe Square, Oxford, OX1 AJ           |
| Accommodation | A single College room allocated to the Student by the College |

|                        |   |
|------------------------|---|
| Accommodation Contents | The fixtures fittings and equipment in the Accommodation as found in the room on taking up occupancy  |
| College Contents       | The fixtures fittings and equipment at the College which are for students' use but which are not allocated to any student's room  |
| Contents               | The Accommodation Contents and the College Contents   |
| Common Parts           | Any shared facility such as kitchen, bathroom, common or other room allocated to the Accommodation and those parts of the College's property which are necessary for the purpose of gaining access to the Accommodation   |
| Payment Dates          | Wednesday of 2nd week of each term  |
| Rent                   | The amount payable for the period of the licence.   |
| Utility Charges        | Where applicable, any charge for utilities.   |
| Rights                 | <ul style="list-style-type: none"> <li>(a) to occupy the Accommodation during the Licence Period</li> <li>(b) to use the Contents</li> <li>(c) to use the Common Parts</li> <li>(d) to use the Services</li> <li>(e) to use the College's dining facilities (additional charges apply)</li> </ul>   |
| Services               | <ul style="list-style-type: none"> <li>(a) repair of the College</li> <li>(b) lighting and heating of the College</li> <li>(c) provision of hot and cold running water to the Accommodation</li> <li>(d) provision of an electricity supply to the Accommodation</li> <li>(e) insurance of the College</li> <li>(f) disposal of rubbish deposited in proper receptacles (except recycling)</li> <li>(g) cleaning of the Accommodation and the Common Parts</li> </ul>   |
| Licence Period         | <p><b>Main College site</b><br/> Michaelmas Term: starting at 12.00 pm on Sunday of 0<sup>th</sup> Week and ending at 10.00am on Saturday of 8<sup>th</sup> Week<br/> Hilary Term: starting at 12.00 pm on Sunday of 0<sup>th</sup> Week and ending at 10.00am on Saturday of 8<sup>th</sup> Week<br/> Trinity Term: starting at 12.00 pm on Sunday of 0<sup>th</sup> Week and ending at 10.00am on Saturday of 8<sup>th</sup> Week</p> <p><b>Frewin site</b><br/> <u>40 week licences</u> starting at 12.00pm on Sunday 20<sup>th</sup> September 2020 and ending at 10.00am on Sunday 27<sup>th</sup> June 2021<br/> <u>Term-time only Licences</u></p> |

Michaelmas Term: starting at 12.00 pm on Sunday of 0<sup>th</sup> Week and ending at 10.00am on Saturday of 8<sup>th</sup> Week

Hilary Term: starting at 12.00 pm on Sunday of 0<sup>th</sup> Week and ending at 10.00am on Saturday of 8<sup>th</sup> Week

Trinity Term: starting at 12.00 pm on Sunday of 0<sup>th</sup> Week and ending at 10.00am on Saturday of 8<sup>th</sup> Week

### **St Cross and Hollybush Row sites**

40 week licences starting at 12.00pm on Sunday 20<sup>th</sup> September 2020 and ending at 10.00am on Sunday 27<sup>th</sup> June 2021

44 week licences starting at 12.00pm on Saturday 26<sup>th</sup> September 2020 and ending at 10.00am on Saturday 31<sup>st</sup> July 2021

50 week licences starting at 12.00pm on Saturday 26<sup>th</sup> September 2020 and ending at 10.00am on Sunday 11<sup>th</sup> September 2021

In this licence to occupy "College" includes all buildings belonging to the College for use as student residences and not just the main College building whose address is given on the first page of this licence to occupy.

The College agrees to grant and the Student agrees to take occupation of the Accommodation for the Licence Period on the conditions set out in this licence to occupy and in the College's Student Handbook.

### **1.0 Student's Obligations**

- 1.1 To pay the termly Rent (being one third of the annual rent), Utility Charges and the Facilities Charge where applicable to the College in advance on or before the Payment Dates
- 1.2 To check the inventory and report any discrepancy to the College's Accommodation Manager within 7 days of the start of the Licence Period
- 1.3 To keep the Accommodation, the Accommodation Contents and (jointly with other students) the College Contents and the Common Parts in a clean and tidy condition and not to damage them
- 1.4 At the end of the Licence Period to leave the Accommodation (in a clean and tidy condition and clear of all rubbish and personal belongings) and to return to the College the keys/fobs to the Accommodation to the Lodge
- 1.5 To allow the College, at reasonable times and after giving reasonable notice, to enter the Accommodation for the purpose of viewing, inspection, maintenance or repair. No notice will be given in an emergency, for routine cleaning on the designated days, or where the need for repair (or any other matter affecting the suitability of the Accommodation for habitation) was reported by the Student, but otherwise the

College will aim to give 7 days prior notice for planned maintenance work and 24 hours prior notice for other purposes

- 1.6 To comply with all applicable legislation to avoid the Student's actions or negligence having an adverse effect on the College or the University of Oxford or on the owners or occupiers of nearby property
- 1.7 To comply with the University of Oxford's Regulations and with the College's Student Handbook
- 1.8 To report to the College as directed in the Student Handbook any damage or want of repair at the College or failure of the Services as soon as reasonably practicable and in any event within 24 hours of becoming aware of it
- 1.9 To pay to the College all costs reasonably incurred in enforcing the Student's obligations in this licence to occupy or arising from a breach of them (including an administration/interest charge)
- 1.10 Where damage or loss occurs at the College and it is not possible for the College (acting reasonably) to ascertain who is at fault, to pay a fair and reasonable proportion of the cost of repairing the damage or reinstating the loss including an administration fee per student. The Student shall not be required to contribute to loss or damage which in the College's reasonable opinion has been caused by an intruder provided that the Student has complied with his/her obligations in this licence to occupy relating to College security
- 1.11 Promptly to send to the College a copy of any communication the Student receives which is likely to affect the College or the Accommodation
- 1.12 Not to alter, add to or do anything which may cause damage to the electrical installation or equipment in the College or which may be a fire risk or in any other way put at risk the health and safety or security of others or the College's or other people's property. Any portable electrical appliance must be tested in accordance with the College's PAT policy as specified in the Student Handbook before being used in the College. The Student must within 3 days of request either provide a safety certificate for, or remove from the Accommodation, any appliance which in the College's reasonable opinion, is unsafe otherwise the College may remove it without further notice to the Student, charge any storage costs to the Student, and return it to the Student at the end of the Licence Period
- 1.13 If the Accommodation is on the ground or first floor, not to leave the Accommodation unoccupied without first closing and locking the window. Not at any time to leave any Accommodation unoccupied without locking the door. Not to leave the College main gate unlocked after hours (see College Student Handbook).
- 1.14 To comply with the University of Oxford and College's environmental policy as specified in the Student Handbook and in particular (a) to take reasonable steps to

avoid wasting fuel (eg by turning off lights and electrical equipment when not in use) or water and (b) participate in any waste recycling schemes operated by the College or by others

- 1.15 Not to put anything harmful, or which is likely to cause blockage, in any pipes or drains
- 1.16 Not to remove from, affix to, change, damage or attempt to repair the structure or decorative finish of any part of the College or the Contents
- 1.17 Not to bring additional furniture (including items such as cookers) into the College without the Domestic Bursar's prior written consent. Kettles are permitted, subject to the College's Health & Safety Policy and the College's Student Handbook
- 1.18 Not to use the Accommodation for any other purpose other than as a study bedroom
- 1.19 Not to share the Accommodation, sub-let it or transfer occupancy to any person. Once the license is signed there is to be no exchange of rooms between students.
- 1.20 Occasional overnight visitors are allowed, in guest rooms or student rooms, on the conditions set out in the College's Student Handbook and in point 1.20.
- 1.21 Not to have any visitors in College who are not College members after 11.00 pm or before 9.00 am unless they have been booked into a guest room for that night or entered in to the book provided to record your guests presence in your room as specified in the Student Handbook. Unaccompanied visitors to College will not be admitted after 10.00 pm or before 7.00 am.
- 1.22 Not to cause any nuisance, offence, disruption, harassment or persistent disturbance to others
- 1.23 Not to add to or change the telephone services to the Accommodation without the College's prior written consent and not to add to or change the information technology services installation or supply in the Accommodation
- 1.24 Not to bring into the College any animal unless it is an aid for a person with a disability. The Student is requested to notify the College in advance if an assistance animal is needed at College, as adjustments may need to be made to accommodate it. Students will be responsible for the proper care and control of assistance animals and any damage or nuisance which an animal causes.
- 1.25 Not to keep any vehicle or vehicle parts in any part of College other than (a) bicycles in the designated cycle bays; or (b) mobility assistance vehicles and not to ride or drive any vehicle in College unless it is a mobility assistance vehicle. Users of mobility assistance vehicles are requested to contact the College in advance as the College may need to make reasonable adjustments to accommodate it (without imposing any obligation on the College if the vehicle cannot reasonably be accommodated)

- 1.26 Not to cause any obstruction of the Common Parts
- 1.27 Where the Student becomes aware of damage to the College caused by an intruder, to report the incident to the College's Porter's Lodge as soon as reasonably practicable (and in any event within 24 hours)

## **2.0 College's Obligations**

- 2.1 To provide the Services, subject to the College's Student Handbook
- 2.2 To raise termly invoices (Batels) for the rent and for other Accommodation Charges.
- 2.3 Except in the case of an emergency, for disrepair reported by the Student (or other matter preventing the Accommodation from being used) and for cleaning on designated days to give the Student at least 7 days' notice prior to entering the Accommodation during term-time
- 2.4 Not to interrupt the Student's occupation of the Accommodation more than is reasonably necessary, particularly during examination periods
- 2.5 Not to disclose personal information obtained from the Student except as permitted by clause 3.2 of this licence to occupy or where there is serious risk of harm to the Student to others or the College's property
- 2.6 To make available to the Student for inspection by prior arrangement the College's:
  - (a) Portable Appliance Testing (PAT) policy;
  - (b) Fault reporting and emergency procedures for use of the College laundry;
  - (c) The Universities UK Code of Practice for the Management of Student Housing
  - (d) The University's transport policy
  - (e) The College's security plan
  - (f) The College's service level statement on reporting and rectification of building defects
- 2.7 Before the end of the first week of the Licence period the College will provide the Student with information and advice on:
  - (a) action to be taken in the event of an emergency, including emergency contact details, how to call an ambulance, where to get first aid, and how to report an accident or safety defect;
  - (b) health & safety matters such as how to avoid common fire risks; safe cooking in the designated areas of College and why cooking in the Accommodation is a safety risk and in breach of this licence to occupy; electrical safety and voltage differences; the dangers of using candles or other naked flames or storing flammable material; fire extinguishers; the possibility of disciplinary action or criminal proceedings for mis-use of fire precautions equipment;
  - (c) how to get access to the Accommodation in the event of the Student losing their keys;
  - (d) cleaning schedules and students' responsibilities for cleaning (where applicable);

- (e) the respective roles and responsibilities of the College and its resident students;
- (f) health, welfare, and guidance on communal living
- (g) where to get advice on financial difficulties
- (h) where to get counselling
- (i) how to register with a local health service
- (j) the management structure for the College and contact details of the Porter
- (k) any special arrangements made to help with any disability the Student may have disclosed to the College

- 2.8 To give a receipt for any of the Student's property which is confiscated under the terms of this licence to occupy.
- 2.9 To ensure security staff are clearly identified, and that any staff or contractors requiring access to the Accommodation carries and allows the Student to inspect appropriate identification documents
- 2.10 Maintain any kitchen facilities in the College Common Parts in good order and repair, and keep any equipment there in proper working order
- 2.11 To ensure clear and appropriate instructions for use are given for any equipment which the Student needs to operate in the College

### **3.0 Other conditions**

- 3.1 The Student is responsible for the conduct of any invited visitor(s)
- 3.2 The Student hereby authorises the College to use his/her personal data for all lawful purposes in connection with this licence to occupy (including debt recovery, crime prevention, allocating rooms or where there is a serious risk of harm to the Student or to others or to the College's property) and all matters arising from the Student's membership of the College and The University of Oxford
- 3.3 The College's liability for loss or damage to person or property is excluded unless the loss or damage is caused by the College's negligence or breach of its obligations in this licence to occupy and personal belongings left at the College are at the Student's own risk.
- 3.4 The College is not liable to repair any damage caused by the Student unless the cost is met by insurance or by the Student (any excess on the policy being payable by the Student). This clause shall not apply where the College has an overriding statutory obligation to make the College safe.
- 3.5 The College may temporarily suspend use of the Common Parts if they are not kept in a clean and tidy condition by the students using them
- 3.6 This licence to occupy does not affect the disciplinary powers of the College or of the University of Oxford

- 3.7 The College is entitled, at the Student's expense, to remove from the Accommodation or the Common Parts any article which constitutes an obstruction or a fire or health or safety risk but (unless perishable) will if requested return it to the Student on the termination of this licence to occupy. The College is entitled to remove any item left in College by the Student at the end of the Licence Period and shall not be obliged to return it to the Student
- 3.8 This licence to occupy is a student Licence under paragraph 8 of Schedule 1 to the Housing Act 1988 (but will operate as a licence where the Accommodation is designated for sharing, and is shared, with another student)
- 3.9 Notices under this licence to occupy must be in writing (which includes email) and the College's address for service is given on the first page of this licence to occupy
- 3.10 This licence to occupy is not intended to confer any benefit to anyone who is not party to it
- 3.11 This licence to occupy and the policies referred to in it (together with the College's Student Handbook) contains all the terms agreed to by the College and the Student at the time it comes into effect and any variation to the terms will only be effective if agreed between the Student and the College's Bursar. The College will confirm any agreed variation to the Student in writing at the time the variation is made

#### **4.0 Termination of this Licence to occupy**

- 4.1 Unless the Student has made arrangements with the College for late arrival this licence to occupy will automatically terminate if the Student has not taken up residence by Thursday of 0<sup>th</sup> Week in Michaelmas Term but the Student will be liable for the Rent until the room is re-let or until the end of the Licence period.
- 4.2 The College may terminate this licence to occupy at any time by serving notice on the Student if:
- (a) Any payment is overdue by 21 days or more **or**
  - (b) The Student is in serious or persistent breach of any of the Student's obligations **or**
  - (c) The Student does not have status as a member of the College or of the University of Oxford
  - (d) In the reasonable opinion of the College the health or behaviour of the Student constitutes a serious risk to him/herself or others or the College's or other people's property
- 4.3 The Student may only terminate this licence to occupy in accordance with this clause, and will remain liable for the Rent and associated charges until:
- (a) the Student has given notice to the College's Domestic Bursar that s/he wishes to leave; **and**
  - (b) the Student makes payment for, or puts right, to the College's reasonable

satisfaction any breach of the Student's obligations in this licence to occupy;  
**and**

- (c) a replacement student of Oxford University or College member who is reasonably satisfactory to the College as a tenant and who is not already a tenant of the College enters into a licence to occupy with the College (the College will assist the Student in finding a replacement, but does not guarantee it will be able to find one); **and**
- (d) the Student pays a fee (of £50 where the College finds a replacement student or of £25 where the Student finds a replacement student) towards the College's costs of administration and cleaning the Accommodation

Conditions (b) to (d) in this clause shall not apply if the Student is able to show that the reason for termination is a serious or persistent breach of the College's obligations in this licence to occupy. For the avoidance of doubt, the College will make vacated rooms available to other students for room transfers, but room swaps will not be treated as replacements and refunds of Rent will only be given where the void in the College caused by the Student's early departure has been filled and there is no loss to the College. The College shall be entitled to fill any rooms which are already vacant before allocating people on its waiting list to the Accommodation.

- 4.4 If this licence to occupy is terminated early by either the College or the Student the College will refund a fair proportion of pre-paid Rent (after making any proper deductions to cover its losses) as soon as possible after the termination becomes effective but pre-paid Rent will only be refunded for the period where the void in the Residence caused by the Student's early departure has been filled and there is no loss to the College
- 4.5 (a) The College reserves the right to relocate the Student to comparable alternative accommodation during the Licence Period where it is reasonable to do so but unless the reason for relocation is because the Student is in breach of one or more of their obligations in this licence to occupy the Student will have the right to terminate this licence to occupy (without having to comply with the conditions in clause 4.3) as an alternative to relocating
  - (b) Where the College relocates the Student because the Student is in breach of one or more of their obligations in this licence to occupy [or where the relocation is made at the Student's request] the Student shall pay the College an administration fee of £35
- 4.6 The College's acceptance of the keys at any time shall not in itself be effective to terminate this licence to occupy while any part of the Period of Residence remains unexpired

## **5.0 Shared House/Flat Contracts**

**Where the Accommodation is designated for occupancy by more than one person, this clause 5 applies but not otherwise**

Each occupier will have a separate agreement with the College on substantially the same terms

This agreement takes effect as a licence to occupy and not as a student Licence. References to “licence to occupy” and “rent” shall be read as references to “licence agreement” and “licence fee”.

Where damage or loss occurs at the Accommodation and it is not possible for the College (acting reasonably) to ascertain who is at fault, to pay a fair and reasonable proportion of the cost of repairing the damage or reinstating the loss including a proportion of the £25 administration fee.

If the Student becomes the sole occupier of the accommodation, the College may require the Student to move to a room designated for single occupancy. Unless the College requires a sole occupier to move to a single room, the Student may remain alone in the Accommodation at the same rent.

The College may introduce a second student to the Accommodation if it is in single occupancy and will use reasonable endeavours to give reasonable notice to the student in occupation of its intention to do so. Clause 4.3 applies to students wishing to leave shared accommodation, but refunds of Rent will only be given to students who have left a shared room when a replacement sharing student begins occupation.

The College shall not be obliged to relocate either student in the event that sharing students do not get on with each other, but will treat transfer requests sympathetically in such circumstances. Students in shared houses/flats have the same rights to terminate their licence to occupy as students in single rooms.

Students in shared houses/flats will show the utmost respect for the other occupier of the Accommodation and for their belongings. The rights of the sharing students are equal and neither has precedence or preference over the other.

## **G.12 Complaints Policy**

Students experiencing serious dissatisfaction with aspects of College life are advised to raise the matter with the appropriate College Officer:

| <b>Type of Complaint</b>  | <b>Relevant College Officer</b> |
|---|---------------------------------|
| Academic matters: teaching, supervision, academic judgement (UG)        | Senior Tutor                    |
| Academic matters: teaching, supervision, academic judgement (PG)        | Tutor for Graduates             |
| Financial matters   | Bursar                          |
| Non-academic College staff (except Domestic Bursary staff) and services | Bursar                          |
| Domestic Bursary staff  | Domestic Bursar                 |

| Type of Complaint   | Relevant College Officer |
|---|--------------------------|
| Accommodation, food, maintenance  | Domestic Bursar          |
| Other students in Brasenose or at other Colleges (including harassment cases) | Dean                     |
| Welfare matters including fitness to study and suspension on health grounds   | Dean                     |
| Harassment (non-student cases)  | Harassment Officer       |

If it is not clear to which category the matter complained of should be assigned, the Principal will determine which College Officer should consider the complaint.

The relevant College Officer will seek to offer sympathetic advice and where possible will try to find a remedy or reconciliation. If an informal resolution is not appropriate or possible, the student will be invited to put his/her complaint in writing for investigation. If the matter cannot be resolved to the satisfaction of the complainant, he/she may refer the matter to the Principal who will reach a final College decision and advise the complainant on his/her right to seek an external review.

If you have a concern about the organisation of your course or the Departmental or Faculty teaching you are receiving, you should first attempt to resolve the issue informally by raising it as follows:

**Undergraduate courses:** with your Tutor, the organising Tutor, or any of the other people listed in B.1 above. He or she will be able to advise you as to whether the matter is the responsibility of the College or of your Faculty or Department, and as to how best to resolve the problem. If it is not possible to settle the matter in this way, you should arrange to see the Senior Tutor and provide him/her with details of the complaint and the remedy sought.

**Graduate courses:** with your Supervisor or College Advisor. He or she will be able to advise you as to whether the matter is the responsibility of the College or of your Faculty or Department, and as to how best to resolve the problem. If it is not possible to settle the matter in this way, you should arrange to see the Tutor for Graduates and provide him/her with details of the complaint and the remedy sought.

### **G.13 Procedures to be followed at Academic Appeal Panel Hearings**

Closed briefing session consisting of the panel members alone (without the Chair of the Academic Review Panel, Senior Tutor, or Tutors).

The Chair will set out the following procedure to be followed by the Panel:

1. The Chair of the Appeal Panel will introduce you and briefly describe the process to be followed.
2. The Chair of the Academic Review Panel will set out the case and will review the history of the case. He/she will then make his/her recommendations.
3. The Tutor(s) will be invited to make any comments they may wish to add.
4. The student or his/her representative will be invited to give a response.

5. The Appeal Panel members will then ask questions of all those present.
6. The student, or his/her representative, will be invited to make any final response.
7. The student, his/her representative, the Chair of the Academic Review Panel, Senior Tutor, and Tutors will leave and the Appeal Panel will come to a decision. If the Panel are not able to come to a decision on the day of a hearing, the members will use their best endeavours to reach a decision as soon as possible, consistent with due process.
8. The Chair of the Appeal Panel will let the student's representative and/or the student know informally of our decision, and will also inform the Chair of the Academic Review Panel and Senior Tutor.
9. The Chair of the Appeal Panel will write a formal response to be agreed by the panel.

If the Appeal Panel is asked to decide matters of fact, it will also determine these as part of its decision.

Minutes of the Appeal Panel will be taken by an appropriate administrative officer.

#### **G.14 The College's duty to prevent people being drawn into Terrorism ("The PREVENT Duty")**

The College has a statutory duty, under the Counter-Terrorism and Security Act 2015, to 'have due regard to the need to prevent people from being drawn into terrorism' (the PREVENT duty). The College needs to balance the implementation of the Prevent duty and recognizing the fundamental importance of freedom of speech which is also enshrined in legislation. Free expression is of foundational importance to intellectual inquiry and therefore to the central purpose of a university, which cannot properly function in its absence.

To fulfil the PREVENT duty, particular care needs to be undertaken by all college members, including students, who are arranging events or inviting speakers in to college. Permission for all speakers must be sought from Domestic Bursar or Dean through the event booking systems.

Care also needs to be taken in the way that Welfare support is managed, and with IT security, with training and in the management of faith facilities. More details are given in the College's Policy on implementing the Prevent duty, and in the specific policies relating to these activities.

If you have concerns a student or member of College staff are being drawn into terrorism you should contact the Bursar, Dean, Domestic Bursar or Chaplain. If those concerns might need to be reported to other authorities, the Dean or Bursar will discuss the case with the Registrar. The Bursar is the PREVENT lead for the College.

## **G.15 Pet, Service, and Assistance Animal Policy**

### *G.15.1 Definitions*

**Pets:** A pet is any animal kept for ordinary recreation and companionship. Support animals (either service or assistance animals), are not considered pets. Pets are generally prohibited on Brasenose College premises.

**Service Animal:** A service animal is most commonly a dog (but may be a different animal species) that is individually trained to do work or perform tasks by a recognised agency for the benefit of a person with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work or tasks performed by a service animal must be directly related to the person's disability.

**Assistance Animal:** An assistance or support animal is an animal that provides emotional or other support that ameliorates one or more identified symptoms or effects that may be related to disability or that meets another recognised special need. Support animals are not trained to perform work or tasks, and can include species other than dogs (such as but not limited to cats). Ordinarily, a student will not be permitted more than a single assistance animal at any one time.

### *G.15.2 Permissions and Conditions Relating to Support Animals (either Service or Assistance)*

A service or assistance animal may reside in a student's room and may accompany the student keeper in all public or common use areas in the path of travel to his or her room. Unlike a service animal, an assistance animal is not allowed in public or common-use areas of College (e.g. dining areas, kitchens, laundry rooms, study rooms, JCR).

Before a support animal can move into residence, a request must be submitted to the Accommodation Office and approval granted by the Domestic Bursar. The requestor may be required to provide certification from a competent professional or mental health provider, including without limitation a qualified psychiatrist, social worker, or other mental health professional, to provide sufficient information for Brasenose to determine that the support animal may be necessary to afford the student keeper an equal opportunity to use and enjoy accommodation and to more fully engage as a Brasenose student with academic and non-academic life.

A support animal must be housebroken (i.e., trained so that it controls its waste elimination, absent illness or accident). When outside a student's room, the service animal must be kept under control by a harness, lead, or other tether unless the person is unable to hold those, or such use would interfere with the service animal's performance of work or tasks. In such instances, the service animal must be kept under control by voice, signals, or other effective means. If the assistance animal is a cat, the student keeper must take reasonable care to ensure that the animal does not injure people (including persons with allergies), injure or destroy other creatures (for example, by equipping the cat with a bell collar and safety release clasp), or damage property.

Brasenose staff and emergency personnel (for example, scouts, police or fire personnel) must be able to enter a student's room with or without advance notice without concern about encounters with the support animal. If a support animal is likely to react negatively to

someone entering the space, it must be kept in an appropriate receptacle and/or notice placed on the door to specifically identify an animal's presence in the room.

The student keeper of a support animal must agree to the following:

- to keep the animal under control as described above and taking effective action when it is out of control;
- to not actively encourage and as far as is reasonable discourage the animal to enter indoors on the College site with the exception of the student's own room;
- to feed (with an appropriate diet) and water the animal, and dispose of its waste;
- to protect the animal from pain, suffering, injury and disease by maintaining vaccinations, de-worming, and registering the animal with an Oxford veterinary practice;
- to enable the animal to exhibit normal behaviour patterns;
- to arrange for the care of the animal on a temporary basis due to the keeper's unavailability;

Brasenose College may impose some restrictions on, or even exclude, a support animal in certain instances, if these conditions are breached. The Domestic Bursar will make an individualised assessment in such cases, based on reasonable judgment and the best available objective evidence.

The student keeper may be charged for damage caused by an assistance animal to the same extent that Brasenose would normally charge a person for the damage they cause to property.

Brasenose College may, at its discretion, post or circulate notices that a service or assistance animal is living in a student accommodation or on a particular staircase in order to alert students, staff or visitors who might be negatively affected by contact, and staff or emergency personnel who might likewise encounter the animal. Brasenose may also circulate instructions to other students not to feed or engage in other behaviours believed to be detrimental to the animal's wellbeing or likely to result in a breach of the conditions of its continued residence in College.